

Name of Claimant

NISHIYAMA, Tatso

Case 1042

Custodian File

"

Yoshizaemon

"

Yutaka (decd)

"

Mitsuru 8051,4588,7632,7635,

REAL PROPERTY											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		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	
					2586.		1300.96			1300.96	
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 & 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	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price				
96.50	64.16	19.25	66.48%	492.25	327.24	498.30	59.79	406.28			
TOTAL RECOMMENDATION										1707.24	



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CASE NO: 1042

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 13, 1948.

IN THE MATTER OF THE CLAIMS OF

MITSURU NISHIYAMA

TATSO NISHIYAMA

and

YOSHIZAEMON NISHIYAMA

PROCEEDINGS AT HEARING.

Original



1 IN THE MATTER OF THE "INQUIRIES ACT"
2 PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

3
4 JAPANESE PROPERTY CLAIMS COMMISSION

5
6 B E F O R E

7 (THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).
8

9
10 Toronto, Ontario,

11 May 13, 1948.
12

13
14
15 IN THE MATTER OF THE CLAIMS OF

16 MITSURU NISHIYAMA

17 TATSO NISHIYAMA

18 and

19 YOSHIZAEMON NISHIYAMA

20 PROCEEDINGS AT HEARING.

21 APPEARANCES:

22 J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

23 F.A. BREWIN, Esq.,

appearing for the
Claimant.

24
25
26 A. WATSON, Esq.,

Secretary.

27 MRS. D.J. HANDFORD,

Official Interpreter.

28 A.G. VEITCH, Esq., C.S.R.,

Official Reporter.
29
30



1 THE COMMISSIONER: Are these claims being heard
2 together?

3 MR. BREWIN: Yes, they are; there are three of them.

4 THE COMMISSIONER: Yes.

5 MR. BREWIN: Mr. Tatso Nishiyama will be giving
6 evidence first.

7 THE COMMISSIONER: We will deal with this matter
8 as one claim.

9
10 TATSO NISHIYAMA, the Claimant herein, being
11 first duly sworn, testified as
follows:

12 DIRECT EXAMINATION BY MR. BREWIN:

13 Q. Mr. Nishiyama, is your brother here? A. Yes.

14 Q. Where is he? A. Right in the
15 room now.

16 Q. I understand your brother and your father are
17 the joint owners of the property in respect of
18 which you are making a claim and that the
19 property is known as 745 North Oliver Road,
20 New Westminster. Is that right?

21 A. That is right.

22 Q. Pardon? A. That is right.

23 THE COMMISSIONER: Speak up in order that we may
24 hear you, please.

25 MR. BREWIN: Perhaps I had better first of all put
26 in this document.

27 This is a form of real estate with respect
28 to farm land. Is that your signature?

29 A. Yes. That is my signature.

30 Q. The other signature is whose?



T. Nishiyama
In-Chief.

1 A. My brother's.

2 Q. His name is Mitsuru? A. Yes.

3 Q. He is right here, now? A. Yes.

4 Q. And your name is what? A. Tatso Nishiyama.

5 Q. And are the facts set out in this document true?

6 A. Yes. It is true to my knowledge.

7 Q. It is true to your knowledge? A. Yes.

8 (PARTICULARS OF REAL ESTATE, FARM LAND,
MARKED EXHIBIT NO. 1)

9 MR. BREWIN: Perhaps in this case we had better
10 establish the title.

11 I have here, I do not know that it will
12 be necessary to file it, a certificate of title.

13 MR. HUNTER: As far as we understand it the two boys
14 and the father, who is the heirs of the deceased
15 son, are the joint owners of this property.

16 THE COMMISSIONER: You are prepared to concede that?

17 MR. HUNTER: Yes, my lord.

18 MR. BREWIN: Very well.

19 Perhaps my friend at this stage would file the
20 farm appraisal report of the Soldiers Settlement
21 Board, as Exhibit No. 2.

22 MR. HUNTER: I tender the farm appraisal report of
23 the Soldiers Settlement Board as Exhibit No. 2.

24 (FARM APPRAISAL REPORT, SOLDIERS SETTLEMENT
BOARD, MARKED EXHIBIT NO. 2)

25 Q. Mr. Nishiyama, one or two things to supplement
26 the material set out in the form: Did you have
27 insurance on the property, on the buildings?

28 A. Yes, we did.

29 Q. I have here a policy expiring May 2, 1945, and
30 issued by the Ocean Accident Guaranty Corporation



1 Limited, insuring the dwelling and barn for
2 \$1,500. The insured is described as Utaka
3 Nishiyama.

4 He was your brother?

5 A. Yes. He is since deceased.

6 Q. Now, when you left the property did you lease
7 it to anybody at all?

8 A. Yes; to Mr. Francis Gerlach.

9 Q. I have here a copy of a lease dated April 14,
10 1942, to Francis Gerlach. That covers this
11 property? A. Yes.

12 Q. And it says, including all implements now on
13 the premises - and it is from the 13th day of
14 April, 1942 - for the duration of the war.
15 The first year \$550 and taxes?

16 A. Yes.

17 Q. And payable upon the execution of this lease
18 (the receipt of \$500 is hereby acknowledged)
19 and \$150 and taxes yearly thereafter payable
20 on the 15th day of November during the duration
21 of the war. Is that right?

22 A. Yes.

23 Q. Possession to be given to lessors on 1st day of
24 January after the end of the war.

25 Should the lessors decide to sell said
26 premises and chattels the lessee to have first
27 option to purchase same.

28 I see also attached is an interim receipt,
29 dated November 18, 1943, in the amount of \$150.

30 "Rent for the year 1943"

and it is on a form of the Soldiers Settlement



1 and Veterans Land Act, signed by Mr. Grindlay.

2 I will file that as Exhibit No. 3.

3 (LEASE AND INTERIM RECEIPT, MARKED EXHIBIT NO.3)

4 I see it says in the Soldiers Settlement Board
5 form that the more recent land has been
6 economically fertilized and is in good production
7 at this time. Excellent growth is shown. Is
8 that right? A. Yes.

9 Q. And it says also in the Soldiers Settlement
10 farm appraisal report: "The cultivated acreage
11 here is in good shape and well worked down into
12 full production." Is that correct?

13 A. Yes, that is correct.

14 Q. Then it says:

15 "The more recent acreage where there are
16 "now potatoes and oats, have been well
17 "fertilized by the lessee this year and
18 "now show just as good growth as the older
19 "land though still showing peat mold. I
20 "consider that it is all now in full
21 "productivity."

22 Would that be correct?

A. Yes.

23 Q. If we may now deal with the claim for personal
24 chattels, your total claim, of the three of you
25 together, is for \$878, which is for goods valued
26 at \$1,478.45, less \$600, price sold by the
27 Custodian. Is that correct?

28 A. Correct.

29 Q. And the goods in respect of which you are
30 claiming and the valuations you place on them



T. Nishiyama
In-Chief.

1 are shown in column 3 of the analysis of personal
2 property claim? A. Yes.

3 Q. Is that correct? A. Correct.

4 MR. BREWIN: And, if I may file that?

5 THE COMMISSIONER: What is the total? \$1,478.45?

6 MR. BREWIN: Yes, my lord, less \$600. The \$600 does
7 not seem to be quite accurate according to this
8 form. The claim is the same; it is \$1,478.45.

9 THE COMMISSIONER: The chattels are also set out
10 with values attached to the claim form?

11 MR. BREWIN: Yes; that is correct.

12 Would you mind filing your copy of that, Mr.
13 Hunter?

14 MR. HUNTER: I tender the analysis of personal
15 property claim as Exhibit No. 4.

16 (ANALYSIS OF PERSONAL PROPERTY CLAIM,
17 MARKED EXHIBIT NO. 4)

18 MR. BREWIN: Now, perhaps I had better put this in
19 before I go any further.

20 Q; Did you and your brother complete a form setting
21 out the date of purchase and other material in
22 regard to some of the major items?

23 A. Yes.

24 Q. On that list? A. Yes.

25 Q. Is that your signature? A. Yes, that
26 is my signature.

27 Q. And your brother's? A. Yes.

28 Q. And are the facts set out here correct?

29 A. Yes.

30 (PARTICULARS OF PERSONAL PROPERTY, MARKED
EXHIBIT NO. 5)

Q. Was the Custodian informed that these chattels



T. Nishiyama
In-Chief.

1 chattels which were listed in your claim form
2 and in the personal chattels analysis. Is that
3 right? A. Yes.

4 THE COMMISSIONER: I do not think you need that in
5 the circumstances.

6 MR. BREWIN: No. I just wanted to bring it out for
7 what it is worth. They were, at any rate,
8 apparently there on August 31, 1942. Whatever
9 happened to them afterwards we may have to
10 inquire about.

11 THE COMMISSIONER: Yes.

12 MR. BREWIN: "The following articles are in the care
13 of Mr. F. Gerlach, 327 Unwin Road, New West-
14 minster."

15 THE COMMISSIONER: Has there been a loss here?

16 MR. HUNTER: Yes, my lord. It looks to be very
17 considerable.

18 THE COMMISSIONER: I think in the circumstances it
19 might be well for you to file that last document.
20 It is an inventory taken by the Custodian?

