

4506

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: MIYASAKI Saijiro
HOME ADDRESS: Dennison Rd., Mount Lehman, B. C.
REGISTRATION NUMBER 12981 SEX: Male AGE: 55
OCCUPATION: Strawberry grower.

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: None
MARRIED? Yes
NAME OF WIFE OR HUSBAND: Mitsuyo
ADDRESS OF WIFE OR HUSBAND: Dennison Rd., Mount Lehman, B. C.
NAMES OF ANY LIVING CHILDREN: Sachiko (F) Naomi (F)

ADDRESS OF CHILDREN: Dennison Rd., Mount Lehman, B. C.
AGE OF CHILDREN: 4 and 2 yrs.

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: N $\frac{1}{2}$ of W $\frac{1}{2}$ of N.W. $\frac{1}{4}$ N.W. Quarter Sec. 11
Twp. 14 in the Municipality of Matsqui in Dist. New Westminster, B. C.

2. BUILDINGS AND OTHER IMPROVEMENTS: 8 roomed 2 storeyed wooden frame
house (also 3 rooms in basement). Barn, Picker House, Chicken house,
Smoke house, Packing House.

3. INSURANCE (Give particulars; state where policies are) None

4. TAXES (Amount and where payable) \$51.01 1941 paid to Matsqui Municipal
Hall

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)
None

6. OCCUPANCY AND LEASES (If vacant so state) None

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: At home.
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None
9. IF FARM LAND STATE CROPS SOWN Strawberry, Loganberry, raspberry,
potatoes, gooseberry (Sold to: \$1,000.00 (name unknown) Paid to Mr. Ignas Papp,
Mr. Joe Balog.

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: See page 1
2. LANDLORD'S NAME AND ADDRESS:
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
4. STATE WHEREABOUTS OF LEASE:
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)
6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

(IN HOUSE: Furniture including, 1 round table, 6 dining chairs, 7 kitchen chairs, 1 chesterfield, kitchen furniture, 10 pickle barrel, 1 gramophone (Victor) buckets, lamps, sprayer, sofa, iron pots 2 fruit cabinet, 1 scale, 18 scythes, saws, axes, shovels, matic, cables, wire, oil stove, garden tools, 1000 tulips, 500 daffodil, roses etc., 5 tons straw, 10 bales hay. cfates, pruning shears, 1000 red currant plants, etc. etc.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS

1 cat (to be given away)

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

4. INSURANCE CARRIED ON ABOVE PROPERTY: None
5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: None
6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom) None
7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts) None
8. BANK ACCOUNTS: None
9. LIFE INSURANCE: None
10. INTEREST IN ANY ESTATES OR TRUSTS. None
11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None
2. TRADE DEBTS: None

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 16 th day of April 1942.

(Signature)

S. Miyasaka

J. H. Williams
Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

File No.

4506

Date

Aug 19/42

Full Name

MIYASAKI, Jajiro

(Surname in Block Letters)

Registration No.

12981

Male - Female
(check)

Age

Apr 29, 1886

Former Address

Seaside Rd, Port Edward B.C.

Date Evacuated

Apr 20/42

Naturalized - Canadian-Born - National
(check)

Present Address

Suprest, Manitoba

Married - Single
(check)

Name of Wife

(see) Hitoyo #12982

Name of Husband

Name of Mother

(see) YAMAGUCHI, Saka (see)

Name of Father

SHIMATSU (see)

Names of Children under 16

Sachiko (r) 11/4/30 Naomi (r) 3/4/30

Requested by

Mawel

Registered with Custodian

(Yes or No)

Additional Information

Strawberry Graves

15/12/17

REAL PROPERTY SUMMARY

File 4506

V.L.A. B.C. 378-P

JAPANESE NAME: Saijiro MIYASAKI - - Reg. No. 12981.

CATALOGUE NO: Part of The Director The Veterans' Land Act first offer.

PROPERTY ADDRESS: Dennison Road, Mt. Lehman, B. C.

LEGAL DESCRIPTION: The North half of the West half of the North West quarter of Section 11 Township 14 Save and Except part (1.01 acres) as shown coloured Red on Sketch deposited No. 2181 and Save and Except part (1.235) acres more or less as shown coloured Red on Sketch deposited No. 2182 Municipality of Matsqui, D.N.W.

TITLE: In the name of Saijiro MIYAZAKI.

ENCUMBRANCE: Vesting 25746, 12th April 1943.

ASSESSED VALUE: 1942 -
Land \$1002.00
Improvements \$2100.00 Total \$3102.00 Taxes \$52.48.

CLASSIFICATION: Berry farm. Inspector reported May 5th, 1942, an unstated area in Strawberries, loganberries, raspberries, potatoes and gooseberries, with a 2 storey frame house, 8 rooms, boarded up, and with barn, picker house, chicken house, packing house.

HISTORY OF ADMINISTRATION: Leased by the owner on the 16th April 1942 to Joseph BALOG and Ignas PAPP for 10 months from the 1st April 1942 for \$1000.00 with option to extend lease for 1943 under arrangement with the Pacific Co-operative Union. The lease included buildings, live-stock and farm implements. Of the rental, \$500.00 was paid in cash direct to the owner and \$500.00 in the form of a Pacific Co-operative Union cheque also to the owner. This cheque was forwarded to the Custodian for collection and was cashed and credited to Mr. MIYASAKI'S account.

The lessees made a claim of misrepresentation of acreage under crop, claiming that the area was 3.42 acres less than that stated in the lease and that a corresponding reduction of \$357.00 should be made in the rental. The lessees agreed to accept 70% of their claim, equal to \$249.90 and Mr. MIYASAKI was advised on the 13th July 1943 that this amount of \$249.90 had been charged to his account. No protest of this was received.

The lease was extended by collateral Agreement to the 31st October 1943 at a rental of \$150.00 paid to the Custodian and allowed as accrued rental to the Director The Veterans' Land Act. Lease and collateral Agreement were transferred to The Director The Veterans' Land Act on the 26th July 1943.

SOLD: To The Director The Veterans' Land Act for \$2214.00 as at 1st January 1943.
Approval of Advisory Committee 1st June 1943.

FUNDS:

Released to the credit of Saijiro MIYASAKI, sale price \$2214.00 plus rental \$500.00 total \$2714.00; less claim for misrepresentation \$249.90, taxes \$1.69, Certificate of Encumbrance \$1.00 registration fee \$3.00, legal fee \$15.00, total \$270.59. Net amount released \$2443.41.

TITLE:

Included in C. of T. 168935-E and payment of consideration included in cheque to the Custodian dated March 7th, 1944.

The above summary is certified to be in accordance with the information on file and on record by accounting department.

DATED April 10th, 1946.

Jan Macpherson

IM:ML

PERSONAL PROPERTY SUMMARY

File No. 4506

Re: Naijiyo MIYASAKI

Reg. No. 12981

CHATELS: The above Japanese declared a considerable quantity of household furniture, farm equipment and supplies when he registered with this office on April 16, 1942. He was evacuated on April 20, 1942 according to our records. Our fieldmen made an inspection of the property on May 5, 1942 and according to their report, the property had been leased by the Japanese to Messrs. I. Papp & J. Balog who stated that MIYASAKI had disposed of all his chattels except a kitchen range and some homemade furniture before leaving.

When moving chattels to Auction in that neighbourhood it was found that the chattels on the property would not warrant moving as the expenses of handling, cartage and auctioning was likely to exceed what their sale would bring and they were therefore abandoned on the property.

SPECIFIED ARTICLES: This file reveals no Specified Articles came under the control of the Custodian.

ACCOUNTS RECEIVABLE: When leasing his property prior to his evacuation MIYASAKI received a Pacific Co-operative Union postdated cheque for \$500.00 as part of the lease consideration. At our request he forwarded the cheque to this office for collection which was effected on February 22, 1943. The \$500.00 at that time was credited to his account here.

This file reveals no other Personal Property assets.

