Name of Claimant FUJINO, Iwajiro (5689) claiming as beneficiary of Case 518

Custodian File FUJINO, (Estate of) Kumekichi.
5573

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	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
					2047.						1309.92

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	
75.00	9.00	2.70						2.70

TOTAL RECOMMENDATION 1312.62

CASE NO: 518

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA, CHAPTER 99.

THE JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

Vancouver, B.C.,

October 4,1949.

IN THE MATTER OF THE CLAIM OF

IWAJIRO FUJINO

PROCEEDINGS AT HEARING

APPEARANCES:

D. T. B. BRAIDWOOD, Esq., and J. C. CAMPBELL, Esq.,	appearing for the Dominion Government.
R. J. McMASTER, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D. F. CHRISTIAN, Esq.,	OfficialReporter.

MR. BRAIDWOOD: This is an acreage proposition -- 27.26 acres.

DAVID WILLIAM STRACHAN, already sworn:

DIRECT EXAMINATION BY MR. BRAIDWOOD:

Q This is described as "Part 30 acres, being the north 15 chains by 20 chains of the west half of the northwest quarter of Section 20, Township 17."

A What quarter?

Q Section 20 in the northwest quarter.

A Yes. That would be in here (indicating).

MR. BRAIDWOOD: There is no legal description we could follow without a surveyor, my lord, so that will have to be as close as we can put it. It is 27.26 acres.

THE WITNESS: What number lot is it?

MR. BRAIDWOOD: Q: There isn't any lot number. It is the north 15 chains by 20 chains of the west half of the northwest quarter. It is between Wren and Sardis.

THE COMMISSIONER: Q: It lies between Wren and Sardis.

A Yes. How many chains?

MR. BRAIDWOOD: 30 acres, being the north 15 chains by 20 chains. A: Then I take it this is the property here (indicating).

Q Is that an acreage proposition?

A Oh, it is distinctly a farm property and it is very difficult just to spot that exactly. That might be level land or it might be hilly. It goes into the hills some place there, and it is very difficult to put a price on that.

MR. BRAIDWOOD: Has your lordship located that on the map?

THE COMMISSIONER: I know it in a general way.

MR. BRAIDWOOD: Q: And it is a considerable distance from the centre of Mission? A: Yes. It has only

got a farming value, and I don't know how much is good and how much is not.

THE COMMISSIONER: I think that is as much as we can expect from Mr. Strachan on that property. What I am concerned with is, would any of this so called farm property have a residential potential, and I take it in this case it did not.

A There is not much residential potential to it, out that far. Even this lot 475 is outside the residential district. It is in the farm land area only.

THE COMMISSIONER: Do you want to pursue that?

MR. McMASTER: I take it your lordship is only interested in the question of residential value.

THE COMMISSIONER: Yes. In all these Mission properties, I was concerned as to whether there was any possibility of there being other than an agricultural value.

MR. BRAIDWOOD: No doubt there are some persons now using it as farms, but they have a residential potential because a man can work in Mission and, if it is not too far, he can go back to his home.

THE WITNESS: These places, of course, are in greater demand by any one buying them. He would rather buy a mile out of Mission than three miles out, but the enhanced value is not very great when it comes to dollars and cents. Its value, by and large, is it is a farm value.

THECOMMISSIONER: I understand that.

MR. McMASTER: No questions, my lord.

THE COMMISSIONER: In this case, also, I decline to make

any recommendation over and above the overall. The evidence of Mr. Strachan just tends to confirm the conclusion I reached earlier.

I hereby certify the foregoing to be a true and accurate report of the said proceedings.

D. Christian

Deputy Official Stenographer

10

20

30

CASE NO. 518.

JAPANESE PROPERTY CLAIMS COMMISSION.

Lethbridge, Alberta,

August 2nd, 1948.

IN THE MATTER OF THE CLAIM OF

IWAJIRO FUJINO.

PROCEEDINGS AT HEARING.

Original.

CASE No. 518.

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 R.M. EDMANSON, SUB-COMMISSIONER).

Lethbridge, Alberta,

August 2nd, 1948.

IN THE MATTER OF THE CLAIM OF

IWAJIRO FUJINO.

PROCEEDINGS AT HEARING.

APPEARANCES:

G.E.A. RICE, Esq., K.C.,	appearing for the Dominion Government.
W.S. RUSSELL, Esq.,	appearing for the Claimant.

MISS LILLIE THOMAS,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

THE SECRETARY: Case No. 518, Iwajiro Fujimo.

MR. RUSSELL: Sir, preliminary to examining Mr. Iwajiro Fujino, he has requested that his claim as filed be amended as to the amounts claimed. The land was shown on the claim to be $1764.00. He has requested that that be amended to show $3500.00. The buildings were shown as $1500.00 and he wishes that raised to $2500.00.

THE SUB-COMMISSIONER: Well he can bring that out in the evidence then.

MR. RUSSELL: Yes, sir. I might also say, sir, that this gentleman is claiming as a beneficiary under a will. The will was administered by Mr. Straight, the official administrator in B.C., and the property was transmitted to him. And the land and property in question came under the will to Mr. Fujino.

THE SUB-COMMISSIONER: Well is he merely the beneficiary of the will or is he the legal representative?

MR. RUSSELL: He is simply the beneficiary.

THE SUB-COMMISSIONER: Strictly speaking I suppose the claim should have been filed in the name of the official administrator, what was his name?

MR. RUSSELL: Mr. Straight. We were not clear when the claim was filed as to what the legal situation was and as to whether any administration had taken place or whether the claim had gone along in that form.

THE SUB-COMMISSIONER: Well I think possibly we had

better make a note that the claimant should be this gentleman that you have referred to; what is his name?

MR. RUSSELL: Mr. J.M. Straight of New Westminster.

THE SUB-COMMISSIONER: . Mr. J.M. Straight?

