

Name of Claimant

MORISHITA, Norito

Case 197

Custodian File

11544

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices: % of Amount Total		
					2606		1457.64			1457.64
										230.00
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										1687.64

CASE NO: 197

JAPANESE PROPERTY CLAIMS COMMISSION.

Vernon, B.C.

April 23, 1948

IN THE MATTER OF THE CLAIM OF

NORITA MORISHITA

PROCEEDINGS AT HEARING

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
 (HIS HONOUR, JUDGE J.R. ARCHIBALD, SUB-COMMISSIONER)

10

April 23, 1948

Vernon, B.C.

IN THE MATTER OF THE CLAIM OFNORITO MORISHITAPROCEEDINGS AT HEARING.20 APPEARANCES:

D.S. McTAVISH, Esq., appearing for the
 Dominion Government.

R.J. McMASTER, Esq., appearing for the
 Claimant.

T.J. MARRION, Esq., Secretary to Vernon
 Sub-Commission.

G.N.R. UPTON, Esq., Official Interpreter.

G. HAMBLETON, Esq., Official Reporter.

30

N. Morishita
In Chief.

MR. McMASTER: I would like to call N. Morishita, No. 209 on the list.

NORITO MORISHITA, the Claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q: Witness, did you instruct Mr. Leckie to draw this statement with regard to your real estate, and is this your signature? A: Yes.

Q: Are the contents of that statement true to the best of your knowledge and recollection?

A: Yes, yes.

MR. McMASTER: I would ask to file that as Exhibit No. 1, your honour.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: On behalf of my learned friend, I file the Farm Appraisal Report of the Soldier Settlement Board as Exhibit No. 2.

(APPRAISAL MARKED EXHIBIT NO. 2)

MR. McMASTER: Referring to the Farm Appraisal Report, exhibit No. 2, this property is roughly 19 acres, and is situated about three miles from Coghlan, B.C., on a good main road. The description of the buildings in the Farm Appraisal Report shows that the house and one of the hen houses are not very old and also the six colony houses.

At page three of the report, the appraisor says that the property is well situated, has light and power, and is a poultry farm with berries allowed to

N. Morishita
In Chief

go weedy and that the major buildings are all pretty new. The poultry houses are standard and the main one is in good shape. The soil on the cultivated area is, for the most part, a good type and appears in excellent shape, having had lots of hen manure. He states that the place is pretty well set up as a poultry farm, with buildings sufficiently served with electric light and water, and he points out that there are 27 fruit trees, of a mixed variety, mostly about twelve years old, which the appraiser values at \$25.00.

If I might refer to Exhibit No. 1, your honour, the statement by the claimant. He has pointed out the land is about 19 acres with approximately six and a quarter acres cleared and in crop. The claimant acquired the land from his father in May, 1941, for \$6500.00, and the explanation of that transaction is shown later in the statement. All the erections were on the land when he purchased it; he shows, however, when these were built and the approximate cost. They were erected by his father. He points out that his father had cleared about six and a half acres and had put certain other improvements on the land. He points out that his father bought this acreage about 1920, when it was all bush land, and his understanding is that he paid \$1,000.00 for it.

Now, with regard to the purchase from his father, the claimant states, on the back of exhibit 1, that in May, 1941, he agreed to buy this property

N. Morishita,
In Chief.

from his father, who was retiring. His father owed him \$1500.00 back wages, and between May 1941 and evacuation, he paid him \$2500.00, and since evacuation he paid him a further sum of \$2500.00 by money orders, for which he has receipts.

Q: Now, witness, I produce to you a letter from the Bank of Montreal, Vernon, B.C., dated April 18, 1946. A: Yes.

10 Q: Does that relate to the monies that you paid to your father since evacuation? A: Yes.

MR. McMASTER: This, your honour, is a letter from the Bank of Montreal, April 18, 1946, addressed to the claimant's wife.

Q: That is correct, it is your wife? A: Yes.

MR. McMASTER: "Referring to our telephone conversation of today, enclosed draft for \$2500.00 payable in Vancouver to Nikizo Morishita. We suggest that the payee carry sufficient evidence of identification when application for payment is being made at the bank in that city."