The above summary is certified to be in accordance with the information on file.

WEA:EH
April 15th, 1946

W E Larson
.....

File No. 4305

September 29th, 1944

CLAIMS DEPARTMENT

Seihiro MIYASAKI - Reg. No. 12981

CREDITORS:-

NO CLAIMS ON FILE.

NO CLAIMS ON WIFE'S FILE No. 4452

/ND

Gr. Bal.....\$1,607.56
28/9/44

FIRE INSURANCE SUMMARY

File No. 4506

Det. Seijiro MIYABAKI

Reg. No. 12981.

No record of any insurance on file.

This summary is certified to
be in accordance with the
information on file.

[Signature]

DATED April 10th, 1946.

IM:sh

LIABILITY SUMMARY

File No. 4506

Re: Saiziro MIYASAKI

Reg.No.12981.

The above Japanese declared no liabilities.

This file reveals that Dr. Uchida filed one for \$2.50 but later withdrew it. Buckerfields Ltd. also listed a claim of \$32.00 on their original list early in 1942, however, their outstanding list of November 19th, 1942 did not show MIYASAKI owing anything and it can therefore be assumed that he paid the debt prior to his evacuation.

When MIYASAKI leased his property in 1942 to Messrs. Balog & Papp he stipulated certain acreage in crop. The lessees filed a claim for misrepresentation against him regarding the crop acreage, claiming \$357.00. The Custodian fully investigated the claim and after obtaining legal counsel and giving due consideration, made settlement of the claim for \$249.90. MIYASAKI was fully advised in our letter of July 13, 1943 to which he took no objections.

A list of doctors and hospital expenses totalling \$401.75 was forwarded through the B.C. Security Commission together with his authorization for payment dated March 31st, 1944. Payment was made from his account on June 5th, 1944.

On February 9th, 1945 he forwarded an account of \$14.75 owing to the Manitoba Sugar Company Limited for equipment asking that it be paid. Payment was made from his account on February 22, 1945.

This file reveals no other liabilities.

The above summary is certified
to be in accordance with the
information on file.

WEA:EE
April 15th, 1946

W.E. Curran

REPORT

ON EVACUATED JAPANESE PROPERTY

MUNICIPALITY: Matsqui.

DATE: May 5th. 1942.

NAME: MIYASAKI. Saijiro,

REGISTRATION NO. 12981.

ADDRESS: Dennison Road, Mount Lehman HOUSE NO. 7

PROPERTY:

ACREAGE: Not given.

KIND OF CROPS: Strawberries, Loganberries, Raspberries, Potatoes.
Gooseberries.

APPROX. ACREAGE OF EACH: Not given.

HOUSE.

VACANT: Yes
Boarded up.

OCCUPIED:

DESCRIPTION: 2 Story wooden frame ROOF: Shingle.
Dwelling house.

SIZE: ?

NO. ROOMS: 8

CONDITION: Fair.

OTHER BUILDINGS: Barn, Picker house, Chicken house, Packing house.

NAME OF LESSEE OR RENTOR: Crop sold to Ignas Pa pp & J. Balog.

TERME: \$1.000.00

REMARKS: Cat destroyed by Police. Inventory of Miyasaki attached.

Handwritten signature

Inventory of property, MEXASAKI, Saijiro, # 12981.

I Enterprise Kitchen Range.

Mr. Ignas the Lessee states that the owner disposed of the property listed on his inventory before leaving with the exception of the above listed stove & some homemade furniture.

Stored in owners home at Dennison road, Mt. Lehman, B.C.

In care of Messrs. Ignas Papp & J. Balog Lessees.

26.13

The Custodian of Enemy Property,
Office of the Custodian,
303 Royal Bank Building,
Vancouver, B. C.

Dear Sir:

I hereby agree to accept settlement of my claim against
Naajiyo Miyasaki on a basis of 70% of the total.

Signed:

Ygnac Papp
Zoe Beloyh

EVACUATION SECTION

Rec'd 168 3 1943

File No. 4526

Ans. W

Referred Shen

nest

IN THE MATTER OF FARM LEASE APRIL 16th, 1942

SALJIRO MIYASAKI TO JOSEPH BALOG AND IGNAS PAPP

STATUTORY DECLARATION

We, JOSEPH BALOG AND IGNAS PAPP, both of St. Lehman in the Province of British Columbia, Fruit farmers, severally do solemnly declare:-

1. That on the 16th day of April A.D. 1942 we leased from Saljiro Miyasaki of St. Lehman aforesaid, North West Quarter Section Eleven (11) Township Fourteen (14) containing Thirty-five and Three Quarter (35 3/4) acres more or less, for a term of ten (10) months from the 1st day of April A.D. 1942, at a rental of \$1000.00.

2. That at the time of entering into the said lease Saljiro Miyasaki represented to us that the growing crops on the said land consisted of the following:

Six (6) acres of strawberries

Two and one-half (2 1/2) acres of logan berries

One quarter (1/4) acre of gooseberries

One half (1/2) acre of raspberries

and it was on that basis that we paid the aforesaid rental of \$1000.00.

3. That we now find the aforesaid acreages have been exaggerated.

4. That on or about the 11th day of August A.D. 1942, we each carefully measured all of the growing crops of the various kinds on the said lands and found that there were:-

A. two patches of strawberries totalling 181,971 sq. ft. or 4.18 acres

B. three patches of loganberries totalling 61,176 sq. ft. or 1.40 acres

C. one patch of gooseberries totalling 15,500 sq. ft. or 35/100 acres

being all of the acreage in growing crops on the aforesaid land.

5. That the shortage in acreage on the said lands in the various kinds of crops is as follows:-

Strawberries 1.82 acres

Loganberries 1.10 acres

Raspberries 50/100 acres

John

And we 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.

Personally
Declared before me at Mission City
in the Province of British Columbia
this 15th day of August A.D. 1942

[Signature]
A Commissioner for taking affidavits
within British Columbia.

Ive Balug

Soproc Papp

S. MIYASAKI

J. BALOG - I. PAPP.

DENVER, CO.

STAMP

143
42
256
578
6006 yft.

(2) 381
207
2457
3510
37537 yft.
400
37157 yft.

(3) 206
127
4104
205
2400 yft.

(4) 111
13
22
151
1552 yft.

(5) 444
138
78440
444
884360 yft.
600
83760 yft.

(6) 168
91
168
1188
12022 yft.

TOTAL STAMPS

6006
37157
24000
1532
83760
12028
164883 yft.
3.785 acres

RMP

(1) 129
106
774
1296
13674 yft.
1.313 acres

TOTAL RMP

LOGANS

(1) 206
135
1030
618
206
23810 yft.

(2) 169
127
1193
328
162
21473 yft.

(3) 144
105
1266
1440
15696 yft.

2-2810
21473
15696
64979 yft.
1.491 acres

WE DID NOT

MEASURE LOGANS MAY

Extract from Lease.

File #4506.

Lessor: Saijiro MIYAZAKI.

Lessee: Joseph BALOG & Ignas PAPP

Date: 16th April, 1942.

Term: 10 months from 1st April, 1942, with option to extend lease ~~for~~ for 1943 under arrangement with P.C.U.

Consideration: \$1000.00, paid. ✓

Property:

Land: N.W. $\frac{1}{4}$ Section 11 Township 14 containing 35 $\frac{1}{2}$ acres more or less, Municipality of Matsqui, N.W.D.

Houses: Included, also buildings. ✓

Chattels: Live stock and farm implements. ✓

*by Scheuch
Chattel agreement
to him*

*Extended by Collateral Agreement to Oct 31/43.
\$150. payable Aug 31/43.*

*Keane & Collateral Agreement Extended
to S.S.D. 26/7/43.*

Claimed
 Saipio Miyasaki
 Joseph Balog - Squashapp.

Contract calls for

Skawon.	600 acres
Kash.	.50
Logans	2.50
foose	.25
	<u>9.25</u>

Actual measurement.

