Name of Claimant IMADA, Mrs. Ito Case 1

Custodian File 6996

REAL PROPERTY

Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Total	Total Award 80% of all Sale Prices Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Total Award 125% of all Sale Prices: Amount	
					2983.		2714.93				2714.93

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	
			46%	250.00	115.00			115.00

TOTAL RECOMMENDATION	2829.93

CASE NO: 1.

JAPANESE PROPERTY CLAIMS COMMISSION

Kamloops, B. C.,

December 8th, 1947.

IN THE MATTER OF THE CLAIM OF

MRS. ITO IMADA

PROCEEDINGS AT HEARING.

CASE NO: 1.

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).

Kamloops, B. C.,

December 8th, 1947.

IN THE MATTER OF THE CLAIM OF

MRS. ITO IMADA

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
J. A. McLENNAN, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
G.N.R. UPTON, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

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

MRS. ITO IMADA, called:

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

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

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

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

(Interpreter repeats Oath).

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

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

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

THE COMMISSIONER: Yes, quite.

(Katsumi Imada explains Oath to witness).

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

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

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

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

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

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

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

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

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

MR. HUNTER: Yes, my lord.

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

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

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

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

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

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

MR. HUNTER: That is correct, my lord.

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

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

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

A Yes.

Q And when did he die?

A The 24th of February of this year.

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

A Yes, she has seen this before.

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

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

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

Q Is that the signature of your late husband?

A Yes.

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

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

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

MR. HUNTER: Yes, my lord.

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

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

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

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

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

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

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

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

MR. McLENNAN: Yes, my lord.

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

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

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

THE COMMISSIONER: Very well.

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

A Yes.

Q And that is your signature (indicating)?

A Yes.

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

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

(WILL MARKED EXHIBIT No. 1)

(CLAIM FORM MARKED EXHIBIT NO. 2).

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

A Yes.

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

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

Q Do you recall what you paid for the land?

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

Q Was that all of it or part of it?

A What is your question again?

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

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

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

A She says ten acres was for the $650.00.

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

A 1924.

MR. HUNTER: That was what?

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

MR. McLENNAN: Ten acres.

THE INTERPRETER: She bought ten acres two years afterwards.

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

A $650.00.

Q For the same amount?

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

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

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

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

A Six acres and one-half.

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

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

MR. McLENNAN: Yes, my lord.

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

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

THE COMMISSIONER: Very good.

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

A The house.

Q What value did you place on the house?

A $3,000.00.

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

MR. McLENNAN: Yes, my lord.

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

MR. McLENNAN: Yes, my lord.

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

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

MR. HUNTER: Q: Is that correct?

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

MR. McLENNAN: Q: When was that?

A 1935. That wouldbe about twelve years ago. Yes, twelve years ago. She said about twelve years ago.

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

A She said she had some crops there.

Q What crops were there?

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

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

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

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

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

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

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

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

Q Were berries and hops produced?

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

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

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

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

A That when she evacuated, the price of the hop crop she hadbeen offered from a thousand

dollars to fifteen hundred dollars from Sardis.

MR. McLENNAN: Q: Mrs. Imada, Katsumi Imada is here today and he is your son?

A Yes.

Q And was he living on the farm before the evacuation in 1942? A: Yes.

MR. McLENNAN: My lord, I am going to call the son who understands English.

THE COMMISSIONER: Very well.

MR. HUNTER: I rather hesitate to go into this, my lord. Some of her answers are so indirect and at variance with what we have, I wonder if she has any clear recollection.

CROSS-EXAMINATION BY MR. HUNTER:

Q Ask her how many acres she had there altogether?

A Sixteen one-half acres.

Q Sixteen and a half acres. Ask her whether she would say I was wrong if I suggested she had fifteen and a half acres?

A She says that it is sixteen and a half in her estimation.

Q That's fine. Why do you consider your house to be worth $3000.00?

A From the start, the shiplap and the basement and the cost of the carpenters. She put flooring from the basement right up. Then after that she papered the whole place.

Q Did you notsay it cost you $1200.00 to build that house?

A She said yes.

Q Then where is the difference between the $1200.00 and the $3000.00? Where does she get that idea?

A She can't make that out. She has come back on this $1800.00, you see. Now, this is what she says, the $1200.00 is what she paid, she thinks, and the difference of $1800.00 was for the repairs and improvements to floors and one thing and another like that.

Q This house was on the land when they bought it? A: She said no.

MR. HUNTER: I think perhaps we better have the son, my lord.

THE COMMISSIONER: This witness is not very satisfactory.

MR. HUNTER: Either she doesn't understand the questions or she hasn't the knowledge, I don't know which. We seem to be getting into a greater and greater contradiction.

THE COMMISSIONER: Mr. McLennan, is the son able to speak to matters that the mother has been dealing with?

MR. McLENNAN: Yes, he is.

THE COMMISSIONER: Under the circumstances, Mr. Hunter, I think you are probably wasting time by attempting to cross-examine.

MR. HUNTER: Yes, I think so.

MR. McLENNAN: She obviously doesn't understand the Interpreter. I think it is her nervousness,

probably, my lord.

THE COMMISSIONER: That is all, then, thank you, Mr. Upton. You do not wish to cross-examine any further, Mr. Hunter?

MR. HUNTER: I don't think it will serve any useful purpose, my lord.

THE COMMISSIONER: I entirely agree with you.

(Witness aside)

KATSUMI IMADA, a witness called on behalf of the claimant, being first duly sworn, testified as follows:

THE COMMISSIONER: Q: Imada, you have sufficient command of English to have the examination conducted in English?

A Yes, I believe so.

THE COMMISSIONER: If you have any difficulty and wish the aid of the Interpreter, do not hesitate to ask for it. All right, proceed, Mr. McLennan.

