NAME Japanese Property Claims Commission | NO. 55908 Vol III

CLEMENT CONSULTING SERVICES LTD.

REGISTERED AGROLOGISTS

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VANCOUVER, B.C.

January 7, 1949.

REPORT

In accordance with instructions received from Messrs. Campbell, Brazier, Fisher & McMaster in the summer of 1948, we have conducted a survey of certain properties in the Fraser Valley. These properties are farm holdings appraised by the Soldier Settlement Board, formerly the property of Japanese persons. This report is based on certain documents supplied by Messrs. Campbell, Brazier, Fisher and McMaster which are purported to be photostatic copies of Soldier Settlement Board Farm Appraisal Reports on the said properties. We received a total of 351 of these photostats refering to properties in the Municipalities of Mission, Maple Ridge, Surrey, Matsqui and Pitt Meadows. We were instructed to examine and make a survey of these properties according to their description on the Soldier Settlement Board Reports with a view to determining their agricultural value of the respective dates on those reports.

The whole task has been difficult in that six years have gone by since the properties were appraised and considerable change has taken place in some of them. Amongst other things we noted are that some acreages shown on the Photostats as planted in small fruits or other crops are now being used for different purposes and different crops. A good many of the holdings have so changed that it is nearly impossible to recognize them from physical appearances and legal descriptions must be used. To the best of our knowledge we received all of the Appraisal Photostats which appeared to describe properties in use as agricultural units. In all cases we have relied upon the description of the properties in the Photostats as to their condition and the extent of cultivation on the day of appraisal by the Soldier Settlement Board. For the purpose of this survey we selected properties with respect to which we were able to obtain figures relating to production of small fruits in the years immediately preceeding 1942. From our examination of the Photostats, all of which we examined, we are satisfied that the properties dealt with herein fairly represent those holdings which were in 1942 operated primarily as small fruit farms or small mixed farms.

We have used two independent methods of arriving at the agricultural value of the holdings:

1. By direct appraisals made by F. M. Clement.
2. By application of the conclusions of statistical surveys on small fruits and poultry farms conducted by the University of British Columbia.

.... 2.

In his direct appraisal Mr. F. M. Clement made use of and considered all readily available information. Each property listed in schedules to this report was carefully inspected and checked with the Soldier Settlement Board Farm Appraisal Report. In some cases soil borings were taken to examine soil conditions, buildings were checked for dimensions, surrounding property was viewed, water, electrical and road conditions were checked. Where two or three properties were close together tax ratings were compared and considered. Due allowance was made for cropping methods and existent plantings as shown on the Photostats.

The statistical calculations applied are those contained in two publications of the University of British Columbia Exhibit 1, "An Economic Study of the Small Fruits Industry in British Columbia", and Exhibit 2, the summary sheet yields data on the relationship of capital investment and receipts for small fruit and mixed farms. It will be seen from the summary sheet that on 78 farms in the Fraser Valley an average investment of $5,650 exists on which an average return of $3,883 is received annually from the sale of small fruits. Other receipts "from other sources" bring the gross receipt to $5,044 on the average. Comparison of these figures shows that the relationship of Capital Investment to Small Fruits Receipts is as 1.4 is to 1 and that the relationship of Capital Investment to Gross Receipts is as 1.1 is to 1. In other words if the receipts on a small fruit farm are known the use of the proper conversion factor 1.1 or 1.4, whichever is applicable, will indicate the warranted capital investment from an agricultural point of view.

In some cases small fruits may be the only source of income on a property; the small fruit receipts then represent the gross income and the conversion factor 1.1 is applicable.

Exhibit #3, "Some Factors that Influence Poultry Farm Incomes" yields certain facts in connection with the operation of Poultry Farms. In Table IX on Page 15 appears the fact that an average investment of $2.05 is needed per bird for buildings. Note - Page 9, that "buildings" do not include the operators residence. Because of the somewhat inferior construction of the typical Japanese poultry house we have reduced this figure by approximately one-quarter to $1.55. The investment in dollars for housing poultry is therefore considered to be $1.55 multiplied by the number of birds that can be housed. We have used the well known rule that approximately four (4) square feet per bird is required for adequate housing facilities.

Where mixed usage of land occurs and we have been able to locate small fruit marketing figures we have determined the worth of a holding to be the small fruit receipts multiplied by 1.1 plus the worth of the poultry investment.

In determining the volume of production from the various properties we have used the following sources of information:

1. Mr. L. R. Wilson, Managing Director of the Fraser Valley Growers Ltd., Mission, B. C. Ledger records were made available indicating the dollar value of crop marketings through the organization for the years immediately preceeding 1942.

2. Mr. R. C. Lucas, Manager of the Pacific Co-Operative Union at Mission. Calculation figures were taken from the Share and Sinking Fund Register of P.C.U. contract members. This register contains records dating back to 1937 and yields figures which represent 3% of the gross dollar credit due each member for sinking fund and share issue purposes in each year. From this 3% figure a simple calculation yields the amount of money owing to the member for crop marketings.

3. The Custodian of Enemy Alien Property made available to us ledger records for 1939, 1940, and 1941 of the Maple Ridge Co-Operative Produce Exchange (Growers' Ledger Sheets.).

4. The "Growers' Statements" ledgers of the Surrey Berry Growers Co-Operative Association for 1939 and 1941 were made available by the Secretary of the Association. These ledgers contain records of purchases and sales by the various Japanese therein listed. The sheets of each member were carefully examined and the records of produce sales picked out. In one or two cases Japanese symbols and characters were uninterpretable. In no instance was there an entry of sufficient size to effect the figures obtained. Where the spelling of the members names in these ledgers did not correspond with the spelling on the appraisal photostats we excluded production figures appearing for them.

The calculation figures used were determined as follows:

1. From the Pacific Co-Operative Union, the average of the three years 1939, 1940 and 1941.

2. The Maple Ridge Growers Co-Operative, average taken for the three years 1939, 1940 and 1941.

3. From the Surrey Berry Growers Exchange the years 1939 and 1941 only were available. Reference to Exhibit 1, Table X (4), Page 20, indicates that the dollar value of crop marketings in the year 1939 was $873,081; 1940 was $744,246 and in 1941 was $930,099. We have estimated the production for 1940 as follows:

..... 4.