Skawon.	3.78
Kash.	.31
Logan	1.49
foose	.35
	<u>5.93</u>

Shortage

	2.22
	.19
	1.01
+	.10
	<u>3.42</u>
+	.10
	<u>3.52</u>

on the basis of \$107⁰⁰ per acre \$357⁰⁰

Fair farmers. Signed up for new lease for 1943.

4506

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED

OCT 15 1942

Custodian

中島氏 敬啓
貴社より送付の「
通達」を拝見し、
其の趣意を深く
理解し、
之に依りて、
Canadian Bank of Com-
merce 及び Bank of Commerce
に於て、
必要の手續を
行はせ、
之を貴社に
送付する事
と致す。此の
趣意を、
貴社に
通知する
事と致す。

十月十一日

the Custodian's office

S. Miyasaki
Sup. Post
Man

英文の書、
日本文の書、
其の趣意を、
貴社に
通知する
事と致す。

TRANSLATION.

S. Miyasaki,
Dufrost, Man.

October 12th, 1942.

To the Office of the Custodian.

Dear Sir:

I have received your letter, for which many
thanks.

I am sending the cheque that I received from
Mr. Shimek for you to cash, in accordance with your
letter. I intended to send it immediately, but to tell
you the truth I took it to the Canadian Bank of Commerce,
who refused to cash it and returned it to me.

I am sending the cheque herewith by registered
mail, and would be obliged if you would cash it for me
and forward it to the address given.

Yours truly,

"S. Miyasaki"

P.S. As I cannot write in English, please forgive my
writing in Japanese.

F.T.W.

4506

July 13, 1943.

Mr. Saijiro MIYASAKI,
Registration No. 12981,
Dufrost, Manitoba.

Dear Sir:

Re: Settlement of Crop Claims.

The Custodian's Office has received quite a number of claims from tenants who leased farm properties from persons of the Japanese race and whose growing crops were sold to the tenant under written agreement which contained the specific acreage said to be under cultivation.

The claims filed with the Custodian have been based on the difference between the acreage specified in the agreement which you signed, and the actual acreage of crops under cultivation.

We have gone into this matter very carefully and the difference in acreage has been established by actual measurements. Legal opinion which we have obtained on your behalf, advises us that the agreement you signed would leave you liable for the full amount of the claim. However, we have been able to secure the consent of the tenants to the reduction of their claims to 70% of the full amount.

The amount claimed against you for a difference of 3.32 acres amounted to \$357.00 and a settlement on the basis of 70% which amounts to \$249.90 has been charged to your account and this letter is being sent so that you may be aware of the circumstances of this charge.

Yours truly,

R. P. Alexander,
Manager.

RPA:AS

C. 2152-A

Farm Appraisal Report

File No. JL 228

Land Description N $\frac{1}{2}$ of W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 11, Tp. 14 (except 1.01 ac. for cemetery and 1.235 for roadway,) Plans 2181 and 2182 for exceptions.
Containing 35.755 Acres

Owner's Name MIYASAKI, Saijire Post Office Address Mt. Lehman, B.C.

Nearest Rail Point Mt. Lehman Distance 1 $\frac{1}{2}$ miles

Market Town Abbotsford Distance 2 miles

Church (give denomination) Mt. Lehman United Distance 2 miles

Nearest School Mt. Lehman Distance 1 mile

State how property was identified: L.R.O. sketch of exceptions, map and corner posts.

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

Rdgs. on Dennison Road #716, gravelled to highway and east to Mt. Lehman.

Is this district a good one? Yes.

Employment opportunity Local in berrying, remote in hop fields, mills and logging.

Predominating Nationality and religion British, none predominating.

Describe Fencing and its condition: East side only, joint fence. Value \$ inc. in land

Water supply: Well near house, 12' cribbed with lumber. Value \$ inc. in land

BUILDINGS ON FARM

4506

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	30 x 30	lumber	studs	shgl.	15	posts	good	900.00
Garage	14 x 26	"	9	"	old	blks.	poor	50.00
Stable addn	8 x 15	"	6	"	"	"	"	
BARN	X							
Pickers house	X							
awn shed comb	18 x 28	"	9	"	10?	"	good	70.00
leaf shelter	12 x 15	posts & shakes			new			15.00
CANARY	X							
	X							
	X							
	X							
	X							

No electricity in area

EXHIBIT NO. 823-2
DATE 12 Sept 1948
FILED BY J. C. Chismark

Total present day value \$ 1035.00

Total Value Buildings add to farm \$ 1000.00

Is dwelling habitable without repairs? Yes

Describe repairs needed to make buildings serviceable and give approximate cost of same.

Describe the basement and chimneys: Basement lumber on posts; 4 rooms, of which 2 are for habitation, well lined with V-joint, 2 for basement purposes. Br.ch. on br't.
No. rooms downstairs? 5 Upstairs? unfin. How finished Matched lumber.

Are buildings painted? No. Condition of paint

Distance from nearest bush 50 yards.

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

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
15.5	undulating	14" good loam	ady. clay	strawberries, logans, gooseberries, raspas.	60.00	930.00
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.						
	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE
16.255	undulating	14" loam	ady. & silty clay	heavy clearing, one small patch partly cleared	100.00	20.00
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	
4.	ravine, too steep for any purpose				nil	

Total value of Land \$1255.00...

Total added by buildings to value of farm \$1000.00

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

Total value of farm \$2255.00

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Owner now evacuated. Farm leased for crop only to Joe Baloch. Crop area in fair condition, but other land not plowed this year, and growing up with Canada Thistles.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
Mixed or dairy farming.

Noxious weeds: Canada Thistles.

State type of family recommended for this property:

How many acres of land are available for growing crops, and how many for other uses?

Give approximate detail and amount of all annual taxes and names of Taxing Authorities:

Mun. and school - \$52.48

Matsqui Mun., Mt. Lehman, B.C.

Date: 6th June, 1942.
Place: ABBOTSFORD, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 5th day of June, 1942.

Inspector's Signature

"B.C. WORMWORTH"

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

BC/378-P
BC/2152-A
Farm Appraisal Report

Page 3

U.S. Form No. 41
(Sheet 2)

Remarks: The value I have placed is a present day one, but it is highly probable that there will be depreciation of value due to lack of proper cultivation.

A good bridge on the road that has been surveyed across the place, gives good access to the acreage across the deep ravine, and from this point of view alone, it really has benefitted the place.

(FOR ORCHARD LANDS ONLY)

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

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

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

7 fruit trees give some fruits only. There have been 42 varied fruit trees planted in south east of cult area, but they are young and have been left uncared, and will not likely be of any real value to the farm. Immediate attention might save them.

Other crops are.

Strawberries	0	00.
Loganberries	2.50	00.
Gooseberries	0.5	00
Raspberries	0.7	00

The uncropped land is uncropped this year.