DIRECT EXAMINATION BY MR. McLENNAN:

Q Mr. Imada, your mother in her claim is showing the value of the farm as $7935.00. Do you know how that valuation is arrived at?

A That value includes land which value is $1450.00 and a house --

Q Just a moment. There is the value of the land at $1450.00. Is that what it cost?

A That is the price paid for the land.

Q Do you know when it was purchased?

A In 1924 and 1926.

Q Part of it in 1924?

A Yes, and1926.

Q And that accounts then for $1450.00 of the value?

A That is correct.

Q And has there been a value placed upon the house?

A The value placed upon the house is $3000.00.

Q On what was that based?

A On the material and labour -- material and labour.

Q Was that cost, or was it somewhat increased in value?

A That is the cost.

Q When was the house built? A: 1935.

Q And that accounts, then, for $4,450.00?

A That is correct.

Q Where is the balance made up?

A The balance is made up in hops crop of five acres, valued at $800.00; raspberry and strawberry both together five acres at about $900.00.

THE COMMISSIONER: Q: The hop crop again was what -- $800.00? A: Yes, the hop crop.

MR. McLENNAN: Q: And the hop crop acreage?

A It is approximately five acres. It was, oh, 5.9 or something that we say is around five acres. And the fruit trees. There were ninety fruit trees. The youngest were three years which we value at $5.00 apiece. That brings the total to $450.00 and a quarter acre of asparagus. The value of that is $200.00. That

is the estimate of the crops only, and then there is other out-buildings. The barn value is $500.00, that is the cost of labour and material.

Q That is the cost of labour and material?

A The cost of labour and material, yes, and the poultry house valued at $250.00. That is the cost of material also.

THE COMMISSIONER: Q: When was the barn built?

A That was built after the house. In 1936, around there.

Q And the poultry house?

A That is also after the barn. 1936, the same year.

Q How much for the poultry house?

A $250.00. And there was a woodshed and the well. The well was in the woodshed with the pump. We value that at $100.00, and the garage, the value $60.00. That is just the materials, and there was a picker house used as our old first house, but we value it at $50.00. This brings the total to $3310.00, and other small improvements which is not mentioned here that we just put it down as $190.00.

Q I beg your pardon?

A Other small improvements that is not covered by these figures.

MR. McLENNAN: Q: You mentioned a pump im connection with the well? A: Yes.

Q And did you have running water in the house?

A Yes, it was pumped into the house.

Q And that was left on the farm at the time of the evacuation? A: Yes.

Q Was all the land cleared?

A There was about two acres which was uncleared, but ready for clearing.

Q Had the bush been cleared off?

A The bush? No, the trees were cut down ready to be cleared.

Q Your father was in the course of doing that at the time of the evacuation?

A Yes.

Q The rest of the farm was under cultivation?

A Yes.

Q Now, was there any drainage provided for the farm? A: Yes, there was drainage in all the cultivated area of the land. There was a ditch.

Q Was there any underground drainage?

A Yes.

Q What kind of drainage is that? Would you describe it? A: Yes. The width was anywhere from 12 inches to 16 inches and the depth was anywhere from 2 feet to 4 feet. It was covered by cedar shakes, about two inches thick, and buried, to act as a culvert.

Q T hese are culverts running underneath the ground, is that so? A: Yes.

Q And that is what is called under-drainage, is it? A: Yes,

spaced every twenty or thirty feet apart.

Q Now this original cabin that you mentioned on your place that you valued at $50.00, what was that used for?

A That was used as a picker house at the time of our leaving.

Q In the berry picking season, the pickers would live there and stay there, is that right?

A That is right.

Q Did your family ever stay in it at the time of the evacuation, or near that time?

A Yes. We had to give up our home and we had to move into the pickers' shed.

Q And it was rain-proof, was it?

A Yes.

Q Was it used for any other purpose such as for storage purposes or anything like that?

A After the berry season it was used for storage, yes.

Q Was there a fence around the place? Was any portion of the place fenced?

A Yes. The front was mostly fenced, about sixteen hundred feet -- or four hundred feet, rather.

Q Do you know the cost of the fence?

A Yes, around $50.00.

THE COMMISSIONER: Already it is $7950.00 which is in excess of your claim.

MR. McLENNAN: Yes, but I have asked those questions, my lord, in view of the farm appraisal report.

THE COMMISSIONER: Yes, all right.

MR. McLENNAN: Q: Have you any knowledge of the crop proceeds for the year 1941?

A The net for 1941 was $3140.00. That is the net after labour, fertilizer, and all was deducted. That is the net profit for that year.

MR. HUNTER: It was how much?

MR. McLENNAN: $3140.00.

Q You say after fertilizer. What didyou do in connection with fertilizing the soil?

A Would you repeat that question, please?

Q What was done on the farm in connection with fertilizing the soil?

A Well, every year there was about four to six tons of fertilizer used.

Q What was the nature of the soil in that farm compared to surrounding farms?

A It was one of the best lands there.

Q Do you know a man named Houghton?

A Yes, he was our neighbour.

Q On which side? A: He was on the north side.

Q Have you any knowledge of the size of his farm?

A Yes, he had five acres.

Q Did he have a house on it? A: Yes.

Q What kind of a house?

A He had a shack on there. He had two lots, one I know -- that is the one I am speaking of, which was with a shack on it.

Q Do you know whether he sold that farm in the past few years?

A Yes. He has written to the brother saying he sold it for the sum of $2500.00. That is five acres with a shack.

Q When did he sell it?

A That is after we left. Around 1943 or 1944.

THE COMMISSIONER: Q: Now, you know this, Mr. Imada, from what this man had told you by letter, is that it? A: Yes, sir.

MR. McLENNAN: Q: Before I leave this other point, what was the nature of the soil on Mr. Houghton's property in comparison to your father's farm?

A If it was compared to our land it was poor. It is rocky soil and there was a very thin layer of earth on top. Mostly clay and rock.