The total production of 1940 is determined to be 85.2% of 1939 and 80.0% of 1941. The known production figures for 1939 were reduced to 85.2% and the known production figures for 1941 were reduced to 80.0%. An average of the results of these last two calculations is estimated to be the production for 1940. Figures for the three years were then averaged.

We are indebted to Mr. R. D. Grant of the Soldier Settlement and Veterans Land Act Board for his kind assistance in helping us with the geographic location of some of the properties.

The tables attached hereto indicate our findings in each district.

MISSION MUNICIPALITY

There were fifteen properties in the Mission Municipality on which we were able to obtain production data. Of these T. Moriyama operated three pieces, K. Tatabe used two, and a father and son combination of S. & T. Sato marketed under the one name S. Sato.

With reference to Table 1. Columns numbered 9 and 10 indicate the calculated value from the application of the 1.4 and 1.1 factors. If we assume that the growers' sales through his Co-Operative were his total returns then we must accept the figures in Column 10. If we assume that Japanese growers sold as much other produce (i.e. not through the Co-Operative) as white farmser sold then the figures of Column 9 must be accepted as representing the agricultural value of the properties.

Column 9 is possibley a rather optimistic capitalized worth in that it is the highest value which could be assigned. On the other hand Column 10 represents a rather conservative valuation because it excludes the possibility of sales of other products.

Attention is called to the total of Column 4, the Direct Valuation and Column 10.

MAPLE RIDGE MUNICIPALITY

Marketing records were obtained for thirteen of the properties examined in Maple Ridge.

The holdings in this area were largely small fruit and poultry farms. Hogs and hops were also grown. Table No. 2 shows the adjustments made for special conditions on certain properties.

In calculating the capitalized value we have used the 1.1 factor where no products other than small fruits appear to have been marketed, and the 1.4 factor where from the appraisal photostat there was reason to believe that a volume of other products were sold. In these samples the Calculated Value, Column 8, is slightly under the Direct Valuation, Column 3.

..... 5.

SURREY MUNICIPALITY

Of the properties examined in this area we were able to obtain figures relating to production on ten of the properties.

Table No. 3 summarizes the findings in this municipality. The conversion factor 1.1 was used except in two cases. The ledgers indicated that H. Tsukishima (574-P) and G. Ikeda (526-P) both sold an appreciable quantity of vegetables and therefore the 1.4 factor was applied. Due allowance for poultry investments was made to S. Yasui (573-P) and S. Sano (470-P).

Column 8, the calculated value, represents a rather optimistic valuation in view of the conditions described in the Photostats on the day of appraisal.

MATSQUI MUNICIPALITY

Of the properties examined in this area we were able to obtain figures relating to production on five only in the ledger of the Pacific Co-Operative Union at Mission. One owner G. Noda (384-P) operated two of the holdings.

In the total group of farms examined there was no indication of any vegetable growing and on only one holding did we see a chicken house, that for only sixty birds. We therefore classed this group as "small fruit farms" and with respect to the sample, assume that the receipts from berry marketing at the P.C.U. represented the total return of monies to the producer. The 1.1 factor was therefore applied.

Table No. 4 summarizes our findings in this municipality.

PITT MEADOWS MUNICIPALITY

In Pitt Meadows we had considerable difficulty in physically locating some of the properties. We were able to identify production figures with properties in only three cases and in two of these small fruit production was carried on in connection with greenhouse operation. Statistical information on capitalized values is to our knowledge not available in relation to greenhouses.

GENERAL

Direct valuations were made on a number of other sample properties with respect to which inadequate or no production figures were obtained. These are set forth in Table No. 6.

With respect to the Farm Appraisal Report Photostats --

1. In very few cases was there any allowance made for trees, bushes or bearing plants. An acre of land has an agricultural value itself, but it is worth considerably more when it is planted to a producing crop. We have

tried to make allowance for the worth of plantings in the condition described on the Photostats.

2. A very striking feature of the Photostats was their consistency within any given area. In the Mission area, for example, cleared land was for the most part assigned a value of $60.00 per acre and varied from that figure with differences in quality, condition, etc.

The same general condition of consistency prevails in the Surrey Municipality where values of $50.00 to $70.00 were assigned per acre cleared with variations for quality and conditions.

In the Maple Ridge District values of $90.00 and $100.00 per acre cleared were assigned in the same consistent manner.

CONCLUSION

We consider from our survey outlined above that the sampling which we have taken represents a fair sampling of the small fruit and mixed farm units formerly the property of Japanese persons and appraised by the Soldier Settlement Board in 1942. We conclude on the basis thereof that the agricultural value of these properties at the time of appraisal by the Soldier Settlement Board lies between 182% and 184% of the value placed thereon. (Table 5).

With reference to Table 6 in which are listed the direct appraisals (properties on which we were unable to locate production figures). The agricultural value of these parcels exceeds the Soldier Settlement Board Appraisers value by 79.6% which is within approximately 3½% of the values obtained by the application of statistics and direct examination.

TABLE 1 — MISSION MUNICIPALITY

NAME	1 NO.	2 ACRES	3 BOARD VALUE	4 CLEMENT DIRECT VALUE	5 6 7 GROSS PRODUCTION FROM CO-OP FIGURES 1939 1940 1941	8 $ AVERAGE 3 YEARS	9 VALUE ON PRODUCTION 1.4	10 VALUE ON SMALL FRUITS 1.1	
S. Sato	324P	4	130	400	1138 1447 1569	1385	1939	1524	* 1
T. Sato	281P	9.7	715	1800	— — —	--	—	—	
T. Moriyama	737P	6.12	890	2450	1371 1010 5887	2729	3820	3002	* 2
" "	737P	1.37	79	—	— — —	--	—	—	
" "	257P	7.5	500	—	— — —	--	—	—	
K. Ogawa	263P	10	970	1600	899 1927 3402	2076	2906	2284	
K. Tatabe	296P	8.5	760	1600)	3078 1755 5078	3303	4624	3633	* 3
" "	295P	10	1100	2650)					
K. Hayashi	232P	18.85	977	1000	229 178 1062	490	686	539	
K. Tsuji	674P	5.25	800	1800	608 346 655	536	750	590	
G. Hayashi	231P	10	550	1250	534 224 723	500	700	550	
Y Ito	315P	7.75	850	1350	1064 707 1553	1041	1457	1145	
S. Onizaki	272P	5	328	950	163 68 179	136	190	150	* 4
K. Oda	264P	10.5	1265	2000	1798 1248 2832	1958	2742	2153	
S. Fukawa	226P	9.27	1158	1800	1168 1424 2880	1737	2432	1910	
			11072	20650			22246	17480	

* 1 Father and son combination marketing as S. Sato.
* 2 Operated three tracts of land, only one set of buildings, 40 fruit trees allowed $40.00.
* 3 Chicken houses used for rhubarb forcing.
* 4 Fruit trees allowed $5.00.

