Name of Claimant YAMAMOTO, Sadao Case 155

Custodian File 13142

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% there-of	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		
					1762		844.03					844.03

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

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

MISCELLANEOUS CHATTELS								
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
510.00	242.20	72.66	47.49%	810.75	385.02			457.68

TOTAL RECOMMENDATION	1301.71

1540

CASE NO: 155.

JAPANESE PROPERTY CLAIMS COMMISSION.

Vernon, B. C.,

February 17th, 1948.

IN THE MATTER OF THE CLAIM OF

SADAO YAMAMOTO.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 155.

IN THE MATTER OF THE "INQUIRIES ACT"

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

JAPANESE PROPERTY CLAIMS COMMISSION.

B E F O R E

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

10 Vernon, B. C.,

February 17th, 1948.

IN THE MATTER OF THE CLAIM OF

SADAO YAMAMOTO.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
R.J. McMASTER, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
G. HAMBLETON, Esq.,	Official Reporter.

30

MR. McMASTER: No. 30 on the list, S. Y amamoto.

SADAO YAMAMOTO, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

MR. McMASTER: Might I have the claim form, please, Mr. Secretary?

(Handed to Mr. McMaster).

DIRECT EXAMINATION BY MR. McMASTER:

10 Q Witness, is this your signature on the claim form, and did you swear that declaration?

A Yes.

Q Just speak up, will you, please?

A Yes.

MR. McMASTER: My lord, I would ask for leave to amend the claim form with respect to the real property by reducing the claim to $4500.00.

THE COMMISSIONER: That is instead of $5400.00.

MR. McMASTER: Yes, my lord.

20 THE COMMISSIONER: Correct.

MR. McMASTER: I will speak to an amendment with regard to personal property when I come to that part of the case, my lord.

Q Witness, did you instruct Mr. Leckie to prepare this statement with regard to your real estate with respect to which you are claiming?

THE INTERPRETER: A: Yes.

Q Would you be good enough to sign it?

A (Witness complies).

30 Q Are the statements contained therein true to the

best of your knowledge and recollection?

A Yes.

MR. McMASTER: I file that as Exhibit No. 1.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. McMASTER: On behalf of my learned friend I will file the Soldier Settlement appraisal as Exhibit No. 2, my lord.

(APPRAISAL MARKED EXHIBIT NO. 2).

MR. McMASTER: As your Lordship will observe from the Soldier Settlement appraisal, the property is situated about half a mile from Dennison, which is near Bradner, and about eight miles from Abbotsford. I would refer, my lord, to page 3 of the appraisal where the appraiser says, "This is quite a good property and appears to have been well farmed". In the appraiser's opinion the dwelling is in poor shape but there is a good packing shed or pickers' quarters on the property. The property is fenced with a good barbwire fence on three sides. Water is obtained from a wood cribbed well about ten feet to water.

Now referring to the claimant's statement, my lord, it shows that the property was purchased in 1929, uncleared bush land, for $800.00. There are about 39 acres in the property and it shows there the various acreage under cultivation. He cleared approximately 13 acres after the purchase by his own labour over a period of ten years and he put in the fencing himself about 1932. Then it gives the details of his house and

other buildings, pointing out that the valuator apparently overlooked the garage. He points out that the property was rented from April, 1942, for ten months at $1350.00 including the crops.

Q Now, witness, with regard to this rental ofyour premises, did you make any arrangements yourself for the rental of the premises?

A Yes, he made an arrangement.

Q With whom? A: He thinks probably a Mr. Smith; he is not quite sure.

Q Did you instruct Mr. Leckie to prepare this statement with regard to your claim for personal chattels?

A Yes.

THE COMMISSIONER: Just before you get started on the chattel claim, is the estimate of value $4500.00 on the whole or $5675.00?

MR. McMASTER: I am sorry, the statement is not clear in that respect. It is $4500.00 on the whole.

Q That is your signature on the statement with regard to personal chattels?

A Yes.

Q And the contents of that statement are true to the best of your knowledge and recollection?

A Yes.

MR. McMASTER: There are two pages to that statement, my lord. I file it as the next exhibit.

(STATEMENT MARKED EXHIBIT NO. 3).

MR. McMASTER: With regard to that exhibit, my lord, it sets out a quantity of items, I think all of which appear on the inventory taken by the

Custodian. One item of some importance is the first at the top of the first page, gasoline motor cultivator.

THE COMMISSIONER: Wait one moment, will you?

MR. McMASTER: I am sorry, my lord, I thought you had it.

THE COMMISSIONER: Yes, go on.

MR. McMASTER: And two extra steel wheels at a total cost of $700.00 which was purchased in 1941. The claimant has endeavoured to get in touch with the vendors and I hope to be able to call evidence to establish the value of that machinery, and the purchase, my lord. It was sold for $22.00, I believe, by the Custodian.