Q Now, was there thistle on the farm at the time you evacuated? A: No. There was some but you wouldn't say much.

Q Where was the thistle? A: It was alongside the big open ditch we have running through our field.

Q In just one small portion of the farm?

A Yes.

Q Was the main house on your father's farm insured?

A Yes, the house was insured.

Q For how much money, do you recall?

A $2400.00.

Q Did it in fact burn down after you left?

A Yes, in January, 1943. No, I beg your pardon, it was in May.

Q In May of 1943? A: Yes, sir.

Q I am showing you a letter of July 16th, 1943, addressed to your father. You have seen that letter before? A: Yes.

Q That came from the Custodian's office?

A Yes.

MR. McLENNAN: My lord, this reads in part, "The replacement value of this dwelling", that is the dwelling on the farm in question, "using the cost of material and labour at today's prices total $2,832.78". It goes on from there, "deduction of 20% for depreciation, amounting to $566.56 was taken, leaving a sound value of $2266.22". I wanted that before your Lordship for insurance purposes.

THE COMMISSIONER: That is what date?

MR. McLENNAN: July 16th, 1943, my lord.

THE COMMISSIONER: That is the Custodian writing the letter?

MR. McLENNAN: Yes. To Mr. Kaichi Imada.

THE COMMISSIONER: May I have the figures again?

MR. McLENNAN: The replacement value of the dwelling, $2,832.78 from which was deducted 20% for depreciation, amounting to $566.56, leaving what the Custodian called a sound value of $2266.22.

THE COMMISSIONER: $2266.22.

MR. McLENNAN: Yes, my lord.

THE COMMISSIONER: You say this was for insurance purposes?

MR. McLENNAN: This was for insurance purposes. The house burned down and there were negotiations

for the adjustment of the loss.

THE COMMISSIONER: What is the amount of insurance that the insurance company paid? $2266.00?

MR. McLENNAN: $2266.22.

THE COMMISSIONER: When was this property sold by the Custodian in relation to the fire, before or afterwards?

MR. McLENNAN: Well, it was sold afterwards, my lord. This is one of the Veterans Land Act transactions. The contract was confirmed about June 1st, 1943, but they have related them back to January 1st, 1943.

THE COMMISSIONER: So for the purpose of sale, the house was taken as if it were standing at the date of sale, is that it?

MR. McLENNAN: Yes, my lord, yes.

Q Now, Mr. Imada, there has been a claim made on behalf of your mother in connection with hops' wire and posts for $250.00. What have you to say about that? What is this hops' wire?

A Hops' wire is what they use to hang up the hops, and half of these were still left unused in the barn.

Q And some of them were stuck into the soil, I suppose? A: Yes, they were used.

Q And the valuation of $250.00 that your mother has placed on it, what have you to say about that? A: The value of the wire and the posts. The posts were

15 feet long and covered the entire four acres.

Q 15 feet long. How often would you put in a post?

A They would be good for at least ten years. Ten to fifteen years.

Q And what distance would the posts be apart?

A Roughly, I would say, 20 feet.

Q And the wire would extend over the whole four acres, would it? A: Yes.

Q And it did? A: Yes.

Q Im your opinion, is the$250.00 a proper valuation? A: That is under the value of the wire, but we just left it at that.

THE COMMISSIONER: Q: Just let me understand this. You say the hops' wire and posts on the five acres which you valued at $800.00 -- oh no, that was for your crops?

MR. McLENNAN: That was for the crops, my lord. This was valued at $250.00.

THE COMMISSIONER: Q: It was worth $250.00?

A Yes.

MR. McLENNAN: Q: What date was the family evacuated from that farm, do you know? What date did you leave or were you evacuated and had to leave?

A It was in August. August 15th, around there.

Q 1942? A: 1942.

MR. McLENNAN: Yes, that is all, thank you. Your witness, Mr. Hunter.

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Imada, when you left the farm or before you left, did you put it under lease?

A Yes, we leased it to Mr. Jensen.

Q And what were the terms of the lease?

A The crops of that year for $600.00, and the rent was $10.00 a month for the house. It was just for the year.

Q The crops were considered to be worth $600.00?

A Yes.

Q And the crops in 1941, what you consider to be worth $600.00, in fact you received $3400.00?

A Yes.

Q There is quite a discrepancy there, how do you account for it? A: At that time we had to take the loss. Either leave it there to rot or take it.

Q Why did you have to take a loss?

A We had to leave. There is no alternative but to leave. We couldn't stay to harvest the crops, that is one reason.

Q Was 1941 a good year or a poor year?

A It was an average year.

Q I put it to you it was a very good year, am I wrong? A: Well, we considered it the average. Of course, around 1930 things were different to around 1941.

Q Isn't it generally recognized that 1941 was one of the best years you had in all your years?

A Well, that I don't remember.

Q You don't remember?

A Because they were selling jam berries for 3 cents a pound. You don't call that good, I am sure.

Q Let us go into this crop. Are you claiming for the crop here, or what? I notice you are claiming so much for hops, and so much for fruit trees. A: That is for the plants.

Q That is for the plants, is it?

A Yes, and what is ready to bear.

Q You are not claiming for the crop?

A No, that is sold.

Q You have sold that? A: Yes.

Q Now the five acres of hops, why do you value that at $800.00? A: It is the number of so many plants and this is the third year.

Q Yes, and where do you arrive at $800.00?

A Well, the same way you value a fruit tree.

Q Yes, and how do you know the market value of five acres of hops at $800.00?

A That is hard to say, but placing a value of so much a plant.

Q Aren't you just guessing when you say $800.00? You don't know what you could sell those for, do you? A: Of course I am certain no one would sell them for less than that, the five acres.

Q You don't know, do you? A: No.

Q Did you ever sell five acres of hops?

A Oh yes, I have seen them.