TABLE 2

MAPLE RIDGE

NAME	1 P. NO.	2 BOARD VALUE	3 CLEMENT VALUE	4 CO-OP NO.	5 AVERAGE PRODUCTION	6 VALUE ON PRODUCTION	7 POULTRY INVESTMENT	8 TOTAL CALCULATED
G. Utsunomiya	194	$ 1,750.25	$ 2,400.00	91	$ 408.65	$ 449.51	$ 1,395.00	$ 1,844.51
S. Koga	62	1,516.80	2,600.00	58	1,732.03	2,424.84	---	2,424.84
Y. Yoshida	213	1,681.40	3,150.00	67	597.03	656.73	1,400.00	2,056.73
T. Koga	63	1,434.85	3,200.00	179	633.05	886.27	---	886.27
S. Kawamoto	58	1,770.85	2,650.00	61	891.23	980.35	500.00	1,980.35[1]
R. Yongeyama	210	1,420.40	2,250.00	78	1,024.68	1,127.15	1,860.00	2,987.15
M. & Y. Tamura	175	2,130.60	3,900.00	57	259.72	285.69	2,200.00	3,335.69[2]
M. Odamura	115	2,955.00	5,650.00	115	2,642.53	2,906.78	2,500.00	5,906.78[3]
S. Shimoji	151	918.00	1,570.00	84	630.14	693.15	540.00	1,233.15
T. Matsuoka	78	1,445.50	2,500.00	54	291.75	320.92	670.00	990.92
Y. Isoshima	46	2,269.70	3,700.00	141	1,674.82	1,842.30	1,780.00	3,622.30
S. Mochizuki	91	2,074.60	4,550.00	106	2,268.70	2,495.57	1,000.00	3,495.57
K. Mukaida	96	2,796.15	5,500.00	131	3,048.28	4,267.59	---	5,517.59[4]
		$24,162.10	$43,620.00			$19,336.85	$13,845.00	$36,281.85

1 Peas and Hops not through Co-Op.
2 Piggeries to handle 100 hogs allowed $850.00.
3 Better than average house allowed $500.00
4 Very fine house allowed $1,250.00

TABLE 3

SURREY

NAME	P NO.	A/C NO.	PRODUCTION 1939	1940	1941	3 YEAR AVERAGE	CALC. VALUE	VEG. 1941	POULTRY	CALC. TOTAL	CLEMENT VALUE	BOARD VALUE
S. Shimoto	568	3	2,397.50	2,289.36	3,170.06	2,618.97	2,880.87	—	—	2,880.87	2,100	1,064
H. Tsukishima	574	27	2,634.14	2,291.79	2,924.11	2,616.68	3,663.35	423.70	—	3,663.35	1,550	816
S. Yasui	573	46	874.62	850.07	1,193.71	972.80	1,070.08	—	1,240.00	2,310.08	2,400	691
J. Nakamura	743	5	1,377.10	1,537.95	2,378.27	1,764.44	1,940.88	—	—	1,940.88	800	505 *
S. Shigehiro	567	4	2,712.72	3,084.02	4,821.02	3,539.25	3,893.17	—	—	3,893.17	2,200	1,115
G. Ikeda	526	20	1,232.49	1,382.62	2,143.95	1,586.35	2,220.89	234.41	—	2,220.89	1,100	308
T. Fukushima	450	43	2,437.84	2,663.74	4,063.05	3,054.88	3,360.37	—	—	3,360.37	1,750	1,113
S. Sano	470	52	506.04	408.64	482.71	465.80	512.38	—	1782.50	2,294.88	2,650	1,618
S. Kado	535	24	3,096.57	2,723.03	3,509.74	3,109.78	3,420.76	—	—	3,420.76	2,200	1,102
M. Takahashi	570	35	1,870.24	1,524.79	1,820.19	1,738.41	1,912.25	—	—	1,912.25	1,200	566
			19,139.26	18,756.01	26,506.81					27,897.50	17,950	8,898

* Two properties

TABLE 4

MATSQUI

	1	2	3	4			5	6
NAME	NO.	BOARD. VALUATION	CLEMENT DIRECT VALUATION	CO-OP PRODUCTION FIGURES 1939	1940	1941	AVERAGE -	CALCULATED VALUE 1.1
K. Yasumatsu	409-P	$ 2,453.00	$ 4,063.00	4,308	1,581	7,222	4,370	$ 4,807.00
K. Sugiyama	396-P	1,849.00	3,594.00	2,850	1,132	5,839	3,274	3,601.40
G. Fujikawa	359-P	980.00	1,350.00	915	1,007	2,329	1,417	1,618.70 *
S. Kodama	371-P	2,114.00	3,500.00	1,562	1,273	2,937	1,924	2,116.40
S. Yanoshita	408-P	470.00	970.00	526	242	1,693	820	902.00
		$ 7,866.00	$13,477.00					$13,045.50

* $60.00 allowed for chicken investment.

