

Name of Claimant NAKAMURA, Heihichi (Dec'd)

Case 711

Chosaburo

Custodian File 15607 & 6619

<u>REAL PROPERTY</u>										
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	80% of all Sale Prices		Sale Price	125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
		2750		.00 12.50						287.50
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION									287.50	

CASE NO. 711

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

10

Vancouver, B.C.,  
October 4, 1949.

IN THE MATTER OF THE CLAIM OF  
CHOSABURO HAKAMURA

PROCEEDINGS AT HEARING

20 APPEARANCES:

D. T. B. BRAIDWOOD, Esq., and J. C. CAMPBELL, Esq.,	appearing for the Dominion Government.
R. J. McMASTER, Esq.,	appearing for the Claimant.
<hr/>	
A. WATSON, Esq.,	Secretary.
D. F. CHRISTIAN, Esq.,	Official Reporter.
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D.W. Strachan,  
In Chief.  
Cross-Exam.

DAVID WILLIAM STRACHAN, already sworn:

DIRECT EXAMINATION BY MR. BRAIDWOOD:

Q This is in the southwest quarter of 20 again.

A That is farm area.

Q Yes, Lots 13 and 24.

A: Yes, here,

(indicating).

Q We found those by specific markings.

A Yes.

Q That is a farming area?

A: That is absolutely

10

farm land.

Q And it is not in the Village?

A It is not in the Village at all. I consider that is as good farm land as there is in that area, I would say.

CROSS-EXAMINATION BY MR. McMASTER:

Q Would you be able to give his lordship any estimate of the value of acreage in that area in 1943?

A Well, I would say that in the area it would be, without buildings, in the neighbourhood of \$150.00 an acre at that time. That is a strictly farm value.

20

Q And what would uncleared land in that area be worth at that time?

A: Well, it was all cleared. There isn't any uncleared land there.

THE COMMISSIONER: Yes, this land is all cleared.

MR. McMASTER: That's right, my lord, I am sorry.

Q With respect to assessments in the District of Mission, that is, outside the Village in the Municipality of Mission, would you say the same situation applied with regard to the relationship between market value

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D.W. Strachan,  
Cross-Exam.

and assessments as applied in the city?

A It is a different valuation, you know, and I am not in a position to say. I don't know what the assessed values are.

Q Have you any recollection as to whether market values were exceeding assessed values by 50%?

A No, I couldn't say that in regard to the municipality. I am not qualified to say.

Q It was the same assessor, wasn't it, for both?

10 A I believe it was. I believe the man is deceased now. There were two assessors, and I don't know which one-- there was Manson and Talbot. I think it was Talbot whose assessment was sustained.

Q But they assessed both the municipality and the village, the same person?

A I think the same person did it, yes.

20 THE COMMISSIONER: In view of Mr. Strachan's evidence, I can now deal with ~~this~~ this case. This land, with buildings, was sold at \$2,750.00 by the Official Administrator. Mr. Strachan would value the land at \$150.00 an acre, which gives a value of \$1500.00 for the land. I observe that the buildings were valued by the Claimant at \$2,000.00, the assessed value \$800.00, and on the basis of the sale price the buildings might be taken to be worth, in terms of Mr. Strachan's valuation, \$1250.00.

MR. McMASTER: My lord, I refer to the appraisal of F.S. Taylor with respect to this property, which indicates the buildings at \$1500.00.

30 THE COMMISSIONER: Has the appraisal been put in?

MR. BRAIDWOOD: I understood it was. My friend's remark is correct. The appraisal was \$1250.00 on the land and \$1500.00 on the building.

THE COMMISSIONER: That is right.

MR. BRAIDWOOD: I assumed we were talking about 1943. I would like the witness to express any opinion as to whether in 1945 the cleared land would be worth more than \$150.00 an acre.

THE WITNESS: Yes, it was definitely stiffening up.