MR. HUNTER: No, no, no.

MR. McMASTER: No? How much?

MR. SHEARS: You see, you have just brought this in. There are quite a few changes to be made.

MR. McMASTER: My lord, I would suggest that we take an adjournment. I realize that the Custodian has not had very much time to examine this and I would like to give him an opportunity to do so.

THE COMMISSIONER: If you would like to adjourn for 10 or 15 minutes, that is satisfactory.

MR. McMASTER: Very well.

(PROCEEDINGS RESUMED AFTER SHORT RECESS).

MR. McMASTER: My lord, with respect to the case that we were just dealing with, Case No. 155, I wish to correct the statement that I made at the end, that that cultivator was sold for $22.00. The claims analysis is a bit confusing in that respect.

I think likely it was sold for $125.00 odd. In view of the fact that my learned friend did not get very much notice of the amendments to the claim, I have agreed that we stand it over, subject to your Lordship's pleasure, until tomorrow morning to complete.

THE COMMISSIONER: That is satisfactory.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

10

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

Gordon Hambleton

"G. Hambleton"
Official Reporter.

20

30

Vernon, B. C.,

February 18th, 1948.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT).

MR. McMASTER: Could I have Mr. S. Yamamoto recalled, my lord? This is Case No. 155.

THE COMMISSIONER: Oh yes, this is for cross-examination.

MR. McMASTER: Yes, my lord.

10 SADAO YAMAMOTO, the claimant herein, resumed the stand, testified further as follows:

THE COMMISSIONER: Will you explain to him, Mr. Interpreter; you are still sworn. You have already been sworn. You were sworn to tell the truth.

MR. McMASTER: My lord, I would ask leave to ask the witness one more question. I have some additional information.

DIRECT EXAMINATION CONTINUED BY MR. McMASTER:

20 Q Witness, on the statement that we filed yesterday with regard to your personal chattels, you showed on there one gasoline motor cultivator and two extra steel wheels, the price paid $675.00, and $25.00, making a total of $700.00. Have you had occasion, since making that statement, to check on the price which you paid for that machine? A: He has had no opportunity to confirm the price since this list was made.

30 THE COMMISSIONER: Q: Speak up, if you please, Mr.

Interpreter. A: The witness has had no opportunity to check on the price of these since this list was made.

MR. McMASTER: Did he get the question?

MR. KUBONIWA: I guess he didn't get what you wanted.

MR. McMASTER: I don't think so.

Q You better show him these lists. Did he write to the person that he purchased the big machine from, and ask him to send him a duplicate of his receipt?

10 A Yes, he wrote.

Q Is this a duplicate receipt which you received, (producing)? A: Yes.

MR. McMASTER: I would ask to file this, my lord. It purports to be a duplicate receipt. (Reading).

THE COMMISSIONER: On what date was it bought?

MR. McMASTER: October 6th, 1941, and it is signed by A. Nishiguchi for M. Nishiguchi Company, Limited.

Q Now, witness, when you stated the value of this machine, or what you paid for this machine, was

20 $700.00, were you mistaken in your recollection?

A It was by memory. That was his mistake.

Q And the amount shown in that receipt is the correct amount that you paid for it?

A Yes.

Q Who is the other man whose name appears in this receipt, T-s-u-t-s-u-m-e?

A My brother-in-law.

Q Does he still have any interest in that machine or did he up to the time it was sold?

30 A At the time he purchased it, it was a joint purchase,

but as his brotherin-law had no money at the time, he advanced the money.

THE COMMISSIONER: You wish this document marked Exhibit 4?

MR. McMASTER: Yes, my lord.

(RECEIPT MARKED EXHIBIT NO. 4).

Q And does his brother-in-law know he is making this claim? A: Yes, he does.

Q And has he agreed to your making this claim?

10 A Yes, he is agreeable.

Q And is he making any claim for this machine?

A No, he is not.

MR. McMASTER: Thank you. Your witness, Mr. Hunter.

MR. HUNTER: My lord, we have made a new chattel analysis more in line with the actual claim and I would file a copy of that as an exhibit.

(ANALYSIS MARKED EXHIBIT NO. 5).

THE COMMISSIONER: Would you declare your defence in the first instance, Mr. Hunter?

20 MR. HUNTER: The real property was sold, we will submit, for its fair market value. Those chattels which were sold were sold for their fair market value; that a number of the items claimed for were not d declared, not found, and not inventoried and were not sold.

THE COMMISSIONER: All right.

MR. McMASTER: My lord, before my friend proceeds, I wonder if he would be good enough to file the original analysis of personal property that shows

30 the declaration made by the wife of this man as

to the property on April 16th, 1942; the point being, my lord, there are certain general chattels in that declaration in her J.P. form as appears on that analysis which are stated on here not to be shown on the J.P. form, when they are itemized.

