Name of Claimant MURAKAMI, Philip M. Case 806

Custodian File 1598

REAL PROPERTY

Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices: % of Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
		300.00	30.00	15.00 12.50							450.00 57.50

PERSONAL PROPERTY

Motor Vehicles		Boats and Boat Gear					
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column

NETS

Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price

MISCELLANEOUS CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
230.00	95.00	28.50						28.50

TOTAL RECOMMENDATION	536.00

CASE NO: 806.

JAPANESE PROPERTY CLAIMS COMMISSION

Moose Jaw, Saskatchewan,
April 7th, 1948.

IN THE MATTER OF THE CLAIM OF
PHILIP MASAYOSHI MURAKAMI.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 806.

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA, 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

Moose Jaw, Saskatchewan,

April 7th, 1948.

IN THE MATTER OF THE CLAIM OF

PHILIP MASAYOSHI MURAKAMI.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
P.G. MAKAROFF, Esq.,K.C.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
D.H. COGHILL, Esq.,	Official Reporter.

THE SECRETARY: Case No. 806, Philip Masayoshi Murakami.

MR. MAKAROFF: I call Mr. Murakami.

PHILIP MASAYOSHI MURAKAMI, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. MAKAROFF:

Q You are living in Moose Jaw now?

A Yes.

Q And you came here from what place?

A Ganges.

Q And you own some property there ?

A Yes.

Q Before coming to the interior? A: Yes.

Q You had some timber land? A: Yes.

Q Where? A: Salt Spring Island.

Q When did you buy that? A: 1935.

Q And how much did you pay for it at that time?

A $500.00 im cash.

Q And in 1935 how did the price of timber compare with that in 1942? A: On the basis of half a million of timber at a price of $1.00 a thousand; that, I estimate, I paid.

Q When? A: 1935.

Q And in 1942? A: Well, I estimate around $2.00 a thousand.

Q Did the price go down by 1944 or remain the same or go up? Do you know? A: It is still coming up.

MR. HUNTER: Sold May 5th, 1945.

MR. MAKAROFF: Q: Do you know what the price of timber was at that time? Was it worth $2.00?

A I think more than $2.00.

Q What valuation do you place on that timberland at Salt Spring Island? A: The first I asked is $10.00 an acre.

Q You first asked? A: Yes.

Q When was that? A: In 1935. Over 65 acres in this place.

Q Is this your signature here (producing)?

A Yes.

Q And this is a statement of the real estate belonging to you that you left in B.C.? A: That's right.

Q It was the timberland in question?

A Yes.

Q You place a valuation of $1000.00?

A Yes.

Q That date of sale was May, 1945. Don't you think that is a little too much or is it not enough? What do you think? A: Fair, about.

Q You believe it is fair; all right. And you base it on the price of timber at the time of the sale?

A Yes.

MR. MAKAROFF: I tender that.

(STATEMENT MARKED EXHIBIT NO. 1).

Q I show you another document here. Did you sign that? A: Yes.

Q That was a statement of the personal chattels that

you left in the hands of the Custodian or whose hands? A: I left it at home, when I volunteered for road camp.

Q Where did you leave that stuff?

A At home.

Q In your father's house? A: Yes.

Q At Ganges? A: Yes.

Q What did your father do with them?

A My wife turned them in to the Custodian.

Q You left your wife at Ganges? A: Yes.

Q In this statement you have valued your property according to the price paid and then the estimated value at the date that your wife left the property in the hands of the Custodian; is that a true and fair value according to the best of your judgment?

A Yes.

Q It amounts to $230.00? A: Yes.

Q All you had was a bedroom suite, one cabinet and one mantle clock? A: Yes.

Q When did you buy those things? A: 1937.

Q And did you pay the prices you have indicated for the respective items? A: Yes.

Q In 1937? A: Yes.

Q That is what they cost you in 1937?

A Yes.

Q The price of those things went up after that?

A I believe so, yes.

(STATEMENT MARKED EXHIBIT NO. 2).

MR. MAKAROFF: I would like to tender the analysis of personal property produced from Mr. Hunter's

possession. In this analysis we have an item, baby's crib. Did that belong to you?

A Yes.

Q Do you know if anybody else put in a claim for that?