21 MR. BREWIN: Yes; apparently.

22 MR. HUNTER: Is that the 12th August?

23 MR. BREWIN: August 31 is the date which is recited
24 at the top.

25 MR. HUNTER: This would appear to be a Custodian
26 inventory, my lord.

27 MR. BREWIN: The figures which are written on it
28 as follows were not on it when the Custodian
29 sent it to you?

30 A. No; we put them on.



T. Nishiyama
In-Chief.

1 Q. You put them on? A. Yes.

2 (INVENTORY, AUGUST 31, 1942, MARKED EXHIBIT NO.6)

3 Q. I suppose you do not know how long Mr. Gerlach
4 was on the property?

5 A. No. I do not know to that effect.

6 Q. And I suppose we may also say that if a lot of
7 these chattels do not appear, were lost or
8 abandoned, or stolen, you have no knowledge of
9 the particulars?

10 A. No, I have not.

11 MR. BREWIN: That is all, thank you.

12

13 MR. HUNTER: It is submitted, my lord, that the real
14 property was sold for its fair market value.

15 It is submitted that the chattels sold were
16 sold for their fair market values.

17 It is submitted that claims made for
18 chattels not sold by the Custodian are exhorb-
19 itant.

20 It is submitted that the chattels were left
21 under the custody, control or management of some
22 person other than the Custodian appointed by
23 the owner, and that accordingly only those
24 chattels which came under the custody, control
25 or management of the Custodian are within the
26 terms of reference.

27 The real property appears to be a question
28 of value, my lord.

29

30



1 CROSS-EXAMINATION BY MR. HUNTER:

2 Q. I produce a J.P. form. Is that your signature
3 on it? A. That is my

4 brother's signature.

5 Q. That is the brother who is here with you?

6 A. No; he is deceased.

7 Q. That is your dead brother's signature?

8 A. Yes.

9 Q. Did he declare these various chattels and
10 complete this J.P. form on behalf of all of you?

11 A. Yes.

12 Q. And the facts given in this are given according
13 to his instructions? A. Yes.

14 MR. HUNTER: I put this in, my lord, merely because
15 it does give a list of the equipment left
16 behind and it values the furniture at \$300
17 at that time.

18 The equipment shown in the attached list
19 has values opposite it. Some of those values
20 are somewhat different from the values claimed
21 to-day.

22 The total amount, as shown left on the
23 farm as of that date, according to this J.P.
24 form, is \$1,253.75. It is dated April 21, 1942.
25 I would tender that as Exhibit No. 7.

26 (J.P. FORM, APRIL 21, 1942, MARKED EXHIBIT NO.7)

27 The furniture was removed fairly early in
28 the game and was sold by auction. That accounts
29 for the item shown in the recapitulation,
30 chattels for which the claimant claims \$230.95,



T. Nishiyama
Cross-Exam.
Discussion.

1 sold at auction for \$761

2 MR. BREWIN: I wonder if my friend could assist me.
3 He said they were taken fairly early. If you
4 can give us the date it would be helpful.

5 MR. HUNTER: Yes. It was removed in August, 1944,
6 and sold at public auction. The auction sale
7 was held at Surrey on October 27, 1944.

8 Eventually instructions were given to
9 remove all farm equipment and sell it. The
10 farm equipment was accordingly all sold. At
11 that time the shortages were discovered. The
12 tenant, Mr. Gerlach, was still in the premises.
13 He seemed unable to account for the shortages.
14 Much of the equipment removed was appraised and
15 I have a number of appraisals here.

16 THE COMMISSIONER: What am I to conclude from your
17 statement there, that the Government will contend
18 that the loss of these missing articles occurred
19 during the tenancy of Gerlach?

20 MR. HUNTER: Unquestionably, my lord; and while under
21 his custody, control or management.

22 THE COMMISSIONER: Yes. What was the date of the
23 auction?

24 MR. HUNTER: October, 1944.

25 THE COMMISSIONER: That is, of the implements?

26 MR. HUNTER: There was no auction.

27 THE COMMISSIONER: Of the removal ---

28 MR. HUNTER: I will have to ---

29 MR. BREWIN: You told us it was of the furniture.

30 THE COMMISSIONER: The furniture was removed in



1 October.

2 MR. HUNTER: I am looking for a letter from Mr.
3 Gerlach who says that now everything is ready
4 to be moved. There are so many letters here it
5 is hard to place my finger on it.

6 This is a letter from the tenant, Mr.
7 Gerlach, dated October 14, 1945, to the Custodian,
8 saying:

9 "Kindly be advised that the farm equipment
10 "is now ready for removal. If you will
11 "call on Wednesday, October 17, there will
12 "be some one here at 327 --"

13 I cannot read the name of the road,

14 "--- Road, R.R. 4, New Westminster."

15 I do not know that there is anything which
16 indicates they called at that date. They
17 probably did. We will probably call verbal
18 evidence later.

19 Do you wish that filed or read in?

20 THE COMMISSIONER: I think it is sufficient to have
21 it read in, which you have already done. All I
22 want is the date.

23 MR. HUNTER: On January 22 Trapp Motors Limited
24 appraised the double plough disc at \$115 and
25 some household effects, odd chinaware and lamp,
26 table and two kitchen chairs at \$33.25.

27 On February 26 they appraised the truck as
28 follows:

29 "One Fordson tractor, \$225;

30 "One two bottom tractor plough, \$75;



T. Nishiyama
Cross-Exam.
Discussion.

1 "One cultivator, \$7.50;
2 "One cultivator, \$7.50;
3 "One two-section harrow, \$8;
4 "One O.H. plough, \$7.50;
5 "One duster, \$5;
6 "Two tank sprayers, \$8;
7 "One bbl. sprayer, \$4.50;
8 "One hand sprayer, \$1.50;
9 "One wheelbarrow, \$2.75;
10 "One stove, \$1;
11 "Tools, \$1.50;
12 "Harness, \$10;
13 "One scraper, \$6.50;
14 "One lawnmower, \$2.50."

15 On March 9, 1946, they appraised the three-
16 quarter horsepower electric motor at \$15.

17 I would tender these appraisals as
18 Exhibit No. 8.

19 (APPRAISALS, TRAPP MOTORS LIMITED, JANUARY 22,
20 FEBRUARY 26, MARCH 9, 1946, MARKED EXHIBIT NO.8)

21 These chattels were advertised for sale in the
22 British Columbian and the Surrey Leader on
23 February 21, 1946.

24 I tender a copy of the advertisement headed:

25 "Farm equipment for sale by tender"
26 showing various parcels and what they contained.

27 (ADVERTISEMENT, FEBRUARY 21, 1946, MARKED
28 EXHIBIT NO. 9)

29 I do not think the letter attached to it has
30 any importance. It is merely the Custodian's
instructions to J. J. Gibbons to have it



1 published at that time.

2 In response to the advertisement there is
3 a rather colossal mass of correspondence here
4 of tenders, acceptances and refusals, and
5 various items shown there were sold at their
6 appraised values, or better, as will be seen
7 from Exhibit 4, the analysis.

8 THE COMMISSIONER: Yes.

9 MR. HUNTER: I do not think there are any questions.
10 The lease speaks for itself.

11 MR. BREWIN: I wonder if my friend has some further
12 information he can give us. Was a new lease
13 made to Mr. Gerlach at any time?

14 MR. HUNTER: No. The lease was for the duration
15 of the war and while that may be void on the
16 grounds of uncertainty, nevertheless - that is
17 a legal point.

18 MR. BREWIN: At any rate, no further lease was made?

19 MR. HUNTER: No.

20 THE COMMISSIONER: I take it he remained in possession
21 by virtue of the lease granted by the claimant.

22 MR. BREWIN: He apparently remained in possession,
23 at any rate.

24 I see several articles were sold to the
25 tenant.

26 If my friend has the date of those sales
27 it may assist.

28 THE COMMISSIONER: That appears from the Trapp
29 appraisal, which was entered as Exhibit No. 8.
30 January 22, 1946, the document reads:



1 "Under instructions from the Custodian's
2 "office we have appraised and sold to the
3 "tenant ---"

4 so and so.

5 MR. HUNTER: Thank you. That is all.

6 THE COMMISSIONER: Q. You have been authorized by
7 your father and your brother to appear here
8 and prove this claim on their behalf, as well
9 as yourself? Have you?

10 A. Yes.

11 THE COMMISSIONER: I would like the other brother
12 to stand up.

13 You have just heard the question I asked
14 your brother. Do you speak English?

15 MR. MITSURU NISHIYAMA: Yes.

16 THE COMMISSIONER: You understand that your brother
17 is appearing here speaking for yourself as well
18 as for your father and himself?

19 MR. MITSURU NISHIYAMA: Yes.

20 THE COMMISSIONER: And you are content with that?

21 MR. MITSURU NISHIYAMA: Yes.

22 MR. BREWIN: Do you wish to add any facts about which
23 your brother has not told us?

24 MR. MITSURU NISHIYAMA: No, I do not think so.

25

26 MR. BREWIN: I think I would like to ask the brother
27 just one thing, for what it is worth. Some
28 legal argument might turn on it.