(ANALYSIS MARKED EXHIBIT NO. 6).

MR. HUNTER: Have you a copy of the lease, Mr. McMaster?

MR. McMASTER: I don't think so, Mr. Hunter.

MR. HUNTER: We don't appear to have a copy of the lease, my lord, but until I find out to the contrary I submit that the equipment on this farm was used by the tenant with the authority of the owner.

THE COMMISSIONER: In consequence you fall under the proviso in paragraph 2, is that it?

MR. HUNTER: Either that, my lord, or by the time we were entitled to get them they were in a damaged state. Perhaps I shouldn't say a damaged state, but a used state. Their market value was lower, is the point I am trying to make.

MR. McMASTER: In that connection would my friend be prepared to say at what date he says the Custodian was entitled to get them, and, secondly, if they were sold to the Soldiers Settlement Board, that is, if the premises were sold, then what adjustment was made of the rental collected for the use of this equipment?

MR. HUNTER: I don't follow your last question, Mr. McMaster. What is its relevancy?

MR. McMASTER: My lord, I think it is a question that we are entitled to know the answer to. Apparently the

allegation is this, that there was a lease made by the claimant at the time of his evacuation, presumably for ten months or a year. In the meantime the Custodian sold the property with the tools and equipment on the property, presumably under lease as well. Now either I would take it, my lord, he should have some accounting at that date of the tools and equipment, or else he must be taken to continue the lease and to have an apportionment of the rent as it applied to the tools and equipment, If he is going to claim that these things were in a used state when he got them at the end of the lease.

THE COMMISSIONER: Well, he is not leading any evidence in support of his defence. He is simply, as I understand him, taking this ground of defence which he may never take advantage of when he comes to lead his defence evidence. Is that not your position, Mr. Hunter?

MR. HUNTER: Yes. I should hate to think Mr. McMaster would say I had surprised him, my lord.

THE COMMISSIONER: I think that question can be met when the evidence is led, if at all.

MR. HUNTER: If your Lordship would refer to the amended analysis, you will see that opposite various items there are the prices for which we sold them, and there are a number of items that are called, "Not accounted for". These were items which were inventoried by our field men but which were later missing. In other words, they appear to

have been stolen. There are those two that were left on the property, the jam crates and the unbuilt jam crates. The reason for that, I don't know, I shallhave to endeavour to find out. With the others, as we say, our submission is they were not declared, they were not inventoried by our field men when they made an inventory at a very early date, on May 5th, 1942. They were not found and they were not sold. It will be noticed that the
10 first item on the list is a gasoline motor cultivator with two extra wheels which my friend has been leading evidence on. Now whether this item which we sold for $127.50 is the same thing, I am not sure, and I will have to find out.

MR. McMASTER: That is admitted, my lord. It is described as a tractor, I think.

MR. HUNTER: It is described as a garden tractor, I think. Yes, $127.50.

MR. McMASTER: He says he didn't have any tractor.

20 THE COMMISSIONER: On the face of it, it would appear it must be the same article. It is the only piece of machinery of substantial value.

MR. McMASTER: Yes, my lord.

CROSS-EXAMINATION BY MR. HUNTER:

Q Now, Mr. Yamamoto, you made a lease to George Smith on the 16th of April, 1942.

A For his crop only, he said.

Q For his crop only. This was for $1350.00?

30 A Yes.

Q For ten months? A: For ten months.

Q There was no arrangement as to the use of your garden tools or equipment?

A The only arrangement was for the use of such things as strawberry boxes or baskets and cans for fruit.

Q What about jam crates?

A There is no arrangement about the jam crates.

Q Was this a written or verbal arrangement?

A The witness believes it was a verbal agreement.

10 Q It was made by his wife, was it not?

A Yes, made by his wife.

Q How do you know the terms of it? Just from what she has told you.

A Yes, he heard from his wife.

Q Was there an option to extend it, do you know?

A No, there was no arrangement for an extension, merely for the crop.

Q There was an extension of the lease?

A No, there was no extension of the lease.

20 MR. HUNTER: I think, my lord, we will have to get some information from the Veterans Land Act Department. I have a notation here that the lease was extended by collateral agreement until December 20th, 1943 (reading).

THE COMMISSIONER: Is that probably not a renewal or extension made by the Custodian?

MR. HUNTER: It might well be; I don't know, my lord.

THE COMMISSIONER: Q: Where is this claimant living?

A Kamloops Road, Vernon.

30 THE COMMISSIONER: It will cause him no inconvenience

to come back again, I presume, if you wish to have him brought back.

MR. HUNTER: I don't know what the position is on V.L.A. documents, whether they can pick them out.

THE COMMISSIONER: Do you think it is a matter at the moment to justify it?