10 MR. BRAIDWOOD: Q: Could you indicate to his lordship how much more than \$150.00 it would have been in 1945?

A I couldn't give a specific statement on that at all, because I didn't have any-- I don't recall selling any property in there at that time.

THE COMMISSIONER: Q: Would it be reasonable to expect farm land to rise very materially in that period?

A In 1945?

Q Yes. A: Between 1943 and 1945?

20 Q Yes. This sale was made on September 24th, 1945.

A In my opinion, it wouldn't be out of the way to value that cleared, good farming land at \$225.00.

MR. BRAIDWOOD: Your lordship, in coming to your decision on these matters--I would remind your lordship that my friend is hoping to adduce some evidence on Mission.

MR. McMASTER: That was subject to what my friend's evidence turned out to be.

30 THE COMMISSIONER: That would put a value of \$200.00 an acre; \$2,000.00 on this ten acres.

MR. BRAIDWOOD: I would like to submit that according to the witness's evidence, if a value of that nature is placed on this farm land, it practically equals what the witness was selling the city property for in the same period.

THE COMMISSIONER: That is argumentative. On that footing, the buildings were appraised at \$1500.00. Who was the appraiser here-- F.S.Taylor?

MR. BRAIDWOOD: Yes.

10 THE COMMISSIONER: AQ: Do you know Mr.F.S.Taylor at Mission?

A Yes.

Q Is he a man that has been engaged in real estate appraisals for some time?

A Yes, he is a man -- he is a real estate dealer there. He has never been a farmer, but he was an accountant and he went into the real estate business and has been there since before I was there, and he has quite long experience.

20 THE COMMISSIONER: This property was sold for \$2,750.00 by the Official Administrator. It lies in the Municipality of Mission, doesn't it, and would take 80%?

MR. BRAIDWOOD: No, my lord, it is only subject to 10%.

THE COMMISSIONER: Yes, that is right. Under the circumstances I don't feel inclined to increase this appraisal over and above the overall ruling.

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*I hereby certify the foregoing to be a true and accurate report of the said proceedings.*  
*D. C. Brant*  
 Deputy Official Stenographer

CASE NO. 711.

JAPANESE PROPERTY CLAIMS COMMISSION.

Lethbridge, Alberta,  
September 24th, 1948.

IN THE MATTER OF THE CLAIM OF  
CHOSABURO NAKAMURA.

PROCEEDINGS AT HEARING.

Original

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 L. H. STACK, SUB-COMMISSIONER).

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Lethbridge, Alberta,  
 September 24th, 1948.

IN THE MATTER OF THE CLAIM OF  
CHOSABURO NAKAMURA.

PROCEEDINGS AT HEARING.

20

APPEARANCES:

G.E.A. RICE, Esq., K.C.,

appearing for the  
 Dominion Government.

W.S. RUSSELL, Esq.,

appearing for the  
 Claimant.

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MISS LILLIE THOMAS,

Secretary.

MRS. LUCIE HANDFORD,

Official Interpreter.

S. R. HOWARD, Esq.,

Official Reporter.

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C. Nakamura,  
In Chief.

THE SECRETARY: Case No. 711, Chosaburo Nakamura.

MR. RUSSELL: I might point out, sir, that Mr.

Nakamura is claiming as a beneficiary of his father's estate and he advises that at the time of making the application he was not sure whether there were any other living beneficiaries or not. His mother and some of his brothers and sisters were in Japan. He has since learned that his mother is living, alive in Japan, and one of his brothers, and this claim will be made on their behalf as well as his own.

10

THE SUB-COMMISSIONER: Very well.

MR. RUSSELL: I might also say, sir, that this morning Mr. Nakamura received from the Official Administrator in B.C. on this claim an additional cheque of \$856.32.

MR. RICE: Who is the cheque payable to?

MR. RUSSELL: Payable to himself. There is a further change that will be required to be made both in the proof of claim and the summary of evidence. The real property is shown as Lot 13 and 14, Subdivision Southwest Quarter of Section 20, Township 17, Map 905. That is the way the land is described in the insurance policies, but we have since discovered that the proper description of the land involved in this estate is Lot 13 and 24, rather than 13 and 14.