29

30

MITSURU NISHIYAMA, being first duly sworn,
testified through the Interpreter
as follows:

DIRECT EXAMINATION BY MR. BREWIN:

Q. Mr. Nishiyama, you have heard what your brother has said?

A. Yes, sir.

Q. And what he said is correct? A. Yes.

Q. Then, there is one further thing about which I wish to ask you. Apparently a written lease, a document in writing, was made between yourself and your brother, and a tenant whose name was Gerlach. That is right?

A. Yes.

Q. And I see your signature appears on that document which has been filed. Were there instructions given by you to the lawyer who drew up the document, the lease?

A. Yes.

Q. And what further arrangements were made with the tenant, if any, beyond what was set out in the lease?

A. Well, he was supposed to look after what was on the farm.

Q. I see. Was that arrangement made by you personally?

Q. Well, no. It is made between my brother and I.

Q. Between your brother and yourself?

A. When my brother and I were there we made arrangements with Francis Gerlach.

Q. To look after the property? A. Yes.

MR. BREWIN: Thank you.



M. Nishiyama
In-Chief.

1 THE COMMISSIONER: Are there any questions on cross-
2 examination?

3 MR. HUNTER: No, my lord.

4 THE COMMISSIONER: That is all, thank you, Mr.
5 Nishiyama.

6

7 (PROCEEDINGS ADJOURNED SINE DIE)

8

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

11

A handwritten signature in blue ink, which appears to read "A.G. Veitch", is written over the printed name.

12

"A.G. VEITCH"
Official Reporter.

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JAN - 7 1948

base 1042
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
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7635

5-1 Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim: Toronto

- (1) NAME Nishiyama Mitsuru (RCMP) Reg. No. 06465
(Print) Surname Given Name
- (2) Pre-Evacuation Address R. R. #1 North Oliver Rd., New Westminster, B.C. Best
- (3) Present Address 46 Mercer Street, Toronto, Ontario.
- (4) REAL ESTATE
- (a) Street Address (if any) R.R. #1., 745 North Oliver Rd., East Delta, New Westminster, B.C.
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.)
South half of the north half of the south-east quarter of Section 11 Township 4, save and except the right of way of Vancouver, Victoria, and Eastern Railway and Navigation Company as shown on sketch deposited as #11229F - New Westminster.
- (c) Type of Real Property (cross out words which do not apply):
(i) Farm and Type of business Vegetable and fruit farm
(ii) Residence
(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.)
one-third interest
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ _____
(ii) Buildings - - - - - \$ _____
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ _____
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 6000.00
(v) Amount at which Custodian sold property and credited your account - - - \$ 2586.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 3414.00
(1/3 of this)
1138.00
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
745 Oliver Rd., East Delta, New Westminster
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
Farm house and buildings
- (c) How stored or packed at time of evacuation
Stored in house and barn - Small articles packed in boxes.

(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")

F. Gerloch

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

- | | | |
|---|--------------------|----------------------|
| 1. <u>See attached list - Value - 1478.45</u> | Estimated Value \$ | |
| 2. <u>Price sold by custodian for 600.00</u> | Estimated Value \$ | <u>878.45</u> |
| 3. _____ | Estimated Value \$ | <u>(1/3 of this)</u> |
| 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 \$ 292.82

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) - - - - - \$ 1430.82

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

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

Toronto

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 }
County of York }
TO WIT: }

I, Mitsuru Nishiyama
of Toronto

of the City
in the Province of Ontario

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 Toronto)
in the County of York)
this 22nd day of December)
A.D. 1947.)

M. Nishiyama
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.

	Kitchen Range	30.00
2	Sprayers (Dobbins)	7.00
	Kitchen Sink (cupboards and bins)	
	Dining room table and 4 chairs	15.00
3	Kitchen chairs (brown)	5.00
10	Window blinds	10.00
6	Curtain Rods	1.00
	Linoleum Rug	5.00
	Dining table and 6 chairs - Buffet (missed out)	40.00
3	piece chesterfield suite	70.00
3	seat covers	5.00
2	pictures (framed)	
	Window blind	1.00
	Wallpaper	2.00
	Switch and cord, extension cord, double socket	1.50
	Platform scale	10.00
	Hoe	1.50
	Axe	3.50
5	Gal. Can	
	Wheelbarrow	4.00
2	Crosscut saws	12.00
	Axe	3.50
	Berry Wire (approx. 30')	5.00
11	Bundles shingles	8.00
2	Boxes (shingles, loose shingles, cement)	5.00
24	Jam crates	10.00
9	Rasp. crates	4.00
	Horse Harness and bridle	35.00
	Fordson Tractor	450.00
	Brush Hoe	2.00
	Post Hole Digger	1.50
3	Mattocks	4.00
3	Manure Forks	2.00
6	Shovels	7.50
	Tractor Plow (double)	125.00
	Scythe and extra blade	3.00
	Potato Fork	1.25
	Spade	1.00
	Fræe	2.00
	Tractor Plow (single)	75.00
	Car Jack	2.00
	Auger	1.75
	Trunk (empty)	
	40# Berry Wire	6.00
	Quart Copper oil can	
	curly comb	
2	Galvanized pails	1.00
60	Bricks	3.00

	Axe	1.00
	Hand Pruners	3.00
2	Sets Disc Harrows (for Tractor 7' Double)	65.00
4	Wheeled Trailer (rubber tired)	40.00
	Cultivator	25.00
	Plow (Horse drawn)	15.00
	Potato Hiller	12.00
	Bag of Hydrated Lime	
	Coulter	
2	Potato Forks	2.00
	Rake	1.25
	Manure Fork	1.25
	Large Quantity Fruit Baskets	
	Fish Net	10.00
1	Drag Harrow	12.00
	Box (kitchen utensils)	5.00
	Mantle Clock	2.50
	Carton (20# nails)	1.00
	Keg (12# nails)	1.00
	Medicine Cabinet	.50
	Sideboard	10.00
	Box (dishes)	.75
	Tin Box (Misc. Articles)	1.00
	Roll Tar paper	.75
	Brush Hook	2.50
	Pair Car Chains	8.00
	Linoleum Rug	25.00
2	Wooden Frames	1.50
	Marble Desk Set (Pen and Pencil)	7.50
	Large wicker basket (clothes)	2.00
2	Boxes (sealers and glass jars)	2.50
	Mantle Lantern	3.50
	Aladdin Lamp	2.50
	Gas Lamp	2.00
1	Gal. Vinegar Jug	
22	Small tin pails	1.00
	200' Lumber	4.00
2	Washboards	1.50
2	Rubber Mats	2.00
	Heater	10.00
2	Aluminum Pots	.70
	Hand Saw (New)	4.00
	Small Sickle	1.75
	Floor Mop	.50
	Gramophone and Records	100.00
	Book Ends	.75
	Window Frames with glass	15.00
	Roll building paper	1.00
2	Pans	1.00
	Hammer	1.00
	Carton (Misc. Articles)	
1	Bed	30.00

	Copper wash boiler	1.50
	Barrel (pots and misc. articles)	
10	Gal. Stone Crock	2.00
	Large Barrel	
	Stove Pipe	2.00
	Tin 10# nails	.50
5	Gal. Tin lime sulphur spray	2.00
1	Door	3.00
	Sheet Galvanized iron	4.00
	Lantern	1.00
	Axe and extra handle	1.50
	Hatchet	1.25
	Auger	1.00
2	Cross Cut saws	10.00
	28' 1/2" Galvanized Pipe	1.50
	2000' Lumber	24.00

TOTAL

\$1,478.45

Case 1042

JAN - 7 1948

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

8051

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

- (1) NAME NISHIYAMA TATSO (RCMP) Reg. No. 10186
(Print) Surname Given Name
- (2) Pre-Evacuation Address R. R. #1 North Oliver Rd., New Westminster, B.C. *Rest*
- (3) Present Address 46 Mercer Street, Toronto, Ontario.
- (4) REAL ESTATE
- (a) Street Address (if any) R.R.#1., 745 North Oliver Rd., East Delta,
City or Municipality, New Westminster, Province B.C. *B*
- (b) Legal description (lot number, block number, section number, etc.)
South half of the north half of the south-east quarter of Section 11
Township 4, save and except the right of way of Vancouver, Victoria,
and Eastern Railway and Navigation Company as shown on sketch
deposited as #11229F - New Westminster.
- (c) Type of Real Property (cross out words which do not apply):
(i) Farm and
(ii) Residence Type of business Vegetable and fruit farm
(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.)
one-third interest
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ _____
(ii) Buildings - - - - - \$ _____
(iii) If business, put value on business as going concern
(including land and buildings, tenancies, chattels,
fixtures, stock-in-trade, goodwill and accounts re-
ceivable) - - - - - \$ _____
(iv) Total value (if you cannot give separate values for lands and buildings just
fill in total value) - - - - - \$ 6000.00
(v) Amount at which Custodian sold property and credited your account - - \$ 2586.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 3414.00
(1/3 of this)
1138.00
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
745 Oliver Rd., East Delta, New Westminster
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
Farm house and buildings
- (c) How stored or packed at time of evacuation Stored in house and barn - Small
articles packed in boxes.