MR. RUSSELL: Yes, sir.

THE SUB-COMMISSIONER: Well we can add his name along with this gentleman here who is the beneficiary.

MR. RUSSELL: Yes, I think that would be in order, sir.

IWAJIRO FUJINO, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q I am showing you here, Mr. Fujino, a form of summary of evidence. Is that your signature on that? A: Yes, sir.

Q And was that prepared on your instructions?

A Yes.

Q And are the contents of that correct?

A Yes, sir.

MR. RUSSELL: I file that, sir, as Exhibit 1.

(SUMMARY OF EVIDENCE MARKED EXHIBIT NO. 1).

THE SUB-COMMISSIONER: Is that the real property claim?

MR. RUSSELL: That is both of them. Incidentally, sir, I think Mr. Rice has on file a certified copy of Letters of Administration and the will annexed and that is on Mr. Rice's file if you need that. I don't think it will be necessary to file that.

THE SUB-COMMISSIONER: Are you willing to admit, Mr.

Rice, that Mr. J.M. Straight, is the legal repre-
s sentative?

MR. RICE: I have reason to believe, your Honour, that Mr. Straight was appointed, Jack M. Straight of New Westminster was appointed administrator of the estate with will annexed of Kumekichi Fujino.

THE SUB-COMMISSIONER: Yes, I see. So that there is no need of filing those documents.

MR. RICE: I don't think it will be necessary.

10 THE SUB-COMMISSIONER: That will cover it as far as you are concerned, Mr. Russell?

MR. RUSSELL: Yes, sir. Now, I would like to put in the Government appraisal which Mr. Rice has attached to his file.

THE SUB-COMMISSIONER: All right.

KK (FARM APPRAISAL REPORT MARKED EXHIBIT NO. 2).

MR. RUSSELL: There are some discrepancies in that appraisal and I will draw it to your Lordship's attention in a minute.

20 Q Now, Mr. Fujino, I will show you three photographs. This first one is a picture of a house and two people standing in front of it. Can you tell me what that picture is?

A It is a picture of a house and the flower garden growing in front.

Q Is that house on the land for which you are claiming? A: Yes, it is on the property.

Q And that house is listed in the claim?

30 A Yes.

THE SUB-COMMISSIONER: Now that is where he lived, his residence?

MR. RUSSELL: Yes.

THE SUB-COMMISSIONER: That will be Exhibit 3.

(PHOTOGRAPH MARKED EXHIBIT NO. 3).

MR. RUSSELL: Q: Here is another picture of a house a little closer; is that the same house?

A Yes, that is the same house.

Q And that is the house on the property in which Mr. Kumekichi Fujino lived?

A Yes.

THE SUB-COMMISSIONER: You can attach that to the other exhibit and make it one.

MR. RUSSELL: Yes, sir.

(PHOTOGRAPH MADE PART OF EXHIBIT NO. 3).

MR. RUSSELL: Q: Now there is a third picture here which shows several buildings; is that correct?

A Yes.

Q Can you identify those buildings? What is this building on the extreme left?

A That is the chicken house.

Q What are the dimensions of that chicken house?

A Forty feet by twenty feet.

Q And this next building, reading from left to right?

A That is the stable and that is the barn (indicating).

THE SUB-COMMISSIONER: Q: Chicken house and the barn?

A The barn and the stable.

Q The barn or stable, did you say?

MR. RUSSELL: Barn and stable, sir.

Q Is that the one that you show as 42 feet by what?

What were the dimensions of the barn?

A 50 x 20.

Q 15 x 20? A: 50 x 20.

Q 50 x 20? A: Y es, sir.

Q Reading from right to left there is a large building there; what is that?

A That is a dwelling house.

Q That is the same building that is shown in the other picture? A: Yes.

Q And to the left of that dwelling house again, what is that building?

A That is the bunkhouse and the woodshed close to it.

Q And in the foreground there appears to be fences?

A Yes, and a berry patch.

Q What sort of berries would those be?

A Those are raspberries.

THE SUB-COMMISSIONER: That will be Exhibit 4.

(PHOTOGRAPH MARKED EXHIBIT NO. 4).

MR. RUSSELL: Now, your Honour, this land was assessed I think in the year 1940 and subsequent thereto in 1942 at improvements $1764.00, and land $1500.00. I think probably my learned friend is prepared to admit that.

MR. RICE: No, I am not admitting anything.

THE SUB-COMMISSIONER: Any objection, Mr. Rice?

MR. RICE: I am not admitting anything. I have no assessment notices here.

THE SUB-COMMISSIONER: All right.

MR. RUSSELL: Q: I show you an assessment for the year 1940.

A Yes.

MR. RICE: Have you got the '42 assessment?

MR. RUSSELL: The last one we have is '40. I think you will find on your own files a tax notice, I believe, for 1942. Yours is just a little bit later but the figures are identical.

MR. RICE: Yes, there appears to be a statement on file of the corporation of the Municipality of Mission. It is a tax statement but it shows the land with improvements valued at $1764.00.

MR. RUSSELL: I think you are mistaken. There is $1500.00 for the land and the improvements are $1764.00.

MR. RICE: It says the land with the improvements, $1764.00, and the assessed value of improvements, 60% taxable, $1500.00. And I don't know what that means.

THE SUB-COMMISSIONER: 60% taxable?

MR. RICE: The whole thing is $1764.00 and 60% of it would be about $1500.00, and that is the way I take it.

THE SUB-COMMISSIONER: Yes.

MR. RUSSELL: I don't know how to interpret that document. I took it to be the land $1500.00 -- the land $1764.00 and the improvements $1500.00.

MR. RICE: Doesn't the farm appraisal report give you those figures? I guess not.

THE SUB-COMMISSIONER: In any event, the appraiser shows a value of $2000.00, I notice on here.

MR. RUSSELL: Yes, I noticed that, sir.