Q What did they sell for?

A Until that time no one sold us, so we don't come to a conclusion about price.

Q Yes. What about your fruit trees? What kind of trees were those? A: They were all mixed, apples, pears andgreen gage -- all mixed.

Q And how many trees were there?

A There were approximately ninety.

Q And you valued them for how much?

A At $5.00 apiece.

Q $5.00 apiece, and they were how old?

A Those I mentioned were three years. There were ten and twelve year old ones.

Q How many of each? A: Ofeach of the different trees?

Q Yes, of each. A tree doesn't come into production until it is seven years old, does it?

A Yes.

Q What tree comes in before that?

A Well, green gage and plum. They are ready in about four years.

Q How many four year old green gage trees did you have? How many trees did you have in production in your orchard?

A There were about 75% all bearing.

Q About 35%? A: About 75%.

Q And do you know what the sale value of fruit trees in the Fraser Valley is?

A No.

Q Or was at that time, rather?

A Well, these values we placed on them, we haven't checked on that, but according to what we heard about the prices, we just placed it at $5.00.

Q If I were to say they were selling for $1.00, would you say I am wrong?

A Yes, you couldn't get one.

Q I am talking about the line of fruit trees on it. A: Yes.

Q The line of fruit trees. The trees are estimated to be worth $1.00. You would say I am wrong, would you? A: Yes.

Q That is fine. Those fruit trees -- would you say $2.00 was wrong? A: Yes.

Q In other words, you are saying they were worth $5.00 at the time? On that land at that time was 75% of the trees in production, or whether there were any in production or not, you contend you should get $5.00 a tree, is that correct? A: Yes.

Q Let us go on to the asparagus. A quarter of an acre, $200.00. How do you estimate that?

A That is so much a plant and it was about the third year. The first year it is yielding little, but around the third year is when you get it full. I just don't know how to say it.

Q If you sold a quarter of an acre of land with asparagus on it, what would you get for it if it was good land?

A A quarter of an acre of land?

Q Yes. A: Just the land with the crop?

Q Just the land alone. We will come to the crop later. A: A quarter of an acre?

MR. McLENNAN: My lord, this is such a difficult question to answer. It would depend on where it is, I suppose.

MR. HUNTER: I am talking about a quarter of an acre of good land on his farm.

THE COMMISSIONER: If the witness is able to estimate the value of the crop, he should be able to break it down.

MR. HUNTER: Q: Come on, surely you know that. What is it worth an acre?

A An acre is worth anywhere from $150.00 to $200.00.

Q So if it is worth $150.00 to $200.00 an acre, surely you can divide it by four and you would have the value of a quarter of an acre, or am I making a false statement?

A That is with the crop?

Q I will ask you about the crop later. I am asking what the lands were worth. Forget the crop. What is the land worth without a crop on it, if it is good land, ready to plant?

A Anywhere from $150.00 to $200.00.

Q $150.00 to $200.00. Now that is a very interesting figure. How do you arrive at it?

A The sale of neighbours' land.

Q What neighbour's land?

A Mr. Houghton.

Q That happened in 1943 or 1944, but I am talking about the 1st of January, 1943. How do you know what it was worth then? You don't know, do you? I suggest you haven't the faintest idea, isn't that fair? Were there any sales nearby where you know the price per acre of cleared land?

A Yes. It was anywhere from $150.00 to $200.00. My uncle purchased some land.

Q Let's see where these are, these purchases. We want to see if that is the price.

THE COMMISSIONER: Q: Do you know of any particular lands that were sold at the price you speak of?

A Adjoining ours our uncle, I remember, -- there were eight acres and he paid a thousand dollars for it. That is rough, uncleared bush land.

MR. HUNTER: Q: Where is that? Let us get the full particulars of it, we want to check it in the Land Registry Office.

A The other side of our road.

Q Who isthe person?

A My uncle.

Q What is his name? A: Y. Imada.

Q What is the first name?

A Y.

Q Just the initial? A: Yes.

Q All right; where is his land?

A Across the road from our place, facing our land.

Q He had eight acres, you say?

A Yes.

Q Are you sure of that?

A I am quite certain of that.

Q All right. You said he sold when?

A He purchased that land himself.

Q He purchased that land when?

A It was about -- it must have been about two years prior to evacuation.

Q That was in 1939? A: Yes.

Well the years I can't be definite about, but approximately around there.

Q And he paid a thousand dollars?

A Yes.

Q What did that thousand dollars include?

A Just the bush land.

Q This was bush land, not cleared at all?

A No.

Q Was there any building on it? A: No.

Q Nothing on it, and no improvements of any kind?

A No, nothing.

Q And he paid a thousand dollars. You are absolutely sure of that?

A Well, hearsay is different but that is what I heard.

Q Didhe tell you he paid a thousand dollars?

A Yes, that iswhat they were telling me, you see.

Q Did your uncle tell you that?

A I heard a lot of rumours of what people paid for property, but do you know?

A Yes, I believe it was my uncle told me that.

Q You think so, but are you sure of that?

A Years ago.

Q You would swear to that, would you?

A Yes. I wouldn't swear to it because it is years ago. It is hard to recall. It was when I was still younger. What happened ten years ago is hard to recall offhand.

Q That is $125.00 an acre, is it? Do you know of any other land? That was bought two years before, but do you know of any land that was bought in 1942 or 1943? A: No, I believe not. I wasn't interested in the farm at all in those days. I had no interest in those days.

Q You have nothing aside from this one individual purchase you mentioned two years earlier upon which to give you the value of property as of the 1st of January, 1943?

A Yes.

Q You mean yes or no?

A Would you repeat that again, please?

Q You have nothing, aside from this one purchase, to indicate to you the value of property in 1942 or the first of January, 1943?

A Not personally I haven't, but mother could help me out on it if I were to ask her. Maybe she would know something.