A My father.

Q What is your father's name? A: Mori Hei.

Q And the other name? A: Murakami.

Q The same surname? A: Yes.

THE COMMISSIONER: You might check where the father is.

MR. MAKAROFF: His regimental number is 1018 and the file number is 3275.

MR. HUNTER: I think that was one of the claims you heard in Lethbridge.

MR. MAKAROFF: Q: Was your father at Lethbridge?

A No.

Q Where? A: Magrath, Alberta.

MR. HUNTER: It was sold and credited to the father's account, my lord.

MR. MAKAROFF: Q: You are not making a claim for that?

A No.

Q So that your claim is reduced by the value of that? What is the value you put on that? Would $20.00 be about a fair value? A: I think so.

MR. MAKAROFF: So the claim is reduced by that amount, my lord.

THE COMMISSIONER: You are content that your father should claim for it?

THE WITNESS: Yes.

MR. MAKAROFF: Q: And you received $385.00 from the

Custodian? A: Yes.

Q That is $300.00 for the timber and $85.00 for the personal property? A: Yes.

Q That is after taking off auctioneer's charges of $22.34. I question the validity of that particular charge.

THE COMMISSIONER: The auctioneer's charge?

MR. MAKAROFF: Yes.

THE COMMISSIONER: I think that is another one of those questions that have been raised previously and argument heard on it. I take it your objection is to the quantum rather than the principle.

MR. MAKAROFF: That's it. I think the item should certainly not be charged in any case.

THE COMMISSIONER: Incidentally, Mori Hei was heard in Lethbridge on April 1st, Claim No. 494.

MR. MAKAROFF: The total amount of the claim is reduced to $845.00.

THE COMMISSIONER: Yes.

CROSS-EXAMINATION BY MR. HUNTER:

MR. HUNTER: I submit, my lord, that the real property was sold for its fair market value, and that the chattels were sold at their fair market value. I file an extract of a list of Salt Spring Island appraisals dated August 5th, 1944, catalogue 553, Masayoshi Murakami. (reading extract).

(EXTRACT MARKED EXHIBIT NO. 4).

MR. HUNTER: As mentioned herein, my lord, the property was sold on May 5th, 1945, for $300.00. It was

sold to Fred O. Orr for $300.00.

MR. MAKAROFF: What is the date of the appraiser's report?

THE COMMISSIONER: August 5th, 1944. You will appreciate this is simply an extract from a report appraising a lot of properties.

MR. MAKAROFF: Yes.

MR. HUNTER: I hope my learned friend realizes we will produce these appraisers. This is a prima facie case.

THE COMMISSIONER: Again, Mr. Makaroff, I am not accepting this as proof of the fact.

MR. HUNTER: The three chattels claimed for, as you will see from the analysis, were sold and totalled $95.00.

THE COMMISSIONER: Where did the sale take place?

MR. HUNTER: Salt Spring Islands, my lord, November 3rd, 1943.

THE COMMISSIONER: That poses another question. The market in Salt Spring Island would be an extremely limited one. I hope the Government can justify a sale there instead of a shipment to Victoria, for instance. I am making that statement for the record and your future guidance.

MR. HUNTER: Thank you, my lord.

THE COMMISSIONER: I don't suppose there is a population of over one thousand people on that island.

Q How many people? A: 17,000.

Q On the whole island? A: Yes.

I mean 1700.

THE COMMISSIONER: That is better.

MR. HUNTER: Q: Tell us about this bedroom suite; what is it made out of?

A Well it is made of wood.

Q What type of wood? A: I don't know.

Q Where did you buy it? A: Victoria.

Q And you show the cost, $175.00. What was the bed?

A Three piece, bed and a drawer.

Q A dresser, do you mean? A: Yes.

Q With a mirror? A: Yes.

Q What is the third piece, a bureau?

A A bureau with drawers in it.

Q You don't know whether it was made out of walnut or mahogany or maple or birch?

A No.

Q What colour? A: Varnished.

Q Light like oak, or dark? A: Dark.

THE COMMISSIONER: Sounds like walnut.

Q Where did you buy it? A: Victoria.

Q At what store? A: I don't remember.

MR. MAKAROFF: Q: Did it have a spring mattress?