THE SUB-COMMISSIONER: So that is even better than the

claim that you filed.

MR. RICE: The claim that has been filed is far in excess of that amount, $9000.00.

MR. RUSSELL: Well we showed the value at $9000.00 and the claim is $6000.00.

THE SUB-COMMISSIONER: And your claim is filed as land $1764.00 where, as a matter of fact, on the basis of assessment the land is valued at $1500.00 for assessment purposes and $1764.00 is the total value.

MR. RUSSELL: Well, we are considerably in excess of that where we had $3264.00 shown as filed and amended upwards to $6000.00.

THE SUB-COMMISSIONER: And is that based on the assessed value?

MR. RUSSELL: The original claim was based on the assessed value, but it is actually far less than what he is actually claiming and what he substantiated in the proof of claim.

THE SUB-COMMISSIONER: I see; all right.

MR. RUSSELL:. Q: Now, Mr. Fujino, can you tell me what disposition was made of the land in 1942?

A It was leased to Mr. Steve Drosdovich for a period of ten months or twelve months for the sum of $600.00 covering the two parcels of property.

Q Two parcels? A: Yes.

THE SUB-COMMISSIONER: What is the name of that man?

MR. RUSSELL: Mr. S.A. D-r-o-s-d-o-v-i-t-c-h.

MR. RICE: I think the "t" is left out in the way I have it spelled.

MR. RUSSELL: D-r-o-s-d-o-v-i-c-h is the way we have it in some places, and in one place it was spelled "i-t-c-h".

MR. RICE: It doesn't matter, anyway.

MR. RUSSELL: Q: The lease, was it any longer than for one year?

A I am sure it was more than a year.

Q You say that he leased two parcels. Which two parcels are you referring to?

A One property was 27½ acres and another was 4½ acres.

Q So the total would be approximately 32 acres?

A 32 acres.

Q Now that land was as leased comprised the land that you are claiming for now and in addition 4.5 acres belonging to your brother; is that correct?

A Yes.

Q So that this $600.00 yearly rental was partly for 4.5 acres of your brother's and partly for 27.5 acres of your own, is that correct?

A Yes, that is right.

Q You are making a claim for the 27.5 acres now?

A Y es.

Q Was your brother's land improved to the same degree as the land for which you are claiming?

A Y es, it was about the same.

Q Anymore? A: No, it wasn't anymore; there was no buildings on it.

Q I see. All the buildings were on the 27.5 acres?

A Yes.

Q I see. Now you have listed in your proof of claim

a number of buildings which do not actually coincide in description with the buildings which were listed in the Government's appraisal, and in addition you list some buildings which were not listed at all in the Government appraisal; is that correct?

A Yes, I believe so.

Q I am going to just show you this. Your Honour, I might say that on the Government appraisal at the bottom they mentioned several buildings which they claim were valueless.

THE SUB-COMMISSIONER: Now you are speaking of the brother's land. Where does he come in on this?

MR. RUSSELL: The only thing, sir, the brother was a beneficiary under this will likewise and he has filed a separate claim through Mr. Brewin, I think in Toronto, but the entire two parcels were rented as one, you know, for $600.00, and I am simply endeavouring to show what proportion of the rental should be charged to Mr. Fujino here just to establish what income that land was capable of bringing in.

THE SUB-COMMISSIONER: I see. So that in the claim now being asserted by this claimant it has in no way any relation to the claim that the brother has filed in Ontario.

MR. RUSSELL: No, sir.

THE SUB-COMMISSIONER: All right; I see.

MR. RUSSELL: I wonder if I might have that Government appraisal for a minute, your Honour.

THE SUB-COMMISSIONER: Yes.

MR. RUSSELL: It might help to clear things.

Q Mr. Fujino, you will see the first item on the farm appraisal report is a frame house; that is the two storey dwelling mentioned in your proof of claim?

A Yes.

Q Now there is an extension of 24 x 16 which you list in your summary of evidence. I believe that is part of the house, is it not?

A Yes, I think it is part of the house.

Q And would that be the same as this lean-to which is listed?

A Yes, I believe the same.

Q Now in the farm appraisal report there is a storage room shown 18 x 24 feet. You show a bunkhouse 22 x 18 feet. Would that be the same building?

A Yes, it would be the same, I think.

Q The next two items in the farm appraisal report are henhouses and each of them is 20 x 20. Now is that the same item as this one chicken house 40 x 20 you show in your summary of evidence?

A Yes.

Q Now in addition here you appear to show a further chicken house 40 x 20 which doesn't appear on that farm appraisal report; is that correct? You see you show this 40 x 20 built in 1922 and that doesn't appear to be on this report at all, and this one here at the bottom is listed as 20 x 42; would that be the same building?

A Yes, it is.

Q Now in addition to those buildings which are described which are actually covered in each of the reports, you show in your summary of evidence rhubarb forcing hothouse, 40 x 20, which is not listed?

A Yes, it is not listed on the Custodian's papers.

Q And you show a woodshed, 16 x 20, that is not listed either? A: No.

Q And you show the barn, 50 x 20, which is not listed?

A No.

THE SUB-COMMISSIONER: So that the only difference between the two is the rhubarb forcing hothouse, the woodshed and the barn; is that right?

MR. RUSSELL: That is correct, sir.

THE SUB-COMMISSIONER: And those are not included in the Government appraisal form?

MR. RUSSELL: Yes.

Q Is that the barn which showed up in the third picture I showed you, Exhibit 4?

A Yes.

Q Those buildings were on the premises when you left?

A Yes, they were all on the one property, 27.5 acres.

Q On the property for which you are claiming?

A Yes.

Q By the way, in connection with Mr. Drosdovich, did Mr. Drosdovich move on to the premises for which you are claiming and occupy the buildings?

A Yes, he moved on to the property the day we were evacuated.

Q Did he move into the house?