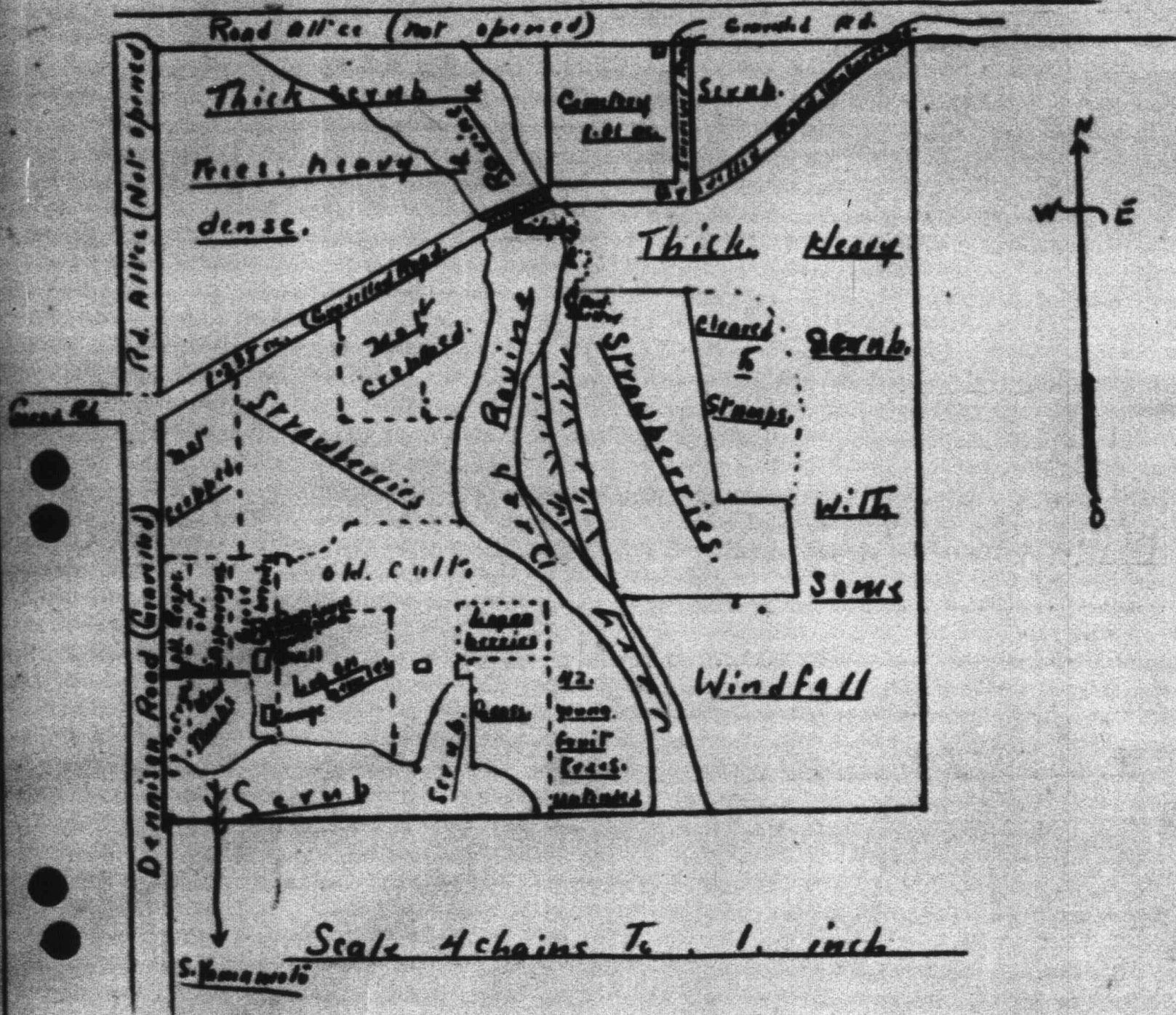
Total \$

Amount fruit trees add to value of farm \$

Diagram of Property

S. Miyasaka.

N¹ S of NW 11. Tp. 111. Supt. Cemetery 1.01 acres.
and Roadway. 1.235 acres - 35.755 acres.



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

value is \$ 2100.00

Date 10th June, 1942.

"I.T. BARNET"

District Superintendent.

Canada

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

File No. 4906

Reg. No. 12961

506 Royal Bank Building,
Vancouver, B. C.Mr. Seijiro MIYAZAKI,
Dafoest, Manitoba.

MAY 12 1944

Dear Sir:

Re: Municipality of Matsqui, the N. $\frac{1}{2}$ of the W. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of Sec. 11, Tp. 14, Rave and Except part (1.01 acres) as shown coloured red on sketch deposited No. 2181 and save and except part (1.235) acres more or less as shown coloured red on sketch deposited No. 2182, D. of N.W., C. of E. 51618.

You have previously been advised that a sale of lands in rural districts was entered into between this Department and The Director, The Veterans' Land Act.

Due to the size of this transaction, the arrangements for same and the completion of the transfer have taken a considerable time. Negotiations were started in the early part of 1943 and were based upon valuations made by qualified appraisers and on the basis of a sale effective as at January 1st of that year. This means that the 1943 revenues from the property were for the benefit of the purchasers, but that taxes, fire insurance and other operating charges were assumed by them.

The following is a statement showing the sale price and adjustments:

Sale price of above described property	\$ 2214.00
Add:	
Unexpired insurance premium as at January 1st, 1943	2214.00
Less:	
Tax arrears to December 31st, 1942	1.69
Registration fee	3.00
Encumbrance—Principal	
—Interest	4.69
Net proceeds of sale	\$ 2209.31

This amount has been placed to your credit and a statement of your account is endorsed hereon showing the present balance on our books. A small amount for legal fees in connection with the conveyance to the Veterans' land will be charged later.

Yours truly,

F. G. SHEARS,
Director.

<u>1941</u>		<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
Jan. 1	Credit re Sale of Property		\$2209.31	
	Land Registry Office C/E	\$ 1.00		
Feb. 22	P. C. U. cheque		500.00	
Mar. 26	Cheque to you	50.00		
June 14	" " "	50.00		
July 7	P. C. U. Crop claim	249.90		
Sep. 18	Cheque to you	100.00		
<u>1944</u>				
Mar. 29	" " "	49.10		
		<u>\$500.00</u>	<u>\$2709.31</u>	<u>OR \$2209.31</u>

Jan 16, 1945.

Molson Man.
Molson.

Custodian's Office

Vancouver B.C.

EVACUATION SECTION

Date JAN 25 1945

File No. 4506

Ass. 1001

Referral Jarmy

1, 2, 3, 4, 5 & 8

2214-24

Dear Sir:

In receiving your notice to the sale of my property at Two Thousand Two Hundred Dollars (\$2200.00) I am greatly surprised to hear of the sale. At the same time I am greatly disappointed at the selling price that you have notified me with. In the first place I did not want to sell my property. In the second place I am not satisfied with the selling price it had to be sold.

House (or dwelling) alone cost me over \$2000.00. Besides there are garage & barn & several buildings.

Improvement of the land is very vital. I had twenty five (25) acres under cultivation.

Taking these things into consideration, I should think that my property should be sold for better price than which you have sold for.

As I have stated, I did not want to sell my property. But however, it is the policy of the Government it could not be helped. But however, your notification to the selling price of my property is highly disappointing to me.

Yours truly,

Saiziro Miyasaki

4506

January 25th, 1945.

Mr. Saijiro MIYASAKI,
Registration No. 12981
Molson, MANITOBA.

Dear Sir:

We are in receipt of your letter of the 16th instant and have carefully read your comments in connection with the sale of your property.

The frank but courteous manner in which you present your complaint does not pass unnoticed and we can assure you that it has been the desire of this office to fulfil its obligations in as just and fair a manner as possible.

The policy of liquidation was, as you are aware, decided upon by the Government authorities at Ottawa and in the case of all properties, outside of the group of farms sold to the Director, Veterans' Land Act, for use of returned soldiers, we have endeavoured to treat every sale on its individual merits.

While we appreciate that the sale of any property is a matter of personal concern and in some cases may be contrary to the wishes of the owner, we do believe that we have taken every possible step to secure fair and adequate prices.

Your property fell within the group of over 700 parcels which were sold to the Director, Veterans' Land Act. The same principle of disposal obtained in regard to these lands, except that in this case the valuations of this group of properties were made by a board of appraisers who were not directly appointed by this office, but whose ability and impartiality was considered by Ottawa to have been satisfactory. It was on the basis of these valuations that this office entered into negotiations with the Director, Veterans' Land Act, and your property was accordingly sold for \$2214.00.

We trust that in the meantime your confidence in the desire of this office to administer and carry out Government policy in the best interests of those concerned may be maintained.

Yours truly,

R. D. Richardson,
Farm Department.

RDR:OH

23rd April, 1946.

REGISTERED

Mr. Hajiro MIYASAKI,
Registration No. 14961,
Molson, Manitoba.