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CHOSABURO NAKAMURA, the claimant herein,  
being first duly sworn, testified  
through the Interpreter as follows:

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DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Nakamura, I am showing you a document entitled

C. Nakamura,  
In Chief.

"summary of evidence in support of claim". You are familiar with this document? A: Yes.

Q It was prepared under your direction and with your assistance and from information supplied by you? A: Yes.

Q That is your signature at the end?

A Yes.

Q This is the document upon which you are basing your claim for recompense from the Commission?

10 A Yes.

Q And you believe the contents of this document to be true to the best of your knowledge, information and belief? A: Yes.

MR. RUSSELL: I will put that in as an exhibit.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. RUSSELL: Q: I am showing you a picture, Mr. Nakamura, can you tell me what that picture is of?

A That is 1918, I think.

Q Taken in 1918? A: Yes, taken in 1918.

20

Q And what is the building shown there?

A That is the front side.

Q The front side of what? A: This is the front side.

Q Of what?

THE SUB-COMMISSIONER: Well, is it a house, or a barn, or a shed?

A It is a house.

30 MR. RUSSELL: Q: Whose house? A: My house. My

C. Nakamura,  
In Chief.

father's house.

Q Is this the house upon which you are claiming?

A This one too.

Q You are claiming on that one? A: Yes.

Q In your summary of evidence? A: Yes.

Q You say this was taken in 19--? A: 1918.

Q 1918? A: Yes.

Q Is the house still in the same form?

A About two years before I was evacuated I had the  
10 basement put on a concrete foundation and made  
alterations to the shingles too.

Q But that is still recognizable as the house which  
you are claiming for, is it? A: Yes.

MR. RUSSELL: I will put that in as Exhibit 2.

(PHOTOGRAPH MARKED EXHIBIT No. 2).

MR. RUSSELL: Q: Did you have the house and buildings  
insured at all? Did you have the house insured?

A Yes.

Q How much was it insured for?

A \$800.00. I previously had \$1000.00 insurance on  
20 the house but the appraiser came and said that it  
is only insurable for \$800.00.

Q I see. Your Honour, there are on the Custodian's  
files the Letters of Administration of the father's  
estate appointing J. M. Streight of New Westminster  
as the administrator and there is an Order with  
the Custodian setting out the details and the bene-  
ficiaries and vesting the property in the Custodian.  
I hardly think it is necessary to put those on  
30 the file unless my learned friend feels it is

C. Nakamura,  
In Chief.  
Cross-Exam.

necessary.

MR. RICE: I don't feel it is necessary, but I think  
it would be necessary if there is any claim here.  
I am going to contend, your Honour, that the claim  
should be made by the administrator of this estate.  
All this claimant could have at the most would be  
a share in the estate. His claim is against the  
administrator. He admits that his mother and one  
brother are alive; apparently, he doesn't know, but  
there are other brothers and a sister.

10

THE SUB-COMMISSIONER: The administrator didn't make a  
claim?

MR. RUSSELL: No. It is the Official Administrator of  
the Province of British Columbia.

THE SUB-COMMISSIONER: I take it was made with the  
consent and approval of the Public Administrator.  
It is in this man's name. However, that is a matter  
that can be argued out later.

MR. RUSSELL: I don't think there is any necessity of  
cluttering up the record at this time.

20

THE SUB-COMMISSIONER: I do not think so.

MR. RUSSELL: That is all, sir.

MR. RICE: I am submitting, your Honour, that there is  
no claim here at all. It should be made by Mr.  
J. M. Streight, the Official Administrator, the  
administrator of the estate of Heihichi Nakamura,  
father of the claimant.

CROSS EXAMINATION BY MR. RICE:

30

Q When your father died, how many children were there?

C. Nakamura,  
Cross Exam.

A Five.

Q Five children?

A: Yes.