Q Let's get back to this house, or let me put it this way. You say in 1941 you had received

$3140.00 for the crop, net profit? Was that net profit?

A That was net profit.

Q Net from what? That is, how do you calculate your net profit?

A After paying out for fertilizer and the pickers and trucking.

Q That is not including labour charges, or anything like that?

A The pickers' labour.

THE COMMISSIONER: Q: Does it include your planting and the work you did with your own family?

A No.

MR. HUNTER: Q: Now, you say you sold for $600.00, was it, the crop in 1942?

A Yes.

Q What did you estimate the value of the crop to be in 1942? A: May I ask mother these questions? She is more familiar with them.

Q You just answer it. If you can't answer it, just say you don't know.

A Well, I don't know it.

THE COMMISSIONER: Mr. Hunter, have you any objection to the witness obtaining this information from his mother? On an Inquiry of this nature, we can take evidence other than that which would be received in a trial Court, for what it is worth.

MR. HUNTER: I have no objection, my lord.

THE COMMISSIONER: Q: I think you might get that information, then, from your mother.

A Yes, just the strawberry alone. She says $3,000.00, that is just for strawberry alone.

MR. HUNTER: Q: In other words, you took a voluntary loss or sacrifice of $2400.00?

A Yes.

Q You couldn't find anyone who would pay you anything for it, is that correct? This $3140.00 I suggest to you that is not what yourfather showed in his income tax return.

A Well, no, that is -- you see we were working on the farm, too, father and mother and brothers, you see.

Q Yes. A: It would be divided, you see.

Q Who owned the farm? A: Father.

Q Then he was paying you wages, wasn't he?

A Well, no. Japanese do it a different way. What we make, we all have it with the same pay and the expenses we take out of it. What we need, we take out. It is different from Occidental.

Q I suggest to you he didn't show $3140.00 in his income tax return. If it was all his money, why didn't he show it as his net profit? How much did he show?

A That I don't know. I am sorry.

Q I suggest that this $3140.00 isn't a net profit at all, or he would have shown it im his income

tax return. I suggest there is a lot of labour there that he is paying. You say the answer is he puts it all in the pot and you take out what you want? Isn't that the equivalent to being paid? A: Yes.

Q I suggest to you there is no $3140.00 net profit here at all, or even approaching it?

THE COMMISSIONER: You might find out how many persons were employed, apart from the pickers.

MR. HUNTER: Q: How many were employed apart from the pickers? A: Dad and mother and three brothers.

Q And yourself? A: Yes, I was helping, too.

Q Where were you? Were you not working there?

A Oh yes, I was helping in the berry season.

Q Were you working some place else?

A Yes.

Q Were you living away from home?

A No, I used to live at home but working outside.

Q Where did you work? A: At the time I left, my last employment was Baynes Mill.

THE COMMISSIONER: Q: What it comes down to is this, Mr. Imada, your father and mother and you four boys all worked on the farm in the putting in of these crops, is that correct?

A That is right.

Q And you didn't receive any wages that were calculated upon the basis of wages, is that correct? A: That is correct.

Q You just received money as you required it?

A Yes.

MR. HUNTER: Q: Let's go back, Mr. Imada, to this house. It wasn't there when you bought the property, was it?

A No, it was built.

Q You built it? A: Yes.

Q Now, you estimate its value to be $3000.00, is that it? A: Yes.

Q Let's see how it is made up? What kind of a house was it? A: There was a full concrete basement. On the main floor there were six rooms, that is including the pantry and three upstairs -- three rooms upstairs--the interior all finished.

Q What was the house constructed out of?

A It was lumber.

Q Yes.

THE COMMISSIONER: Mr. Hunter, do you think there is any purpose in going into this feature of the matter in view of the insurance report put in evidence by counsel for the claimant?

MR. HUNTER: Possibly not, my lord.

THE COMMISSIONER: That, I take it, shows the valuation as made by the insurance company, is that right?

MR. McLENNAN: That is right, my lord, which is in excess of the valuation made by the Custodian, but we maintain or we are not saying that that is the final valuation.

THE COMMISSIONER: No, but it is probably the best evidence we can now get as to real value at that time.

MR. McLENNAN: Yes, my lord.

MR. HUNTER: I might add, my lord, when it comes to the insurance there was a further $200.00 taken off for the foundation which wasn't destroyed by fire, though it won't change the value actually, but there is a difference, and the point comes up of what the building is worth. That is, if you take its replacement value, less depreciation, you may or may not end up with the fair market value.

THE COMMISSIONER: That is quite true.

MR. HUNTER: I was just about to try and find out something about fair market value.

THE COMMISSIONER: Yes, then go on, Mr. Hunter.

MR. HUNTER: Q: Mr. Imada, you have estimated the value of this house, or rather the cost of it, I believe, at $3000.00. What do you estimate its fair market value at?

A At that date or this date?

Q As of the 1st of January, 1943.

A Well, in the event of the sale of the house alone, we couldn't let it go for $3000.00 -- the house alone.

THE COMMISSIONER: Q: Now, just one moment, Imada. Fair market value, as I understand the law, means this, supposing your father was willing to sell the house at that date, January 1st,

1943, to a person who wished to buy it --

A Yes.

Q -- what price would they have arrived at between themselves as reasonably acceptable to both?

A I believe $3000.00 would be reasonable for both parties.

MR. HUNTER: Q: Now you believe $3000.00 to be reasonable, but upon what is that belief based? What information have you of similar houses or similar properties selling for $3000.00? Have you any? What I am trying to get at, Mr. Imada, is do you know the fair market value of properties of that type at that time, or are you merely guessing or estimating?

A Estimating. One that my friend built cost him about $5000.00, which was about the same size.

Q The same construction?

A The style was different but the construction was similar.

Q I suggest to you, you are confusing the issue. You are saying it cost him $5000.00 to build a house? A: Yes.