A Yes, the whole family moved in in the morning, and we pulled out the same day.

Q Now you listed in your claim of personal property an item, a horse, for which you are claiming $75.00; is that correct?

A Yes.

Q When was the horse bought?

A It was bought in about '39.

Q 1939? A: Yes.

Q Do you know what price your father paid for that horse? Mr. K. Fujino is your father?

A Yes.

Q Do you know what price he paid for that horse?

A He paid $75.00 for it.

Q Was the horse fully broken?

A Yes, the horse was fully broken.

THE SUB-COMMISSIONER: Q: Pardon?

A It was fully broken.

Q Fully broken? A: Yes, broken in.

MR. RUSSELL: Q: It was a farm horse used for farm work?

A Yes, for general farm work.

Q How old was the horse when it was bought in 1939?

A Oh, it was about six years old.

Q About six? A: Yes, about six years old.

Q What was the condition of this horse's health?

A It was in good condition when we left.

Q Would you answer Mr. Rice, please.

CROSS-EXAMINATION BY MR. RICE:

Q You are a brother of Kumekichi ?

A I am not a brother; I am a son of Kumekichi Fujino.

Q You are a son? A: Yes.

Q And Eijiro is your brother, is that it?

A Yes, he is my brother.

Q Did your mother survive your father?

A No, she died before him.

Q She died before your father?

A Yes.

Q And were there any other children besides your brother and your self?

A Well I have two sisters in this country and another in Japan.

Q I notice by the terms of your father's will that no disposition was made of any personal property. He left one parcel of land to you and another parcel to your brother, but that is all that he disposed of by the terms of his will, is that right?

MR. RUSSELL: Your Honour, I think that is incorrect. He was the residuary beneficiary of the will. There was a specific bequest to brother Eijiro and he was the residuary beneficiary.

MR. RICE: Oh yes, I am wrong.

Q Now you say that the farm land was leased?

A Yes.

Q To Steve Drosdovich? A: Yes.

Q Your parcel and your brother's parcel?

A Yes.

Q Who made the lease? A: My father

signed the lease.

Q Your father signed it before his death?

A Yes.

Q And the lease included all land and chattels, livestock and farm implements?

A Yes.

Q And the lease ran for a period of ten months?

A Yes, I believe for ten months or possibly it was for a year.

Q It was made on the 15th of April, 1942?

A Yes, thereabouts.

Q And after the lease expired it was renewed for another year, or it was not renewed for a year, my instructions are that it was renewed until October 31st, 1943, the lease was extended to October, '43?

A Well my father didn't sign that.

Q Did you? A: No.

Q Did your brother? A: No.

Q Who did? A: It must have been the Custodian; they were in charge of it.

Q Drosdovich was in charge of it. You put him in charge or your father did?

A Yes, but he couldn't -- Mr. Drosdovich only had it for ten months.

THE SUB-COMMISSIONER: Q: When did your father die?

A He died in 1944, I believe.

MR. RICE: Q: On the 6th of March, 1944, is that right?

A Yes, I think it was the 6th of March.

Q My instructions are that the lease was renewed by your father until October, 1943, for $75.00?

A I don't remember. He was living with me after we evacuated in Alberta and I never have known of any correspondence relating to renewing it, and if anything, or have anything, we didn't have anything, or I didn't have or hear anything of my father renewing the lease.

Q You didn't know whether your father renewed it or not; is that it? A: I don't think he ever did. If he had of been connected with it, I should have known about it.

MR. RICE: I should perhaps just state the nature of the Crown defence, your Honour, by submitting that the land was sold for its fair value and further submitting that the chattel, the horse, was sold for its fair value, and if there was any depreciation in the value of the horse it was as a result of the claimant or the claimant's father having turned the horse over to someone other than the Custodian in which event the Custodian would not be responsible for the horse's condition until it actually came into his possession. The horse was leased along with the land in 1942 for a period of ten months, at least, and that is admitted, and we claim that it was further leased to the same man for a period extending to October 31st, 1943, the property and all at an additional rental of $75.00.

THE SUB-COMMISSIONER: Everything was sold, was it, both

the land and the chattels?

MR. RICE: The land was sold. The farm appraisal report is already in as an exhibit, and at the request of my friend I am submitting now the analysis of personal property claim which I will file as an exhibit, and that deals with the horse and that was sold at auction for $9.00.

(ANALYSIS OF PERSONAL PROPERTY CLAIM MARKED EXHIBIT NO. 5).

MR. RICE: Q: How old was this horse, did you say?

A Oh, it was nine years old when we left there.

Q Nine years old? A: Yes.

Q And what did it weigh?

A Oh, around 1500.

Q Did you ever have it weighed?

A No, but I guessed it.

Q You guessed it? A: Yes.

Q Did it have a spavin or was it blemished in any way or do you know?

A No, it wasn't; it was very sound.

Q When Drosdovich got through with it, was it sound, or do you know?

A I don't know.

Q You don't know what its condition was?

A No.

Q Well if it was sold at public auction, at a public auction sale, that price would be a fair idea of its value at what it would sell at, would it not?

A Yes, I believe it should.

Q Was the rhubarb house ever turned into a chicken

house by Drosdovich? A: No, it was always used for rhubarb.

Q When you were there? A: Yes.

Q But after you left you don't know what Drosdovich used it for? A: Oh, I wouldn't know.

Q And these sheds that you placed a high value on, most of them were made out of shakes, weren't they?

A Yes, the roof was made of shakes, cedar shakes.

Q And just sort of pulled together, like?

A No, the cedar shakes have some value, pretty good value; it was very good cedar with a straight grain.

Q How old were they?

A Oh, they weren't very old; the barn roof and the rhubarb roof and the woodshed roof were covered with cedar shakes and I believe they were no more than six or seven years old.

Q Six or seven years old? A: Yes, at the time we left.