TABLE 5

RECAPITULATION

MUNICIPALITY	NUMBER OF PROPERTIES	BOARD VALUE	CLEMENT DIRECT	CLEMENT CALCULATED
Mission	12	$11,072.00	$20,650.00	$17,480.00
Maple Ridge	13	24,162.00	43,620.00	36,281.85
Surrey	10	8,898.00	17,950.00	27,897.50
Matsqui	5	7,866.00	13,477.00	13,045.00
TOTALS	40	$51,998.00	$95,697.00	$94,704.35

TABLE 6

SCHEDULE OF DIRECT VALUES

NAME	P. NUMBER	BOARD VALUE	CLEMENT VALUE
MISSION			
U. Nakashima	321-P	$ 2,100.00	$ 3,830.00
MAPLE RIDGE			
Y. Fuji	9	1,218.50	2,400.00
C. Katsuno	55	1,870.40	3,200.00
Y. Moriuchi	34	878.65	1,650.00
K. Oike	121	3,454.00	5,500.00
J. Tamura	174	2,161.50	3,750.00
K. Ryoji	138	1,405.00	2,600.00
S. Oka	122	1,300.00	2,500.00
T. & M. Oka	123	1,900.00	3,750.00
M. Yoshida	212	2,765.00	4,220.00
M. & F. Moriwaka	93	1,577.50	2,600.00
H. & D. Kajuira	51	1,660.55	2,950.00
Y. Ohta	120	1,050.00	2,700.00
T. Yakashiro	199	1,514.15	3,050.00
SURREY			
K. Shinohara	569-P	1,588.00	2,550.00
M. Yamashita	576-P	1,617.00	3,000.00
MATSQUI			
K. Nishimoto	383-P	2,942.70	5,800.00
M. Haraga	361-P	1,246.60	1,900.00
Y. Kawana	369-P	2,094.80	3,180.00
M. Matsumoto	736-P	340.75	710.00
S. Katsura	368-P	1,251.03	3,050.00
S. Inouye	366-P	840.50	1,540.00
G. Noda	384-P	1,267.10	2,575.00
PITT MEADOWS			
S. Saito	508-P	775.00	1,700.00
S. &. T. Saito	507-P	1,163.00	2,375.00
K. Yamada	512-P	3,001.00	4,191.80
K. Osaki	439-P	852.00	1,700.00
S. Suski	425-P	1,238.00	1,965.00
		45,072.73	80,936.80

Exhibit 1.

AN ECONOMIC STUDY OF THE SMALL FRUITS INDUSTRY IN BRITISH COLUMBIA

-by-

James Melrose Gray, M.S.A.

DEPARTMENT OF AGRICULTURAL ECONOMICS,
THE UNIVERSITY OF BRITISH COLUMBIA,
VANCOUVER, B.C.
May 30, 1947.

Made possible by funds from Safeway Stores Ltd.,
Empress Manufacturing Co., Vancouver, B.C.,
and Fraser Valley Growers of Mission, B.C.

AN ECONOMIC STUDY OF THE SMALL FRUITS INDUSTRY IN BRITISH COLUMBIA

Introduction

The purpose of this project, as outlined at its initiation in June, 1946, was to study the economics of Small Fruits production and marketing in the Province of British Columbia.

The term "Small Fruits" includes strawberries, raspberries, loganberries, boysenberries, blackberries and currants, etc. In addition, farms with plantings of rhubarb, grapes and asparagus were included in this study. Although many types of plants are represented, all are crops which tend to have somewhat similar climatic requirements, and all require large amounts of hand labour per acre. For these reasons, these crops are found in the same general districts and on the same type of farm, and, therefore, it has become customary to consider them under the inclusive heading of "Small Fruits" or "Berry Crops".

The areas studied were the principal berry-producing sections of the Province of British Columbia; namely, the Lower Fraser Valley, from Rosedale to the Delta, and the Saanich Peninsula of Vancouver Island.

The initial problem was to decide which sections of the general area studied produced most of the Small Fruits crop. Paralleling this question was that of explaining the shifts in production from one part of the Valley to another.

The next step was to secure a number of farm business records, from growers who were producing Small Fruits throughout the Fraser Valley and on Vancouver Island. Farm records supply data on returns per acre, costs per acre, and incomes to the grower. Such figures enable one to state, in terms of the general average, the economic conditions under which the berry farmer works, and to examine quantitatively the varying efficiencies of different farms.

The number of farm records taken in each section was in approximate proportion to the importance of that section as measured by its share of the total production.

The method of collecting data was to visit the growers, solicit their interest and co-operation in the study, and obtain detailed information on the farm business for the calendar year of 1945. The questionnaire used in these interviews provided for detailed records of production, cash receipts, expenses, inventory and inventory changes. Seventy-eight usable records were obtained.

The Areas Studied - The Fraser Valley and Southern Vancouver Island

The Lower Fraser Valley is that land area situated on either side of the Fraser River, north of the forty-ninth parallel of latitude and south of the Coast range of mountains, running from the Straits of Georgia, east to the Cascade range of mountains, a distance of slightly under one hundred miles. This area takes in a total of 545,000 acres, of which about 58 per cent is arable (1).

The climate is mild, the average temperature, in the month of January being thirty-six degrees Fahrenheit, and in July, sixty-three degrees Fahrenheit, the coldest and the hottest months, respectively. The rainfall is heaviest during the winter and averages from forty to seventy inches annually, depending on the locality.

The Saanich Peninsula, which is the principal berry-producing area on Vancouver Island, has a somewhat warmer and drier climate.

Both of these areas are possessed of a climate which is unique in Canada with respect to year-round warm temperatures. Crops may be grown here that cannot survive the winters elsewhere. The amount of agricultural land in Canada with such a favourable climate is distinctly limited. For this reason, most of the arable land in these areas is used in either of two ways. The land is used to raise products for local consumption in the coast cities, products which are highly perishable or products which are too bulky in relation to their value to absorb the costs of long-haul transportation; or the land is used to raise those products which cannot be grown easily in the other colder parts of Canada. Fluid milk and Small Fruits are, respectively, examples of these two kinds of product. This results in a considerable degree of competition between crops for the use of the land, and between produce for the local supply trade and produce for shipment out of the area. Consequently, an intensive form of agriculture has developed, and land values are high. The farms are generally relatively small in acreage and the farmer must stand ready to apply large proportions of labour and capital to the scarce factor, which is land.

Berry production enjoys a high priority for the use of the arable land in the Fraser Valley and the Saanich Peninsula. Small Fruits return a large sum of money, per acre, to the grower, and in this way provide a means of utilizing the climatic factor. This climate is a natural resource of limited abundance, and so products dependent upon this factor may be expected to command a high price in the market, over a period of years. It is felt that the fact should be emphasized that this kind of agriculture involving high-priced and very scarce land, is unusual in

Canada. In Canada, generally, land is the relatively plentiful factor in (agricultural) production, while labour and (to a lesser extent) capital are the scarce factors.