20 Q: Is your father the Nikizo Morishita referred to in there? A: Yes.

Q: And you state that that \$2500.00 was paid on the purchase price of this property? A: Yes.

Q: From him? A: Yes.

MR. McMASTER: I don't know whether it is necessary to file that.

MR. McTAVISH: It is not necessary to file it.

MR. McMASTER: Your witness.

30 MR. McTAVISH: It is submitted, your honour, that the

real property was sold for its fair market value.

I would ask my friend to admit the appraised value of the property.

MR. McMASTER: In what year?

MR. McTAVISH: 1943. The assessed improvements were valued at \$1500.00, and the assessed value of the land was \$560.00.

MR. McMASTER: That appears to be correct.

MR. McTAVISH: Referring once more to the Farm Appraisal Report, Exhibit 2, my friend omitted to bring to
10 your honour's attention certain other statements made in that report. Page three of the report, after what my friend said, it goes on to say: "Rented on a monthly basis at \$18.00 rather than on a crop basis, as crop is in such poor condition." Further on, it says: "There is quite a proportion of bush, though, that is gravelly and will normally be a poor producer." The last paragraph reads: "The fruit crop on the place is rather hard to find. It is so over-
20 grown with weeds. Tenants figure very little on sales of strawberries. There is $1\frac{1}{2}$ acres of asparagus, clean; any balance is so overgrown with weeds that it appears lost. Tenant states that there was supposed to be $2\frac{1}{2}$ acres asparagus and 1 acre strawberries. He says he couldn't make that much out of the asparagus and has spent the spring cleaning the $1\frac{1}{2}$ acres. Berries are scattered and the only patch worthy of the name is that near the gate consisting of one quarter acre."

30 CROSS EXAMINATION BY MR. McTAVISH:

Q: Before you left the property, did you lease it to one Theodore Johnson? A: Yes.

Q: What was the consideration for that lease?

A: Oh, before we rent to Johnson, I left old lady because -- then my father look after there, so I don't know very much about Johnson, but she told me after Johnson, he take a crop off, then he is away in the night time -- I don't know.

10 Q: You don't know anything about the terms of the lease? A: No.

Q: When were you evacuated? A: I was evacuated 1943.

MR. McMASTER: 1942.

THE WITNESS: '42, I think -- yes, '42, I believe 29th of February, sometime.

MR. McTAVISH: Q: Did your father remain on the coast?

A: Yes, father life at my place there.

Q: Is he still on the coast? A: No, not now. Now he went back to Japan.

20 Q: He was on the coast in -- may I see that letter, please? -- he was on the coast on the 18th day of April, 1946, was he? A: Yes. He live in Tashme evacuation camp, you know, that is fourteen miles from Hope, and he live there; then before he left, I sent him money for this.

Q: That was before he left for Japan? A: Yes.

Q: And that was the final payment on the property, was it? A: Yes.

30 Q: At the time you made the payment, the property, had it been sold by the Custodian?

A: No.

Q: At the time you made that final payment in 1946?

A: Yes, I get from Custodian, then I sent the money to father to make payment finish.

Q: You had been told by the Custodian that he had sold the property for \$2613.09, is that correct?

A: Yes.

MR. McTAVISH: That is all, your honour, it is only a question of value.

10 THE COMMISSIONER: Very good. That is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton
G. Hambleton,
Official Reporter.

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I hereby certify that the foregoing transcript purports to be an accurate record of the evidence adduced before me.

J. Archibald
Sub-Commissioner

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15 Case No 197

NOV 25 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

[Signature]

11544

[Signature]

[Signature]

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

(1) NAME Morishita Norito (Mr.) (RCMP) Reg. No. 12893
(Print) Surname Given Name

(2) Pre-Evacuation Address R. R. No. 1 Coghlan, B. C.

(3) Present Address R. R. No. 1 Oyama, B. C.