Q And you don't know what the condition was at the time that Drosdovich got through with it?

A No, of course I wouldn't know.

Q All right.

MR. RUSSELL: That is all, sir.

THE SUB-COMMISSIONER: That is all, Mr. Fujino, thanks.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"S.R. HOWARD"

OFFICIAL REPORTER.

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

P. M. Edmanson

SUB-COMMISSIONER.

ACKNOWLEDGED File 5573 Case No. 518

NOV 21 1947

Lethbridge

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

1. **Name of Claimant in full:** IWAJIRO FUJINO on behalf of KUMEKICHI FUJINO, DECEASED

   Registration No. 13364

2. **Claimant's address at the time of his evacuation from the protected area:**
   Mission City, British Columbia.

3. **Claimant's present address:**
   Broder Canning Company, Lethbridge, Alberta.

4. **Claim relating to real property:**

   (a) **Street address of real property:**

   (b) **Legal description of property:**

   Pt. 30 acres, being North Fifteen (15) chains by Twenty (20) Chains of West Half of the North West Quarter of Section Twenty (20) Township Seventeen (17)

VIRTUE & RUSSELL, Barristers, Lethbridge.

NOV 21 1947

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

Approximately 27.5 acre Farm containing 6-room house, Bunk house 18' X 22', Barn, Woodshed, Hot House 20'X40' and two Chicken Houses 20' X 40'. Buildings valued at approximately $1500.00

(d) Title or interest held by Claimant in the real property:

Registered owner, Title clear

(e) Fair market value of real property at date of sale:

(I) Land— $ 1764.00

(II) Buildings— $ 1500.00

3500.00
2500.00
5,500.00
1,810.84
3,690.16

3244.00
1810.84
1,453.16

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

$ 1453.16

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

North 15 chains by 20 chains of West Half of the North West Quarter of Section 20, Township 17.

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

Left on farm

NOV 21 1947

(c) In whose care was property left by the Claimant at date of evacuation?

In the care of the Custodian

(d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

1 work horse

(e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

$75.00

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will not be required.

DATED this 31st day of October, A.D. 1947.

Marjorie E. Kennard
Witness to Signature of Claimant.

Iwajiro Fujino
Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

NOV 21 1947

STATUTORY DECLARATION

I, IWAJIRO FUJINO
(Full Name of Claimant)

of Lethbridge, Alberta, Labourer
(Present Address) *(Occupation)*

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.

2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.

3. The above Claim is true and correct.

4. I have not received any payment upon the above Claim other than the following:

Nil
~~Cheque for $1810.84 from the Custodian.~~

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at Lethbridge
in the Province of Alberta,
this 31st day of October
A.D. 1947.

J. H. Virtue

.....
A Commissioner for Oaths in and for the Province of Alberta.

Iwajiro Fujino

VIRTUE & RUSSELL, Barristers, Lethbridge.

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. 18

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: Iwajiro FUJINO on behalf of KUMEKICHI FUJINO, deceased.

2. Registration Number: 13364

3. Present Address: Broder Canning Co., LETHBRIDGE, Alberta.

4. Address Prior To Evacuation: Mission City, British Columbia.

EXHIBIT No. 518-1
DATE Aug 2/48
FILLED BY W.S. Russell

5. LEGAL DESCRIPTION OF PROPERTY: Parcel 1.

(If more than one parcel, list each separately, beginning as Parcel 1, Parcel 2, etc. with following particulars covering each parcel separately on individual sheets)

Pt. 30 acres, being North Fifteen (15) chains by Twenty Chains (20) of West Half of the North West Quarter of Section Twenty (20) Township Seventeen (17).

(a) Nearest Post Office adjacent to land. Mission City.

(b) Number of acres: 27.5

(c) When purchased: approx. 1902

(d) Condition when purchased: (Give improvements and values in detail as of date of purchase)

No buildings.

Land logged, uncleared, covered with stumps and bush.

(e) Purchase Price .....(approx.).....$ 275.00

6. IMPROVEMENTS:

(a)	Clearing 23 acres at $ 80.00 per acre	$	1,840.00	
(b)	Fencing on 3 sides	$	100.00	
(c)	Tillage	$		
(d)	Drainage 400' cedar covered drain	$	200.00	
(e)	Weed Eradication	$		
(f)	Planting ¾ acre strawberries..$ 75.00 2 acre loganberries.. 150.00	$	2,275.00	
(g)	2 acres hops..... 200.00 6 acres asparagus....1200.00	$		
(h)	1 acre grapes..... 150.00 Orchard(pear, plum,filbertetc.500.00	$		
	Total 2,275.00	$	4,415.00	$ 4,415.00
	Carried Forward	$		$ 4,690.00

Brought forward $4,690.00

(i) Buildings:

ITEM	SIZE	YEAR BUILT	MATERIAL COST	LABOR COST	COST (TOTAL)
			$	$	$
2 storey dwelling ...	21 x 26	1909	1200.00	500.00	1700.00
extension...	24 x 16	1916	500.00	250.00	750.00
Bunk house	22 x 18	1916	500.00	150.00	650.00
Chicken house	40 x 20	1921	300.00	75.00	375.00
chicken house	40 x 20	1922	300.00	75.00	375.00
Rhubarb forcing hot house	40 x 20	1931	170.00	50.00	220.00
woodshed	16 x 20	1934	50.00	15.00	65.00
Barn	50 x 20	1934	150.00	35.00	185.00

Total Cost of Buildings $4,320.00 $4,320.00

Total Cost of Land and All Improvements ..... $ 9,010.00

Fair Market Value ..... $ 6,000.00

Sold by Custodian for (net receipts to claimant) ..... $ 1,810.84
transferred to J.M. Straight, Official Administrator of Fujino Estate.) $ 4,189.16

Loss Claimed on Parcel 1 ..... $

8. Assessment for 1940: (1940)

Land ..... $ 1,764.00

Improvements .... $ 1,500.00

Total ..... $ 3,264.00

9. Appraisal or Valuation (by Custodian):

Lands	$ 1,385.00
Improvements	$ 700.00
Total	$ 2,085.00

10. Rental Value per Year: $ 500.00

11. Fire Insurance on Buildings:

(List amount on each building):

dwelling house	$ 1000.00	Claimant does not have policies now, and cannot remember name of Insurance Co.
Bunk House	$ 500.00	
	$	
	$	

12. Documents in Support:

(a) Photographs: of house.