The Agricultural Economic Ecology within these Areas

Small Fruits enjoy a high priority for the use of the land in the Fraser Valley and the Saanich Peninsula, because they provide one of the best means of maximizing the farmer's monetary returns from his land. When Small Fruits are introduced into the cropping programme of a farm, they have the tendency to drive the other crops and livestock-raising projects off that farm. This comes about because a relatively small acreage in berries is capable of providing a farmer with an adequate income. The study of the seventy-eight farm records indicated that in 1945 the average gross returns from one acre of Small Fruits was over $1200.00, while about one-quarter of this was nett.

At the same time, the Small Fruits project on any farm will have a parallel tendency to absorb all of the available labour and capital. Thus the grower may find himself with an adequate income, with employment for all his labour force and for all his capital resources, but with an excess of land. This land, capable of producing a crop yielding a nett revenue of about $300.00 per acre, is valuable, and so finds a ready sale at a good price. When the land is sold, the transition from a large-acreage diversified farm to a small-acreage specialized berry farm is complete.

In this way, in response to the economic forces which are at work, large farms are being broken up into small holdings. This economic pressure is strongest at times like the present, when the demand for berries is great, and the price is high. It should also be noted that, as the larger farms are subdivided, each holding must be farmed intensively if it is to yield its owner a satisfactory income. In this way, Small Fruits not only drive other crops off the individual farm, but out of the district.

Economic Pressures and Soil Fertility Requirements

Such a trend would appear to be desirable in that it would ultimately lead to the most complete utilization of the land and climatic resources of these areas. However, it was observed that the final result of this trend towards more intensive land use through specialized berry production was often the development of numerous uneconomically small holdings. Some farms comprising only one or two acres, all planted to berries, were encountered. Such

enterprises can have no organized crop rotation programme, because the farmer with such a small total amount of land cannot afford to take some of it out of cash crops and seed it down to soil-improving crops. This situation is aggravated by the fact that livestock-raising is probably the first farm enterprise to be ousted by more intensive cropping practices, and so in many areas of the Fraser Valley there is practically no soil-fibre-supplying manure available for the land.

In time, such practices would seem to lead to a wearing out of the soils for berry-growing purposes. It was noted that, in the Saanich area, especially, many of the farmers stated that "new land" would have to be broken if production were to be sustained.

Over a period of years, the centres of production have shifted. For example, production on Vancouver Island has declined, while production on the Lower Mainland has increased. Within the Fraser Valley itself, the centres of production have moved from the western end to the middle and to the eastern end, and from the north side of the Fraser River to the south side. It may be that this has been caused by a wearing out of the soils in the older areas. When an entire area is broken up into uneconomically small units, it would be very difficult for the farms to be consolidated into larger, more economic units again.

It is felt that study should be devoted to the organization of Small Fruits farms on a sufficiently large scale to permit the culture of soil improvement crops and at the same time to provide sufficient acreage for enough cash crops to give the operator an adequate income. A more permanent type of farm organization would benefit the grower, for worn-out farms result in financial losses to individual owners.

This does not mean that self-sufficient farming is being recommended for the Fraser Valley or for the Saanich Peninsula, but rather that provision be made for sustained soil productivity, within the framework of specialized farming.

The Varieties of Small Fruits Grown - an Appraisal of Their Economic Possibilities

Strawberries:

Almost all of the strawberry growers who were interviewed during the survey, both in the Fraser Valley and on Vancouver Island, were growing the variety British Sovereign. This variety was generally reported to be satisfactory with regard to yield and quality, in the areas studied. The method of culture used, is the so-called

"hill system" with plants set 15" to 18" in the rows, with the rows generally 36" - 42" apart, or far enough apart to permit the use of a one-horse cultivator. The variety British Sovereign is well suited to this technique, while it is too vigorous for growing in "matted rows". (If left uncultivated, as in matted rows, it is said to grow very rankly.)

The only section of the areas studied where matted row culture was practised was Lulu Island, and here, apparently, the practice of setting plants individually in the "hill system" is superseding it. During the first year of growth, when the plants are grown in hills the runners must be removed. This is normally done by hand and is a tedious and expensive job. One grower interviewed, stated that he was going to experiment with discing attachments on his tractor for this operation. If such a technique is successful, production costs would presumably be lowered.

Mulching the berries with straw is practised almost universally on Vancouver Island farms but not in the Fraser Valley. This is probably explained by the fact that the Island growers concentrate to a greater extent on the fresh fruit market, and to the fact that due to drier conditions, they must use some such means as mulching to help conserve moisture. (At the same time, straw is more difficult to obtain on the mainland.)

The British Sovereign berry is subject to "red Stele" disease. This is a disease of the vascular tissues which can destroy the entire plant. Plant Pathologists feel that "red Stele" may be a serious menace to the industry, having the potentialities of wiping out large acreages. This disease is being fought in two ways. A plan involving a programme of certified stock production and inspection is underway, under the auspices of the Dominion and Provincial Departments of Agriculture. At the same time a long-range scheme of breeding strawberries for resistance to this disease is also being carried on.

Raspberries:

In the raspberry industry the situation is different. Here the market is dominated by the variety Newberg. Newberg is a hardy, vigorous, high-yielding raspberry which has not yet shown appreciable signs of disease or running out. Unfortunately the Newberg variety is not of high quality. It is sour and watery and the seeds are large and white in colour, making it relatively undesirable for either the fresh fruit market or for manufacturing purposes. It is probable that Newberg enjoys its popularity because of the large overseas demand for fruit products caused by war conditions.

Most of the preferred old raspberry varieties are now out of the picture. The Washington variety has been introduced from the United States; it is a sweet-flavoured variety of generally high quality but it does not seem to thrive on many of the Fraser Valley soils, having a tendency to die out in about one year's time.

Most of the new plantings of raspberries are Newbergs, so that an increased production of this variety can safely be anticipated. In this may lie a certain hazard to the industry. Strawberries are more readily saleable in Canada than are raspberries, and at times, buyers (for manufacturing purposes) have been put on a quota basis. This means that in order to procure a certain tonnage of strawberries, the purchaser must agree to take during the same calendar year, in the raspberry season, a certain tonnage of raspberries, proportionate to the amount of strawberries purchased earlier. If British Columbia strawberry production should decline, due to disease conditions, and the production of (poor quality) raspberries should increase, the sales prospects for the raspberry crop on what may become a buyers' market, might not be favourable.