(4) REAL ESTATE

(a) Street Address (if any) Coghlan Road, B. C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot 10 & 15 N. E. 1/4 Sec. 26 Township 10
Map 2075

(c) Type of Real Property (cross out words which do not apply):

- (i) Farm
- (ii) Residence Type of business
- (iii) ~~Business~~
- (iv) Any other type of property (describe) Chicken House

(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 - - - - - \$ 3,000
- (ii) Buildings and Chicken House - - - - - \$ 3,850
- (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) - - - - - \$ 6850.00
- (v) Amount at which Custodian sold property and credited your account - - - \$ 2613.09
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 4236.91

(5) PERSONAL PROPERTY

- (a) Place or places at which property was left by the claimant at date of evacuation
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
- (c) How stored or packed at time of evacuation

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

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

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

TOTAL CLAIM FOR PROPERTY LOSS \$ _____

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4 (f) and 5 (e) - - - - - \$ 4236.91

(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 Yes

Vernon preferred

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:)

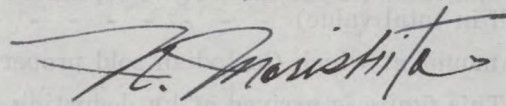
I, Norito Morishita
of R.R. 1, Oyama

of the
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 14th day of November)
A.D. 1947. Julius Syger)



A Notary Public in and for
the Province of British Columbia
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.

M. Morishita
(Claimant's Name)

Reg. No.

LAND	Acres	Date of Purchase	From Whom	Estimated Cost Price	Cleared or Uncleared	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared	12 1/2 ac	May 1941	From father	\$6500.	6 1/2 acres cleared.	all erections were on land when my father sold to me -	\$6500.00
Cultivated not planted	1/4 ac						
Cultivated and not in crop	6 1/4 ac						
List Crops							
strawberries	2 ac						
raspberries	1 1/2 ac						
asparagus	2 ac						
red currants	1/4 ac						
vegetables	1/4 ac						
Total 6 1/4 ac before 4							

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

Description	When Made	Cost
my father cleared about 6 1/2 acres - from purchase till about 1933 - own labour - heavy clearing		cost about \$250 per acre
" put in about 1560' ditching (2' wide x 3' deep) - cedar covers - cost about \$2500.00		
" fenced 3 sides of property - barbed wire + posts - about 3300' ft - cost about \$2500.00		
" installed pressure pump (electric) and piping to house + chicken house - cost about \$400.00		
" planted about 27 mixed fruit trees - cost @ \$15.00 each about \$405.00		

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value	Cost
(erected before purchase by father)	House	26 x 32	frame on posts - built 8' cellar lean to 8 x 14 - sprung for roof - 1/2" post inside - for blood	1937	hired labour (some own) and bought materials				\$1650.00	00
	2 story chicken house	20 x 68	frame on posts - shingle roof - double walls inside (3 sides) + papered	1938					700.00	00
	chicken house	20 x 22	same as above	1936					200.00	00
	"	20 x 28	" " "	1939					900.00	00
	2 story chicken house	20 x 48	" " "	1940					525.00	00
	"	20 x 20	" " "	1938					400.00	00
	roost house & chicken house	20 x 68	" " "	1933					750.00	00
	4 poultry houses	10 x 14 each	" " "	1940					220.00	00
	chicken house	16 x 24	" " "	1932					120.00	00
	garage and packing house	11 x 24	" " "	1932					150.00	00

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

The appraiser does not mention all of the chicken houses. With a few minor exceptions the buildings were all in good condition when I left the property. Land was quite clean as the weeds when I left.

Comments: my father bought this acreage about 1920 (all bush) and I understand he paid 1000 for it. This acreage is well located, excellently fertilized and cleared portion and is very good for poultry raising and small fruit growing. I believe that it was at least worth \$6500 when sold by the Custodian.

I bought from my father which I think is fair, as I believe father had advanced when the property was sold.

I am claiming the price which father had advanced when the property was sold.

