NAME
92 - TSUMURA Albert (Kamloops)

Name of Claimant

TSUMURA, Albert

92 Case.....

Custodian File

10156

							REAL	PROPE	RTY						
Greater V	ancouv	er	Rural	(exc	ept	V.L.	.A.)		V.L.A cept M Villag	ission	٧.	L.A. Vil		ssion ge	Total
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								140							125.0
						PEF	RSON	AL PROI	ERTY			1			
Motor Veh	icles						Boa	ts and	Boat	Gear					
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CASE NO: 92.

JAPANESE PROPERTY CLAIMS COMMISSION.

Kamloops, B.C., May 7th, 1948.

IN THE MATTER OF THE CLAIM OF

ALBERT TSUMURA.

PROCEEDINGS AT HEARING.

Original.

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

JAPANESE PROPERTY CLAIMS COMMISSION

BEFORE

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

Kamloops, B.C., May 7th, 1948.

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IN THE MATTER OF THE CLAIM OF ALBERT TSUMURA?

PROCEEDINGS AT HEARING.

20 APPEARANCES:

D. S. McTAVISH, Esq.,

appearing for the Dominion Government.

R. J. McMaster, Esq.,

appearing for the Claimant.

J. R. COLLEY, ESQ.,

Secretary to Kamleops Sub-Commission.

MRS. I. C. SMITH,

Official Interpreter.

MRS. M. TONKS,

Official Reporter.

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Albert Tsumura, In Chief.

MR. McMASTER: Case 92, number 125 on the original list.

> ALBERT TSUMURA, the Claimant herein, being first duly sworn, testified as follows:

MR. McMASTER:

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In this case Your Honour, it appears that the Custodian is entitled to a few more dollars on the sale of the real estate, than shown on the claim. The total value was \$450.00 and the Custodian sold it for \$140.00, leaving a net claim of \$310.00. I am informed with regard to the chattels that a car, a 1928 Ford coach, Model A, claimed in error on the father's claim is actually the property of the son and the father's claim coming on for hearing later on in this sitting, namely number 126 on the list, the claim for the car will be abandoned in that case and I would ask permission to amend by adding the 1928 Ford coach Model A to this claim. The Custodian sold - -

MR. McTAVISH: Your Honour, I must object, nothing on this shows - - I have only today's cases to go on. This claim is put on after the date that the claims are to be heard --

MR. MCMASTER: I submit that the Crown is not taken by surprise at all. They have had these files for sometime and are aware of the fact that the claim is on the father's claim form and therefore the Custodian must have furnished that information on the father's claim.

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A. Tsumura, In Chief.

THE COMMISSIONER: You will look it up Mr. McTavish?

MR. McTAVISH: I have only got the claims for today.

MR. McMASTER: I will see that my friend will have it.

I would suggest that this matter adjourn until

after lunch.

THE COMMISSIONER: Very well, we will adjourn until 2 PM.

(HEARING ADJOURNED UNTIL 2;00PM)

(HEARING RESUMED 2:00 PM, PURSUANT TO ADJOURNMENT).

With reference to the application this 10 MR. McMASTER: morning to amend the claim by adding to it the 1928 Ford coach which had originally been claimed on the father's claim, if your Honour pleases my learned friend and I have agreed that the application to amend should be adjourned until the father's claim comes on, at which time it can be decided whether it should be added to this claim or the father's claim amended to claim this sum which is not disclosed to Counsel. It appears there seems to be some information available to 20 Crown Counsel and we might suggest if your Honour pleases, it might stand.

THE COMMISSIONER: Yes, very good. What number is the father's claim?

MR. McMASTER: It is number 126 on the list.

THE COMMISSIONER: We are considering #125 now?

MR. McMASTER: Yes.

Q Witness, did you instruct Mr. Leckie to prepare this statement?

30 A Yes.

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A. Tsumura, In Chief.

And is it true to the best of your knowledge and recollection? A Yes.

I would ask to tile that statement MR. McMASTER: as the first exhibit.

(STATEMENT MARKED EXHIBIT NO. 1) I would ask to file on behalf of my learned friend the farm appraisal by the Soldier Settlement Board as the next exhibit.