Dear Sir:

Your request for funds has been received from the Department of Labour, and we are therefore taking this opportunity of giving you a brief summary of our administration of your affairs.

You registered with this office on the 16th April, 1942, declaring ownership to real property at Matequi. You had leased the property to Messrs. J. Balog and I. Papp for a ten month period from the 1st April for a consideration of \$1000.00. \$500.00 of this consideration was apparently collected by you at the time of leasing, and the remaining balance of \$500.00 was given to you in the form of a Pacific Co-operative Union post dated cheque. This cheque upon being received by this office, was negotiated for collection, and when cashed, the proceeds were credited to your account here.

Your lessees filed a claim for misrepresentation of acreage in crop as shown in your lease. This claim was fully investigated by this office, and after receiving legal counsel in the matter, settlement was made on your behalf from this office for the sum of \$249.90, as we advised you in our letter of the 13th July, 1943. No rentals from the property accrued to your benefit at this office as in accordance with the policy of liquidation decided upon by the Canadian Government, your property was sold to the Director of Veterans' Land Act as of the 1st January, 1943. Full details of the property sale were sent to you on the 12th May, 1944, from which you will have noted that the net proceeds were credited to your account. Legal fees of \$15.00 in connection with the conveyance of your property were later charged to you here.

In accordance with your letter of the 31st March, 1944, the Custodian paid through the B.C. Security Commission, the sum of \$401.75 in payment of doctors and hospital expenses incurred by you. On the 9th February, 1945, you also requested the payment of an account of \$14.75 owing to the Manitoba Sugar Company Limited. These two accounts plus the misrepresentation claim already referred to, are the only liabilities which were paid from this office on your behalf.

Although you declared that it was your intention to leave a considerable quantity of household furniture, farm equipment and supplies on your property, the Custodian representative when making an inspection shortly after your evacuation, found very little had been left by you, and

Mr. Saijiro MIYABAKI

- 2 -

23rd April, 1946.

according to your lessees you had disposed of your chattels of value before your evacuation. When, under the Government's policy of liquidation our fieldmen were removing chattels to auction, they decided that the expense of handling, cartage and auctioning, was likely to exceed what the sale price of the chattels would bring, all that was there were left on the property and abandoned.

The majority of your funds were sent to you last year, but we attach a statement of your account showing entries made since the date one was last sent to you, and the attached Custodian cheque in the amount of \$35.00 is in full payment of your account here, as shown.

It would appear that we have accounted for all the property of every kind left by you in the Protected Area which vested in the Custodian, and in order that you may confirm this and acknowledge the cheque, we are enclosing a stamped addressed envelope for your convenience in replying.

Yours truly,

W.E. Anderson,
Administration Department.

WEA:HA

VLA

NOV 28 1947

24225
AC 378P 2152 A

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.

4506 Rec. 21

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

- (1) NAME Miyasaki Sei Jiro (RCMP) Reg. No. 18981
(Print) Surname Given Name
- (2) Pre-Evacuation Address Mt. Lehman, B.C.
- (3) Present Address R.R. #1, Box 129, Winnipeg, Manitoba.
- (4) REAL ESTATE
- (a) Street Address (if any) Municipality of Matsqui, B.C.
City or Municipality Province
- (b) Legal description (lot number, block number, section number, etc.) The North Half of the West Half of the North West Quarter of Section Eleven (11) Township Fourteen (14) Save and except Part (One and One One Hundredth (1.01) acres as shown colored Red on sketch deposited No. Two Thousand One Hundred and Eighty-One (2181) and save and except Part One and Two Hundred and Thirty-Five One Thousandth (1.235) acres more or less as shown colored Red on sketch deposited No. Two Thousand One Hundred and Eight-Two (2182) in the District of New Westminster.
- (c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) Business Type of business
(iii) Manufacturing
(iv) Other (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 - - - - - \$4,000.00
(ii) Buildings - - - - - \$3,000.00
(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) - - - - - \$7,000.00 - 5500.00
(v) Amount at which Custodian sold property and credited your account - - - \$2,000.00 2,214.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$4,000.00 3,286.00
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
in house
- (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 In room in house and shed

(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 care of Custodian

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

1. Tools, furniture, chinaware, farm equipment, strawberry crates, etc. as per attached list	Estimated Value \$ 450.00
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 \$ 450.00

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))

- (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, Seijiro Miyasaki
of Winnipeg

of the City
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 14th day of November

A.D. 1947.

Seijiro Miyasaki
A BARRISTER AT LAW ENTITLED TO PRACTICE
IN THE PROVINCE OF MANITOBA

A Commissioner &c.

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.

May 1

per (a)

Stove	\$75.00
Dresser	50.00
2 sofa	20.00
crack 20 gal 10 gal 8 gal 8 gal	15.00
15 hoes	20.00
20 sickles (Jap)	9.00
2 axes	8.75
2 saws	20.00
2 hammers	5.00
4 wedges	6.00
2 nuttishs	3.00
2 logging chains	4.00
4 blocks	15.00
1 plover	5.00
1 crib	15.00
Smith 1 highchair	6.50
100 strawberry crates	30.00
1000 H lumber	50.00
Japanese doll set	25.00
carpenter tools	20.75

Total \$450.00

1
CASE NO. 825.

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 92.

JAPANESE PROPERTY CLAIMS COMMISSION

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

20

Winnipeg, Manitoba,
April 12th, 1948.

IN THE MATTER OF THE CLAIM OF
SAIJIRO MIYABAKI.

PROCEEDINGS AT HEARING.

20 APPEARANCES.

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

SM.M. CHERNIACK, Esq.,

appearing for the
Claimant.

A. WATSON, Esq.,

Secretary.

G.N.R. UPTON, Esq.,

Official Interpreter.

T.P. HORROBIN, Esq.,

Official Reporter.

30

S. Miyazaki,
in Chief.
Discussion.

MR. CHERNIACK: In this matter, my lord, I ask leave
to amend by reducing the fair market value estimate
to \$5500.00. The sale price was \$2214.00, leaving
a loss claimed at \$3286.00.

It was found, my lord, in this matter that
the chattels were all listed, I believe, at cost
and therefore I am asking to amend the personal prop-
erty to \$294.00. None of these were sold by the
Custodian.

THE COMMISSIONER: You say none of these were --?

MR. CHERNIACK: --sold. They were all shown as
either declared and not found, or no record at any
time, and one item is shown as abandoned. I
don't know whether there is any analysis on that.

SALVINO MIYAZAKI, the claimant herein,
being first duly sworn, testified
through the interpreter follows:

DIRECT EXAMINATION BY MR. CHERNIACK:

Q Witness, I show you a form. Was this prepared on
your instructions? A: Yes.
Q Is that your signature? A: Yes.
Q Are the contents true to the best of your knowledge
and belief? A: Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. CHERNIACK: On behalf of my learned friend, my lord,
I would like to file the S.S.B. appraisal as
Exhibit 2.

(APPRAISAL MARKED EXHIBIT NO. 2).

MR. CHERNIACK: My lord, both exhibits show the land
to be approximately or about 36 acres. The

S. Miyasaki,
In Chief.

appraisal shows 15½ acres cultivated. Exhibit 1, the statement, shows 9½ acres in crop, 11½ cultivated and not planted, a total of 36 acres.

The statement shows further that the property was purchased in 1927 at \$540.00, he believes in parts some of it was uncleared. He cleared about 20 acres, constructed about 650 feet of ditching with wooden covering, dug a well, and cribbed it, planted some 16 Italian prune trees in 1941 and mixed fruit trees. He sets out the construction of the buildings, the year in which they were constructed which you will note is more recent than the appraisal shows, and the approximate cost.

There is a comment in the appraisal of that the appraiser, rather, has failed to mention a smoke-house and chicken house, which are fairly new and quite small. The estimated cost is \$35.00.