M. Morishita
SIGNATURE
PTO

^{man}
In 1941 I agreed to buy this property from my father who
was retiring. My father owed me 1500 back wages
and between May 1941 and evacuation I paid him 2500 -
since evacuation I paid him the further sum of 2500
by money orders for which I have receipts —

EXHIBIT NO. 197-1
DATE 23 April 1948
FILLED BY Claimant

BC-338-P
BC-289-A

Farm Appraisal Report

File No. JL-373

Land Description Lots 10, 15 of N.E. 1/4, Sec. 26, Tp. 10, Map 2075.

Containing 18.94 Acres

Owner's Name N. MORISHTA Post Office Address R.R. 1, Coghlan.

Nearest Rail Point Coghlan Distance 3 miles

Market Town Abbotsford Distance 10 "

Church (give denomination) All denominations, reasonable distance. Distance

Nearest School Otter Distance 1 1/2 "

State how property was identified: Map, roads, fences, owner and tenant.

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

On good main road.

Is this district a good one? Fair.

Employment opportunity Small. Some berry picking; hop picking in Fall, Sumas, 15 miles away.

Predominating Nationality and religion: British, Protestant. A lot of Continentals getting in.

Describe Fencing and its condition: 3 sides well fenced with barbed wire Value \$

Water supply: Well. Also good spring at back of clearing. Value \$
Pressure pump in operation.

BUILDINGS ON FARM

11544

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE 1 1/2 st.	26 x 28 x 13	Frame	10' Eave	Shgl.	5	Wood	Good	900.00
Lean-to	10 x 26 x 12	"	9'	"	5	"	"	
Old house	14 x 22 x 13	"	10'	Shke.	V. old	"	Poor	50.00
BARN Attached	14 x 58 x 7	Old Frame	6'	"	"	"	"	
Hen house	20 x 20 x 10	Frame	7'	Shgl.	6	"	Good	100.00
BARN " "	20 x 25 x 10	"	7'	"	3-5	"	"	1100.00
" "	20 x 62 x 9	"	7'	"	10	"	Only Fair	200.00
GRANARY Leanto	10 x 20 x 8	"	6'	"	10	"	"	
Garage	12 x 20 x 11	"	8'	Shke.	10	"	"	40.00
Leanto	8 x 20 x 7	"	6'	"	10	"	Poor	
Old shed	12 x 16 x 10	"	8'	"	10	"	Bad	(nil) -
6 Colony Hses.	10 x 16 x 8	"	6'	"	2	Wire floor	Good	90.00

Lights

Total present day value \$ 2480.00

Total Value Buildings add to farm \$ 1935.00

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

habitable? However post foundation and wooden cedar wall needs repairs.

\$ 75.00

Describe the basement and chimneys: 8' basement, full size; posts getting rotten, wall caving in one spot. 2 brick chimneys-1 to ground, one on bracket.

No. rooms downstairs? 6 Upstairs? Un-finished How finished T. & G. lumber.

Are buildings painted? No. Condition of paint

Distance from nearest bush None near.

197-2
23 April 1948
Claimant on behalf of owner

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
6.37	Undulating	12"lt. clay loam	Lt. clay to Sandy	Mostly weeds. Excellent growth.	75.00	477.75
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
1.00	Part cleared	As above	Sandy	Stumps, some brush.	60.	35.00
6.57	Bush	Sdy.lm.	"	Stumps, Bush.	125. up	20.00
5.00	Bush	Gravelly	"& Grav.	" "	125. up	10.00
	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 \$ 694.15

Total added by buildings to value of farm \$ 1935.00

Total fruit trees add to value of farm (for use in orchard districts only) \$ 25.00

Total value of farm \$ 2654.15

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

Continuously occupied. Not tilled this year. Land has had good stock of poultry and is in excellent condition as to fertility.

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

Poultry and small mixed.

Noxious weeds:

Canada thistle, some couch. A great deal of weeds throughout-mostly June & other wild grasses.

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

Langley - \$30.50

Date: June 24, 1942.
Place: Chilliwack, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 17 day of June 19 42.