(b) Deeds

(c) Agreements to Purchase

(d) Leases

(e) Insurance Policies

(f) Correspondence — Statement from Custodian which includes statement of net proceeds to Estate from sale of property.

(g)

(h)

Parcel 2:- (Add additional sheets if necessary)

(Give exactly the same information as in paragraphs 5 to 12 above)

13. SUMMARY OF LOSSES ON REAL PROPERTY:

Parcel 1	$ 4,189.16
Parcel 2	$
Parcel 3	$
Parcel 4	$
TOTAL:	$ 4,189.16

PERSONAL PROPERTY:

ITEM	YEAR PURCHASED	PRICE PAID	VALUE	REMARKS
one horse.	1940	$75.00	$ 75.00	

(ADD ADDITIONAL PAGE IF NECESSARY)

(IF CLAIM FOR VESSEL DESCRIBE ON SEPARATE SHEET NUMBERED 6 A)

PAYMENTS RECEIVED FROM CUSTODIAN ON PERSONAL PROPERTY

Item:	Year:	Month:	Amount.
one horse			nil

Total: $ nil

Total Claim for Personal Property ..... $ 75.00

Deduct Payments from Custodian ..... $ nil

Net Loss on Personal Property ..... $ 75.00

I Certify the above to be True and Correct.

Chas. A. Snider

Witness

Iwajiro Fujino

Signature of Claimant.

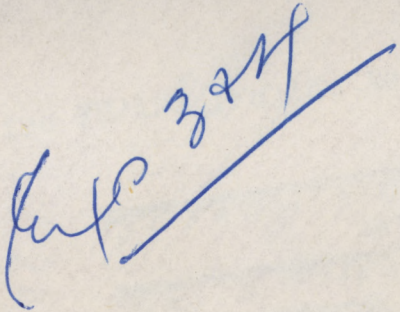
JAPANESE PROPERTY CLAIMS COMMISSION.

Claim No. 18 Reg. No. 13364

IWAJIRO FUJINO on behalf of
KUMEKICHI FUJINO, Deceased,

Claimant

Virtue & Russell
Barristers, Etc.,
Lethbridge, Alberta



POLICE MAGISTRATE



Iwajiro FUJINO (Fujino Est.)

EXHIBIT NO. 518-3

DATE Aug 2/48

FILLED BY W. J. Russell

D 20



Iwajiro FUJINO (Fujino Est.)

EXHIBIT No. 518 - 3

DATE Aug. 2/48

FILLED BY W.S. Russell



Iwajiro FUJINO (Fujino Est.)

176.

EXHIBIT NO. 518-4

DATE Aug 2/48

FILLED BY [illegible]

BC/640-P
BC-3043-A

BC/640-P
BC/3043-A

PAGE 1

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

Farm Appraisal Report

File No. 25-2. 31.

Land Description N.W. 20- Tp. 17. North west portion.

Containing 27.26acres. Acres

Owner's Name K. Fujino. Post Office Address Mission. B.C.

Nearest Rail Point Mission. Distance 2 miles.

Market Town Mission Distance 2 miles

Church (give denomination) Various at Mission. Distance 2 miles

Nearest School mission consolidated bus Distance 2 miles.

State how property was identified: map location, and neighbours.

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

good gravel highway on both east and west sides of theplace.

Is this district a good one? not especially, ther is some very dirty land nearby to the south and to the north heavy timber.

Employment opportunity seasonal only.

Predominating Nationality and religion: Various, quite a few foreighners near.

Describe Fencing and its condition: road allowances on the 2 sides only very poor, value $

Water supply: running stream that comes from a spring above the place to the north east, is piped into the house. also electric light. Value $

BUILDINGS ON FARM

5573

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	21 x 26	Frame	2sty	shing.	old	blocks	poor	
leanto	24 x 16	Frame	8	shing.	old	blocks	poor.	1000.00
oragesboom	18 x 24	Frame	8	shing.	old	none	poor	75.00
hen house BARN	20 x 20	Frame	7	shing.	old	blocks	poor.	25.00
hen house	20 x 20	Frame	7	shing,	old	blocks	poor	25.00
hen house BARN	20 x 42	Frame	7	shing.	old	blocks	poor	75.00
	x							
GRANARY	and some old sheds made of shakes have no value.							
	x							
	x						EXHIBIT	518-2
	x						DATE	Aug 2/48
	x						FILLED BY	E. R. A. Rice

Total present day value $ $1200.00

Total Value Buildings add to farm $ 700.00

Is dwelling habitable without repairs? No If not what is your approximate estimate of cost to make it habitable? The house is filthy dirty, needs some paint and paper inside, otherwise it can be lived in for a time yet, w thout a lot of expense.

$ 100.00

Describe the basement and chimneys: no basement but there are two brick chimneys on rackets, there is electric light, and the water piped into the kitchen

No. rooms downstairs? 4 Upstairs? 2 How finished V joint up and paint on V joint down

Are buildings painted? yes the house Condition of paint very poor, needs redoing

Distance from nearst bush two hundred yards.