MR. HUNTER: I don't think so. We admit the missing items were stolen. The rest is just a question of price and with all respect to the claim made most of the items missing don't strike me as very valuable.

THE COMMISSIONER: Very well, then, let it go. Is there any re-examination?

MR. McMASTER: My lord, the only thing I wonder about is whether these documents -- not having produced them, whether my friend can produce them on his defence which he has raised, that the articles were used at the time they were disposed of.

THE COMMISSIONER: I would direct him to produce them, if they are available; at least for inspection by your friend, Mr. Hunter.

MR. HUNTER: Yes. What I would rather produce is the tenant and find out whether he did use them.

MR. McMASTER: That is fine.

THE COMMISSIONER: That, too, is open to you. That is all you require of Mr. Yamamoto, is it?

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: That is all, thank you, Mr. Yamamoto.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)
Certified a true and accurate transcript.
T.P. Horrobin
"T.P. Horrobin"
Official Reporter.

Case No 155
(case stood over until Wednesday 18th)

DEC - 2 1947

NOTIFIED

30

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

13142

Vernon

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

(1) NAME (Mr.) YAMAMOTO, Sadao (RCMP) Reg. No. 13004
(Print) Surname Given Name

(2) Pre-Evacuation Address Mount Lehman B.C., Denison Rd.

(3) Present Address R.R. #3, Kamloops Rd. Vernon B.C.

(4) REAL ESTATE

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

(b) Legal description (lot number, block number, section number, etc.)
D. Lot S. ½ of W. ½ Block of Lot N.W. Quarter , Section 11 ,
Township 14, Acres 39.

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

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

(e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - - - - - - - - - - - - - - $ 6,000
(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) - $ ~~5,400.00~~ 4500 -
(v) Amount at which Custodian sold property and credited your account - - $ 1,757.25
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 2,742.75

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
in the house - Denison Rd., Mount Lehman B.C.

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

(c) How stored or packed at time of evacuation left unpacked

(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 Custodian's care

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

1.		Estimated Value $
2.	Furnitures and Fixtures, Farm Equipments	Estimated Value $
3.	Carpenter's tool , Household necessities	Estimated Value $
4.	Fuel , Shingles and Vjoin.	Estimated Value $ 1,600.00
5.		Estimated Value $
6.	Recieved from Custodian	Estimated Value $ 259.76
7.		Estimated Value $
8.		Estimated Value $
9.		Estimated Value $
10.		Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 1,340.24

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) - $ 4,982.99

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

(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 British Columbia)
TO WIT:)

I, Sadao Yamamoto, R.R. # 3, Kamloops Road of ~~the~~ Vernon
of in the Province of British Columbia

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 Vernon)
in the Province of British Columbia)
this 17th day of November)
A.D. 1947. Sidney Myers) Sadao Yamamoto
A Commissioner &c.

A Notary Public in and for the Province of British Columbia

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.

Sadeo Yamamoto
(Claimant's Name)

REAL ESTATE
(Farm Land)

EXHIBIT No. 155/1
DATE 17/2/48
FILED BY Mc Master

13004
Reg. No.

LAND	Acres	Date of Purchase	From Whom	~~Cost Price~~	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared about 26 ac Cultivated not planted about 2½ ac Cultivated and ~~not~~ in crop " 10 ac List Crops 4 ac straws 2¼ " logans 1¼ " rasks 2¼ - bl currants ½ - red ½ - goose berries Total about 10 to 10½ ac	about 39 ac	1929	Dont remember	$ 800	uncleared (bush land)	none	$ 4500 for the whole

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

Description	When Made	Cost
cleared apps 13 ac of land - own labour -	over 10 yr period	2600 (Est. at 200 per ac)
Fencing	1932	75 (labour + materials)

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
House - 20x26 + additions		Frame on posts shingle roof - V joint inside (varnished one room)	1930	mostly own labour - estimated cost. l & m		$ 1050.00		525.00
Bunk house (Picker's quarters)	24x24 + additions	frame on cedar posts	1931 -	"	est. cost -	400.00		250.00
Barn + shed -	14x36 -	frame - shingle	1931	"	"	$ 200.00		100.00
Garage -	24x32	"	1938	"	"	400.00		300.00
						est. value bldgs		$ 1175.00

Comments - I believe the valuator overlooked my garage and has omitted from his valuation. In my opinion his valuation does not represent the fair market value for this property

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

additional comments. The property was rented from Apl 1942 at $1350 for 10 mos (including the crop in berries) - In estimating value of buildings erected I have no records as to the actual cost of materials and of hired labour - and have relied on my memory. However I believe the cost figures shown are approximately correct. I have written off amounts for depreciation, in each instance, which I consider to be fair, allowing for the age & condition of the buildings. I believe that the 4500 amount I have estimated for value at the date of sale by the Custodian would be the fair market value at that time.