(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")

F. Gerloch

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

- | | |
|---|----------------------------------|
| 1. See attached list - Value - \$1478.45 | Estimated Value \$ |
| 2. Price sold by custodian for- \$ 600.00 | Estimated Value \$ 878.45 |
| 3. _____ | Estimated Value \$ (1/3 of this) |
| 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 \$ 292.82

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) - - - - - \$ 1430.82

- (6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no. No
(Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)

Toronto

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)
County of York)
TO WIT:)

I, Tatso Nishiyama of the City
of Toronto in the Province of Ontario

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 Toronto)
in the County of York)
this 22nd day of December)
A.D. 1947. RA Best)

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.

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6 Curtain rods	1.00
Linoleum Rug	5.00
Dining table and 6 chairs - Buffet (missed out)	40.00
3 piece Chesterfield suite	70.00
3 Seat covers	5.00
2 pictures (framed)	
Window blind	1.00
Wallpaper	2.00
Switch and cord, extension cord, double socket	1.50
Platform scale	10.00
Hoe	1.50
Axe	3.50
5 Gal. Can	
Wheelbarrow	4.00
2 Crosscut saws	12.00
Axe	3.50
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2 Boxes (shingles, loose shingles, cement)	5.00
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9 Rasp. crates	4.00
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Fordson Tractor	450.00
Brush hoe	2.00
Post hole digger	1.50
3 Mattocks	4.00
3 Manure forks	2.00
6 Shovels	7.50
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Scythe and extra blade	3.00
Potato fork	1.25
Spade	1.00
Frae	2.00
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Trunk (empty)	
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curly comb	
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Carton (20# nails)	1.00
Keg (12# nails)	1.00
Medicine Cabinet	.50
Sideboard	10.00
Box (dishes)	10.75
Tin Box (Misc. Articles)	1.00
Roll Tar paper	1.75
Brush Hook	2.50
Pair Car Chains	8.00
Linoleum Rug	25.00
2 Wooden frames	1.50
Markle Desk Set (Pen and Pencil)	7.50
Large wicker basket (clothes)	2.00
2 Boxes (sealers and glass jars)	2.50
Mantle Lantern	3.50
Aladdin Lamp	2.50
Gas Lamp	2.00
1 Gal. Vinegar Jug	
22 small tin pails	1.00
200' Lumber	4.00
2 Washboards	1.50
2 Rubber mats	2.00
Heater	10.00
2 Aluminum Pots	.70
Hand Saw (New)	4.00
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Book Ends	.75
Window Frames with glass	15.00
Roll building paper	1.00
2 Pans	1.00
Hammer	1.00
Carton (Misc. Articles)	
1 Bed	30.00

Copper wash boiler	1.50
Barrel (pots and misc. articles)	
10 Gal. Stone crock	2.00
Large Barrel	
Stove Pipe	2.00
Tin 10# nails	.50
5 Gal. tin lime sulphur spray	2.00
1 Door	3.00
Sheet Galvanized iron	4.00
Lantern	1.00
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Hatchet	1.25
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28' $\frac{1}{2}$ " Galvanized Pipe	1.50
2000' lumber	24.00

TOTAL

\$1,478.45

base 1042

JAN - 7 1948

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TO: The Commissioner,
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Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

7632

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

- (1) NAME Nishiyama Yoshizaemon (RCMP) Reg. No. 06447
(Print) Surname Given Name
- (2) Pre-Evacuation Address R. R. #1, North Oliver Rd., New Westminster, B.C. *Bush*
- (3) Present Address 46 Mercer Street, Toronto, Ontario.
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Township 4, save and except the right of way of Vancouver, Victoria,
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deposited as #11229F - New Westminster.
- (c) Type of Real Property (cross out words which do not apply):
(i) Farm and Type of business Vegetable and fruit farm
(ii) Residence
(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.) one-third interest
Father, Executor and sole heir of Yutaka Nishiyama
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ _____
(ii) Buildings - - - - - \$ _____
(iii) If business, put value on business as going concern
(including land and buildings, tenancies, chattels,
fixtures, stock-in-trade, goodwill and accounts re-
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F. Gerloch

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Toronto

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)

County of York)

TO WIT:)

I, Yoshizaemon Nishiyama
of Toronto

of the City

in the Province of Ontario

DO SOLEMNLY DECLARE THAT:

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this 22nd day of December)

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	Auger	1.00
2	Cross Cut saws	10.00
	28' $\frac{1}{2}$ " Galvanized Pipe	1.50
	2000' Lumber	24.00

TOTAL

\$1,478.45

NISHIYAMA, Mitsuro

(Claimant's Name)

REAL ESTATE
(Farm Land)

06465

Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared	10	1934	Mr. Gray	\$1200.			
Cultivated not planted							
Cultivated and not in crop							
List Crops							
Raspberries	4				all uncleared	-	\$4500.
Beans	6						
Carrots	4						
Currants	2						
Fruit trees	$\frac{1}{2}$						
Potatoes	13						
Total							

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

Description	When Made	Cost	
Cleared and cultivated	1934 till 1940	\$150. per acre	Material and labour included
Ditched Land-	1934 " 1940	\$300.	cleared 30 acres = \$4500.00 approximate.

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
House (1 $\frac{1}{2}$ storey)		16x16	Frame	1934	\$1500		\$250.	\$400.	\$1350.
		12x16		(rebuilt in 1940)					
Stable		16x24	"	1935	\$200.		\$75.	\$125.	\$ 150.
Garage addition		16x24	"	1939	\$150.		\$75.	\$ 50.	\$ 175.
Storeroom "		16x24	"	1938	\$200.		\$75.	\$ 75.	\$ 200.
Woodshed		12x26	"	1935	\$ 75.		\$20.	\$ 50.	\$ 45.
Packinghouse		12x20	"	1939	\$100.		\$65.	\$ 50.	\$ 110.
									\$2030.

EXHIBIT No.

1042-1

DATE

13 May 1948

FILED BY

J. A. Brown

Comments re Appraiser's report not covered by above information:

The claimant says the \$6000. claim is far below the real estimated value of the land and buildings, Insurance of \$1500.

Claimant leased premises for \$550. a year, plus taxes of \$150. per year.

The claimant has a 1/3 interest in the property.

M. Nishiyama

Signature

BC-6591
BC-1980-A

Farm Appraisal Report

File No. J.L.593

Land Description S¹ of N¹ of SE¹ Sec.11, Tp.4, except Rt. of Way of V.V. & E. Rly & Nav. Co. as shown in red on sketch #11229-F. cont'g 3.79 ac.
Bal. of this unit Containing approx. 36.87 Acres

Owner's Name Mitsuru Yutaka Tatso } NISHIYAMA Post Office Address R.R.1, New Westminster, B.C.

Nearest Rail Point Stn. on G.N. Rly. Distance 3 mls.

Market Town New Westminster & Ladner Distance both 9 mls.

Church (give denomination) United Distance 2 1/2 mls.

Nearest School East Delta Distance 2 1/2 mls.

State how property was identified: L.R.O. Sketch, Map and roads.

Roads: State whether property has access to main road, the kind of road and its condition.
Is no. 745 Oliver Road, gravelled 1/2 mile to Ladner Trunk Rd. hard surfaced.

Is this district a good one? Yes.

Employment opportunity Nearby in peat bogs, and in season in area at farming.

Predominating Nationality and religion: British. None predominating.

Describe Fencing and its condition: Bdy 2 wires. R/Way fenced. Value \$ inc. in land

Water supply: Municipal water supply Value \$ inc. in land

BUILDINGS ON FARM

7635-8051-7632

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	16 x 16		studs					
	12 x 16	lumber	8	shgl	3 yrs?	blks	good	360.00
Stable	16 x 24	"	10	"	old	"	fair	
Garage addn	16 x 24	"	7	"	"	"	"	
Storeroom *	16 x 24	"	7	"	"	"	"	70.00
Woodshed	12 x 26	"	7	shks	"	posts	poor	15.00
Packhouse	12 x 20	"	8	rfg	"	blks	fair	30.00
GRANARY	X							
	X							
	X							
	X							
	X							
	X							

(No electric lights installed, though dom. power line passes the door) Total present day value \$ 475.00

Total Value Buildings add to farm \$ 475.00

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

Describe the basement and chimneys: No basement. Brick chimney from bracket.

No. rooms downstairs? 3 Upstairs? low unfin. attic How finished shiplap and paper

Are buildings painted? No Condition of paint

Distance from nearest bush No bush.

EXHIBIT NO. 1042-2
DATE 13 May 1948
FILED BY J. W. G. Hunter

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
19.3	level	deep peaty loam	clay	Raspberries, curr- ants, beans, oats, potatoes, carrots & beets.	80.00	1544.00
Area which can be cultivated without cost other than for breaking.						
7.5	level	peat mould	clay	partly broken down to productivity.	50.00	375.00
1.9	*	peat	clay	cleared but not cult.	30.00	57.00
Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.						
8.17	level	peat	clay	clearing, peat burning, and work- ing into product- ion	75.00	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	

Total value of Land \$ 2139.40

Total added by buildings to value of farm \$ 475.00

Total fruit trees add to value of farm (for use in orchard districts only) \$ 20.00

Total value of farm \$ 2634.40

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Fully occupied. Good tillage. Present lessee is F. Gerlach, who is well equipped to handle this and one other place he leases. Part of existing cult. has been operated for 15 yrs, and more recent land has been chemically fertilized and is in good production at this time. Excellent growth is shown.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
Mixed, and vegetable. The latter by reason of canneries at Ladner which will take the product. Cane fruits show thrift also.

