Name of Claimant OZAMOTO, Moroku Case 845

Custodian File 4835

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	
					977.		1010.65				1010.65

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

TOTAL RECOMMENDATION	1010.65

CASE NO: 845.

JAPANESE PROPERTY CLAIMS COMMISSION

Winnipeg, Manitoba,
April 15th, 1948.

IN THE MATTER OF THE CLAIM OF
MOROKU OZAMOTO.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 845.

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).

Winnipeg, Manitoba,

April 15th, 1948.

IN THE MATTER OF THE CLAIM OF

MOROKU OZAMOTO.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
S.M. CHERNIACK, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
H. SHIGARU, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

MR. CHERNIACK: There is no personal claim here, my lord. I ask leave to amend the total value to $4000.00, my lord. The gross sale was $977.99, and theloss $3,022.00.

MOROKU OZAMOTO, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. CHERNIACK:

Q Witness, I show you a typewritten statement. Was that prepared in accordance with your instructions?

A Yes.

Q Is this your signature? A: Yes.

Q You swear the contents to be true to the best of your knowledge and recollection? A: Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. CHERNIACK: On behalf of my learned friend I file the S.S.B. appraisal as Exhibit 2.

(APPRAISAL MARKED EXHIBIT NO. 2).

MR. CHERNIACK: I have in my possession, my lord, and will show my learned friend the deed of land for the purchase of this property from Kameo Nakeoda for $2150.00. I see no need to file it as an exhibit unless your Lordship wants it.

THE COMMISSIONER: What is the date of it?

MR. CHERNIACK: August, 1921.

MR. HUNTER: The 9th of August, 1921, my lord.

MR. CHERNIACK: The claimant states in Exhibit 1 that at the time the property was purchased only one-half acre had been cleared. He states further that he cleared over 4 acres and cultivated it, and shows

the crop including fruit trees of about 4½ acres, my lord. In addition to the planting of some 270 mixed fruit trees, the cost of which he estimates at $337.50, he constructed about 500 feet of ditching, using tile pipes, dug a well, and installed an electric pump at a cost of $120.00. He shows the several buildings which were on the property, my lord, and the estimated cost of the same.

The appraiser indicates in Exhibit 2, my lord, that the property is a half mile from Haney with direct access to the road, 22nd, I assume it is 22nd Avenue; over estimates the ages of the building, according to Exhibit 1, which says they are 16 years old and not 25.

Q Witness, the appraiser who saw your property states that the property appears as if it had not been properly operated for several years. What is your comment? A: He says he was working on it until about 20 days before evacuation, but due to the fact it is low land and moist, the grass seems to grow fast. He says if the soil is rich, like, the weeds will grow fast.

Q Did he work this land himself, or did he have assistance? A: Mostly alone. Mostly myself and my wife.

MR. CHERNIACK: The comments on Exhibit 1, my lord, with regard to the buildings, read, "They were always kept in good state of repair. When I built the shed, I intended the second storey to be used as a henhouse and I used very good material, and made sure it was

well built. I don't understand how the appraiser could say that the land appeared as if it had not been worked for years, and was weedy. Until March, 1942, I worked the land with my grandson and it was clean and well cultivated. The crop was good. After March 1st, I was too busy preparing to leave to attend to the land, but there weren't many weeds when I left."

Q Witness, where was your grandson prior to evacuation?

A He was staying with me.

Q How old was he at the date of evacuation?

A He was 26 years old.

MR. HUNTER: It is submitted, my lord, that the property was sold for its fair market value. I believe it to be entirely a question of value, and there are no questions.

(Witness a side)

(PROCEEDINGS ADJOURNED SINE DIE)

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

J. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

Case 845

NOV 28 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

4835

23

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

(1) NAME OZAMOTO (Print) Surname Moroku Given Name (RCMP) Reg. No. 13816

(2) Pre-Evacuation Address Port Haney, B.C.

(3) Present Address 431 Dufferin Avenue, Winnipeg, Man.

(4) REAL ESTATE

(a) Street Address (if any) 2692 - 22nd Ave. Haney B.C. City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot 13 of Lot 399, Group 1, Map/112 New Westminster
C. of E. 50458

(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)

(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.) Sole owner

(e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land improved - - - - - - - - - - - - - - - - $~~3450.00~~ 4000
(ii) Buildings - - - - - - - - - - - - - - - - - $~~1300.00~~
(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) - $ ~~4750.00~~ 4000
(v) Amount at which Custodian sold property and credited your account - - $ 977.99
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ ~~3772.01~~ 3022 -

(5) PERSONAL PROPERTY - No Claim

(a) Place or places at which property was left by the claimant at date of evacuation

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

(c) How stored or packed at time of evacuation

(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") _____

_____

_____

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

1. _____ Estimated Value $_____
2. _____ Estimated Value $_____
3. _____ Estimated Value $_____
4. _____ Estimated Value $_____
5. _____ Estimated Value $_____
6. _____ Estimated Value $_____
7. _____ Estimated Value $_____
8. _____ Estimated Value $_____
9. _____ Estimated Value $_____
10. _____ Estimated Value $_____

TOTAL CLAIM FOR PROPERTY LOSS $_____

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) - $ 3772.01

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

Winnipeg

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

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 Manitoba
TO WIT:

I, Moroku Ozamoto of the City
of Winnipeg, in the Province of Manitoba,

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 Winnipeg,
in the Province of Manitoba
this 22nd day of November,
A.D. 1947.