Soil Conditions, Crop Rotations and Fertilizer Practices Observed

It was observed that the growers were abundantly supplied with information on fertilizers through the offices of the District Horticulturists and the Co-operatives. Almost all of the farmers visited applied commercial fertilizers to the berry land annually. Those growers who kept some livestock on their farms, generally used the manure on the fruit land, but very little manure was purchased, due to its scarcity. Undoubtedly much more manure would be spread on the land if it were available.

The crop rotation situation, by virtue of the fact that it is spread over a period of years is not easy to evaluate on a one-call survey. However, it was possible to make a few general observations. Apparently, many of the farms had no organized rotations; some were very small and all of the land, except the area on which the house and sheds stood, was planted to berries. In such cases, no crop rotation could be introduced without reducing the gross revenues of the farm. Others, however, especially those on certain upland soils had some unused or pastured lands, which had not yet been developed for berry growing. These acreages were being held in reserve for future planting, at which time the present berry patches could be seeded to soil-building crops.

On Vancouver Island, many growers expressed the opinion that the soils were wearing out for strawberry production, and that higher or sustained yields could only be secured

on new land. On the Island, June bug infestation was severe and apparently a certain contraction of the industry had been forced by this pest.

A REPORT ON THE FARM BUSINESS SURVEY OF 78 FARMS PRODUCING SMALL FRUITS IN THE FRASER VALLEY AND ON VANCOUVER ISLAND

Although the geographic and climatic background, the state of the soils and the regional comparative advantage of the area cannot be neglected in any study of an agricultural industry, it is felt that a detailed examination of farm incomes and costs is essential to an understanding of the overall production picture. For this reason, a detailed study was made of the economics of Small Fruits farming.

Methods of Collecting Data:

The method of collecting data was to visit each of the co-operating growers and obtain information regarding the farm business for the year 1945. It was necessary to secure details of one complete year's expenses and receipts in order to have a true picture; and, therefore, the operations for the past, rather than the current year, were studied. These interviews provided for a detailed record of production, income, inventory changes and expenditures. The berry-growers contacted co-operated wholeheartedly in making all the details of their businesses available to the University's representative.

Accounting Techniques and Methods of Analysis Used

A study of the records taken showed that the seventy-eight farms included in the study may be divided into two main types: specialized berry farms and diversified farms producing some berries. The more highly specialized group was made up of forty-nine farms all of which received more than 80 per cent of their gross cash receipts from the sale of Small Fruits, and which, on the average, derived 96 per cent of their income from this source.

For the purpose of computing the cost of the fruit produced on these farms, it was assumed that the products other than fruit were sold at cost. When calculated in this way, the cost of the fruit is influenced to some extent by the price and the cost of the other products of the farm. However, since such a small percentage of the income was from other sources, it was considered justifiable to regard Small Fruits as the item on which all costs and profits could be calculated (3).

The remaining twenty-nine farms, because of their greater diversification, were treated on a commodity basis. The cost of fruit was computed by adding together

the proportions of the various cost items which were chargeable to the berry enterprise.

Returns are expressed as Labour Income. This term is used to denote the amount left after all costs, including interest on the investment, depreciation of capital goods and unpaid family labour, but not including the labour of the operator, are deducted from the gross receipts. The cost per pound was calculated on a basis of all Small Fruits produced. Labour income represents the return which the farmer receives for his year's work, in the capacity of worker "and/or" manager, but does not include the money which accrues to the owner of the land equipment (usually the farmer himself).

Farm Incomes and Farm Costs in the Small Fruits Industry

Some of the results may be presented by first describing the average berry farm or Small Fruits enterprise in terms of total returns, costs, income secured, and size.

TABLE I.

Average Returns, Costs and Labour Income
from Small Fruits for the 78 Farms Studied.

Total revenue per acre of Small Fruits	$1201.00
Total costs " " " " "	901.00
Labour Income " " " " "	300.00
Average Acreage in Small Fruits	4.18 acres
Average Labour Income	$1256.00

Production per farm averaged 22,781 pounds of Small Fruits of all kinds, and hence the farmer's nett income or profit, when all expenses direct and indirect, actual or imputed, were paid, was on the average 5-3/10 cents per pound.

TABLE II.

The Average Size of the Small Fruits Enterprises on the 78 Farms Studied

Total Capital invested per farm	$5,650.00
Total Capital in land per farm	4,370.00
Total Capital not in land per farm ...	1,280.00
Percentage of Capital not in land per farm	24.7%
Acreage of Small Fruits per farm	4.18 acres
Of these 4.18 acres, 0.6 acre was new planting, not producing a crop in 1945.	

At this point, it may be pointed out that the proprietor of a farm has sources of money from his farm business, in addition to the labour income, for limited periods of time. This means that the labour income may be negative, and yet a farmer can survive and his farm continue to produce. These sources of revenue, over and above the labour income figure, on which the individual farm operator may live, are the interest which is received on the capital investment of the farm, the labour charge (not paid out in cash) for work done on the farm by members of the farmer's own family, and finally the depreciation fund itself. Thus, farmers with low labour incomes are, in fact, living on the interest of their capital, exploiting their families or using up and wearing out the substance of their farms.

Different Types of Farm Organization Observed in the Sample

Very Small Enterprises (less than three acres in Small Fruits

Excluding, for the time being, six farms which were just being started, and which had not reached full production in 1945, it is found that the least successful group of Small Fruits enterprises, from the point of view of labour income, were those on diversified farms receiving less than 40 per cent of their income from berry crops. There were thirteen in this category and each had an average labour income of $123.00. Half of the thirteen sustained losses. The average acreage of these berry plantings was 1.82 acres.

This group of thirteen farms had an average labour income of $529.00 from all sources. Apparently the operators merely got a bare subsistence out of their farms for the year 1945.