Q And your mother and all the children but you returned to Japan, did they? After your father's death?

A: Yes.

Q Yes.

10 MR. RICE: I further contend, your Honour, that the claim of the mother, which would be a third of the value of the estate, and the other four children have their share in the estate, and all their interest in the same would be confiscated as these people are Japanese nationals and had returned to Japan, and that money should be held in the hands of the Custodian until a treaty of peace has been signed and disposing of any property owned by Japanese nationals in this country.

Q In your summary of evidence that you have submitted here this morning, you swear that the value of this property is \$9200.00?

A: Yes.

20 Q That is right?

A: Yes.

Q On the 26th of November, 1947, you swore the value of the same was \$8000.00, is that right?

A Since that time I remembered several items that I had overlooked previously. There is a list on that document (indicating).

Q What items did you overlook?

A: It should be on that form, the claim form.

Q I see.

MR. RUSSELL: I think it is fairly clear from the examination of both the summary of evidence and the

C. Nakamura,  
Cross-Exam.

proof of claim where the difference arises.

MR. RICE: Well, it is very clear also that the claim has been stepped up from \$8000.00 to \$9200.00 in the space of about ten months.

I wish to tender as an exhibit, your Honour, an analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 3).

MR. RICE: Q: When you filed your original declaration you declared that this property was your own, did you not? A: Yes.

Q Your father died in February, 1926?

A Yes.

Q And he left no will? A: No, he died suddenly and there was no will made.

Q And a Mr. J. M. Streight, at your request, was appointed Official Administrator?

A Yes, I think so.

Q Well, he was appointed administrator at your request, was he not? A: No.

20 Q Didn't you ask the Custodian's office to appoint an administrator for you? A: Yes, I asked the Custodians to do so.

Q And he told you to pick your own lawyer and administer the estate yourself, did he not?

A No. I just heard from Streight that there were certain moneys due to me.

Q Did you discuss this matter with a member of the B. C. Security Commission here in Lethbridge?

A No, not particularly.

30 Q Do I understand you to say that you never requested

C. Nakamura,  
Cross Exam.

the Custodian to administer your father's estate?

A When I evacuated I was told to leave everything with the Custodian and, therefore, there was no reason for me to discuss any matters like that.

Q Did you ever write the Custodian to administer your father's estate? A: No.

Q You never did? A: No.

Q I show you a letter dated May 20th, 1943 (indicating); is that your signature to that letter?

10 MR. RUSSELL: Your Honour, I just want to take exception to that. I take it that letter is going to be used to contradict the testimony already given by the claimant, and I think if it is that the claimant should be warned of its contents in the usual way so that he knows what it is.

THE SUB-COMMISSIONER: Yes, I think that that would have been the proper procedure.

MR. RICE: He wouldn't know if it was his signature until the letter was shown to him and read. That has been  
20 the practice of nine out of ten that have been on this stand.

THE SUB-COMMISSIONER: Perhaps you had better ask him if that is his signature.

A Yes, it is his signature.

MR. RICE: Q: Interpret it to him first as it would be only fair that he should know the contents of it.

A Yes, I remember this letter.

Q That is your signature (indicating)?

A Yes.

30 Q And that is a letter that you wrote to the Custodian

C. Nakamura,  
Cross Exam.

on May 20th, 1943?

A: Yes.

Q It is your signature?

A: Yes.

MR. RICE: This letter, without reading it into the record, your Honour, I might say just gives particulars of the claimant's father's death and the property he had and the heirs that he left, really particulars regarding the estate.

(LETTER MARKED EXHIBIT NO. 4).

MR. RICE: Q: Well, then you did write the Custodian's office about your father's estate?

10

A Yes.

Q And didn't you request the Custodian to administer your father's estate and he asked you to do it?

A Yes, I did ask the Custodian.

Q And the Custodian advised you or suggested that you name your own lawyer to handle the matter for you, did he not?

A: I am not able to write in English myself, but I may have received a letter like that, but I am not quite clear about the matter.