> (FARM APPRAISAL REPORT MARKED EXHIBIT NO.2)

I am referring to Exhibit No. 1. This property 10 as appears on the Farm Appraisal Report is one and a half miles from Port Mann and is a five acre farm which was purchased about 1932 according to the statement, from a Mr. White for \$110.00. At that time it was all bush land and had no improvements on it. The Claimant states that he cleared about one acre in 1937 with hired labour and it had cost him approximately \$300.00. states that he put in about three hundred feet of drainage ditches with cedar covers in 1937, 20 with hired labour, which cost \$30.00. He hired someone to dig a well in 1937 at a cost of about \$25.00. It shows that he put up a small rough cottage on the property in 1937, at a cost of about \$60.00. The Claimant states that with regard to the Appraiser's report, this was quite a good agricultural district. Farms in the neighborhood were quite substantial acreage and developed as small fruit holdings. The soll on his place 30 was good for berry growing and that the Appraiser

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A. Tsumura. In Chief.

underestimates the clearing. The Claimant states that considering the cost to him and the improvements to the land, including the building, plus the value of the holding when all cheared and cultivated for growing small fruits, he believes it was worth at least the sum of \$450.00 when the Custodian sold it to the Veteran's Land Act.

MR. McTAVISH:

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It is submitted that the real property sold for a market value and I would ask my learned friend to admit the 1943 assessment, when the improvements were assessed at \$25.00 and the land at \$200.00.

Yes that appears to be correct. MR. McMASTER:

MR. McTAVISH: No questions, Your Honour. This is purely a question of value.

(Witness Aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Official Reporter.

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

Sub-Commissioner.

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The Cor Office of Royal B Vancouv

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CASE No. MAY 7 1948 JAN - 2 1948)

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses. ACKNOWLEDGED The Commissioner, Office of the Custodian, Royal Bank Bldg., Vancouver, B.C. Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim: 1511 MURA ALBERT (RCMP) Reg. No. 12616 t) Surname Given Name (2) Pre-Evacuation Address RR # 4 NEW WESTER B. (3) Present Address KAMLOOPS (4) REAL ESTATE (a) Street Address (if any) SURRGY (b) Legal description (lot number, block number, section number, etc.) 5-ACRES

SECTION 15 BLOCK-32 BLK N RANGE WEST. ON CLOW ROAD SURREY MUNICIPALITY Type of Real Property (cross out words which do not apply): (i) Farm Type of business. (ii) Residence (iii) Business (iv) Any other type of property (describe) (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.). 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) (v) Amount at which Custodian sold property and credited your account -(f) Loss (This figure is arrived at by deducting item (v) from item (iv) -(5) PERSONAL PROPERTY (a) Place or places at which property was left by the claimant at date of evacuation (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) (c) How stored or packed at time of evacuation (over) habitable?

Describe the basement and chimneys: Brick on bracket, no basement.

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(d)	In whose care was property left at date of evacuation by the claims of reference which exclude claims where the property was lost, the custody, control or management of any person other than the Custodian of the property. It involves some definite arrangement whereby you appointed was made the question should be answered "in no one's care")
	30
1.	Itemized description of personal property which is the subject of the claim:
. 2.	Estimated Value \$
3.	Estimated Value \$
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10.	Estimated Value \$
N.B and	B.—If you cannot list all the items here prepare a separate list with values set out opposite each item attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes 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)
	(Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.) (b) Do you require the services of an interpreter at the hearing? Yes or no
DOMINI	E.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to declarations. All lawyers are qualified to do so. ION OF CANADA.
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T /4	the T Tourses
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DO SOL	EMNLY DECLADE WILLIAM
and is of	belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it
of of	RED before me at the City }
this 30	th day of December
A.D. 1947 N.B. — T	A Commissioner C.
MAILED ROYAL I BEFORE	CHIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE BANK BLDG., VANCOUVER, B.O., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

The

REAL ESTATE TSUMURA (Farm Land) Cleared Date of Uncleared Cost Price From Whom Purchase Acres or cultivated Improvements Estimated Incleared Hae at date of at date of value at 1 ac Cultivated not planted Tul Purchase Purchase Mate of Sale Cultivated and not in crop are bush List Crops Straws - 1 al Total 1.44 IMPROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation plants, trees or special equipment) When Made Estimated Paid for Value of Finish Material Date Built Labour Depreciation Own Labour est age Comments re Appraiser's report not covered by above information: This was quite a good agricultural district Forms in neighborhough with quite subs berry growing - gleeleeve the valuation at 143 90 to at 14390 does nut represent Total present day ruine Total Value Buildings add to farm \$ 25.00

If not what is your approximate estimate of cost to make it

Is dwelling habitable without repairs? Yes

habitable?