There were also thirteen small acreage enterprises which received over 80 per cent of the total receipts from Small Fruits sales. These had an average labour income of $212.00, while the average acreage was 1.23 acres. The highest labour income for this group was $896.00, but the low average would seem to indicate that small plantings are not a very sure source of a good labour income. The growers on this type of farm have no other source of farm revenue as do the small acreage growers with mixed farms referred to above. In many cases, the farm revenues must have been insufficient to provide financial support for the year, and, with this thought in mind, certain general observations were made in the field on the subject of sources of outside income. Although no quantitative data are available, it is believed by people associated with the industry that the farmers on these very small holdings support themselves by money derived from "casual labour" off the farms during the off-season. This "casual labour" may range all the way from practising some trade, such as carpentering or truck driving which probably yields a fair income, to working spasmodically on neighbouring farms. Not many have steady jobs. Hop yards in the Sardis area play an important part in providing a source of revenue for small berry-growers, and may in part even carry their production in an economic sense. These growers are looking forward to expanding farm activity and, consequently, to less work off the farms. Their desire is to become full-time farmers.

There are also a certain number of retired people on these small holdings, living off invested incomes. At the same time, it is felt that a number of the growers on these small specialized berry farms do not succeed in augmenting their farm incomes sufficiently, and consequently are forced to accept a relatively low standard of living.

Average-sized Fruit Plantings (3-7 acres)

Of the seventy-eight farm records studied, twenty were specialized farms with over 80 per cent receipts from Small Fruits sales and with from three to seven acres in Small Fruits crops. These twenty farms averaged labour incomes of $1,841.00, and not one of them had a negative labour income figure. These farms also seemed to represent the most intensive type of land use of all the enterprises studied. The average labour income per acre was much greater than in any other group.

Similar sized Small Fruits plantations (average acreage 3.71 acres), on diversified farms with between 40 and 80 per cent of the total receipts from Small Fruits sales, had somewhat smaller labour incomes on the average. The average labour income for the sixteen berry enterprises in this classification was $991.00. From Table III it will be noted that associated with this lower labour income

TABLE III

Labour Income Per Acre by Groups

Gross Returns per Acre	No. of Farms	Average Acreage	% Receipts from Berries	Labour Income from Berries	Gross Costs per Acre	Labour Income per Acre
$1134.00	19	1.5	Over 80%	$212.00	$859.00	$267.00
1009.00	13	1.8	Under 40%	123.00	908.00	101.00
1387.00	16	3.7	40 - 80%	991.00	1073.00	293.00
1380.00	20	4.0	Over 80%	1841.00	921.00	460.00
1001.00	10	13.6	Over 80%	3988.00	707.00	271.00

in berries and a total capital investment of $14,958.00.

This group of farms had an average labour income of $3,988.00, but the range was from minus $256.00 to plus $18,689.00. This is a higher degree of variation than was found in any of the other groups, especially as there is a smaller number of farms in this group. However, a wide range of income among larger producers is often found in Farm Management studies and it is attributed to the fact that large size and skillful management produce large-scale positive returns while large size and unskillful management produce negative returns on a similar scale. That is to say, generally large size has a tendency to amplify the direction in which the managerial policies lead the business.

Size as Related to Income

From the above discussion, it may be noted that specialized berry farms with more than three acres in Small Fruits appear to be more successful than those with less than three acres, from the point of view of total incomes earned by their operators. At first this might seem to be a more or less self-evident fact, that the greater the volume of production, the greater will be the profit. However, failure as indicated by a negative income occurred in 50 per cent of the enterprises (with over 80 per cent receipts from berry sales) having less than three acres in Small Fruits, while only one specialized farm with more than three acres had a negative labour income.

Size as Related to Efficiency in the Use of Land

The figures (Table III) on labour income per acre indicate a much greater degree of efficiency in the use of land on specialized farms with more than three acres than on the smaller scale enterprises. From this, the inference may be drawn that very small projects do not lend themselves to as efficient a programme of production as do the larger ones. The critical size would seem to be around three acres.

The same applies to the berry plantings on diversified farms. Where the plantation is very small, its total success and its efficiency are both low, while a larger scale project is apparently a better paying unit. The land is utilized in a more efficient manner.

In the case of the larger than average sized plantings there is again a falling off in the labour income per acre. It will be noted from Table III that these large farms achieve the lowest costs per acre and at the same time have the highest percentage of capital not in land (Table IV.). The proportion of capital equipment (that is, buildings and machinery) to land is high. While the returns per acre and labour income per acre decline as

39 per cent of all the fruit. This means that the small farms, although they are very numerous, do not produce a proportionate amount of the Small Fruits crop.

At this point, the question arises as to whether the sample of 78 farms studied is representative with respect to size of farm, or whether it is weighted in favour of the larger enterprises. That is, does the proposition that two-thirds of the entire berry crop is produced by one-third of the farmers hold true for the entire industry, or does it apply merely to the seventy-eight farms studied?

In order to verify this question, a study was made of the volume of the shipments by individual growers to one of the organizations handling Small Fruits in the Fraser Valley. This organization handles fruit from all sections of the Fraser Valley. It has about 40 per cent of all the growers as members, and it handles about 30 per cent of the total tonnage produced in the Fraser Valley. Thus this group of growers is not recruited from those with larger than average-sized farms. It may also be stated that the officials of this organization believe that the members ship through them exclusively, and this was verified by field observations.

TABLE VI

Production by Size Groups

No. of farms	Average Acreage	Percentage Receipts from Berries	Production per Farm (lb.)	Percentage of Total Tonnage	Percentage of Total No. Farms	Percentage of Tonnage Cumulative	Percentage of Farms Cumulative
13	1.8	Under 40%	7,605	6%	17%	6%	17%
19	1.5	Over 80	6,198	7	25	13	42
16	3.7	40 - 80	22,489	20	21	33	63
20	4.0	Over 80	25,210	28	25	61	88
10	13.6	Over 80	69,985	39	12	100	100

TABLE VII

Breakdown of Tonnage shipped through the one Organization by Size Groups (1945)

Tonnage per Shipper	Percentage of Total Tonnage	Percentage of Total Number of Growers	Cumulative Percentage Tonnage	Cumulative Percentage Growers
Under 5,000 lb.	20.6%	61.1%	20.6%	61.1%
" 10,000	14.8	17.3	35.4	78.4
" 15,000	11.0	7.4	46.4	85.8
" 20,000	7.4	3.6	53.8	89.4
" 25,000	7.5	2.8	61.3	92.2
" 30,000	8.2	2.6	69.5	94.8
" 35,000	5.9	1.6	75.4	96.4
" 40,000	4.7	.8	80.1	97.2
" 45,000	1.4	.3	81.5	97.5
" 50,000	2.5	.6	84.0	98.1
" 55,000	.9	.1	84.9	98.2
" 60,000	1.9	.3	86.8	98.5
" 65,000	2.0	.3	88.8	98.8
" 80,000	6.4	.7	95.2	99.5
" 85,000	1.4	.1	96.6	99.6
" 105,000	3.4	.3	100.0	100.0

From the above table, it may be noted that 10 per cent of the growers shipping to this organization produce 50 per cent of the tonnage handled. Therefore, it would seem safe to accept the generalization that there is a large group of producers (90%) who produce a disproportionately small percentage of the total crop (actually only 20%).