20

MR. RICE: I am submitting, your Honour, that the property was sold at its fair market value.

The land was appraised at \$2750.00 by F. S. Taylor, of Mission, on September 8th, 1945, and sold at that price to Carl Petersen and Myrtle Bell Petersen on December 6th, 1945, after it was advertised for sale by tender. It was sold by the Official Administrator with the approval of the Custodian.

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MR. RUSSELL: Your Honour, I just want to point out for



C. Nakamura,  
Discussion.

the record that in December of '47 the Official Administrator was advised of this claim and it is made with his knowledge. Whether or not his approval was given, I am not sure, but, in any event, there is no question that the Official Administrator, Mr. Streight, did have knowledge of the claim, and I presume it would be the same as if made with his acquiescence.

10 I would also like to point out that at the time that the claim was made the claimant, Mr. Chosaburo Nakamura, had no knowledge of the other beneficiaries. He just recently established a contact with them and at the time the claim was made I believe he thought that he himself was the sole beneficiary.

Q Is that correct, Mr. Nakamura? A: Yes.

MR. RICE: Well, your Honour, the interest of this claimant in his father's estate would date as of his father's death in 1926, at which time, apparently, 20 this claimant inherited 2/15's. Now, there is nothing on the record to show that his claim has ever increased.

THE SUB-COMMISSIONER: That seems to be so.

MR. RICE: And all his claim could possibly today would be the 2/15's share of what loss might have been sustained by the Custodian handling this property, but the Custodian, as I say, did not handle it; it was the Official Administrator, Mr. Streight, that handled it under the direction of the Court.

30 THE SUB-COMMISSIONER: That is all, thanks.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify the foregoing transcript correct.

"S.R.Howard" Official Reporter *S.R. Howard*

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

*P.H. Stack* SUB-COMMISSIONER

ACKNOWLEDGED NOV 28 1947

Case - No. 711

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# 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: CHOSABURO NAKAMURA, as Beneficiary of the Estate of Heihichi Nakamura, deceased.

Registration No.

13629

2. Claimant's address at the time of his evacuation from the protected area:

R. R. 1, Mission City, B. C.

3. Claimant's present address:

Picture Butte, Alberta

4. Claim relating to real property:

(a) Street address of real property:

590 Hurd Road, Mission City, B. C.

(b) Legal description of property:

Municipality of Mission City, Lot 13 and ~~14~~, Subdivision SW $\frac{1}{4}$  of <sup>and 24</sup> Section Twenty (20) Township Seventeen (17), Map 905, containing 10 acres.

*See amendments  
later attached*

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

Farm Land, All Broken, 1 acres grape, 1 acre berries, 1 acre raspberries,  $2\frac{3}{4}$  acres strawberries, blue clover, and fruit trees.

- (d) Title or interest held by <sup>Deceased</sup> ~~Claimant~~ in the real property:  
Registered owner  
Title Clear

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

(I) Land—	\$ <del>6,000.</del> <sup>7,200</sup>	<del>\$6,000.</del> <sup>7,200.</sup>
(II) Buildings—		
House	\$1,000.	
Barn	500.	
Rhubarb House...	400.	
Pickers House...	100.	
	<u>\$2,000.</u>	<u>\$2,000.</u>
		<u>\$8,000.</u>
		<sup>9,200</sup>

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

\$ ~~8,000.~~ <sup>9,200.</sup>

5. Claims relating to personal property, etc.

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

Nil

- (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:

Nil

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

Nil

(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:

Nil

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

Nil

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

7. An Interpreter will ..... be required.

DATED this 26th day of <sup>November</sup>~~October~~, A.D. 1947.

*S. Kinnin*

Witness to Signature of Claimant.

*Chosaburo Gakamura*

Signature of Claimant.