Noxious weeds: Some Canada thistles.

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

Mun. & school \$30.78
Water rate 12.78
Drainage 16.10
\$59.66

Delta Municipality
Ladner, B.C.

EXHIBIT No. _____

DATE _____ With 1042-2

FILED BY _____

Date: 22nd July, 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 21 day of July 19 42.

Inspector's Signature

"B. C. Wormworth"

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

Farm Appraisal Report

Remarks:

The cultivated acreage here is in good shape, and well worked down into full production. All has been peat land, but has been cultivated up to 15 years. The more recent acreage where there are now potatoes and oats, have been well fertilized by the leasee this year and now show just as good growth as the older land, though still showing peat mold. I consider that it is all now in full productivity.

The piece in the south-west corner has not as yet produced. Has been burned off and plowed once or twice, but still requires working and fertilizing before coming into production. This will take from 3 to 5 years according to the method used. The remainder is just straight peat land, and will only come into production with years of elimination of the peat moss and gradual working down. Potentially it is the same as the surrounding area, which is now fairly prosperous, and producing well.

EXHIBIT NO. _____
DATE _____
FILED BY _____
With 1042-2

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie 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

20 young fruit trees (mixed) are not yet in production, but are old enough to add value \$ 20.00

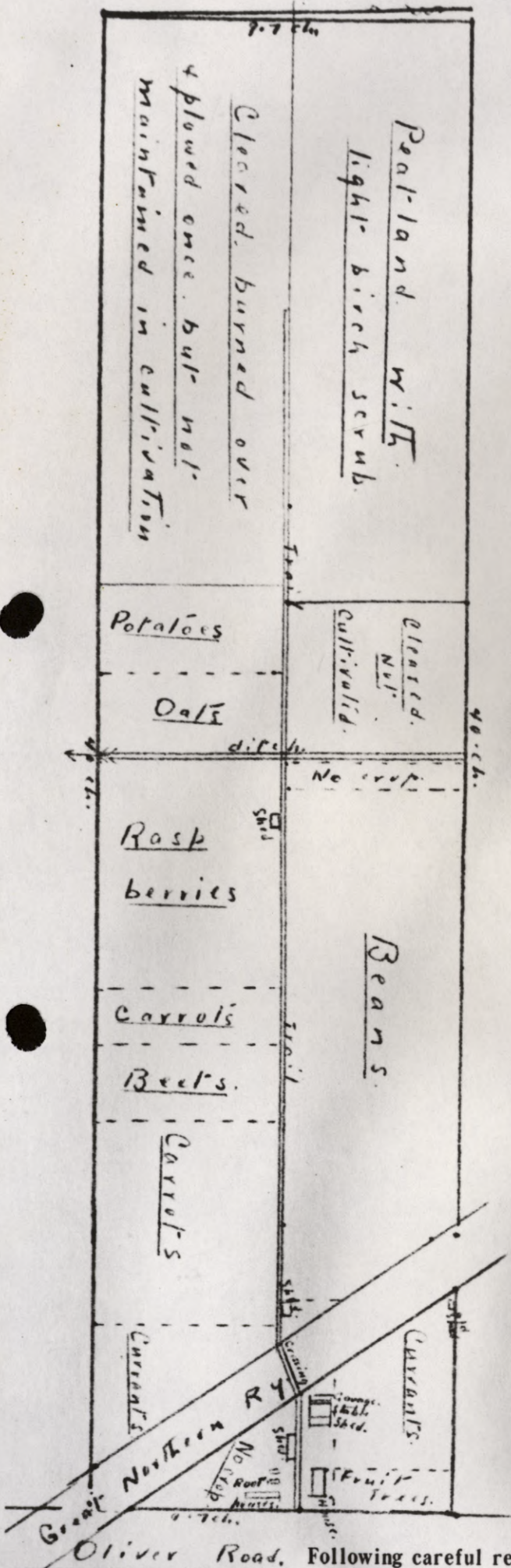
Other crops at this time are:-

Raspberries	2.6 ac.
Currants	2.5 ac
Beans	6.25 ac
Potatoes	1.13 ac
Carrots	3.25 ac
Beets	0.9 ac
Oats	0.9 ac.

Total \$

Amount fruit trees add to value of farm \$

Diagram of Property



M., Y. + T. Nishiyama.

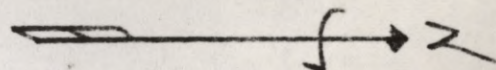
SE 1/4 of N 1/2 of SE 1/4 Sec. 11. Tp 4. Except:

R/Way of V.V. + E. Ry + Nav. Co. shown in Red on sketch No 1229 F. - 3.79 ac in sketch.

But approx 36.87 acres.

EXHIBIT No. _____
DATE _____
FILED BY With 1042-2

Scale 4 chains.



Following careful review of this appraisal report, it is my opinion that the present value is \$ 2600

Date 24th July, 19 42.

(SIGNED) I. T. Barnet
District Superintendent.

SOLDIER SETTLEMENT



& VETERANS LAND ACT

DISTRICT ACCT. NO. _____ SUB DISTRICT NUMBER _____ FORM OF PAYMENT Cash

DISTRICT OFFICE Vancouver, B. C. DATE Nov. 18, 1943 \$ 150.00

RECEIVED FROM Mr. Francis Gerlach,

ADDRESS R.R.#4, New Westminster, B. C.

THE SUM OF -----ONE HUNDRED & FIFTY----- 000 /100 DOLLARS

ON ACCOUNT OF Rent for the year 1943 on Yutaka Nishiyama & Mitsuru Nishiyama (J.L.593)

IT BEING UNDERSTOOD BETWEEN THE PAYER AND THE DIRECTOR OF SOLDIER SETTLEMENT & VETERANS LAND ACT THAT NEITHER THE ACCEPTANCE OF THE ABOVE MENTIONED AMOUNT NOR THE ISSUANCE OF THIS RECEIPT SHALL OBLIGE THE DIRECTOR OF SOLDIER SETTLEMENT & VETERANS LAND ACT TO CARRY OUT THE PURPOSES FOR WHICH PAYMENT ABOVE MENTIONED IS MADE, HIS OBLIGATION BEING LIMITED TO ACCOUNTING FOR, OR RETURNING TO THE PAYER THE AMOUNT FOR WHICH THIS RECEIPT IS GIVEN.

IF OFFICIAL RECEIPT COVERING THE FULL AMOUNT OF THIS PAYMENT IS NOT RECEIVED BY YOU WITHIN FIFTEEN DAYS OF THIS DATE COMMUNICATE WITH THE DISTRICT SUPERINTENDENT.

PAYER'S COPY

W. B. Lindsay

AUTHORIZED REPRESENTATIVE
SOLDIER SETTLEMENT & VETERANS LAND ACT

This Indenture,

Made in duplicate the 14th day of April in the year of Our Lord one thousand nine hundred and forty-two

IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT"

Between: YUTAKA NISHIYAMA
MITSURU NISHIYAMA
R. R. No. 1
New Westminster
Province of British Columbia.

Insert full
Names,
Addresses
and
Occupations
of parties.

hereinafter called the "Lessor" of the First Part:

And

FRANCIS GERLACH
R. R. No. 4
New Westminster
Province of British Columbia.

hereinafter called the "Lessee" of the Second Part:

Witnesseth, the said Lessor doth demise unto the said Lessee, his executors, administrators and assigns, **All and Singular** that certain parcel or tract of land and premises situate, lying and being in the District of New Westminster, Province of British Columbia, and more particularly known and described as the South half ($\frac{1}{2}$) of the North half ($\frac{1}{2}$) of the South-East Quarter ($\frac{1}{4}$) of Section Eleven (11) Township Four (4) save and except the Right of way of Vancouver, Victoria and Eastern Railway and Navigation Company, as shown on Sketch No. 11229 F.

EXHIBIT No. 1047-3
DATE 13 May 1948
FILED BY J. A. Brown

Together with all buildings thereupon erected, or hereafter during the term hereby granted, to be erected, and also with all ways, paths, passages, waters, water courses, privileges, advantages and appurtenances whatsoever to the said premises belonging or otherwise appertaining.

Including all implements now on the premises.

From the 13th day of April one thousand nine hundred and forty-two. for the term of duration of the war thence ensuing.

Yielding for the first year during the said term therefor the rent of FIVE HUNDRED & FIFTY Dollars, ----- and taxes -----

of lawful money of Canada, payable on the following days and times that is to say:

Payable upon the execution of this lease (the receipt of \$550.00 is hereby acknowledged) and ----- \$150.00 and taxes yearly thereafter payable on the 15th day of November in each and every year during the duration of the war.

Possession to be given to Lessors on first day of January after the end of the war.

Should the Lessors decide to sell said premises and chattels the Lessee to have first option to purchase same.

the first payment to be made on the day of , 194

That the said Lessee covenants with the said Lessor to pay rent; and to pay taxes; and to pay rates for water, electric light, gas and telephone.

And to repair; and to keep up fences; and not to cut down timber;

And the said Lessor may enter and view state of repair, and that the said Lessee will repair according to notice.

And will not assign without leave; and will not sublet without leave.