The comments, my lord, on Exhibit 1 state that he disagrees that the garage and stable were in poor condition. They were in good condition. "In my opinion the values placed on the land and improvements is much under a fair market value." The comments reads, "This property is well located, fronting on Dennison Highway and close to Mt. Lehman. The land is excellent berry growing soil. The erections were kept in a good state of repair and were left in good condition. Before being evacuated, I leased the property and the 1942 crop in fruit to a Mr. Papp for \$1000.00. I believe that this property would be worth at least

S. Miyasaki,
In Chief.

the sum of \$5500.00 when sold by the Custodian."
May I ask my learned friend to produce his copy of
the lease?

THE COMMISSIONER: Is there any significance to the lease?

MR. CHERNIACK: My lord, the only thing is in regard to
the personal property. I believe there will be
some. May I at the same time ask for the assess-
ment? May I have the assessed value?

10 MR. HUNTER: For 1942 the land was \$1002.00, improve-
ments, \$2100.00.

MR. CHERNIACK: For a total of \$3102.00 for the assessed
value, my lord.

Q Now, witness, I show you a written statement.
Was this prepared in accordance with your in-
structions? At Yes.

Q Is that your signature? At Yes.

Q Do you swear the contents to be true to the best
of your knowledge and belief? At Yes.

MR. CHERNIACK: I will file that as Exhibit 3.

20 (STATEMENT NAMED EXHIBIT NO. 3).

MR. CHERNIACK: In this connection, my lord, I have been
informed that the Custodian's analysis would show
our changes, is that correct?

MR. HUNTER: What is that?

MR. CHERNIACK: That your analysis will show the changes
we have made.

MR. HUNTER: I don't think so.

MR. CHERNIACK: My lord, I have apparently been mis-
informed by Mr. Lookie. I was under the impression
that the practice has been that the copies which

5
S. Miyasaki,
In Chief,

were presented to you would show our corrections.

THE COMMISSIONER: That is not the case in this instance.

MR. CHERNIACK: No, it hasn't been done. Apparently I misunderstood what I had been told. In any event, I have already stated that the cost prices were shown and we have had to depreciate them. Now there has been an itemized list submitted and I can either give you the individual item, or give you the total.

10 MR. HUNTER: Possibly, my lord, if I file the original copy, they can be written in very quickly, as my friend reads it.

MR. CHERNIACK: On behalf of my learned friend I will file his appraisal — his personal property analysis as Exhibit 4.

(ANALYSIS MARKED EXHIBIT NO. 4).

MR. CHERNIACK: My lord, these items are all shown at cost, and I can read to you the depreciated values. Stove, \$45.00; dresser, \$65.00; two sofas, \$20.00;
20 Item 4 is \$9.00, that is the crocks; hose, \$15.00; sickles, \$6.00; axes, \$6.00; saws, \$15.00; hammers — these are sledge hammers, my lord — \$3.00; wedges, \$4.00; mattocks, \$2.00; this was one logging chain, my lord, \$1.50; 4 blocks, \$10.00; peavey, \$3.00; 1 crib, old, \$5.00; I insert that "old", the condition was old;
10 The high chair was new, \$5.00; one hundred strawberry crates, new, \$30.00; 1000 feet of lumber, \$50.00; that is also shown in the chattel form
30 as unused and used. The next two items, my lord,

6
S. Miyasaki,
In Chief.

have been abandoned because they were not listed.

THE COMMISSIONER: Yes.

MR. CHERNIACK: The total comes to \$294.50. My lord,
you will notice the analysis sets out a number of
these items as "no record at any time".

Q Witness, I show you a statement of four pages.

Can you tell me when they were written?

A About 2 or 3 days before I was evacuated from B.C.

Q Who wrote out that statement?

10 A I don't know his name but he was the son of Masu.

MR. CHERNIACK: Will you be filing the J.P. form?

MR. HUNTER: You can, if you wish.

MR. CHERNIACK: Q: Do you recall for what purpose this
list was made up? A: In order that

the goods were going to be taken over by the
Custodian, and for informative purposes.

Q Was this shown to a representative of the Custodian?

A I showed it to him, but he said "I don't want
anything like that," and returned it.

20 MR. CHERNIACK: I ask leave to file this as an exhibit,
my lord.

MR. HUNTER: What is it?

MR. CHERNIACK: It is a list prepared by somebody at
his instructions, and he states he showed it to
the Custodian at the time of evacuation, and it
sets out all the items for which he claims.

MR. HUNTER: My lord, I suppose it should be taken for
information, but I can't see that it has been
proven in any way yet.

30 THE COMMISSIONER: He proves it, as I understand it, by

7
S. Miyasaki,
In Chief.

saying it was made out in his presence and his dictation by someone who was the person of Japanese origin who wrote it in English. Am I correct in that?

MR. CHERNIACK: Yes.

THE COMMISSIONER: How far further did he go?

MR. CHERNIACK: That it was submitted to the Canadian's representative at the time of evacuation.

MR. HUNTER: I will wait for my cross-examination on that.

MR. CHERNIACK: I will file these 3 sheets, my lord, as exhibit 5.

(LIST MARKED EXHIBIT NO. 5).

THE COMMISSIONER: Mr. Cherniack, I will give you an opportunity to study that over the luncheon interval.

MR. CHERNIACK: I will be through in two minutes, my lord. I would like to draw your Lordship's attention to the fact that this list includes all items for which we claim, and specifically includes the items set out in the "no record at any time" column. That is my case, my lord.

THE COMMISSIONER: We will postpone the cross-examination, Mr. Hunter, until this afternoon. We will resume at 2:30. Is that satisfactory to counsel?

MR. CHERNIACK: Yes, my lord.

MR. HUNTER: Yes, my lord.

(PROCEEDINGS ADJOURNED UNTIL 2:30 P.M.)

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

J. P. Harrobin
"T.P. HARROBIN"
Official Reporter.

Winnipeg, Manitoba,

April 12th, 1948.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

SALVINO MIYASAKI, the claimant herein,
resumed the stand, testified further
as follows:

THE COMMISSIONER: Had you finished this morning,
Mr. Charniak?

MR. CHARNIAK: Yes, my lord.

10 MR. HUNTER: It is submitted that the real property was
sold for its fair market value. It is submitted
that a great many items of the articles claimed
for personal property, that there was no record,
it was not declared, there was no inventory, and it
was not found. In any event, it is submitted that
for such articles as were found the prices stated
are excessive. It is submitted that the claims for
property claimed but not found are excessive.
20 It is submitted that many of these chattels were
left in the custody, control or management of some
person other than the Custodian and that accordingly
only such property as came under the custody, control
or management of the Custodian is within the terms
of reference.

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Miyasaki, this inventory that you now produce,
W where was that made?

THE INTERPRETER: A: It was made at Mount Lehman.

30 Q Do you mean that it was made on your property?

A It was made out at Haseo's house.

THE COMMISSIONER: I am sorry, I did not hear that.

A It was made out at Haseo's house.

MR. HUNTER: Q: It was made out from memory, was it?

A Yes.

Q And you have stated that you gave it or showed it to the Custodian? Where was that, and to whom did you show it?

A: At Mt. Lehman before I was evacuated.

10 Q And who was the representative? Who did you see?

Who did he show it to? A: I don't know

the name of the individual but he was around there before sending me to Sugar beets or some other work and that was the individual that I spoke to about it.

Q And how do you know he was from the Custodian?

A Because I was told that a representative of the Custodian had come.

Q But how do you know this individual was from the Custodian's office?

20 A: I couldn't say myself, but I was told that a representative of the Custodian had come.

Q Well, this was obviously just an inference of yours, wasn't it?

A: It was generally spoken of amongst the Japanese there that he was the representative of the Custodian.

Q I think it will be found that that man was from the Department of Labour. The Custodian had no interest in sugar beets and that kind of thing.

THE COMMISSIONER: Yes.

30 MR. HUNTER: Is this your signature?

A Yes.