STATUTORY DECLARATION

I, CHOSABURO NAKAMURA, as Beneficiary of the Estate of  
(Full Name of Claimant)  
HEIHICHI NAKAMURA, deceased.

of Picture Butte, Alberta Beet Laborer  
(Present Address) (Occupation)

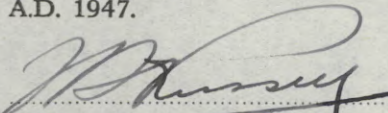
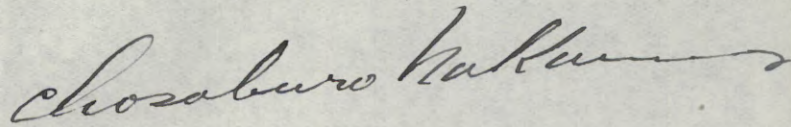
DO SOLEMNLY DECLARE:

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

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 26th day of November  
A.D. 1947.

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

VIRTUE & RUSSELL  
Barristers & Solicitors  
Lethbridge, Alberta.

STATUTORY DECLARATION

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 Chapted 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. 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:

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## Proof of Claim

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CLAIMANT: CHOSABURO NAKAMURA,  
as Beneficiary of the Estate of  
HEIHICHI NAKAMURA, deceased.

DECLARED at Lethbridge

in the Province of Alberta

this 20th day of November

A.D. 1947

A Commissioner for Oaths in and for  
the Province of Alberta

VIRTUE & RUSSELL  
Barristers & Solicitors,  
Lethbridge, Alberta.

VIRTUE & RUSSELL

BARRISTERS, SOLICITORS  
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, M. C. K. C.  
WILLIAM STAFFORD RUSSELL, B. A., LL. B.

December 23, 1947.

PLEASE REFER TO FILE NO. 3212

A. Watson, Esq.,  
Secretary to Japanese Commission,  
c/o Custodian,  
Royal Bank Building,  
Vancouver, B. C.

DEC 29 1947

6619

15607

RE: CHOSABURO NAKAMURA, as Beneficiary  
of the Estate of Heihichi Nakamura,  
Deceased. #13629

Dear Sir:-

We have been advised by Mr. Nakamura that certain amendments are necessary in the Claim which he filed with you, and we are therefore requesting that the following amendments be made in the claim to the Commission of the above mentioned:-

- 1) Paragraph 4(e) (I) After the word "Land", delete the figures \$6,000. and insert \$7,200.
- 2) Paragraph 4(f) In the third line delete the figure \$8,000. where it appears in the said line and substitute therefor the figure \$9,200.

Yours truly,

VIRTUE & RUSSELL

Per: 

WSR:mr

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. 73

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: CHOSABURO NAKAMURA

2. Registration Number: 13629

EXHIBIT NO. 711-1  
DATE Sept. 24/48  
FILED BY W. S. Russell

3. Present Address: PICTURE BUTTE, ALBERTA.

4. Address Prior To Evacuation: R. R. 1, MISSION CITY, B. C.



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)

Municipality of Mission City,  
 Lot 13 and ~~14~~, Subdivision SW $\frac{1}{4}$  <sup>24</sup>  
 of Section Twenty (20) Township  
 Seventeen (17), Map 905, con-  
 taining 10 acres.

- (a) Nearest Post Office adjacent to land. MISSION CITY.
- (b) Number of acres: 10 Acres.
- (c) When purchased: 1915
- (d) Condition when purchased: (Give improvements and values in detail as of date of purchase)

5 Acres cleared.  
 5 Acres of Bushland.  
 One Building, 16 x 24.

(e) Purchase Price .....\$ 5,000.00.