Q It cost Sir Henry Pellett of Toronto a million dollars to build himself Casa Loma, which the city later took for taxes. I suggest cost is of some limitation, in relation to fair market value. Do you know of any house of a similar type to your own that sold at that time for $3000.00 in a similar location?

A I can't recall of any. There were a number of

sales but I never bothered asking about the purchase price.

Q So yours is just an estimate, isn't it?

A Yes, an estimate.

Q This barn you said cost $500.00 in 1936?

A Yes.

Q How do you know it cost $500.00?

A That is a figure we arrived at, supplied by my brother and mother.

Q Why do you say "we" arrived? Who arrived at it? A: My older brother and mother.

Q When did they arrive at that figure?

A They were figuring out last year when we had to send in the reports.

Q You haven't anything as of that time to tell you what it cost? Probably it isn't worth going into.

THE COMMISSIONER: Q: That, too, is an estimate, I take it, Mr. Imada, is it?

A Yes, it is.

Q Made by yourself and your mother and your brother? A: Yes.

MR. HUNTER: Q: You put four to six tons of fertilizer into the soil each year. What type of fertilizer was it, Mr. Imada?

A Bone meal and fish meal. I don't know what they call it.

Q A chemical fertilizer? A: Yes.

Q Now, about this insurance, you say the main house

was insured for $2400.00, is that correct?

A Yes.

Q This $250.00 for these posts and wire, how many posts were in the barn?

A How many posts were used in that acreage, you mean to say?

Q How many posts were in the barn is the question I asked you?

THE COMMISSIONER: You misunderstood him. As I understood his answer, he was referring to posts in the hop field, is that not right?

MR. McLENNAN: That is my understanding, my lord.

MR. HUNTER: Q: I understood you to say a number hadn't been placed in the hop field but were in the barn. Did I misunderstand you?

A You misunderstood me.

Q They were all in the hop field, were they?

A Yes, it was the wire that was left in the barn.

Q How much wire was in the barn?

A Well, my mother can give me the figure on that.

THE COMMISSIONER: There is no claim for chattels there.

MR. McLENNAN: No, there is not, my lord.

MR. HUNTER: Q: The soil next door to you, I think you said was pretty poor?

A It was inferior as compared to our land.

Q Why was that? Was it on a different type height or level? A: There is lots of rocks. It was rocky soil.

Q Now we have been told by your mother that you had

sixteen and one-half acres. I notice here when it has been carefully measured by the D.L.A. appraiser, they find you have approximately fifteen and a half acres.

A I guess that is after so many feet are taken off for the road and the corners.

Q You are willing to concede then for the purposes of agriculture there may only be fifteen and one-half acres, are you? A: Yes.

Q And he gives certain acreages for crops. I wonder if I could verify those with you or would you have sufficient knowledge to verify those? Were you familiar enough with the crops to know whether these figures are correct?

A Yes. In some questions I may need help from mother.

Q When I say crops, I refer to plants. I know you sold the crops. He says 2.3 acres of new strawberries? A: Yes, I guess they are correct.

Q 2.17 acres of second year strawberries?

A Yes.

Q .22 acres, that is one-fifth of an acre, of potatoes? A: Yes.

Q .37 acres of raspberries, roughly one-third of an acre? A: Yes.

Q .59 acres of rhubarb? A: Yes.

MR. HUNTER: These will be filed later, my lord.

THE COMMISSIONER: Yes.

MR. HUNTER: Q: .42 acres fall rye? A: Yes.

Q .23 acres under asparagus?

THE COMMISSIONER: .23?

MR. HUNTER: Q: Yes. 5.70 acres of hops. Is that correct? A: Yes.

Q 1.13 acres fallow? A: Yes.

Q It says below weeds and thistles. Do you agree it is largely weeds and thistle?

A That must be alongside of the wide open ditch across the lot.

Q And 2.44 acres uncleared? A: Yes.

MR. HUNTER: My lord, I presume that he has claimed separately here for the hops' wire and posts. I presume they are the ones attached to the land. If so, that must be included in the realty, I should assume.

THE COMMISSIONER: I should think so.

MR. HUNTER: They are fixtures attached to the land.

THE COMMISSIONER: I do not think Mr. McLennan would contend to the contrary.

MR. HUNTER: Before he starts contending, I would like to raise the point about 200 shares of Maple Ridge Co-Operative Exchange. They are outside the terms of reference. If a claim is made, it will have to be filed by the Co-Operative and distributed through the Co-Operative to the individuals.

MR. McLENNAN: There is only this on the question of the shares, the Custodian has written that a winding up wouldtake place and we would hear further on the matter of the shares.

MR. HUNTER: For your information, the 200 shares for which he claims $200.00, there will be a distribution of $255.51 to the claimant. He will actually get more than he is claiming for. There is a letter from P.S. Ross & Son, the liquidators, stating there will be a distribution to Mr. Imada of $255.51.

MR. McLENNAN: I think any claim, apart from that, should come to the Co-Operative. I agree with that.

THE COMMISSIONER: I think it is quite clear that I am not authorized to pass upon any question of share values. That is outside of my jurisdiction.

MR. McLENNAN: Yes.

THE COMMISSIONER: So I think I should make a ruling now that the claim as made by Mrs. Imada for 200 shares of Maple Ridge Co-Operative Exchange is disallowed as being outside the terms of reference. This is a matter in which I have no power to act.

MR. McLENNAN: Quite, my lord.

MR. HUNTER: Then, my lord, I would like to submit that the hops' wire and posts are affixed to the land and are part of the real property and no separate claim can be made for them.

MR. McLENNAN: My lord, on that point it occurs to me it is immaterial. If the farm appraisal report took in as part of the value of the farm the hops' wire and the posts, then of course

it would come under that.