A Just a common mattress.

MR. HUNTER: Q: A felt mattress? A: Yes.

Q You bought it in 1937? four years old. Have you any children? A: Yes.

Q They weren't scratching up your bedroom suite?

A No.

Q You kept them out of there? A: Most of them born after—

RE-DIRECT EXAMINATION BY MR. MAKAROFF:

Q How old are these children?

A One, eight years old, and three and two.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein.

"D. H. COGHILL"
Official Reporter.

base 806

DEC - 2 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

1598
Moose Jaw

3

Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim:

(1) NAME Murakami, Philip Masayoshi (RCMP) Reg. No. 10116
(Print) Surname Given Name

(2) Pre-Evacuation Address Ganges, British Columbia.

(3) Present Address 946 Albert St., Moose Jaw, Sask.

(4) REAL ESTATE

(a) Street Address (if any) ..... City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
65 acres - timber land on Salt Spring Island, B.C.

(c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) Residence Type of business .....
(iii) Business
(iv) Any other type of property (describe) Timber land

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) .....

(e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - - - - - - - - - - - - - $ 1000.00
(ii) Buildings - - - - - - - - - - - - - - - - $ .....
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $ .....
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 1000.00
(v) Amount at which Custodian sold property and credited your account - - $ 300.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 700.00 ✓

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
In father's house, Ganges, B.C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
House

(c) How stored or packed at time of evacuation
Kept in locked house.

(over)

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care") In no one's care except Custodian.

(e) Itemized description of personal property which is the subject of the claim:

1. Bedroom suite, cabinet, mantel clock — Estimated Value $
2. and baby crib — Estimated Value $ 250.00
3. — Estimated Value $
4. — Estimated Value $
5. — Estimated Value $
6. — Estimated Value $
7. — Estimated Value $
8. — Estimated Value $
9. — Estimated Value $
10. — Estimated Value $

Credited 85.00 TOTAL CLAIM FOR PROPERTY LOSS $ 165.00 ✓

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - $ 365.00

(6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.) Moose Jaw

(b) Do you require the services of an interpreter at the hearing? Yes or no No.

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
Province of Saskatchewan)
TO WIT:)

I, Philip Masayoshi Murakami of the City of Moose Jaw in the Province of Saskatchewan, loom fixer

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of 'The Canada Evidence Act".

DECLARED before me at the City of Moose Jaw in the Province of Saskatchewan this 17th day of November A.D. 1947. George Tamaki,

Masayoshi R. Murakami

A Commissioner &c. in & for the Province of Saskatchewan per a salicita.

N.B. — THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

MURAKAMI, (PHILIP) MASAYOSHI
(Claimant's Name)

REAL ESTATE
(Other than farm)

10116
Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
----	----	----	----	----	----	----

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
Timberland	**$500. (1935)**	**none**	**$1,000.**

Comments re upkeep of premises:

EXHIBIT No. 806-1
DATE 7 apl 1948
FILED BY P. G. makaroff.

806

Comments re Appraiser's report not covered above:

Purchased from William McAfee on basis of 1/2 million feet of standing timber, mostly fir, at $1 per thousand. Estimated value at date of sale $2 per thousand. Believe purchase price set out in title to property which was sent to Custodian.

Masayoshi P. Murakami
Signature

MURAKAMI, (PHILIP) MASAYOSHI
(Claimant's Name)

PERSONAL CHATTELS

10116
Reg. No.

Description of Major Items (and particularly of goods lost, stolen or destroyed)	Approximate Date Purchase	New or Used When Purchased	Price Paid	Condition when Evacuated	Estimated value at Date of Evacuation
1 bedroom suite	1937	new	$175.	Good	$140.
1 cabinet	1937	new	75.	Good	60.
1 mantel clock	1937	new	35.	Good	30.
					230.

M.P.M.

EXHIBIT No. 806-2
DATE 7 apr 1948
FILED BY
P.G. Makaroff.

Description of Storage of Goods:

Locked in father's house at Ganges, British Columbia

General Statement as to Chattels not Described above:

Additional Comments, if any:

Feel that charges for selling should not have been collected.

Masayoshi P. Murakami
Signature

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No 1598 EXHIBIT No.