6. IMPROVEMENTS:

(a)	Clearing.....five.....acres at \$200.00.....per acre	\$ 1,000.00	
(b)	Fencing (around ten acres)	\$ 150.00	
(c)	Tillage (included in Planting)	\$	
(d)	Drainage	\$	
(e)	Weed Eradication (incl. in Planting)	\$	
(f)	Planting $\frac{1}{2}$ acre Grapes	\$ 75.00	\$ 1,050.00
	$\frac{1}{2}$ acre Loganberry	75.00	
(g)	$\frac{1}{2}$ acre Boysenberry	75.00	\$
	1 acre Rasperry	150.00	
(h)	2 $\frac{3}{4}$ a. Strawberries	550.00	\$
	4 $\frac{1}{4}$ a. clover	125.00	
	75 Fruit Trees	Total	\$ 2,200.00
			\$ 2,200.00
	Carried Forward	\$	\$ 7,200.00

Brought forward

\$ 7,200.00

(i) Buildings:

ITEM	SIZE	YEAR BUILT	MATERIAL COST	LABOR COST	COST (TOTAL)
Addition to Dwelling	18 x 24	1918	\$	\$	\$ 800.00
Barn	20 x 30	1919			500.00
Rhubarb House	20 x 36	1921			400.00
Pickers House	10 x 14	1941			100.00

Total Cost of Buildings \$1,800.00 1,800.00

Total Cost of Land and All Improvements ..... \$ 9,000.00

Fair Market Value *Land \$7,200 Bldgs. \$2,000.00* ~~\$ 8,000.00~~ *\$9,200.00*

Sold by Custodian for *\$2,750.00 Claimant rec'd* \$ Nil.

Loss Claimed on Parcel 1 ..... ~~\$ 8,000.00~~ *\$9,200.00*

8. Assessment for 1942:

Land ..... \$ 720.00  
 Improvements .... \$ 800.00  
 Total ..... \$ 1520.00

9. Appraisal or Valuation (by Custodian):

Lands .....	\$ 1,250.00
Improvements .....	\$ 1,500.00
Total	\$ <u>2,750.00</u>

10. Rental Value per Year: \$ 400.00

11. Fire Insurance on Buildings:

(List amount on each building):

..... Dwelling House .....	\$ 500.00
..... Barn .....	\$ 500.00
.....	\$
.....	\$

12. Documents in Support:

- (a) Photographs: ~~COMING IN.~~ - *of dwelling*
- (b) Deeds NONE.
- (c) Agreements to Purchase NONE.
- (d) Leases YES.
- (e) Insurance Policies TWO (BARN & DWELLING).
- (f) Correspondence FROM STREIGHT.
- (g) ASSESSMENT PAPERS.
- (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 .....	<del>\$ 8,000.00</del>
Parcel 2 .....	<del>\$ 17,000.00</del>
Parcel <b>3</b> .....	\$ 9,200.00
Parcel 4 .....	\$

TOTAL \$ 9,200.00

NO CLAIM IS BEING MADE FOR PERSONAL PROPERTY.

TOTAL:

~~\$ 8000.00~~  
~~\$ 17000.00~~  
\$ 9,000.00  
~~107,000.00~~

I CERTIFY THE ABOVE TO BE TRUE AND CORRECT.

Shas M. Vait

Witness.

Chosaburo Nakamura

Signature of Claimant.

EXHIBIT NO.

711-2

DATE

Sept. 24, 1918

FILED BY

W. J. Russell



ANALYSIS OF REAL PROPERTY CLAIM

File No. 15607

CLAIMANT: Chosaburo NAKAMURA, as Beneficiary of the ESTATE OF HEIHICHI NAKAMURA, Deceased.

LEGAL DESCRIPTION: Lots 13 & 24, of the S.W.  $\frac{1}{4}$  of Section 20, Township 17, Map 905, District of New Westminster. (shown as Lots 13 & 14 on the Claim)

DETAILS OF CLAIM: Land \$7,200.00  
Buildings:  
House \$1000.00  
Barn 500.00  
Rhubarb House 400.00  
Pickers House 100.00  
\$2000.00  
  
Total \$9,200.00

TITLE: Registered in the name of Heihichi NAKAMURA

ENCUMBRANCES: Custodian Vesting filed No. 25448

ASSESSED VALUE: Land \$720.00  
Improvements 800.00 Taxes \$31.20

ADVERTISED: by J. M. Streight, Official Administrator, August 22, 1945, in the Vancouver Daily Province and the Fraser Valley Record. (copies of advertisements on Claim File)