And that he will leave premises in good repair;

And that he will not carry on any business that shall be deemed a nuisance on the premises.

Proviso for re-entry by the said Lessor on non-payment of rent, or non performance of covenants.

Proviso for re-entry on seizure or forfeiture of the said term.

The said Lessor covenants with the said Lessee for quiet enjoyment.

one
r the
llars,
00

And also that if the term hereby granted shall be at any time seized or taken in execution or in attachment by any creditor of the Lessee, or if the Lessee shall make any assignment for the benefit of creditors, or becoming bankrupt or insolvent, shall take the benefit of any act that may be in force for bankrupt or insolvent debtors the then current **years** rent shall immediately become due and payable and the said term shall immediately become forfeited and void.

And it is hereby Declared and Agreed that in case the premises hereby demised or any part thereof shall at any time during the term hereby granted be burned or damaged by fire or tempest so as to render the same unfit for the purpose of the Lessee then the rent hereby reserved or a proportionate part thereof according to the nature and extent of the injuries sustained, and all remedies for recovering the same shall be suspended and abated until the said premises shall at the option of the Lessor have been repaired or made fit for the purpose of the Lessee.

Provided always and it is hereby agreed by and between the parties hereto that if the said Lessee shall hold over after the expiration of the term hereby granted and the Lessor shall accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.

Wherever the singular or the masculine are used in this Indenture, the same shall be deemed to include the plural or the feminine, or the body politic or corporate; also the heirs, executors, administrators, successors and assigns of the respective parties hereto and each of them, (where the context or the parties so require).

In Witness Whereof the said parties have hereunto set their hands and seals the day and the year first above written.

Signed, Sealed and Delivered

IN THE PRESENCE OF

Signature of Witness S. F. Park

Street Address 36.6 St.

City or Town New Waterbury

Occupation Notary Public

Yutake Nishiyama
M. Nishiyama
Francis Seelach

Date 14th April 1942

YUTAKA NISHIYAMA
AND
MITSURU NISHIYAMA.

FRANCIS GERLACH.

Statutory Lease

SHORT FORM

The Clarke & Stuart Co. Limited, Law Printers and Stationers
Vancouver, B.C. Form No. 8

ANALYSIS OF PERSONAL PROPERTY CLAIM

Yoshizaemon Nishiyama (Reg. #06447) Executor of Estate of Yutaka Nishiyama

NAME AND Mitsuru Nishiyama
AND Tatsuo Nishiyama

FILE No. 8051)
09469)
REG. No. 06465)
10186)

EXHIBIT No.

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION April 21/42	TAKEN BY					
EVACUATION May 5/42	DATE					
Stored in house:		Each Claiming one-third of the following:-				
Furniture etc., valued at \$300.00		Kitchen Range 30.00				
		2 Sprayers (Dobbins) 7.00	T (1)			
		Kitchen sink (Cupboards and bins) Dining room table and 4 chairs 15.00		F		
Orchard equipment left in barn for the use of tenant.		3 Kitchen chairs (brown) 5.00	F			
Tractor \$ 250.00		10 Window Blinds 10.00			10.00	
Double Plow 175.00		6 Curtain Rods 1.00			1.00	
Breaking Plow 100.00		Linoleum Rug 5.00			5.00	
8' Disc 175.00		Dining Table and 6 chairs - Buffet (missed out) 40.00	F			
Harrow 20.00		3 Pce. Chesterfield Suite 70.00		50.00		
Cultivator 30.00		3 Seat Covers 5.00				
Single Horse Plow 20.00		2 pictures (framed) Window Blind 1.00				
Horse Harness 30.00		Wall Paper 2.00				
Mattocks (2) 3.00		Switch and cord, extension cord, double socket 1.50	Misc.			
Pick 2.00		Platform scale 10.00				
Peavey 2.00		Hoe 1.50		T		
Drain Shovel 3.50		Axe 3.50		T		
Shovel (2) 5.00		5 Gal Can 4.00			2.50	
Bent Shovel (2) 4.00		Wheelbarrow 4.00				
Spades (3) 5.25		2 Crosscut Saws 12.00				
Hole digger 2.50		Axe 3.50	T			
Hoes (6) 9.00		Berry Wire (approx 30') 5.00				
Pitch Forks (5) 7.50		11 Bundles shingles 8.00			8.00	
Rakes (5) 8.00		2 Boxes (shingles, loose shingles cement) 5.00			5.00	
Scoop shovels (2) 4.00		24 Jam crates 10.00				
Scythe (3) 12.00		9 Rasp. crates 4.00				
Brush Scythe (2) 4.00		Horse Harness and bridle 35.00		FE		
Axe (2) 3.00		Fordson Tractor 450.00			225.00	
5' Saw (2) 10.00		Brush hoe 2.00				
7 1/2' Saw 5.00		Post hole digger 1.50				
Scale 12.00		3 Mattocks 4.00				
Clippers (4) 8.00		3 Manure Forks 2.00				
Sledge Hammer (2) 3.00		6 shovels 7.50				
Wedge (2) 2.00		Tractor Plow (double) 125.00			115.00	
Wheelbarrow 8.00		Scythe and extra blade 3.00				
Sprayer (2) 30.00		Potato fork 1.25				
		Spade 1.00		T		
		Free 2.00		FE		
Mitsuru Nishiyama did not declare owning any Personal Effects in his "J" form dated May 5/42. but Tatsuo Nishiyama declared owning the following in his "JP" Form dated May 11/42:-		Tractor Plow (single) 75.00			75.00	
1 Sgle. Tractor Breaking Plough		Car Jack 2.00				
1 Fordson Tractor		Auger 1.75				
1 Double Furrowed tractor plough		Trunk (empty) 6.00				
Set of harrows		40# Berry Wire 6.00				
1 Disc		Quart Copper Oil Can				
1 Cultivator		Curly comb				
Set of Garden Tools		2 Galv. pails 1.00				
Garden hose - 200'		60 Bricks 3.00				
1 set of horse harness		Axe 1.00				
All stored at R.R.		Hand Pruners 3.00		T		
No. 1, North Oliver Road, New Westminster, B. C.		2 Sets Disc. Harrows (for Tractor (7' Double) 65.00		FE		
1 1932 Chevrolet Coach and 1940 International truck in custody of police.		4 Wheeled Trailer (rubber tired) 40.00				
		Cultivator 25.00		FE		
		Plow (horse drawn) 15.00		FE		
		Potato Hiller 12.00				
		Bag of Hydrated Lime				
		Coulter				
		2 Potato Forks 2.00		T		
		Rake 1.25		T		
		Manure Fork 1.25				
		Large quantity Fruit Baskets				
		Fish Nets 10.00				

EXHIBIT No.

DATE

FILED BY

J. W. L.

4588) 7635) 8051) 09469) EG. No. 06465) 10186)		EXHIBIT No.		CASE No.		VENUE TORONTO		
SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
(1)						30.00		
	F					(1)		Auction
								Sold to tenant
		10.00						Fixtures
		1.00						
		5.00						Auction (6 chairs)
50.00								Auction
						5.00		
						1.00		
						2.00		
ec.								
	T					10.00		Parcel "O" Sale by tender
	T							
	2.50							
						12.00		
						5.00		
		8.00						Used to build garage on property.
		5.00						
						10.00		
	FE					4.00		
	225.00							
						2.00		
						1.50		
						4.00		
						2.00		
						7.50		
	115.00							
						3.00		
	T							
	T							
	FE							See receipt No. 14499 J. Newman, July 16/46
	75.00							
						2.00		
						1.75		
						6.00		
						1.00		
						3.00		
	T					1.00		
	FE							
						40.00		
	FE							
	FE							
						12.00		
	T							
	T							
						1.25		
						10.00		Probably belonged to the Co-op.

ANALYSIS OF PERSONAL PROPERTY CLAIM

Yoshizaemon Nishiyama (Reg. #06447) Executor of Estate of Yutaka Nishiyama
 NAME AND Mitsuru Nishiyama
 AND Tatsuo Nishiyama

4588)
 7635)
 FILE No. 8051)
 09469)
 REG. No. 06465)
 10186)

EXHIBIT No.