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

Cultivated Land

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
15	rolling	6to 10 in loam	8to 10 in granular loam	3 ac. asparagus. 1½ strawberries ½ Rasps & log ns 2½ ac hops 8½ in grass	10@ 85.	850.00
					5 @ 65.	325.00

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	
3	rolling	6to 8 in loam	8" granular loam	clear light scrub	30.00	40.00	120.00
6	rolling	same	same	heavy bush	150.00	15.00	90.00

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
3	steep banks strip along the water course and roadway through with the building site		

Total value of Land $ 1385.00

Total added by buildings to value of farm $ 700.00

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

Total value of farm $ 2085.00

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
The place has be n occupied for a long time but not well h nded. there are considerable weeds, and the crop on the high ground is not thrifty.

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

This I believe can be worked up into a fairly good unit mixed fruit vegestables and poultyy, with the odd cow .

Noxious weeds:

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Mission Municapility Mission Taxes $69.26

Date: May 2nd 1942
Place: Abbotsford B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 11 day of May 1942

Inspector's Signature (Sgd.) "G.S.McKay"

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

Farm Appraisal Report

3/2

Remarks: Here we are looking at twenty seven acres in one block. There is the makings of a good farm here. The land on the west side and to the south of the buildings is especially productive, and at th present time it is in hops and grass. There is a running stream that comes into the place near the north east corner and runs through the yard at the buildings, it has been piped into the house and is the only means of supply. The high ground on the east side is inclined to be light and there is considerable couch grass in it. A high ridge runs through from noath to the south. The buildings are well situated on high ground, but they are not attractive . They are old. The house can be made into a fair home without a great deal of expense, but the other sheds and shacks are getting to a point where they will need renewing soon

The place is rented to a Hungarian this season . He is to pay 600 dollars for ten months as from the first of April. It is not easy to see where the money is to come from since the main crops on the property are asparagus and hops, and the latter are being handled by the Hass Hpp Co. of Chilliwack. The uncleared area is going to be costly to bring into production, but when the whole place is cropped a fairly deversified line of farming can be carried on, since there is enough ground for a few cows and some poultry. The present occupant is handling a number of hens now.

(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

$

$

$

$

$

$

$

$

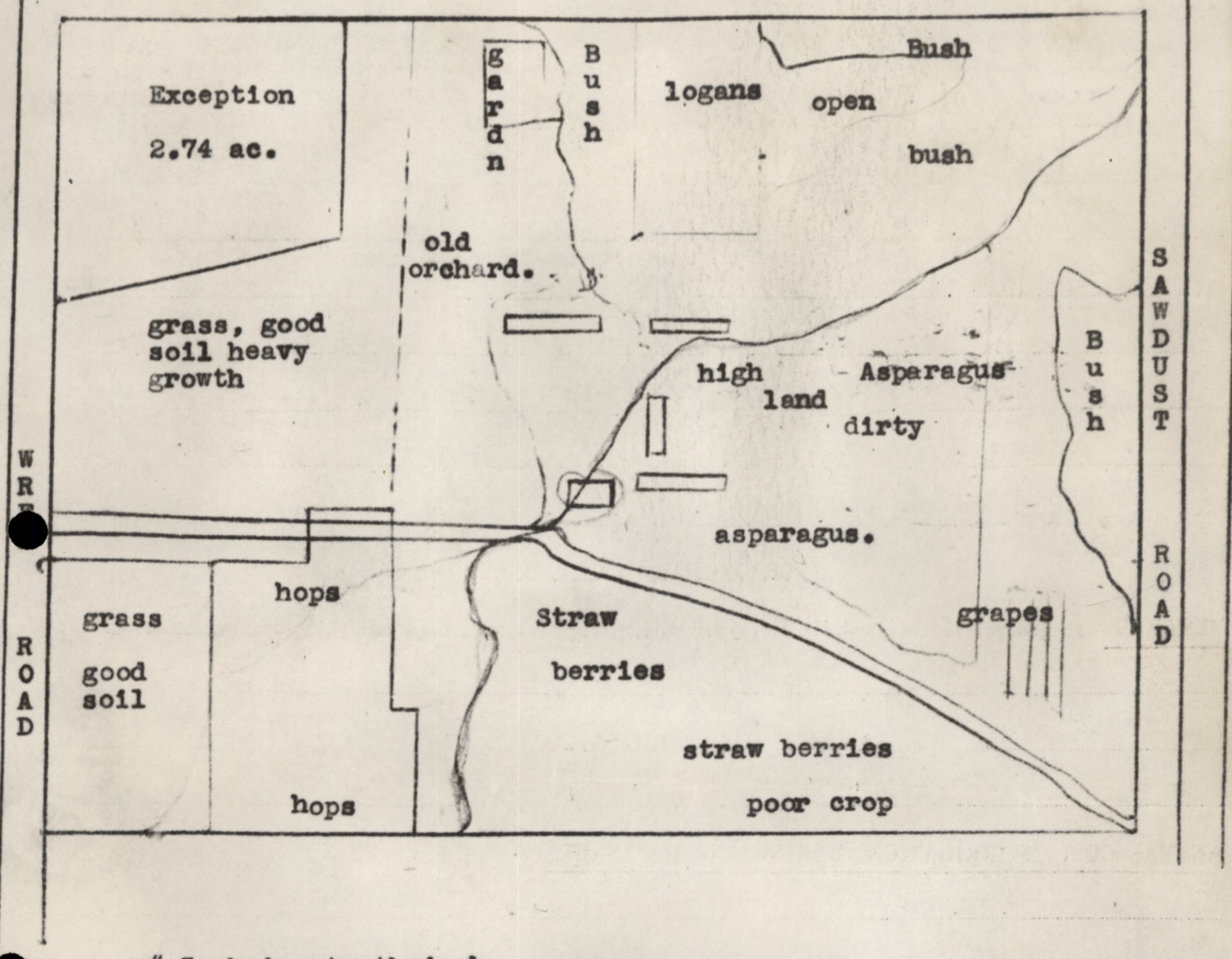
$

Total $

Amount fruit trees add to value of farm $

Diagram of Property

Folio 25/2 K. Fujino. N.W. 20-17 N.W. portion



3 chains to theinch.