THE COMMISSIONER: As I understand it, Mr. Imada bases his claim of $7935.00 substantially on crops.

MR. McLENNAN: That is right.

THE COMMISSIONER: And his evidence in relation to hop wire, and so forth, goes no further than this, that the costs of putting that land in shape to grow hops by putting in posts and wire amount to a certain sum of money. He is not actually claiming as chattels the posts and wire.

MR. McLENNAN: The cost of putting the ground in shape for hops, my lord, I didn't understand included the cost of wire. I think he has excluded the cost of the posts and wire.

THE COMMISSIONER: Then I misunderstood him. You better clear it up.

MR. McLENNAN: It doesn't matter from the point of view of the claim whether it is considered as realty or personal property, as long as it is considered under one or the other.

THE COMMISSIONER: What does this $800.00 figure for hops crop five acres -- what does that include?

MR. McLENNAN: That included the crop and the plants that were there.

THE COMMISSIONER: The plants that were there.

MR. McLENNAN: Yes.

THE COMMISSIONER: And not the crop that was taken

off?

MR. McLENNAN: That is true, my lord.

THE COMMISSIONER: Does it exclude posts and wire?

MR. McLENNAN: I think it does.

THE COMMISSIONER: You better clarify it with the witness.

MR. McLENNAN: Q: Mr. Imada, you estimated five acres of hops to be in crop at the time of the evacuation, worth $800.00?

MR. HUNTER: Excuse me. I don't like to interrupt but I don't think he did value the crop at $800.00. I think it was the plants.

MR. McLENNAN: Q: Would you tell how the valuation was made up?

THE COMMISSIONER: Q: Mr. Imada, -- just one moment -- we have from you a figure of $800.00 relating to the hops. What did that sum include?

A The plants and the planting of the posts -- putting up posts and putting up wires. The wire isn't in value there.

Q It did include posts, wire, and plants as they stood in the ground?

A That is the labour time putting them in. The wire is worth $200.00. There is half unused in the barn which is gone.

MR. McLENNAN: Q: Mr. Imada, you have mentioned the cost of labour, putting the wire and posts in the ground? A: Yes.

Q Have you included im that the cost of the posts and wire themselves? A: No.

MR. McLENNAN: He has been drawing that distinction, my lord.

THE WITNESS: It is the plant cost.

THE COMMISSIONER: Mr. Hunter, just for my own information -- I know this evidence will go in later, but what is the appraisal report on this particular property?

MR. HUNTER: They have appraised for replacement value, my lord, $1800.00 for the house, $25.00 for the garage --

THE COMMISSIONER: What is the total?

MR. HUNTER: The total for the buildings at replacement value is $2225.00, my lord, which they have considered to have a market value of $1700.00. As far as the land is concerned, they have taken 13.13 acres of cultivated land at $100.00 per acre.

THE COMMISSIONER: That is market value?

MR. HUNTER: That is market value, my lord, and they have taken the balance, 2.44 acres uncleared as worth $10.00 per acre.

THE COMMISSIONER: $225.00, roughly.

MR. HUNTER: $244.00. The total for the land is $1338.20. That is the appraisal, which added to the market value they give for the buildings, gives them a total appraisal of $3038.20. That is the figure upon which they paid. That is they paid that figure, less approximately 2%.

THE COMMISSIONER: I knew counsel had this document

before him now and I thought it might be of some assistance to me, particularly since it wouldbe proved later.

MR. McLENNAN: Yes, but at the same time would your Lordship bear in mind we are going to contend very, very strongly that these appraisal reports aren't correct.

THE COMMISSIONER: Oh yes, I quite understand that.

MR. HUNTER: As soon as I get my third copies back from these appraisers who are at present reviewing these properties, I think I could possibly start filing a copy because they are having a fourth copy made, a photostatic copy.

THE COMMISSIONER: That is on the understanding they will be proved by the party appraising them at a later date.

MR. HUNTER: These appraisers are all alive, yes.

THE COMMISSIONER: We are through with Mr. Imada.

(Witness aside)

MR. McLENNAN: That is his claim, yes, my lord.

(Claimant's Case Concluded)

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

T. P. Horrobin

"T.P. Horrobin".

Official Reporter.

Case no 1 Kamloops Bl 8th Dec 1947

DEC - 2 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.

EXHIBIT No. 24
DATE 8 Dec 1947
FILED BY J. A. McLennan Kamloops

7142

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

(1) NAME IMADA (Print) Surname Ito (widow) Given Name (RCMP) Reg. No. 13673

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

(3) Present Address 133 Victoria St. Kamloops, B.C.

(4) REAL ESTATE

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

(b) Legal description (lot number, block number, section number, etc.)
Legal description of farm property.... N. W. ¼ sec. Twsp. 12, Lot 19, 20, 21.

(c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) ~~Residence~~ Type of business Mixed farming.
(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.) wife ~~wife~~ of sole owner.

(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) - $ 7935.00
(v) Amount at which Custodian sold property and credited your account - - $ 3004.46

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 4930.54

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
left on above premises

(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

(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") _____

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

1. 200 Maple Ridge Co-operative Exchange shares Estimated Value $ 200.00
2. _____ Estimated Value $ 250.00
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) - $ 5380.54

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

Kamloops, B. C.

(b) Do you require the services of an interpreter at the hearing? Yes or no ~~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 B.C.)
TO WIT:)

I, Ito Amada of the
of Kamloops 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 Kamloops)
in the Prov of B.C.)
this 17th day of Nov)
A.D. 1947.)

I Amada
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.

COPY

Form No. 44. Will Form. 4-47. Clarke & Stuart Co. Ltd., Law Printers and Stationers, Vancouver, B.C.

EXHIBIT NO. Case 1-1
DATE 8 Dec 1947
FILED BY J. A. McLennan

This is the Last Will and Testament

of me "Kaichi Imada" *of the* "Village" *of* "North Kamloops" *in the Province of British Columbia,* "Retired" *made this* "Eighteenth" *day of* "February" *in the year of our Lord one thousand nine hundred and* "forty-seven".