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION	TAKEN BY	(cont'd. Page 2.)				
EVACUATION	DATE					
		1 Drag Harrow 12.00				
		Box (kitchen utensils) 5.00 K				
		Mantle Clock 2.50 F				
		Carton (20# nails) 1.00			1.00)	
		Keg (12# nails) 1.00			1.00)	
		Medicine Cabinet .50 F				
		Sideboard 10.00 F				
		Box (dishes) .75 K				
		Tin Box (misc. articles) 1.00 Misc.				
		Roll Tar Paper .75				
		Brush Hook 2.50		T		
		Pair Car Chains 8.00		T		
		Linoleum Rug 25.00 F				
		2 Wooden Frames 1.50	5.00			
		Markle Desk Set (Pen and Pencil) 7.50				
		Large wicker basket (clothes) 2.00 Misc.				
		2 Boxes (sealers and glass jars) 2.50 Misc.				
		Mantle Lantern 3.50		T		
		Aladdin Lamp 2.50)		) F		
		Gas Lamp 2.00)		)		
		1 Gal. Vinegar Jug				
		22 Small tin pails 1.00		T		
		200' lumber 4.00			4.00	
		2 Washboards 1.50				
		2 Rubber Mats 2.00				
		Heater 10.00			1.50	
		2 Aluminium Pots .70 K				
		Hand Saw (new) 4.00		T		
		Small Sickle 1.75		T		
		Floor Mop .50 K				
		Gramophone and Records 100.00				
		Book Ends .75		F		
		Window Frames with Glass 15.00	3.00			
		Roll Building paper 1.00				
		2 Pans 1.00 K				
		Hammer 1.00		T		
		Carton (Misc. articles)				
		1 Bed 30.00 F				
		Copper Wash Boiler 1.50 K				
		Barrel (Pots and Misc. Articles)				
		10 Gal. Stone crock 2.00 K				
		Large Barrel				
		Stove Pipe 2.00				
		Tin 10# Nails .50			.50	
		5 Gal. tin lime sulphur spray 2.00				
		1 Door 3.00				
		Sheet Galvanized iron 4.00				
		Lantern 1.00		T		
		Axe and extra handle 1.50		T		
		Hatchet 1.25		T		
		Auger 1.00				
		2 Cross Cut Saws 10.00				
		28' 1/2" Galvanized Pipe 1.50				
		2000' Lumber 24.00			24.00	
		TOTAL CLAIM \$1,478.45			59.50	
		Specified Items 58.00		416.50		
		Furniture 8.50		33.25 (to tenant)		
		Tools 5.00		2.55		
		Kitchen Ware 2.50		--		
		Farm Equipment --		46.00		
		Miscellaneous 2.00		--		
			76.00	498.30		

SALES									
SECTION	TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD		REMARKS
						12.00			
		1.00)							Probably used with the lumber to build garage.
		1.00)							
						.75			
	T								
	T								
5.00									Are these two frames part of the 6 cold frames sold at auction for \$5.00.?
						7.50			See Auction Sheet
									See Auction Sheet
	T								
	F								
	T								
		4.00							Used by tenant to build garage.
						1.50			
						2.00			Valuation \$1.00 (Trapp)
	1.50								
	T								
	T								
						100.00			
	F								(Sash) Auction Sheet
3.00						1.00			
	T								
						2.00			
		.50							Probably used with lumber to build garage.
						2.00			
						3.00			
						4.00			
	T								
	T								
	T								
						1.00			
						10.00			
						1.50			
		24.00							Used by tenant to build garage. (Garage sold with Real Property)
		59.50				325.25			
58.00	416.50								
8.50	33.25	(to tenant)							
5.00	2.55								
2.50	--								Goods for which Japanese claims \$230.95 Sold at auction for \$ 76.00
--	46.00								Goods for which Japanese claims \$861.25 Sold at auction for \$498.30
2.00	--								Goods for which Japanese claims \$325.25 are unaccounted for.
76.00	498.30								Goods for which Japanese claims \$ 59.50 were sold with the Real Property

NISHIYAMA, Mitsuro
(Claimant's Name)

PERSONAL CHATTELS

06465

Reg. No.

<u>Description of Major Items</u> (and particularly of goods lost, stolen or destroyed)	<u>Approximate</u> <u>Date Purchase</u>	<u>New or Used</u> <u>When Purchased</u>	<u>Price Paid</u>	<u>Condition when</u> <u>Evacuated</u>	<u>Estimated value</u> <u>at Date of Evacuation</u>
Kitchen Range	1936	Used	\$50.00	Good	\$30.00
Chesterfield Suite(3 piece)	1939	New	\$100.00	"	70.00
Fordson Tractor	1939	Used	\$450.00	"	450.00
2 Sets Disc Harrow for Tractor	1939	Used	\$65.00	"	65.00
Tractor Plow	1939	"	\$135.00	"	125.00

The claimant is claiming on chattels listed in column 3 of
"Analysis of Personal Property Claim" valued at \$1478.45
~~1475.00~~

Description of Storage of Goods:

General Statement as to Chattels not Described above:

EXHIBIT No. 1042-5
DATE 13 May 1948
FILED BY L. A. Brown

Additional Comments, if any:

M. Nishiyama
M. Nishiyama
Signature

File No: 8051

August 31, 1942

Name: NISHIYAMA, Tatsuo

Reg. No: 10186

INVENTORY OF CHATTELS LEFT AT 745 OLIVER ROAD, EAST DELTA, NEW WESTMINSTER

The following articles are in c/o Mr. F. Gerlach, 327 Unwin Rd., New Westminister, B.C.

<u>In the house</u>	<u>In Machine Shed</u>
\$30.00 kitchen range	450.00 Fordson Tractor
7.00 2 sprayers (Dobbins)	2.00 brush hoe
kitchen sink (cupboards and bins)	1.50 post hole digger
15.00 dining table and 4 chairs	4.00 3 mattocks
3 kitchen chairs	2.00 3 manure forks
broom	7.50 6 shovels
10.00 10 window blinds	175.00 tractor plow (double)
6 curtain rods (on windows)	3.00 scythe and extra blade
5.00 linoleum rug (poor)	1.25 potato fork
	1.00 spade (bent)
<u>Upstairs</u>	2.00 froe
40.00 dining table and 6 chairs	125.00 tractor plow (single)
70.00 3 pc. chesterfield suite	2.00 car jack
3 beds and 2 mattresses	1.75 auger
trunk (locked)	— trunk (empty)
3 lge. boxes (nailed)	6.00 40# berry wire (approx)
2 paper bags (Christmas dec.)	quart copper oil can
3 seat covers (loose) <i>Straps</i>	1.00 1/2 gal. shingle stain
2 pictures (framed)	— curly comb
5.00 window blind	1.00 2 galv. pails
ctn. (cont. rolls wallpaper)	60 bricks
1.50 sml. switch and cord	1.00 axe
extention cord, double socket	3.00 hand pruners
<u>In Bathhouse and Woodshed</u>	<u>In the Field</u>
10.00 platform scale	35.00 2 sets disc harrows (for tractor)
hoe	40.00 4 wheeled trailer (rubber tired)
1.00 axe	25.00 cultivator
5 gal. can (1/2 full gas)	
<u>In the Barn</u>	<u>In the Tool Shed (across track)</u>
4.00 wheelbarrow	15.00 plow (horse drawn)
12.00 2 cross cut saws	12.00 potato hiller
axe	bag of hydrated lime ✓
5.00 berry wire (approx 30#)	coulter
8.00 11 bdles. shingles	2.00 2 potato forks
2 boxes (cont. shingles	1.25 rake
quantity of loose shingles	1.25 manure fork
bag Portland cement	10.00 lge. quantity fruit basket and fish net
24 Japm crates (upstairs)	in attic
4.00 9 rasp " "	30.00 drag harrow
35.00 <i>limited horse harness</i>	24.00 2,000 ft of lumber <i>omitted</i>

1560
42

4000

4000 -
1500 House
750 Bar

Toolshed
Backyard

20.00
10.00
10.00

File No: 8051

August 31, 1942

Name: NISHIYAMA, Tatsuo

Reg. No: 10186

Inventory of Chattels (continued) Address: 745 Oliver Road, New Westminster, B.C.

In Store Room (connected to barn, nailed up) In Store Room (continued)

500 box (cont. kitchen utensils)	10.00 2 heaters
750 mantle clock	70 2 aluminum pots
100 ctn. (cont. 20# nails)	4.00 hand saw (new)
1.00 keg (cont. 12 # nails)	1.75 sml. sickle
50 medicine cabinet	50 floor mop
auto drive shaft connection	10.00 gramophone & records
10.00 sideboard	15. book ends (wood)
75. box (cont. few dishes)	15.00 window frames (with glass)
1.00 tin box (cont. 6 cans and misc. articles)	1.00 roll building paper
75 roll tar paper	2 pans (on wall)
2.50 brush hook	1.00 hammer
8.00 pair car chains	ctn. (cont. misc. articles)
25.00 linoleum rug, 12' long	30 # beds, and 1 spring
1.50 2 wooden frames	1.50 copper wash boiler
750 marble desk set (for pen and pencil)	barrel (cont. pots and misc. articles)
2.00 lge. wicker basket (cont. clothes)	2.00 10 gal. stone crock
250 2 boxes (cont. sealers and glass jars)	lge. barrel (cont. unknown)
350 mantle lantern	2.00 numerous pcs. stove pipe
2.50 Aladdin lamp	50. tin (cont. 10# nails)
gas. lamp (old)	2.00 5 gal. tin lime sulphur spray
1 gal. Vinegar jug	3.00 1 door
lge. Jap. Plate	4.00 sheet galv. iron
1.00 22 sml. tin pails	2 Jap. tubs
4.00 200' lumber	2 baskets (with handles)
quantity Jap. books	1.00 lantern
sml. wooden cabinet	1.50 axe and extra handle
lge. " box (nailed up)	1.25 hatchet
1.50 2 washboards	1.00 auger
2.00 2 rubber mats	10.00 2 cross cut saws
lge. tarp. ✓	1.50 28' 1/2" galv. pipe

In Garage: pulley and hook (old), car wheel, tire pump (no hose), steel Timpkin bearing (ring).

This represents all my chattels remaining in any protected area in British Columbia.