S. Yamamoto
SIGNATURE

BC-407-P
BC-2468-A

EXHIBIT No. 85/2
DATE 17/2/48
FILED BY Mrs McKenzie

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

Farm Appraisal Report

File No. JL 235
EXHIBIT No.
DATE
FILED BY

Land Description S½ of W½ of NW¼ Sec.11, Tp.14. Containing 40. Acres

Owner's Name YAMAMOTO, Sadao Post Office Address R.R., Abbotsford, B.C.

Nearest Rail Point Dennison Distance ½ mile

Market Town Abbotsford Distance 8 miles

Church (give denomination) United church, Bradner Distance 1½ miles

Nearest School Bradner Distance 1½ miles

State how property was identified: By map and roads.

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

On Dennison Road, gravel, good.

Is this district a good one? Fairly good.

Employment opportunity Seasonal.

Predominating Nationality and religion: British, Protestant.

Describe Fencing and its condition: Fenced barbed wire 3 sides, good Value $

Water supply: Wood cribbed well about 10' to water. Value $

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	20 x 26	frame	8'	shgl.	20	on grnd.	poor	200.00
	10 x 20		7'					
	10 x 20		7'					
BARN	x							
Shack	14 x 20	"	8'	shgl.	20	" "	"	no value
~~EXN~~	10 x 20		7'					
Barn & shed	14 x 36	"	8'	shgl.	10	" "	fair	50.00
GRANARY	x							
Packing shed	24 x 24	"	10'	"	5	cedar posts	good	200.00
	10 x 24		8'	"				
	10 x 24		8'					
	x							
Jap School	16x32	frame	10'	"	10	conc.posts	good	(400.00
	8x12		8'					

Jap school building not included in valuation as I do not consider it adds any value to the farm and would only have a salvage value.

Total present day value $ 450.00

Total Value Buildings add to farm $ 450.00

Is dwelling habitable without repairs? If not what is your approximate estimate of cost to make it habitable? Habitable but not in good shape.

$

Describe the basement and chimneys: No basement - stove-pipe chimney.

No. rooms downstairs? 5/2 rooms leanto Upstairs? - How finished V-joint.

Are buildings painted? No Condition of paint -

Distance from nearst bush 100 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
12.2	level & sloping 12.2 ac.	sdy.clay loam 12"-20"	sand &clay	small fruits, potatoes, fair to good	65.00	793.00

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	
26.0	level & rolling 26.0 ac.	sdy.cl. loam 12"-20"	sand & clay	clearing of bush	150.00	20.00	520.00
.8	level .8 ac.	"	"	partly cleared	25.00	40.00	32.00

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	
1.0	steep ravine & stream channel 1.0 ac.	nil	-	-

Total value of Land $1345.00

Total added by buildings to value of farm $ 450.00

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

Total value of farm $1795.00

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:

Farm in good state of cultivation. Rented to Landstrom & Smith for this year for $1350.00, to be paid out of crop by Pacific Co-Operative.

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

Mixed farming and small fruits.

Noxious weeds: Some thistles and couch grass.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Taxes $54.86

Matsqui Municipality.

Date: June 6th, 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, 19 42.

Inspector's Signature "R.W. BROWN"

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

Farm Appraisal Report

JL 235 - S. Yamamoto

Remarks: Farm is located on the Dennison Road about one-half mile north of Dennison Station on the B.C.E. Rly. This is quite a good property and appears to have been well farmed. It would make a good mixed farm if more land were cleared and cultivated. Land is partly level and partly on a slight southern slope. Soil is mostly a sandy or silty loam of good depth and in places almost a clay loam. The clearing is fairly heavy and 0.8 acres is partly cleared with just a few stumps to come out.

The dwelling is in poor shape but there is a good packing shed or pickers quarters on the property. Property is fenced with a good barbed wire fence on three sides. Water is obtained from a wood cribbed well about 10' to water. There is no electricity available at present. There is a Japanese School or church in the south-west corner of property but I have not added any value for this building as I do not consider that it increases the value of the property. It would only have a salvage value.

(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.