Following careful review of this appraisal report, it is my opinion that the present value is $ 2000.

Date 23rd May 19 42.

"I.T. Barnet"

District Superintendent.

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 5573 EXHIBIT No. ____

NAME Iwajiro FUJINO, Claiming on behalf of the Estate of Kumekichi FUJINO (Dec'd.Mar.6/44 at Lethbridge,Alta)

REG. No. 13364

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
DECLARATION Apr.17/42	TAKEN BY			AUCTION	TENDER &c		
EVACUATION Apr.24/42	DATE						
"List of Farm Equipment and furniture given to Mr. Campbell, lawyer at Mission, B.C."		1 Work Horse	75.00	9.00			

The horse for which $75.00 is being claimed was sold at Auction for $9.00

No. 5573 EXHIBIT No. _____ CASE No. _____

No. 13364 VENUE LETHBRIDGE

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANY TIME	ABANDONED	NOT ACCOUNTED FOR THEFT &C	UNSOLD		REMARKS
ON	TENDER &c								
9.00									

JAPANESE PROPERTY CLAIMS COMMISSION
COURT HOUSE
VANCOUVER, B.C.

If not called for in
10 days return to 15 Victoria
Mansions, Lethbridge, Alberta.

LETHBRIDGE JUL 10 11 30 AM 1948 ALTA.



Mr. Iwajiro Fujino (Reg.No.13364)

Lethbridge, Alta.

RETURN TO JUL 26 1948 UNCLAIMED

A. General Delivery JUL 10 19 UNCLAIMED Lethbridge, Alta. 2

UNCLAIMED

NOT KNOWN

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta,
June 17, 1948.

Dear Sirs:- RE: FUJINO, Iwajiro
(Est. Kumekichi Fujino, decd)
Reg. No. 13364

Your letter of the 14th Instant, advising that the Counsel interested in the list is agreeing to the above case being heard on the 2nd of August, instead of the 10th of September, has been received.

Yours truly,

Secretary -
Japanese Property Claims
Sub-Commission (Lethbridge).

Japanese Property Claims Commission,
The Court House,
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta,
June 17, 1948.

Dear Sirs:- RE: FUJINO, Iwajiro
(Est. Kumekichi Fujino, decd)
Reg. No. 13364

Your letter of the 14th Instant, advising that the Counsel interested in the list is agreeing to the above case being heard on the 2nd of August, instead of the 10th of September, has been received.

Yours truly,

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

Japanese Property Claims Commission,
The Court House,
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta,
June 17, 1948.

Dear Mr. Howard:-

RE: FUJINO, Iwajiro
(Est. Kumekichi Fujino, decd)
Reg.No. 13364.

The above claim is on the list for hearing at Lethbridge on Friday, 10th September (see page 9, No.18).

Messrs. Virtue & Russell have been in correspondence with the Counsel interested in the list, and arrangements have been made for this case to be heard on Monday, 2nd of August, after the cases to be heard on that date have been dealt with.

I would be obliged if you would make a note of this on your list.

Yours truly,

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

S.R. Howard, Esq.,
Official Court Reporter,
The Court House,
LETHBRIDGE, ALBERTA.

COPY

June 11, 1948.

File No.3212.

Japanese Property Claims Commission,
Court House,
Vancouver, B.C.

Dear Sir:

Re LETHBRIDGE HEARINGS
Iwajiro FUJINO (Est.of
Kumekich FUJINO (dec'd)

We are acting as Counsel for Mr.Iwajiro FUJINO whose hearing is now scheduled for September 10th. Unfortunately Mr.Fujino is moving to Toronto, Ontario, during the third week in August, and would therefore be unable to present his claim on the scheduled date.

Mr.G.E.A.Rice K.C., who is acting as Government Counsel, has suggested that Mr.Fujino's claim be heard on Monday August 2nd, after the cases listed for that day have been dealt with, and this arrangement is satisfactory to Mr.Huckvale, who is Counsel for the other claimants who are to be heard on that day.

If this change is approved by the Commissioner, we would suggest that the Office of the Custodian be advised, so that they might have an opportunity of preparing the Fujino file, and forwarding it to Mr.Rice, so that he would have ample time to inspect it and turn it over to us for our subsequent examination.

Thanking you, we are,

Yours truly,

VIRTUE & RUSSELL

Per. Chas.G.Virtue

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

June 14th 1948.

Miss Lillie Thomas,
Secretary, Japanese Property Claims
Sub-Commission,
15 Victoria Mansions,
Lethbridge, Alta.

Dear Miss Thomas,

Re Iwajiro FUJINO (Est.of Kumekichi Fujino dec'd.) 18/

We enclose herewith copy of letter received this morning from Messrs.Virtue & Russell, regarding the hearing of the above claim.

As Counsel in Lethbridge appear to be in agreement, we presume the arrangement suggested can be carried out.

We understand from the Custodian's office that the Fujino file has been prepared, and we have furnished them with a copy of Virtue & Russell's letter.

Yours truly,

F. J. Wilson.

Enc.

VW.

June 14th 1948.

Miss Lillie Thomas,
Secretary, Japanese Property Claims
Sub-Commission,
15 Victoria Mansions,
Lethbridge, Alta.

Dear Miss Thomas,

Re Iwajiro FUJINO (Est.of
Kumekichi Fujino dec'd.)

We enclose herewith copy of letter received this morning from Messrs.Virtue & Russell, regarding the hearing of the above claim.

As Counsel in Lethbridge appear to be in agreement, we presume the arrangement suggested can be carried out.

We understand from the Custodian's office that the Fujino file has been prepared, and we have furnished them with a copy of Virtue & Russell's letter.

Yours truly,

Enc.

VW.