Confirmed: _____

DATE: _____ SIGNED: _____

Please sign and return one copy to the Custodian.

Handwritten initials

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: NISHTYAMA, Yutaka

EXHIBIT No. 1042-7

DATE 13 May 48

FILED BY

HOME ADDRESS: R. R. No. 1, New Westminster, B. C.

REGISTRATION NUMBER 09469

SEX Male

AGE: 25

OCCUPATION: Farmer

(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: Self

MARRIED? No

NAME OF WIFE OR HUSBAND: None

ADDRESS OF WIFE OR HUSBAND: None

NAMES OF ANY LIVING CHILDREN: None

ADDRESS OF CHILDREN: None

AGE OF CHILDREN: None

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

1. LOCATION AND DESCRIPTION:

S. half of N. half of the South East quarter of Sec. 11, Township 4, save and except the right of way of the Van. Victoria and Eastern Rly, and Navigation Co. As shown on sketch deposited No. 11229F, in the district of New Westminster.

2. BUILDINGS AND OTHER IMPROVEMENTS:

Three roomed house, frame building, shingle roof, barn, root cellar and packing shed.

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

4. TAXES (Amount and where payable) \$59.00 payable to Municipality of Delta. 1941 paid.

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)

Brother Mitsuru, owns one-third, Brother Tatso, owns one-third

6. OCCUPANCY AND LEASES (If vacant so state)

Self

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Declarant has title. Title No. 145977E
Brother Nitsuru one-third
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: Brother Tatso one-third
9. IF FARM LAND STATE CROPS SOWN:
3 acres Raspeberries, 2 acres currants, 21 fruit trees, apples, pears, plumb.
34 Italian Prune trees.

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION:
Dwelling house, R. R. No. 1, New Westminster, B. C.
2. LANDLORD'S NAME AND ADDRESS:
Self
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
None
4. STATE WHEREABOUTS OF LEASE: None
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)
Rented to Francis Gerlach, \$550.00 plus taxes for 1942 and afterwards
at \$150.00 plus taxes per annum.
6. IF FARM LAND, PARTICULARS OF CROPS SOWN:
See clause No. 9 above.

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:
Furniture etc., valued at \$300.00 stored in house.
Orchard equipment as per list attached, left in barn for use of tenant.
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS.
None
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: None5. 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)

~~Chevrolet Coach, 1932 model, has been delivered to Fogg Motors, New Westminster for sale and when sold they will pay the declarant \$205.00.~~

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)

~~13 — \$8.00 War Saving Certificates in own possession.~~

8. BANK ACCOUNTS: None9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS

None11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None2. 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.

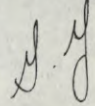
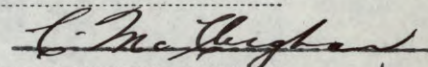
Dated this 21st day of April 1942(Signature) "J. L. Nishiyama""R. A. Munns"

Witness

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

FOR DEPARTMENTAL USE

July 12, 1948



NISHIYAMA, Yutaka, Reg. No. 09469
Orchard Equipment left in barn for the use of the tenant.

Tractor	\$250.00
Double Plow	175.00
Breaking Plow	100.00
8' Disc	175.00
Harrow	20.00
Cultivator	30.00
Single horse plow	20.00
Horse Harness	30.00
Mattocks (2)	3.00
Pick	2.00
~~Peavey~~ Peavey	2.00
Drain shovel	3.50
Shovel (2)	5.00
Bent shovel (2)	4.00
Spades (3)	5.25
Hole digger	2.50
Hoes (6)	9.00
Pitch forks (5)	7.50
Rakes (5)	8.00
Scoop shovels (2)	4.00
Scythe (3)	12.00
Brush scythe (2)	4.00
Axe (2)	3.00
5' Saw (2)	10.00
7½' Saw	5.00
Scale	12.00
Clippers (4)	8.00
Sledge Hammer (2)	3.00
Wedge (2)	2.00
Wheelbarrow	8.00
Sprayer (2)	30.00

"953.75"

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

July 12, 1948

C. McHughan

J. Y.

1042 - 8

EXHIBIT No. _____
DATE 13 May 1948
FILED BY J. W. G. Hunter

APPRAISAL SHEET

January 22nd, 1946

Re: Mitsuru Nishiyama
Tatsuo Nishiyama
Yataka Nishiyama

Under instructions from the Custodian's Office we have appraised and sold to the tenant, F. Gerlack, 327 Unwin Rd., Surrey the following goods:

Double plow disc	\$ 115.00
Household effects: (odd chinaware, lamp, table, 2 kitchen chairs)	<u>33.25</u>
	\$ 148.25
Less Commission:	<u>14.82</u>
Total:	<u>\$ 133.43</u>

TRAPP MOTORS LIMITED

WJI:DP

"C. W. Phipps"

Submitted to Rural Advisory Committee "and approved - 22/3/46"

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

July 12, 1948

L. M. Hughes

J. J.

TRAPP MOTORS LIMITED
891 Columbia St.,
Port of
New Westminster, B. C.

February 26, 1946.

Custodian of Enemy Property,
675nW. Hastings Street,
Vancouver, B. C.

Dear Sirs:

Re: Yataka Nishiyama,
Surrey Berry Growers Hall,
Sandall Road, South Westminster

Under instructions from your office, we have examined the following goods and place the following valuation on them. These goods are in poor condition - the tractor needs a lot of repairing to put it in working condition, and the cultivators are short several necessary parts.

a	1 Fordson Tractor	\$225.00
B	1 Two Buttom Tractor Plow	75.00
C	1 Cultivator	7.50
C	1 Cultivator	1.50
D	1 ² Section Harrow	8.00
P	1 O. H. Plow	7.50
H	1 Duster	5.00
J	2 Tank Sprayers	8.00
	1 bbl. Sprayer	4.50
	1 Hand Sprayer	1.50
J	1 Wheel Barrow	2.75
J	1 Stove	1.00
O	Tools	1.50
L	Harness	10.00
E	1 Scraper	6.50
		<u>\$365.25</u>

G "1 Lawn Mower"

"\$250"

Certified a just and fair appraisal as made by us this 26th day of February, 1946.

Yours very truly ,

TRAPP MOTORS LIMITED

"F. H. Trapp"

Manager.

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

July 12, 1948

C. McHugh

J. J.

TRAPP MOTORS LTD.
891 Columbia St.,
Port of
New Westminster, B. C.

March 9, 1946

The Custodian of Enemy Property,
675 W. Hastings Street,
Vancouver, B. C.

Gentlemen:

Upon instructions from your office we have
appraised the 3/4 H. P. Electric Motor, property of Nishiyama
at \$15.00.

Yours very truly,

TRAPP MOTORS LIMITED
Auctioneers & Appraisers

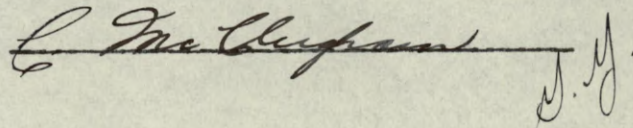
"C. F. D. Phipps"

Secretary

CFDP/H

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

July 13, 1948



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EXHIBIT No.

DATE 13 May 1948

FILED BY J. W. G. Hunter

Advertised in The British Columbian, and
The Surrey Leader, February 21, 1946.

Files Nos. 7635, 8051, 4588

FARM EQUIPMENT FOR SALE BY TENDER

The Secretary of State of Canada acting in his capacity as Custodian under or by virtue of the Revised Regulations Respecting Trading with the Enemy (1943) hereby offers for sale by public tender such interests as are vested in him in the following farm equipment, located at the Surrey Berry Growers Hall, corner of Sandell and Townline Roads, Surrey, B. C.

PARCEL A: 1 Fordson Tractor
PARCHE B: 1 Tractor (Cockshutt Plow Co.)
PARCEL C: 2 Cultivators
PARCEL D: 1 - 2 Section Harrow
PARCEL E: 1 Scraper
PARCEL F: 1 Wheelbarrow
PARCEL G: 1 Lawn Mower
PARCEL H: 1 Duster
PARCEL I: 2 Tank Sprayers
PARCEL J: 1 Drum Heater
PARCEL K: 1 - $\frac{3}{4}$ h. p. Westinghouse motor on stand
PARCEL L: Harness for 2 horses
PARCEL N: 1 Fanning Mill
PARCEL O: Few gardening tools
PARCEL P: 1 8-inch Walking Plow

Tenders for individual parcels should be addressed to the undersigned marked "Tender for Farm Equipment" up to noon on the 28th day of February, 1946, and must be accompanied by a certified cheque payable to the Custodian for ten per cent (10%) of the amount tendered. Arrangements for inspection of the above parcels may be made on application to Mr. J. Newman at his store, Corner Sandell & Townline Roads, Surrey, B. C.

These assets are offered for sale without any warranty whatsoever on the part of the Custodian as to quantity, condition or state of repair. Cheques in respect of unaccepted bids will be returned in due course. Neither the highest or any tender will necessarily be accepted.

DATED at Vancouver, B. C. this 21st day of February, 1946.

THE CUSTODIAN

506 Royal Bank Building, 675 W. Hastings St.,
Vancouver, B. C.

"also the British Columbian Feb. 21/46"

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

July 13, 1948

E. J. Bligh