APPRAISED At the request of J. M. Streight, Official Administrator, September 8, 1945, by F. S. Taylor, Mission, at

Land \$1250.00  
Buildings 1500.00  

---

Total \$2750.00

(copy of appraisal on claim file)

TENDERS: September 24, 1945 - Carl Petersen (the tenant) \$2,750.00  
September 29, 1945 - Steve Terepocki \$2,750.00

SOLD: To Carl Petersen and Myrtle Belle Petersen (Joint Tenants) for \$2,750.00 as at December 6, 1945.

NOTE: Heihichi Nakamura died in February, 1926, intestate. Letters of Administration were granted to J. M. Streight, Official Administrator, New Westminster, on March 9, 1945.

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

Nov. 16/48

M. J. Stacey  
68.

71b - 4  
EXHIBIT No. \_\_\_\_\_  
DATE Sept. 24/48  
FILED BY G.E.A. Rice

Iron Spring, Alberta.  
May 20th, 1943.

Mr. R.P. Alexander,  
Manager,  
The Custodian's Office,  
Department of the Secretary of  
State of Canada,  
Vancouver, B.C.

Dear Sir;

Re-Heihichi Nakamura

In answering to yours of May 10th, I am forwarding to you my declarations as follows;-

1. My father Heihichi has bought the property in question from the person Mr. Gordon Percival Spencer.
2. The place of my father's death is at 500 Block Alexander Street, Vancouver, B.C. on the 2nd day of February 1926.
3. He has left no will.
4. He has declared to my mother and myself that I will be the heir and to look after my mother and brother thereafter.
5. I am not able to furnish any document indicating my father's intention of giving me the said property other than his declaration of heir which mentioned above.
6. My mother, brothers and sister left this country and now are all died. "?"
7. My correct name is Chosaburo.  
About six years ago we had to use H the middle name of Henry to avoid the complications to get mails and other important matters just because there were similar name among the member of business Associations.

As previously mentioned I as heir of this property, I have paid the balance outstanding on this property and interests, taxes and sent my brothers and mother back Japan as they wished.

Yours truly,

C. Nakamura

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

Nov.16/48

Makemall 16/48

File No. 15607EXHIBIT No 30 Sep. 1949

DATE.....

FILED BY D.T.Braidwood

Copy of Advertisement appearing in the Vancouver  
Province on 22nd August, 1945.

IN THE MATTER OF THE ESTATE OF  
HEIHICHI NAKAMURA, DECEASED

TENDERS for the purchase of the property of the above-named deceased, known as Block 14 of the South-west Quarter of Section 20, Township 17, Map 905, Municipality of Mission, will be received by the undersigned up to 5 o'clock on the 31st day of August, 1945.

TERMS: Cash. Sale subject to any existing tenancy.

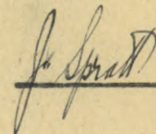
DATED at New Westminster, B.C. the 18th day of August, 1945.

J.M. STREIGHT,  
Official Administrator

405 Westminster Trust Bldg.,  
New Westminster, B. C.

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

April 18/50.

  
\_\_\_\_\_



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EXHIBIT No. \_\_\_\_\_  
DATE 30 Sep. 1949  
FILED BY D.T. Braidwood

H. Nakamura

This is an Exhibit of Farm Appraisal Report  
(JL 120) BC/259-P, covering the above property:  
S.W.  $\frac{1}{4}$  20-17- Blk 13-24, containing 10 acres, made  
by G.T. McKay, May 6/42.

I hereby certify that the above statement  
is correct.

April 18/50

J. Spratt

Mr. Nakamura

Chosaburo Nakamura

NOTE: "Addition to dwelling" behind house  
and can't be seen here.

*CSW*

EXHIBIT NO.

711-2

DATE

Sept 24/48

FILED BY

W S Russell