





Mrs. I. Imada,  
Direct Exam.

MR. McLENNAN: I am appearing for the Claimant, my lord. I will call Mrs. Imada.

MRS. ITO IMADA, called:

THE COMMISSIONER: Just a moment, Mr. Secretary. You have sworn the Interpreter?

THE SECRETARY: Yes, he has been sworn, my lord. Would you repeat the oath to her, please, Mr. Upton?

10 THE INTERPRETER: She does not seem to understand the meaning of this.

THE COMMISSIONER: You might just explain it to her again.

(Interpreter repeats Oath).

THE COMMISSIONER: You might just explain what your difficulty is to me, Mr. Interpreter.

THE INTERPRETER: She does not understand what it is, and I have asked her to repeat it after me.

20 MR. McLENNAN: My lord, I have the son of the claimant here. Is it all right for him to speak to her and explain it?

THE COMMISSIONER: Yes, quite.

(Katsumi Imada explains Oath to witness).

MR. HUNTER: Are you sure she understands the meaning of it; because unless she does she can hardly really be considered sworn?

THE COMMISSIONER: I did not hear you, Mr. Hunter.

MR. HUNTER: Apparently she doesn't understand  
30 the meaning of this Oath at all, my lord.



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She can hardly be considered sworn if she doesn't understand it.

THE COMMISSIONER: I am in the hands of the Interpreter in that regard. Mr. Interpreter, what has the witness said in response to your translation?

10 THE INTERPRETER: She has repeated it, but she said she didn't understand the meaning of it. It was obvious she did not understand the meaning of it.

THE COMMISSIONER: Can you paraphrase it by conveying to her she is swearing to speak the truth, the whole truth and nothing but the truth?

THE INTERPRETER: She understands she is to speak the truth.

THE COMMISSIONER: Is that satisfactory to you, Mr. Hunter?

MR. HUNTER: Yes, my lord.

20 THE COMMISSIONER: I will have to take it as it is, but it is pretty difficult to convey it to her. What do you say, Mr. McLennan?

MR. McLENNAN: My lord, I understand my friend will be filing in this case the farm appraisal report. It will be referred to, but I don't want to put it in as part of our case. I understand my friend is going to file a copy of the farm appraisal report in every case.

30 MR. HUNTER: That is correct, my lord. I won't file it now, but I will later. I am willing it be used now.



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THE COMMISSIONER: When you say later, are you referring to cross-examination or when the Government presents its side of the case?

MR. HUNTER: That is when I was going to propose to put it in.

THE COMMISSIONER: In the meantime it is furnished to Mr. McLennan so that he is made aware of its contents.

MR. HUNTER: That is correct, my lord.

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MRS. ITO IMADA, being first duly sworn,  
testified as follows:

DIRECT EXAMINATION BY MR. McLENNAN:(Through Interpreter):

Q Mrs. Imada, are you the widow of Kaichi Imada?

A Yes.

Q And when did he die?

A The 24th of February of this year.

Q I am showing you a document. Have you seen that before?

A Yes, she has seen this before.

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Q Is that the last Will and Testament of your late husband?

THE COMMISSIONER: Mr. McLennan, if you were to ask her to identify the signature on it, would that not meet the situation? I presume we can read it. Is it in English?

MR. McLENNAN: It is in English, yes, my lord.

Q Is that the signature of your late husband?

A Yes.

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MR. McLENNAN: My lord, I would rather not file this as an exhibit. This is the original will



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and has never been probated yet. May I show it to your Lordship? It recites the claimant here is the sole beneficiary, and there are two executors named in the will.

THE COMMISSIONER: I think you had better file a copy, Mr. McLennan. Is it satisfactory to you, Mr. Hunter, that the original be not filed?

MR. HUNTER: Yes, my lord.

10 THE COMMISSIONER: Mr. Secretary, will you mark the original and leave will be given to counsel to substitute a verified copy.

MR. HUNTER: My lord, I don't know whether you noticed it, purely on the question of continuity, that while the widow is the sole beneficiary, the widow and a son are the executor and executrix. I don't know about your law out here, as to property vesting in the executors, and so forth.

20 THE COMMISSIONER: There has been no probate as yet. I presume that you do propose to probate the will?

MR. McLENNAN: My lord, we have had no instructions in that connection, but it should be probated.

THE COMMISSIONER: How can I recognize a claim by the widow until it has been established that she or somebody else acquired this property under the terms of the will?

30 MR. McLENNAN: My lord, insofar as your recommendation would go, would it not be that it might be that so much money would be recommended to



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be paid to the person who was entitled and that she or someone would have to show that he or she was entitled at the time the payment was made?

THE COMMISSIONER: I think you ought to clear up that difficulty, Mr. McLennan.

MR. McLENNAN: Yes, my lord.

10 THE COMMISSIONER: Then I may take it you will undertake to probate the will, then the claim can be dealt with on the footing that this lady and her co-executor are the parties entitled.

MR. McLENNAN: Pardon me, my lord, in order that I may get instructions. Yes, my lord, I have now received instructions to proceed with the probating and it will be done.