A COMMISSIONER FOR OATHS.
MY COMMISSION EXPIRES DEC. 16TH, 194

A Commissioner &c.

Moroku Ozamoto

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.

_____

_____

_____

_____

M. OZAMOTO
(Claimant's Name)

REAL ESTATE
(Farm Land)

13816
Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared ---¼ acre Cultivated not planted Cultivated and not in crop List Crops							
Raspberries 1/3 acre Strawberries ¾ Acre Asparagus ¾ " Fruit Trees 2 2/3 "	5 acres	August 1921	Kameo Nakeoda	$2150.00	½ acre cleared balance bush	Shack	Land and improvements $4000
Total							

IMPROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation, plants, trees or special equipment)

Description	When Made	Cost	
Cleared over 4 acres & cultivated	from 1921 to 1927	Own labor and hired help	
Planted 270 mixed fruit trees from	1939 to 1942	at average cost of $1.25 each	337.50
Constructed about 500 ft of ditching using tile pipes at cost of approx. -			100.00
dug well and installed electric pump at cost of approximately -			120.00

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value ~~Value~~ Costs
House, 2 storey 6 rooms	27 x 30	frame on cedar posts with ½ basement V joint finished fir floors, shingle roof.	1926	Own and hired labour and bought material				1500.00
Root house, 2 storey	20 x 36	frame, shiplap finish, fir floors, shingle roof	1926	" " " " " " "				900.00
2 small shed, constructed by myself - at $25.00 each -								50.00
								2450.00

EXHIBIT No. 845-1
DATE 15 apl 1948
FILED BY D. M. Thermack

Comments re Appraiser's report not covered by above information: The buildings were only 16 years old and not 25 as stated. They were always kept in good state of repair. When I built the shed I intended the 2nd storey to be used as a hen house and I used very good material and made sure it was well built. I don't understand how the appraiser could say that the land appeared as if it had not been worked for years, and was weedy. Until March, 1942 I worked the land with my grandson and it was clean and well cultivated. The crop was good. After March I was too busy preparing to leave to attend to the land, but there weren't many weeds when I left. I agree with the appraiser that, the soil was good. COMMENTS: I feel that considering the excellent location and state of the land the appraisal was much too low, the fair market value at time of sale was at least $4000.00

Ozamoto morakn
Signature

BC-137-P
BC-3050-B

BC/137-P
BC/3050-B

S.S. Form No. 43
(Sheet 1)

Farm Appraisal Report

File No. JL 100

Land Description Lot 13, Gp.1, D.L. 399, Plan 1112.

Containing 4.95 Acres

Owner's Name OZAMOTO, Moroku Post Office Address Haney, B.C.

Nearest Rail Point Haney Distance ½ mile

Market Town New Westminster Distance 20 miles

Church (give denomination) All denominations Distance ½ mile

Nearest School Haney Distance ½ mile

State how property was identified: Corner posts and map location.

Roads: State whether property has access to main road, the kind of road and its condition.

Direct access to road, 22nd, good gravel.

Is this district a good one? Good. Co-operative marketing.

Employment opportunity Fair, sawmill and brickyard.

Predominating Nationality and religion: Immediate neighbourhood, Japanese.

Describe Fencing and its condition: No fencing Value $

Water supply: Well, fair supply. Value $

Electric light in dwelling.

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	24 x 30	frame	1½	shgl	25 y.	wood posts	fair	500.00
Shed	15 x 21	pole & shke	7'	shke	25	wood	poor	-
BARN	x							
Shed	18 x 36	frame	14'	shgl	-	wood	poor	-
BARN	x							
	x							
GRANARY	x							
	x							
	x							
	x							
	x							

Total present day value $ 500.00

Total Value Buildings add to farm $ 500.00

Is dwelling habitable without repairs? Yes If not what is your approximate estimate of cost to make it habitable? $

Describe the basement and chimneys: Dirt basement, lumber on posts. Brick to ground.

No. rooms downstairs? 4 Upstairs? 2 How finished wood finish, poor.

Are buildings painted? no Condition of paint - EXHIBIT No. 845-2

DATE 15 apr 1948

Distance from nearest bush No bush near. FILED BY D. M. Sperinck

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

Cultivated Land

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
4.70	undulating with general slope to north	clay loam 18"- 24"	clay	raspberries, strawberries, asparagus & young fruit trees. Crops poor.	100.00	470.00

Area which can be cultivated without cost other than for breaking.

LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL		VALUE PER ACRE

Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE	TOTAL
.25	undulating	clay loam 18"-24"	clay	light clearing	75.00	100.00	25.00

Area Unsuitable for Cultivation.

CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.	NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE	VALUE OF LAND PER ACRE

Total value of Land $ 495.00

Total added by buildings to value of farm $ 500.00

Total fruit trees add to value of farm (for use in orchard districts only) $

Total value of farm $ 995.00

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Old Japanese couple on the property and the holding has the appearance of not being worked for several years. At present time occupied by owner and wife, old couple.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
Small fruits and poultry.

Noxious weeds:
Canada Thistle, Shepherd's Purse.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: 1942:- $28.65. District of Maple Ridge.

Date: May 19th, 1942.
Place: New Westminster, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 18 day of May, 1942.

Inspector's Signature "H.L. SINCLAIR"

Note: (Use Form 43 (Sheet 2) in connection with this form.)

S.S. Form No. 43
(Sheet 2)

Farm Appraisal Report

Remarks: This farm property small in acreage is nicely situated in a small fruits district, within a half-mile of Haney and co-operative markets.

The property is presently occupied by owner and wife, an elderly Japanese couple, and holding gives evidence of not being properly operated for segeral years. Area in strawberries, asparagus and raspberries lies uncultivated and weedy, whilst the fallow land is in a weedy condition. A portion of the property is in young fruit trees, not commercially productive and value of same has been included in land value.

The house is of frame construction, old, and only in fair condition. Outbuildings old and poor condition.

The soil is a clay loam of general good depth over clay. Properly operated this holding should produce good small fruit crops.

Electric light serves the dwelling.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation.

Land has general slope to north and east.

Dyking not required.

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

Nil.

ORCHARDS, SMALL FRUITS, ETC. (Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

			Present Value
Raspberries	.35 acs.,	poor condition	$
Strawberries	.78 "	" "	$
Asparagus	.82 "	" "	$
Prune Trees	.61 "	only fair, land fallow, weedy	$
Fruit "	.58 "	" " " " clover, good	$
Fruit "	.20 "	" " " " fallow, weedy	$
Fallow	1.18 "	weedy	$
Bush	.25 "		$
Buildings	.18 "		$

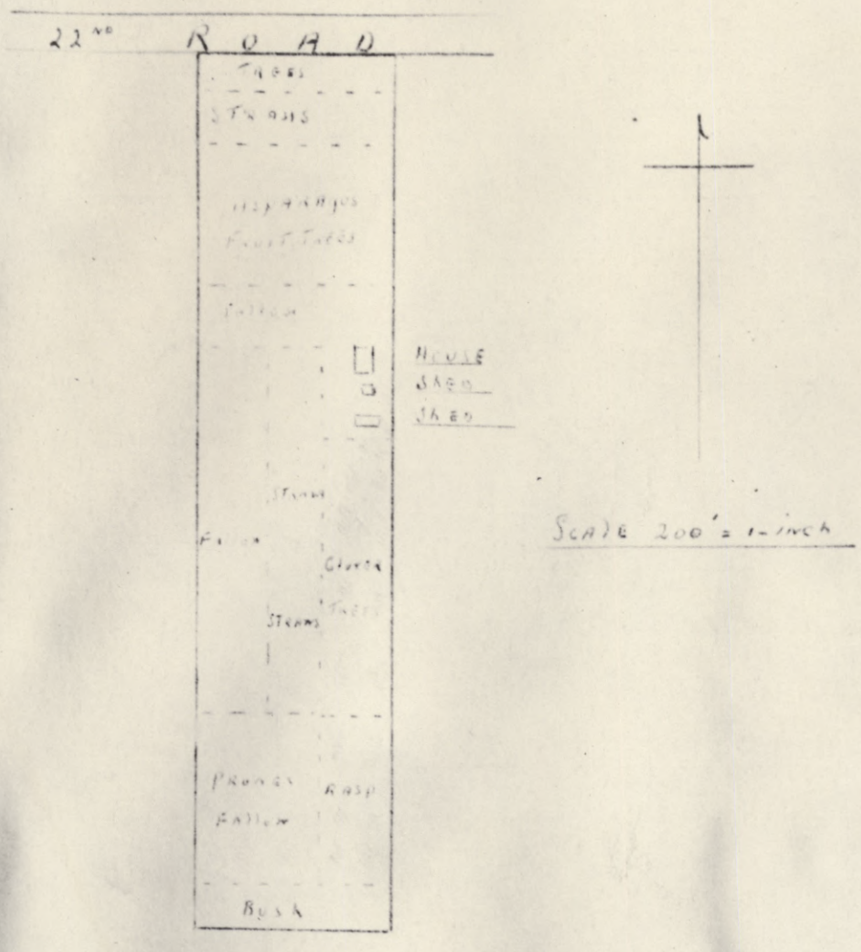
Total $

Amount fruit trees add to value of farm $

Diagram of Property

LOT 13- Grp-I - D.L 399- PLAN 1112 4.95 Acs

MOROKU - OZAMOTO



Following careful review of this appraisal report, it is my opinion that the present value is $ 1000.00

Date 20th May 1942

"I.T. BARNET"
District Superintendent.