NAME Masayoshi (Philip) MURAKAMI REG. No. 10116

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DECL NOT FOUN
Declaration 20/3/42	Taken by			Auction	Tender &c		
Evacuation 21/3/42	Date						
1 Bedroom Suite	No Inventory taken.	Bedroom Suite)		$ 55.00			
1 Sewing Machine		Cabinet)	$250.00	25.00			
1 Baby Crib		Mantel Clock)		15.00			
		Baby Crib)		✓			
		Total amt. of Pers. Prop. Claim	$250.00				
		Ack. Custodian Credits	85.00				
		Amt. of Pers. Prop. Claim	$165.00				
		Gross Proceeds Auction Sale		$ 95.00			
		Less Charges		$ 22.34			
		Net Proceeds of Auction Sale:		$ 72.66			

Vancouver, B. C, Mar. 10/48.

RGB/P.

EXHIBIT No. 806-3
DATE 7 apl 1948
FILED BY J. W. S. Hunter.

3

6

EXHIBIT No. _____

CASE No. _____

VENUE Moose Jaw, Sask.

ENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD		REMARKS
								Proceeds ($10.00) credited to father's account by agreement

D/1598.

3/1598.

EXTRACT OF LIST OF SALT SPRING ISLAND APPRAISALS
BY D. KEITH WILSON, DATED AUGUST 5, 1944

Cat. 553 - Masayoshi MURAKAMI: Lot 2 Section 2 Range 1 East Plan 4329 North Salt Spring Isd. consisting of 65.89 Acres. Just bush land with no buildings and timber would not be of commercial value except for fire wood. I estimate the value of this property to be $275.00.

806 - 4

EXHIBIT No. _____
DATE 7 Apl 1948
FILED BY J.W.G. Hunter

I hereby certify that the above words are a true copy of the original whereof they purport to be a copy.

Aug.10/48

E.L.

1002 Government Street,
Victoria, B.C.
February 6th, 1950.

EXHIBIT No. 806 - 5.
DATE Feb. 3 - 1950
FILED BY R. J. McMaster.

Mr. R. J. McMaster,
Barrister & Solicitor,
675 W. Hastings Street,
Vancouver, B.C.

Dear Sir,

re. Lot 2, Section 2, Range 1E,
Plan 4329 - North Salt
Spring Island, 65-89 acres.

Acting on instructions by you I have made an examination of the above land, and beg to report as follows:

The area consists of mountainside sloping to the North and having only a short frontage of 175 feet on Rainbow Road.

There is a small building site of approximately 1 acre at this spot, but the whole of the balance is fit only for forest growth.

The area was bought by Mosakami in 1937 for $275.00, and sold to Orr (since deceased) in 1947 for $300.00.

The property, together with a Seafront Residence was sold in 1948 to Mr. and Mrs. Joseph Bate, but the prices of the different properties were not segregated or specified.

Mr.Bate reckons that he paid from $500 to $750 for the land. He re-sold it last year to a Mr.Cudmore for $750.00 with $250 cash and balance on terms. He also informs me that Cudmore was not to cut any timber, but apparently did so and has not paid any more on account, and has apparently relinquished his claim thereto.

Mr.Bate was informed that there was about 250M of timber thereon, but I did not have any means of checking this.

My opinion is that a very fair valuation thereof in 1947 would be $750.00.

Respectfully submitted,

H. M. Hall.

H. M. Hall.

TELEPHONE PACIFIC 9164
CABLE ADDRESS: "CAMBRA"

Campbell, Brazier, Fisher, McMaster & Johnson
Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. F. JOHNSON

THE ROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B.C.

OUR FILE No.

February 22nd, 1950.

Miss J. White,
Secretary,
Japanese Claims Commission,
Court House,
Vancouver, B.C.

Dear Miss White:

Re: Masayoshi Murakami - Case 806.

You will recall that a short time ago the Commissioner made an award with respect to this claim. The property had been appraised by Mr. Hall and the Commissioner assigned Exhibit No. 5 for his appraisal when filed. We are advised by Mr. Hall that he has handed to Mr. Justice Bird in Victoria a copy of this appraisal. We enclose herewith the original for your files.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: R J McMaster

McM:McC
encl.