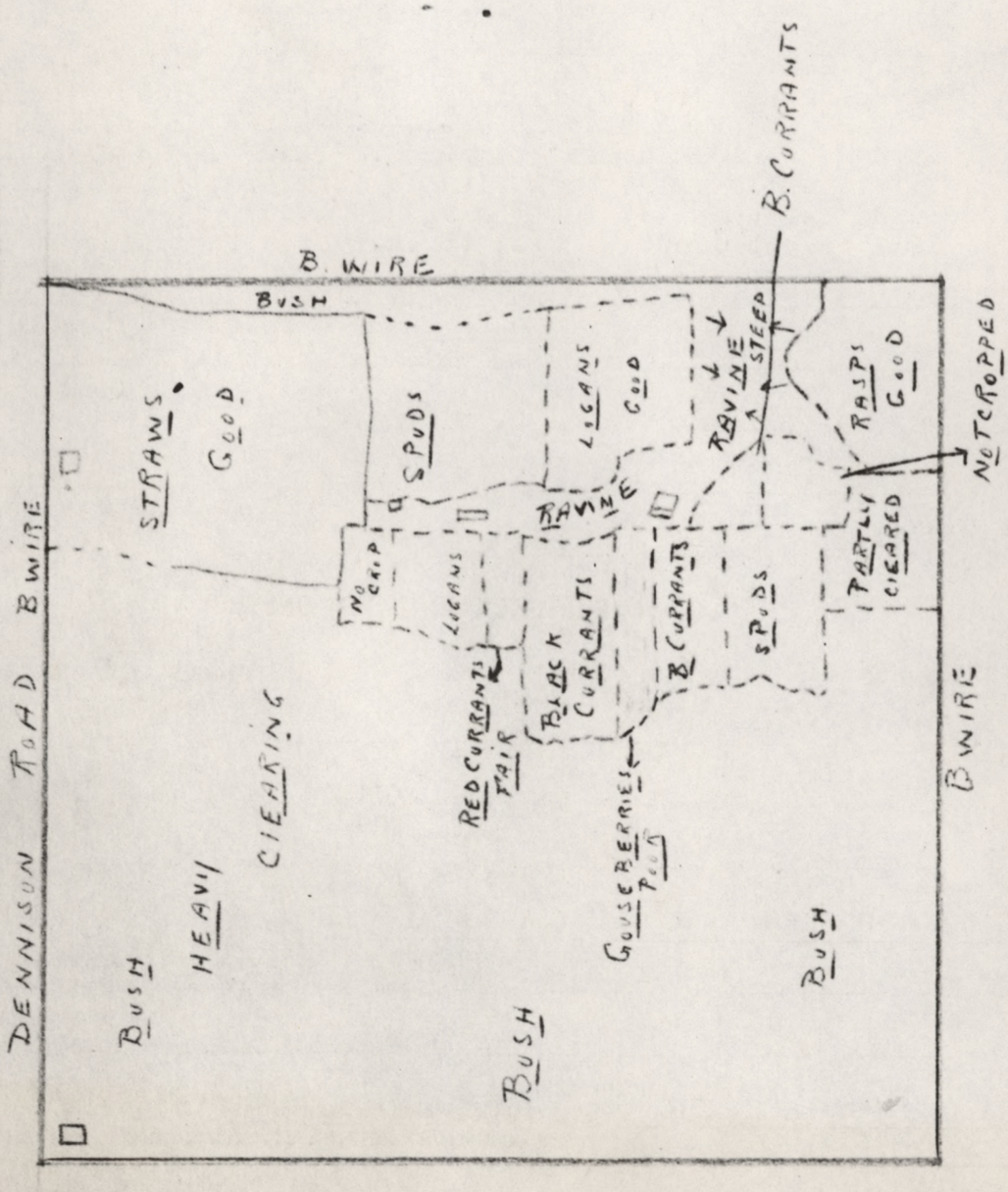
ORCHARDS, SMALL FRUITS, ETC. (Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

	Present Value
Approximate acreages in small fruits:	$
4.2 acs. Strawberries	$
1.7 " Logans	
.2 " Red Currants	$
1.7 " Black "	
.3 " Gooseberries	$
1.2 " Raspberries	
	$
Also 2.4 ac. spuds.	
	$
	$
	$
	$
Total	$

Amount fruit trees add to value of farm $

Diagram of Property

SCALE 4CM=1"



S½ of W½ of NW ¼ Sec 11 Tp 14 - 40 AC

R.W. BROWN

Following careful review of this appraisal report, it is my opinion that the present value is $ 1500.00

Date 9th June, 1942

"I.T. BARNET"
District Superintendent.

Sadao Yamamoto — Personal Chattels — # 13004

Items	Bought	When bought	Paid	Condition	Value
1 gasoline motor cultivator	1941	new	~~675.00~~ 585' see Exh.	not used	675.00
2 extra steel wheels	1941	new	~~25.00~~	"	25.00
1 bicycle	1938	new	40.00	good	15.00
1 fruit sprayer	1938	new	45.00	good	25.00
1 " duster	1938	new	18.00	"	10.00
1 " plow	1935	new	25.00	"	10.00
1 spring tooth cultivator (harrow)	1938	"	20.00	"	10.00
1 hand cultivator	1937	"	18.00	"	9.00
1 box carpenters tools — saw, plane, hammer, chisel, square, level, brace + bit, auger, 2 wrenches etc	different times	"	(about) 35.00	"	15.00
8 cords wood	cut 1942	"	value 40.00	"	40.00
1 Singer sewing machine	1928	"	115.00	"	60.00
1 Buffet	1936	used	30.00	"	10.00
1 Gramaphone	1936	new	115.00	"	50.00
1 Bureau	1936	"	30.00	"	15.00
1 Dresser	1936	"	40.00	"	20.00
4 steel beds (2 single - 2 double - with springs + mattresses)	diff. times	"	Dont remember	" (2 double) (2 single)	60.00 30.00
1 oak table	1938	used	30.00	"	10.00
2 heaters	1940	new	11.00 (5.50 each)	"	5.00
1 kitchen range	1930	"	55.00	fair	15.00
850 jam crates	1938-41	"	340.00 (40¢ box)	good	212.50
200 unbuilt jam crates	1940	"	70.00 (35¢ box)	new (unused)	70.00
			Total forward —		$1391.50