Q And is this document made out according to your instructions? A: I can't read it myself, but I think it was made out according to my instructions.

Q You remember signing this, do you?

A Yes.

Q And it was drawn up from information which you gave? A: Yes.

10 MR. HUNTER: This is the J.P. form, my lord, and I tender that.

THE SECRETARY: Exhibit No. 6.

(J.P. FORM MARKED EXHIBIT NO. 6).

MR. HUNTER: Q: Now, Mr. Miyasaki, at the time you signed this J.P. form, did you produce this inventory which you have filed with the Court?

A Yes.

Q And what did you do with it? A: I am not quite certain whether he understands. Could I have the previous exhibit?

20

THE COMMISSIONER: The J.P. form?

THE INTERPRETER: The J.P. form and the list, Exhibits 5 and 6, my lord.

A Yes, he is quite certain on that point.

MR. HUNTER: Q: Now you are saying that at the time you gave this information you handed to the representative of the Canadian this inventory: Is that what you are saying? A: Yes, but he told me he did not wish for this and gave it back.

30 Q Well, had you previously given him this information

about your personal chattels? A: Yes.

Q Well, where did you get this information which is shown in the J.P. form about personal property?

A This was done from memory.

Q I see, and did you tell him that there were things in this list of personal property which were not in there? A: No, I did not say so.

Q Well, what was the purpose of producing this inventory to the representative of the Custodian after already giving him the list in the J.P. form if you were not going to tell him that that had additional information in it?

A The thing is changed. He said he did not receive that from the Custodian.

THE COMMISSIONER: Pardon me, what is that?

A He says he did not receive that from the Custodian. I don't think I received this from the Custodian.

Q Received what from the Custodian?

A This.

20 MR. HUNTER: The J.P. form. Well, who is saying that he received the J.P. form? Nobody has ever alleged that he received it. The question is why did he tender this inventory of chattels having given this one if he is not going to tell the Custodian that there are --

THE COMMISSIONER: That is rather argumentative. I don't think you are going to get much satisfaction as a question of that kind.

MR. HUNTER: The reason I asked that is that this
30 inventory has a great deal more than the list of

chattel mortgage. Was it just for the property?

THE COMMISSIONER: Well, put it, in any event, but you probably won't get it.

MR. HUNTER: Is that too difficult a question for him?

A No, it is not, but he says "I don't know".

Q How you leased this property to Joseph Balog and Ignace Papp?

A: No, I sold the strawberry crop. I think I sold the strawberry crop only.

10 Q Isn't it a fact you leased this to the Pacific Co-operative through these two people?

A The only arrangement I made was to sell the strawberry crop.

Q Well, this appears to be the usual misunderstanding when they leased it to the Co-Operative.

THE COMMISSIONER: Have you any written document?

MR. HUNTER: I have not the copy here. I have only an extract and I have another one which is applying for a reduction in rent due to misrepresentation of the acreage.

20

THE COMMISSIONER: And you haven't any lease?

A No, I am afraid I have not.

THE COMMISSIONER: All right.

MR. HUNTER: Your Lordship will recall that a number of these tenants thought that they had sold the crop when they had not.

THE COMMISSIONER: Yes, I recall that.

MR. HUNTER: And for my learned friend's information, we

do propose to obtain the lease and produce it

30

and we are advised that that lease includes buildings

livestock and farm buildings. And that is why I say that there are certain of the chattels which were under the control of some person other than the Custodian. Under the list of new values placed on the chattels, the analysis, &, any recapitulation there should be will be subject to the adjustments from \$22.25 to \$169.00, and the next one \$152.75 to \$80.50, and the next \$75.00 to \$45.00.

THE COMMISSIONER: These changes are made in view of the changes in values made by the claimant himself?

10

MR. HUNTER: Correct, my lord.

Q After you left Hastings Park, did you ever notify the Custodian, or, rather did you ever send him a copy of that inventory which you say you signed today?

A No.

Q Did you ever make any inquiries of him as to the disposition of your chattels? A: No.

Q Where did you leave these chattels exactly?

A Inside the house.

20

Q They were all inside the house, were they?

A No, half were left in the care of somebody else, or in other places.

Q Yes, and with whom did you leave the other half?

A A person called McCosko of Mt. Lehman store.

Q And did you notify the Custodian that these had been left there? A: No.

Q That is all, thank you.

RE-DIRECT EXAMINATION BY MR. CHENOWETH:

30

Q Were any of these items in McCosko's place the items

listed there?

THE COMMISSIONER: "Here" doesn't mean anything on the record, Mr. Cherniack.

MR. CHERNIACK: Q: Would you state what you meant? The items set out in the claim you are making, were any of these stored at McCaske's? A: No, they were not in McCaske's.

Q And there were other items in McCaske's place?

A Yes.

10 MR. HUNTER: Do I understand this witness reads English?

THE COMMISSIONER: I did not understand that he did.

MR. HUNTER: How does he know that these items were not?

MR. CHERNIACK: The question was whether the items which you have interpreted to him and I put the question "the items in this document".

THE COMMISSIONER: Well you had better clear it up.

THE WITNESS: A: I don't think any of these items were left in McCaske's store.

THE COMMISSIONER: Is that all? Have you anything more?

20 MR. CHERNIACK: Q: Did you give permission to your tenants to use the house or any of the household articles?

A No.

THE COMMISSIONER: If there was a written document that, of course, is evidence that is designed to contradict the contents of the document.

MR. CHERNIACK: I have not the document. I am just saying or showing what his impression was. My lord, if I may refer to the last two exhibits, the J.P. form and the other, may I draw to your Lordship's
30 attention the fact that this list, Exhibit 5, sets

out the questions which are set out in the J.P. form, and the answers. My learned friend remarks this is more than a list, that it sets forth question and answer.

THE COMMISSIONER: Yes.

MR. GHERNIACK: Would you ask the witness if he recalls—?

THE COMMISSIONER: Whether the list, Exhibit 6, or 5, — what I have in mind whether the list and the J.P. form were discussed.

10 MR. GHERNIACK: Yes, at the same time or at different times?

A No, I wrote this before.

THE COMMISSIONER: "I wrote 'which' before". Wrote

Exhibit 5 before?

A: I wrote Exhibit

5 before.

MR. GHERNIACK: Before Exhibit 6.

THE COMMISSIONER: Yes. I am asking when he discussed Exhibit 5 with the man he thought was the Custodian's representative. Was the J.P. form taken out with the same man at the same time?

20 THE INTERPRETER: May I get that again?

MR. GHERNIACK: Whether he took out that list, 5. Was the J.P. form made out at the same time or were they at other or different occasions?

A There was no further discussion with regard to the matter. I presented this to him at the same time as this.

THE COMMISSIONER: At the same time as which?

A I presented Exhibit 5 to him after this had been completed, after Exhibit 6.

30 MR. GHERNIACK: At the same time, or after?

A At the same time.

Q As it was completed. Thank you. And this man with whom you discussed, did he see other Japanese people at the same time or did he see you alone?

A There were other people present at the time, other Japanese.

MR. CHENEY: That is the case, my lord.

MR. HUNTER: That was at Hastings Park, wasn't it?

A No, at St. Lehman.

20 THE COMMISSIONER: Will you ask him one or two questions for me? When were you evacuated?

A I think about the 17th of April, 1942.

Q Does your file show the date of evacuation?

MR. HUNTER: It is on the analysis, my lord. April 20th, my lord. And the J.P. form is dated what date?

THE COMMISSIONER: The 16th. The 16th of April.

MR. HUNTER: I see.

THE COMMISSIONER: Were you evacuated from Hastings Park?

20 A No, I was evacuated from my own place for this sugar beet business.

Q And that was on the 20th of April, was it?

A I am not certain, but I think about the 17th of April.

Q Prior to the date of your evacuation, had you been in Hastings Park? A: No.

Q So you at no time were at Hastings Park?

A No.

Q And I understood you to say that the J.P. form, Exhibit 6, was signed when you were at St. Lehman?