My lord, I would like to obtain a copy of the claim which has been filed in this connection so it may be identified.

THE COMMISSIONER: Very well.

20 MR. McLENNAN: Q: Mrs. Imada, is this the claim form which you have filed in this Commission?

A Yes.

Q And that is your signature (indicating)?

A Yes.

MR. McLENNAN: I would ask that be marked as an exhibit, my lord.

THE COMMISSIONER: The will should be marked first as Exhibit No. 1 and the claim as Exhibit No. 2.

(WILL MARKED EXHIBIT No. 1)

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(CLAIM FORM MARKED EXHIBIT NO. 2).



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MR. McLENNAN: Q: Mrs. Imada, you have made a claim for the value of your real property as \$7,935.00?

A Yes.

Q Can you tell his Lordship how you arrive at that sum?

A That is the cost of the building as she bought it, together with the improvements she made.

Q Do you recall what you paid for the land?

10 A She bought it at the Tax Sale for \$650.00.

Q Was that all of it or part of it?

A What is your question again?

Q Was that \$650.00 for all of the 16 acres, or part of it?

A She said that the \$650.00 was for the bush and she bought eight acres.

Q Well, maybe, Mr. Interpreter, we can shorten this. The \$650.00 was for about half the property, was it?

20 A She says ten acres was for the \$650.00.

Q And when was that bought? Just ask her the question, when.

A 1924.

MR. HUNTER: That was what?

THE COMMISSIONER: The six acres bought in 1924, or ten acres, rather.

MR. McLENNAN: Ten acres.

THE INTERPRETER: She bought ten acres two years afterwards.

30 MR. McLENNAN: Q: Yes, for how much?



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A \$650.00.

Q For the same amount?

A She is thoroughly muddled up. What is it you want to get at exactly?

Q Would you ask her if she paid \$800.00 for another part of the land a little bit later on?

A She paid the \$800.00 and bought the first lot and she paid \$650.00 for the second one.

10 THE COMMISSIONER: Q: Now what acreage was there in the \$800.00 purchase?

A Six acres and one-half.

MR. McLENNAN: Q: Mrs. Imada, would you tell me what crops were in at the time of the evacuation? I am showing you some notes that you have made in that connection.

THE COMMISSIONER: Wait a minute before we go on to crops. She has put a total value of \$7,935.00 on the lands and improvements.

MR. McLENNAN: Yes, my lord.

20 THE COMMISSIONER: You have dealt with lands. Oh, I see, you are now going to prove an additional sum as value of crops, is that it?

MR. McLENNAN: As value of crops, and showing how she arrived at this figure, my lord.

THE COMMISSIONER: Very good.

MR. McLENNAN: Q: Would you proceed, Mrs. Imada, and tell his Lordship? You have accounted now for \$1450.00 of that \$7900.00. Would you tell her that, Mr. Interpreter? How was the rest made up?

30



A The house.

Q What value did you place on the house?

A \$3,000.00.

THE COMMISSIONER: Now, Mr. McLennan, let us not be confused here. You started out to deal with cost.

MR. McLENNAN: Yes, my lord.

THE COMMISSIONER: Is the witness now deposing to the cost of the house? You used the term "value".

10 MR. McLENNAN: Yes, my lord.

Q What did that house cost to build, do you know?

A She says she is not certain about that, but to build the house \$1200.00.

MR. HUNTER: Q: Is that correct?

A She says she is not certain. Her husband put it up. She says she thinks the cost of erecting the building, work and labour, was about \$1200.00.

MR. McLENNAN: Q: When was that?

20 A 1935. That would be about twelve years ago. Yes, twelve years ago. She said about twelve years ago.

Q Was the place in crop at the time of the evacuation?

A She said she had some crops there.

Q What crops were there?

A Apples, pears, cherries, green gage plums. About ninety trees.

MR. McLENNAN: My lord, this witness is obviously  
30 confused in one or two matters. Her son will



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be called to give evidence and we will leave the question of valuation until we call the son.

Q Would you describe the house which was on the farm?

THE COMMISSIONER: Just one moment, Mr. McLennan.

10 We are dealing with a difficult witness, in any case, and I have no doubt there will be evidence from expert valuers, and so on, who will describe these premises. Would we not be well advised not to waste time with such a witness as this in describing the house? However, I do not want to stop you, Mr. McLennan.

MR. McLENNAN: That is very true, my lord. I think that is so.

Q Mrs. Imada, do you know what the earnings from the farm were in the year 1941?

A She says she used most of them for her own personal use.

Q Were berries and hops produced?

20 A I don't know what the Japanese for "hops" is.

Q I am instructed it is the same word, "hops".

A In two years \$550.00 from the hops. She said when she evacuated that the price of the crops, the man from Sardis said he would buy them for a thousand dollars or fifteen hundred dollars.

THE COMMISSIONER: Q: Now, I am sorry but I did not hear the last part of the answer.

30 A That when she evacuated, the price of the hop crop she had been offered from a thousand