EXHIBIT No. 155/3
DATE 17/7/48
FILED BY [illegible]

Page 2 S Yamamoto Personal Chattels

Items	Bought	when bought	paid	condition	value
1 Bed sofa	1935	new	35.00	good FORWARD	1391.50
1 mantel lamp	1936	"	11.75	"	10.00
170 Jap records (kept in bureau)	diff times	"	75¢ each	fair	5.00
10 gal sprinkler chemical	1941	"	10.00	unused	40.00
Steel cable (1/2"); 2 blocks and rope	diff times	"	45.00	good	10.00
500 V-joint	1940	"	30.00	new (unused)	14.00
5 tons straw	1942	"	40.00	unused	30.00
Quantity lumber & shingles - Oct 1942		"	37.00	"	40.00
Kitchen utensils (25 cups; 40 bowls, 50 saucers, 14 plates, 5 pots, frying pan, roast pan, 25 spoons, 16 forks, 6 knives, 4 trays	diff times	"	about 75.00	good	37.00
Miscellaneous tools - (diff times 2 wedges, 1 hammer, 3 axes, 3 shovels, 1 mattock, 14 hoes, 6 rakes, 3 pruning shears, 1 water can, 1 scale, 1 heavy 5 sickles		"	about 75.00	good	20.00
					25.00
				Total claim -	$ 1622.50
				" Less sales by custodian of goods claimed for (which he sold)	104.75
				and net claim	$ 1527.75

Storage - motor cultivator was left in house - also household equipment
Key given to custodian - farm implements and tools in barn

S Yamamoto

EXHIBIT No. 155/4
DATE 18/2/48
FILED BY Mr Mc Master

DUPLICATE

October 6th. 1941.

Sold to: Mr. S. Yamamoto and Mr. H. Tsutsume,

Mount Lehman, B. C.

1 only 30 inch Roto Soil Tiller Complete with a Tool Box and Rubber Tires.
Serial No. B383020 Type H.
Motor No. F3830 Type 4G. $615.00

Less Discount 30.75

$584.25

This machine is of Swiss made, being manufactured by A. Grunder & Co. A.-G., Binningen-Basil Motoren-und Maschinenfabrik.
Shipping Weight -- 440 lbs.

Paid in full with thanks.

M. NISHIGUCHI COMPANY, LIMITED.

Per. A. Nishiguchi

Case 155

Sadao YAMAMOTA	Claim	Sold	Not accounted for
Gasoline Motor Cultivator	675-00	127-50	
2 extra wheels	25-00		
Bicycle	15-00		x
Fruit Sprayer	25-00	16-00	
Fruit Duster	10-00		x
Fruit Plow	10-00		x
Spring Tooth cultivtor	110-00	22-50	
Hand Cultivator	9-00	3-75	
Box Carpenters tools	15-00		
8 Cords wood	40-00		x
Singer Sewing Machine	60-00		x
Buffet	10-00		x
Gramaphone	50-00	3-50	
Bureau	15-00	10-00	
Dresser	20-00	6-50	
4 Steel Beds 2 single-2 double	90-00	26-00	
Oak Table	10-00	3-00	
2 Heaters	5-00	1-00	
Kitchen Range	15-00	5-00	
850 Jam crates	212-50		Left on Property
200 unbuilt jam crates	70-00		Left on Property
Bed Sofa	10-00		Not declared, inventoried or sold
Mntle Lamp	45-00		"
170 Japanese records	40-00		"
10 gal Sprinkler	10-00		"
Steel Cable ½"	14-00		"
500 V.Joint	30-00		"
5 tons straw	40-00		"
Lumber & Shingles	37-00		"
Kitchen utencils	20-00	7-25	
Miscellaneous tools	25-00	10-20	
	1622-50	242-20	

EXHIBIT No. 155/5
DATE 18/2/48
FILED BY Mr Hunter

1122 50

20 v 28

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 13142 EXHIBIT No.