Inspector's Signature

"R. L. RAMSAY"

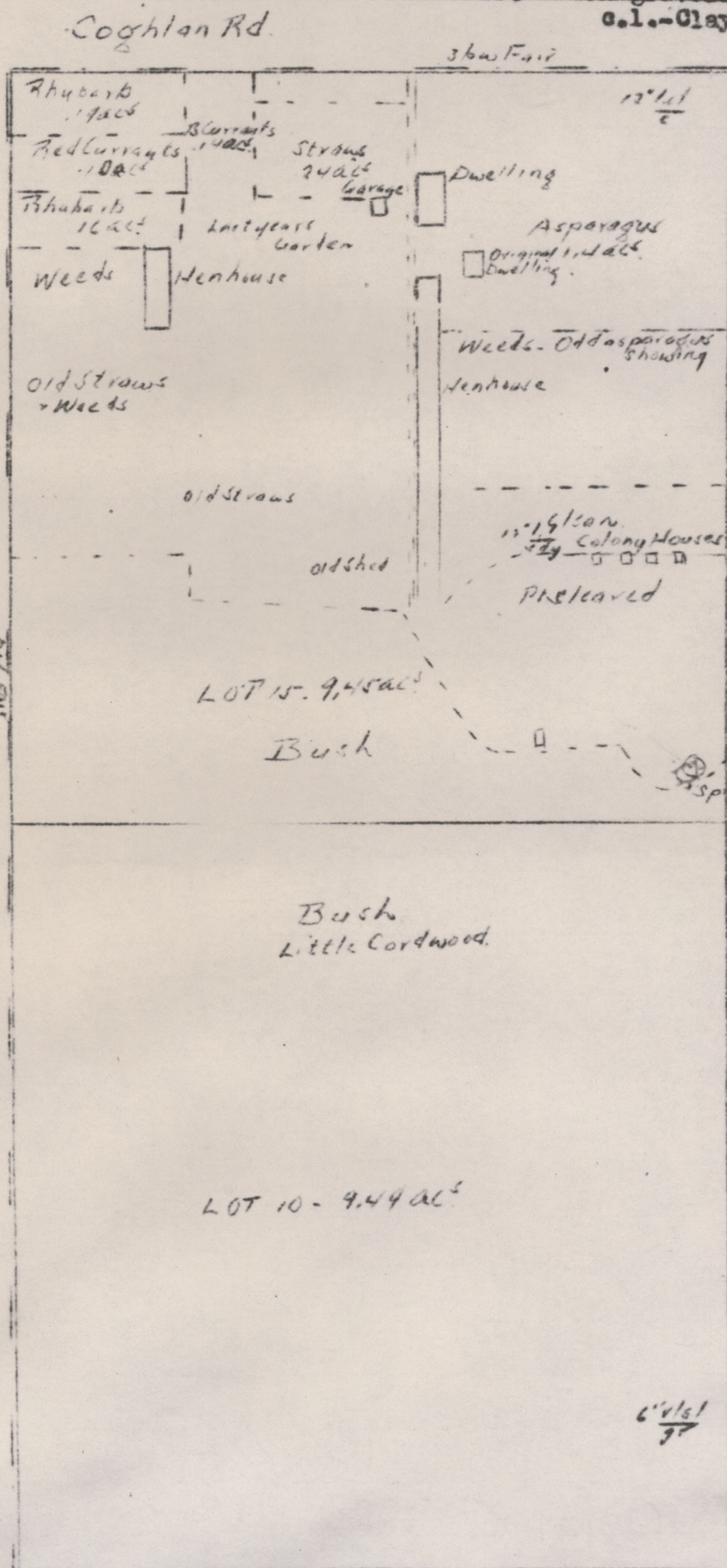
Note: (Use Form 43 (Sheet 2) in connection with this form.)

Lots 10 & 15, N 4¹/₂, Sec 26, Tp. 10.

B. MORISHITA.

Diagram of Property

3 chains-1 inch
Very light sandy loam
on gravelly.
c.l.-Clay loam



Following careful review of this appraisal report, it is my opinion that the present value is \$ 2200.00

S. Oyama

value is \$ 2200.00

Date 27th June 19 42.

"I. T. BARNET"
District Superintendent.

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