I Hereby Revoke *all former Wills and other Testamentary Dispositions by me at any time heretofore made, and declare this only to be and contain my last Will and Testament.*

I Direct *all my just debts, Funeral and Testamentary expenses to be paid and satisfied by my Executors hereinafter named as soon as conveniently may be after my demise.*

I give, devise and bequeath *all my Real and Personal Estate whatsoever and wheresoever in the manner following, that is to say:*

"All my real and personal estate to my wife
Ito Imada of North Kamloops, B. C."

All *the residue of my Estate, both real and personal, not herein before disposed of, I give, devise and bequeath unto*

And *I nominate, constitute and appoint* "my wife Ito Imada and my son Toshio Imada of Luce Lake, Cariboo, B.C."

to be Executors of this my last Will and Testament.

In Witness *whereof I have hereunto set my hand the day and year first above written.*

SIGNED, published and declared by the said "Kaichi Imada" *the Testator as and for his last Will and Testament in the presence of us who both present together at the same time in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses.*

"K. Imada"

Name "E.M. Stewart"

Address "Royal Inland Hospital, Kamloops, B.C."

Occupation "R.N."

Name "I.G. Smillie"

Address "Kamloops, B.C."

Occupation "M.D."

Dated "Feb. 18" 194 "7"

Will

—OF—

"Kaichi Imada"

Clarke & Stuart Co. Ltd., Law Printers and Stationers
Vancouver, B.C. Form No. 44

n

PROVINCE OF BRITISH COLUMBIA)
)
TO WIT:)

I, BERYL MURIEL ROBINSON, a Notary Public in and for the Province of British Columbia, by Royal Authority duly appointed, residing at the City of Vancouver, in the said Province, do hereby certify that the paper-writing hereto annexed and numbering 2 pages is a true copy of a document produced and shown to me from the custody of Ito Imada and Toshio Imada, the Executors of the Estate of Kaichi Imada, Deceased, and purporting to be the Original Letters Probate in the Estate of the said Kaichi Imada, Deceased, issued the 18th day of August, A.D. 1948, the said copy having been compared by me with the said original document, as act whereof being requested I have granted under my notarial form and seal of office to serve and avail as occasion shall or may require.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed my seal of office at Vancouver, British Columbia, this 28th day of August, A.D. 1948.

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

EXHIBIT No. 1-1
DATE 12 Oct. 1948
FILED BY
a. McKenzie

Vancouver
Aug. 18, 1948
Registry

Form A.

3 9 5 8 7

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN PROBATE

.....Vancouver.....Registry.

BE IT KNOWN that on the ..Eighteenth.....day of...August....., in the year of our Lord one thousand nine hundred and.forty-eight...,the last Will and Testament (a copy whereof is hereunto annexed).of KAICHI IMADA.....

.....

Late of the Village of North Kamloops in the Province of British Columbia.....deceased, who died at .....the said Village of North Kamloops.....

on or about the...24th...day of.....February....., 1947.... was exhibited, read, and proved before a Judge of the Supreme Court of British Columbia, and administration of all the estate which by law devolves to and vests in the personal representative of the said deceased was granted to Ito Imada, of the Village of North Kamloops and Toshio Imada of Luce Lake, both in the Province of British Columbia.....

the.....Executors in the said Will named,.....

.....

.....

Given under the Seal of the said Court, this 18th day of August, A. D. 1948.

"E. W. WELLS"

Dep. District Registrar.

Extracted by A. J. MacLennan, Esq.,
Solicitor

Estate sworn under.....$ 4,952.00

Probate Duty.....$.....

Succession Duty.....$.....

BCLS - $2.00

Seal of the Supreme Court of British Columbia, Vancouver Registry

THIS IS THE LAST WILL and TESTAMENT

of me Kaichi Imada of the village of North Kamloops in the Province of British Columbia, Retired, made this eighteenth day of February in the year of our Lord one thousand nine hundred and forty-seven

I HEREBY REVOKE all former Wills and other Testamentary Dispositions by me at any time heretofore made, and declare this only to be and contain my last Will and Testament.

I DIRECT all my just debts, Funeral and Testamentary expenses to be paid and satisfied by my Executors hereinafter named as soon as conveniently may be after my demise.

I GIVE, DEVISE and BEQUEATH all my Real and Personal Estate whatsoever and wheresoever in the manner following, that is to say:

All my real and personal estate to my wife Ito Imada of North Kamloops B.C.

ALL The residue of my Estate, both real and personal, not herein before disposed of, I give, devise and bequeath unto -

AND I nominate, constitute and appoint my wife Ito Imada and my son Toshio Imada of Luce Lake, Cariboo, B.C. to be Executors of this my last Will and Testament.

"GH"

IN WITNESS whereof I have hereunto set my hand the day and year first above written.

Seal of the Vancouver Registry of the Supreme Court of British Columbia

Vancouver Registry Aug. 18, 1948

SIGNED, published and declared by the said Kaichi Imada the Testator as and for his last Will and Testament in the presence of us who both present together at the same time in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses. "K.Imada"

Name "E.M.Stewart"
Address "Royal Inland Hospital, Kamloops,B.C.
Occupation "R.N."

Name "J.G.Smillie"
Address "Kamloops, B.C."
Occupation "M.D."

THE SUPREME COURT OF BRITISH COLUMBIA

VANCOUVER REGISTRY

IN THE MATTER OF THE ESTATE

OF

KAICHI IMADA, DECEASED

GRANT OF LETTERS OF PROBATE

AND

NOTARIAL COPY OF WILL

J. ARTHUR MacLENNAN, ESQ.,
Barrister & Solicitor
Vancouver, B.C.