A Yes.

30 Q Now if counsel wish to ask him anything more in view

7
S. Miyazaki,
Plaintiff.

of the questions I have put, you may do so.

MR. CHURCHMAN: No, my lord; thank you.

MR. HAYES: No, my lord.

THE COMMISSIONER: I presume your records will show whether
this man was at Hastings Park?

MR. HAYES: I think we can find it from those records, but
not from the file, my lord.

THE COMMISSIONER: For your information, Mr. Churchman, it
will be rather unusual situation if it turns out
that the man was not sent to Hastings Park, because
as I understand it, that was the place where all
these men were evacuated from finally.

MR. HAYES: There were a certain number of them up the
Valley who never went through. It was more convenient
to keep them on their farms.

THE COMMISSIONER: I see. All right, that is all, thank
you, Mr. Miyazaki.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

H. H. Landfield
"H. H. LANDFIELD"
Official Reporter.

Saiiro MIYASAKIFile No. 4506Case No. 823REAL PROPERTY CLAIM

(All claims shown are Gross)

1. Real Property ClaimAppraised atSold for

\$5500.00

\$2255.00

\$2214.00

Witness: 1. B.C. Wormworth - S.S.B. Appraiser
 Exhibit No. 2 - '15 $\frac{1}{2}$ acres under cultivation, 4 acres a ravine which is too steep for any purpose'. 'No smokehouse, no chicken house, buildings poorly constructed, land contains Canada Thistles'.

PERSONAL PROPERTY CLAIMS

(All claims shown are Gross)

2. Chattel ClaimSale Price

\$294.50

None sold.

(a) Goods valued by claimant
 at \$20.00 (2 sofas)

No account, theft.

Witness: 1. F. G. Shears - to prove that the man to whom the claimant alleges he showed an inventory was probably from the Dept. of Labour, since the Custodian would not be interested in sugar beets. Trans.P.9 line 26.

(b) Goods valued by claimant
 at \$45.00 (1 stove)
 or left under the custody,
 control or management of
 someone other than the
 Custodian, appointed by the
 owner of the property.

Abandoned ✓

Witnesses:

1. Joseph Balog and Ignace Papp
 Lessees - Agents. Extract
 from lease dated April 16, 1942 -
 to be filed.

2. Mr. McCasko of Mt. Lehman store -
 Agent. Trans. p.13. Admission
 by claimant that half ($\frac{1}{2}$) his
 chattels were left with McCasko
 and no notice of this given to
 the Custodian.

*See Analysis of
 personal property claim.*

Saijire MIYASAKI
Case No. 823

-2-

(c) Goods valued by claimant
at \$229.50

No record at any time.
~~(Abandoned or left with Agent)~~

Witnesses: 1. F. G. Shears - to prove
goods not declared by
claimant, J.P. Form -
Exhibit No. 6.

2. Joseph Balog and Ignace Papp
Lessees - Agents.

3. Mr. McCasko of Mt. Lehman
store - Agent.

<u>Summary of Defence Witnesses</u>	<u>Where Required</u>	<u>Summary of Documents to be filed</u>	<u>Witness Proving Same</u>
B. G. Wormworth	1		
F. G. Shears	2 (a) (c)		
Joseph Balog and Ignace Papp	2 (b)	Extract from Lease dated April 16, 1942.	
Mr. McCasko	2 (b)		

HAC/mw

B R I E FWINNIPEG
Apr. 12, 1948
V.L.A.Notes in DefenceIn the Matter of the Claim of
Saijiro MIYASAKIFile No. 4506Case No. 823Claims:

1. Real Property - Farm Lands and Buildings - V.L.A. Deal.
2. Personal Property - Household and Farm Chattels.

Claim 1:-

Real Property - Farm Lands and Buildings - V.L.A. Deal (Approx. 36 acres)

Amended Amount of Claim	\$5500.00
Custodian's Sale Price	\$2214.00 to V.L.A.

Defence: Real Property was sold for its fair market value.
Merely a question of value.

Defence Points:

1. Exhibit No.2 - S.S.B. Appraisal - Mr. B.C. Wormworth.

Buildings	\$1000.00	Top	\$1035.00
Land	125.00		
Total	\$2255.00	Mr. Barnet -	\$2100.00
2. In his statement, Exhibit No.1, the claimant alleges he had 9½ acres in crop, and 11½ acres cultivated, whereas, the S.S.B. Appraisal shows only 15½ acres under cultivation, and 4 acres consists of a ravine which is too steep for any purpose.
3. The claimant also alleges that he purchased this property in 1927 for \$540.00. Now he claims \$5500.00.
4. In the S.S.B. Appraisal, there is no mention of a smokehouse and chickenhouse, for which the claimant claims \$35.00. Also - buildings were poorly constructed - appraised at \$1035.00, whereas the claimant claims \$2310.00, 123% more than the appraised value.
5. The land contains Canada Thistles.
6. 1942 Assessment:

Taxes	\$52.48	Land	\$1002.00
		Improvements	\$2100.00
		Total	\$3102.00
7. This sale was approved by the Advisory Committee.

Claim 2:-

Personal Property - Household and Farm Chattels

Amended Amount of Claim	\$294.50
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None were sold by the Custodian.

N.B. See: Personal Property Summary in Claim File.

Defences: 1. Agency - proved by extract from lease between claimant (lessor) and Joseph Bolog and Ignace Papp (lessees), dated April 16, 1942. (In claim file). Also - Transcript P.13 - the claimant admits that his chattels were left by him with a Mr. McCasko of Mt. Lehman store, and no notice of this was given to the Custodian.

2. Claimant's prices stated are excessive.

1. According to the J.P. Form, Exhibit No. 6, the only articles that can be identified with the claim are the two (2) sofas, valued by the claimant at \$20.00. The stove, although it was mentioned in a letter from the lessees, was not declared, so it must have been either abandoned or left with the claimant's agents (lessees or McCasko), claimant's value \$45.00. The remainder of the chattels claimed for, the Custodian has no record of at any time, nor were they ever declared by the claimant, so that they must come outside the terms of reference, being either abandoned or left with an agent, claimant's value \$229.50.

Analysis:

1. Declared not found - 2 sofas	\$20.00 (stolen or lost)
2. Abandoned or left with agent	
1 stove	45.00
3. No record at any time	
(Abandoned or left with Agent)	229.50

Total Claim \$294.50

N.B. Transcript P.9 - the man to whom the claimant alleges showing an inventory was probably from the Department of Labour, since the Custodian would not be interested in sugar beets. Mr. Shears could possibly give evidence on this point.

Witnesses:

1. Mr. B.C. Wormworth - S.S.B. Appraiser.
2. Joseph Bolog & Ignace Papp - Lessees - Agency
3. Mr. McCasko - Mt. Lehman Store - Agency.
4. Mr. F.G. Shears - would Custodian representative be interested in sugar beets.

HAC/mm

Name of Claimant **MYABAKI, Seijiro**Case **823**

Custodian File

4506

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices: % of Amount Total		
					2214.	1096.75				1096.75
<u>PERSONAL PROPERTY</u>										
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 & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
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
<u>MISCELLANEOUS CHATTELS</u>										
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			
			46%	204.00	93.84				93.84	
TOTAL RECOMMENDATION										1192.59

October 17th, 1950.

Mr. Saijiro MIYABAKI,
R.R. #2,
Box 129,
Winnipeg, Manitoba.
Dear Sir:

Re: Japanese Property Claims Commission

Case No. 823

We have received from the Co-Operative Committee on Japanese Canadians, our form of Release which has been executed by yourself covering the award recommended under the above Claims Commission for the sum of ... **\$1,192.99.**

Cheque in your favour is enclosed for **\$1,123.60**
and we have paid the Co-Operative Committee .. **\$ 68.99**
for legal fees as authorized by you.

Yours truly,

FOS/js
1 encl.

F.G. Shears
Director