Farm Appraisal Report

File No. J. L. 581

		***************************************				5.00 CHAIR	W. W. J.	Acres
Owner's Name	Albert Tsum	ura	Pos	t Office	Address	R.R.#3	New We	stminster.
								11 m.
								6 m.
								•••••••••••••••••••••••••••••••••••••••
Nearest School	Othe:	r denominat	ions r	easona	ble d	istances Di	• stance	1 m.
	te whether proper							
	arrow road					ioau anu its	Condition	
	a good one?			***************************************			one of	n make
				a wo	rkman	's livin	g.	
Describe Fenci	ng and its condit	ion: None					Value	\$
Water supply:	Well						Value	\$
		BUI	LDINGS	ON FARM	M			10156
BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
Shack	X 10x16x8 X	Fr. 7°	eave	shgl	7	wood	good	50.00
BARN	x							
BARN	×							
	x							
	×x							***************************************
	x							
	x				a			
No ligh	t nearer th	an g m.			Tot	al present	day value	\$ 50.00
Total Value Bu	ildings add to fa	arm						s 25.00
								cost to make it
naditabler			***************************************					
								\$
Distance from	nearest bush Ac	ijacent.		***************************************				

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

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	A	SOIL (State Dept)	h)	SOIL	QUALITY O		VALUE PER ACRE	TOTAL
*	.63 ac.	7-10" lt sdy. cl. loam	to	ravelly	Strawberr	ies - poor	50	31.50
	Area which can	be cultivat	ed without	t cost other	r than for break	ting.		
	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depti	h)	SUB- SOIL			VALUE PER ACRE	
							-	
-						,		
	Area which can stones, drainage LEVEL. UNDULATING, ROLLING OR HILLY	be cultivate, etc.	ed after a SUB- SOIL	NA NA	amount of clea	RECLAMATION COST PER ACRE		
.7	LEVEL. UNDULATING.	SOIL (State Depth)	SUB-	NA NA	TURE OF	RECLAMATION		87.40
7	LEVEL. UNDULATING. ROLLING OR HILLY Level	SOIL (State Depth)	SUB- SOIL	NA RECLAMAT	TURE OF	RECLAMATION COST PER ACRE	PER ACRE	87.40
7	LEVEL. UNDULATING. ROLLING OR HILLY Level	SOIL (State Depth) a.s. 8	SUB- SOIL	NA RECLAMAT	TURE OF	RECLAMATION COST PER ACRE	PER ACRE	87.40
37	LEVEL, UNDULATING, ROLLING OR HILLY Level 4.37 Area Unsuitable	SOIL (State Depth) a.s. 8	sub- soil bove ation.	NA RECLAMAT Light	TURE OF TION NECESSARY alder	RECLAMATION COST PER ACRE 125	PER ACRE	87.40
37	LEVEL, UNDULATING, ROLLING OR HILLY Level 4.37 Area Unsuitable	e, etc. SOIL (State Depth) as e for Cultive	sub- soil bove ation.	NA RECLAMAT Light	TURE OF TIMBER I	RECLAMATION COST PER ACRE 125	PER ACRE 20	87.40

Total value of Land \$118.90

Total added by buildings to value of farm \$ 25.00

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

Total value of farm \$ 143.90

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

Owner lives elsewhere. Small strawberry patch badly tended, balance bush. Soil is fair strawberry land.

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

Poultry and small fruit.

Noxious weeds: Canadian thistles.

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

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Surrey \$7.41

Date: July 14, 1942.
Place: Chilliwack, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 13thday of July, 19 42.

Inspector's Signature

"R. L. RAMSAY"

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

Farm Appraisal Report

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only building is a reaso	nably well built shack.

	os. No other cultivated land.
return for place, nothing	more. MacAulay who pys taxes
(FC	OR ORCHARD LANDS ONLY)
MARKS: re general lie of land, fer	tility of soil, irrigation, drainage or dyking and reclamation

NUAL COST OF IRRIGATION, DYKI	ING AND DRAINAGE.
NUAL COST OF IRRIGATION, DYK	
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	(Give number, age, variety and condition of all tree frui
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CHARDS, SMALL FRUIITS, ETC.	(Give number, age, variety and condition of all tree frui condition and area of each kind of small fruits.) Present Values \$
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CHARDS, SMALL FRUIITS, ETC.	(Give number, age, variety and condition of all tree fruicondition and area of each kind of small fruits.) Present Val \$ \$ \$ \$ \$

BC/575-P

Page 4

Diagram of Property

Albert TouriGRA

B1k. 32, Sec. 15-, B1k 5-N. R1. W. Map 1571.

2 chains - 1.2 nch.

The standarder of the standard of the standard

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

value is \$ 15'D

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District Superintendent.

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