NAME (Mr.) Sadao YAMAMOTO REG. No. 13004

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DE NO FOL
DECLARATION made by wife, Kinu, File#4933, Apr./16/42. EVACUATION April 27/42.	TAKEN BY I.C. Bardwell DATE May 5, 1942.			AUCTION	TENDER &c		
Furnishings for 5 roomed house	1. Gasoline Cultivator	Furnitures and Fixtures,		22.50			
gasoline cultivator	2. 1 Bicycle	Farm Equipments,					
1 bicycle	~~3. 1 Lighting plant,~~ (Briggs & Straton)	Carpenter's tool,		~~38.00~~			
4-40 gal. barrels	4. 1 Fruit Sprayer	Household necessities,		16.00			
1 gasoline can	5. 1 Fruit Duster	Fuel,					
1 harrow	6. 1 Plow	Shingles and V join	$1,600.00				
9 sacks of lime	7. 1 Spring tooth Cultivator.			4.00			
3 sacks of fertilizer		as Mr. Master's list	1600 50				
8 cords of wood	8. 1 Box carpenters tools.		T				
machine sprayer							
farm implements etc.	~~9. 1 Empty 45 gallon drum.~~			~~2.40~~			
850 jam crates	~~10. 2-50# sacks lime.~~						
	~~11. 3 sacks fertilizer~~						
	12. 1 Hand Cultivator			3.75			
	13. 6 cords of wood						
	~~14. 1 Work horse~~				~~65.00~~		
	15. 1 Singer Sewing Machine.						
	16. 1 Buffet						
	17. 1 Gramaphone			3.50			
	18. 1 Bureau			6.50			
	19. 1 Dresser			10.00			
	~~20. 1 Table~~		F				
	21. 1 Bed			26.00			
	~~22. 1 Oak Dining Suite (7 pieces)~~			~~33.00~~			
	23. 1 Oak Table		F				
	~~24. 2 Heaters~~		F				
	25. 1 Kitchen Range			5.00			
	26. Large quant. jam crates						
				$170.65	$65.00		
			F	5.00			
			T	2.50			
			*	137.45-sales value of articles not			
		Total amount of claim $1,600.00		$315.60			
				52.36-charges			
				$263.24-Net credit			

Mr. Yamamoto shows net credit as $259.76, not having been advised re sale of mail box.

* Goods sold at auction but not inventoried:

1 Pot	.75
2 Lanterns	.75
2 Mops	.45
1 Tin	2.00
Sundries	1.00
1 Table	.50
1 Table	.50
1 Garden Tractor	127.50
Mail Box	4.00
	$137.45

Claim

1600 50
104 75
1705 25
137 45
1380 30

104 75
137 45

WJJ/HMS

No. 13142

No. 13004

EXHIBIT No.

CASE No.

VENUE Vernon

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO. RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
TION	TENDER &c							
22.50						✓		Mr.Lundstrom's (lessee)letter 10/8/42,on our Office file, states premises were broken into.
~~38.00~~								
16.00						✓		
						✓		
4.00								
~~2.40~~								
					~~✓~~			S.C.Carlsen's ~~memo.Jan.19/44,on our Office file~~,states ~~these articles were abandoned as valueless~~.
3.75					~~✓~~			
	~~65.00~~							~~Sold to Mr.C.Anderson 13/12/43,funds credited to acct.~~ #13142.
						✓		S.C.Carlsen's memo.27/6/44,states machine stolen.
3.50								
6.50								
10.00								
26.00								
~~33.00~~								
5.00								
70.65	$65.00					✓		S.C.Carlsen's memo.19/1/44,on our office file,states said crates were left on the property at Dennison Rd.Matsqui.
5.00								
2.50								
37.45-sales value of articles not inventoried.								
15.60								
52.36-charges								
63.24-Net credit								

4 75

7 45

EXHIBIT No. 155/6

DATE 18/2/48

FILED BY Mr Hunter

J. Johnston

? what is the score

MEMORANDUM

December 9, 1949.

left out gas motor cultivator bought 1941 at $58.4 sold at 127.50 from

TO: F. G. Shears

FROM: J. Cuming

Re: Case No. 155 - YAMAMOTO

no

A Special Award in the amount of $457.68 has been made in respect to the chattels.

This case was re-analyzed on August 12, 1949, and it is not known as to why Counsel disagree with our breakdown.

This case was previously referred to you when submission of cases under the heading "Types of Changes" was made.

JC/ER

Chattel Award increased from $218.58 to $457.68.

Custodian Analysis	$825.25	sold for $234.00, making 28.2%
Counsel Revision	510.00	sold for $242.20, creating 47.49%
In addition to raising % ratio, the difference	$318.25	is added to "Missing" and receives higher percentage award.

Custodian Analysis is considered to give benefit of doubt to claimant from evidence on file and transcript. The basis of the change in counsel award is not clear.