Profit per Unit of Product by Size Groups

TABLE VIII.

Showing Weighted Average Profit per Pound on all Fruit Produced on the 78 Farms.

No. Farms	Average Acreage	% Rec'ts. from Fruit	Pdtn. lb/ Farm	% of Total Pdtn.	Weighted Average Profit/lb.	Average Labour Income
19	1.5	Over 80%	6198	6%	3.4¢	$ 212.00
13	1.8	Under 40	7605	7	1.7	123.00
16	3.71	40 - 80	22489	20	5.4	991.00
20	4.01	Over 80	25210	28	7.1	1841.00
10	13.63	Over 80	69985	39	5.7	3988.00

From Table VIII. it may be seen that those farms with less than three acres in berries (that is the small enterprises) produced fruit at a much lower margin of profit than did the larger farms.

TABLE IX.

Showing the Total Acreage and Number of Growers in Fraser Valley from 1940, 1944, and 1946.

Year	Total Acreage	Total No. of Growers
1940	4600	1853
1944	3106	1625
1946	4683	2661

The Probable Effects of Price Changes

The benefit to the individual farmer of a rise in price is weighted by his volume of production. In this way, a larger grower will derive a much greater benefit from a high price than a small grower will.

Conversely, if prices fall, the grower with a small profit margin will suffer more than the grower with a large profit margin. As long as the price line does not drop below the cost of production, the man with a large volume of production will realize a greater return than the man with a small volume.

Of the 78 farms studied, those with a small volume and those with small margin of profit were usually the same ones. Therefore, should prices fall, the small producers with a low margin of profit might be eliminated, while the larger producers with a wider margin of profit might be expected to continue. They could perhaps maintain their incomes by expanding production.

Possible Future Trends in the Small Fruits Industry

In the broad, general sense, it will be readily conceded that future prices will be governed, in the long run, by the forces of supply and demand. The question is, just where will the price-quantity equilibrium establish itself; can the industry look forward to continued high prices, or must production in the future, of necessity, be accompanied by lowered prices.

To answer this question in exact terms is not possible within the scope of this report. A study was made, however, of the past price-volume relationships in the hope of deriving certain general principles which would be useful in illuminating the present situation.

Strawberry Production and Marketing

In attempting to lay bare the underlying trends in the industry, it was necessary to simplify the material as much as possible. At the same time, adequate and complete data had to be available.

For these reasons, strawberry prices and production were studied alone, for the years 1914-1941, and subsequently, it is felt that using data on the strawberry crop, by itself, may be justified on the ground that the strawberry is the most rapidly maturing of all the Small Fruits. At the same time, a strawberry plantation can be ploughed out and the land put to some other use relatively readily. For these reasons, the strawberry may well be a sensitive barometer of economic conditions in the Small Fruits industry.

TABLE X.(4)

Annual Strawberry Production,
Price, and Total Value

Year	Total Value of Crop ($)	Production (lb.)	Price - Average Fresh & Processed
1914	135,438	1,472,436	7.4¢
1915	194,977	1,876,788	8.6
1916	200,802	2,071,494	8.8
1917	189,437	1,720,980	9.0
1918	305,268	2,275,884	13.1
1919	560,155	3,126,510	18.5
1920	439,389	2,056,212	21.8
1921	694,682	7,183,170	8.0
1922	576,480	5,568,337	10.8
1923	450,545	6,441,305	8.7
1924	444,309	4,808,660	9.3
1925	331,361	2,425,130	13.6
1926	507,162	4,172,888	12.4
1927	704,619	6,951,181	10.3
1928	657,598	7,429,298	8.1
1929	564,562	6,701,636	10.8
1930	568,725	5,256,384	9.4
1931	470,003	5,896,743	6.7
1932	347,631	5,590,952	6.2
1933	387,141	6,644,098	5.6
1934	531,070	9,407,534	5.6
1935	794,332	11,177,027	8.6
1936	513,834	5,909,059	8.2
1937	651,349	9,051,384	8.0
1938	682,578	12,163,427	6.7
1939	873,081	14,891,932	7.0
1940	744,246	12,251,395	6.9
1941	930,099	13,929,204	8.1
1942	693,089	7,352,523	11.3
1943	735,063	3,491,967	20.5
1944	701,803	4,356,781	18.4

From Table X., it may be pointed out that the trend in production has been steadily upward, from 1914 - 1941. At the same time, the total value of the crop has also been increasing.

TABLE XI.

The Values of all Strawberry Crops from 1914 to 1941 in Descending Order

Year	Total Value Adjusted(5) to Index of all Farm Products ($)	Quantity (lb.)	Price Adjusted to Index of all Farm Products(5)
1939	1,357,824	14,891,932	10.9
1941	1,306,319	13,924,204	11.4
1935	1,250,916	11,177,027	13.5
1940	1,109,159	12,251,395	10.2
1938	927,416	12,163,427	9.1
1934	900,119	9,407,534	9.5
1931	834,819	5,896,743	11.9
1933	759,100	6,644,098	11.0
1937	747,817	9,051,384	9.2
1936	740,395	5,909,059	11.8
1932	718,246	5,590,952	12.8
1930	691,039	5,256,384	11.4
1927	690,126	6,951,181	10.1
1921	669,896	7,183,170	7.7
1922	655,091	5,568,337	12.3
1928	653,027	7,429,298	8.0
1929	560,081	6,701,636	10.7
1923	552,816	6,441,305	10.7
1926	507,162	4,172,888	12.4
1924	504,323	4,808,660	10.6
1919	381,837	3,126,510	12.6
1925	328,080	2,425,130	13.5
1920	273,592	2,056,212	13.6
1915	250,291	1,876,788	11.0
1918	230,217	2,275,884	9.9
1916	223,610	2,071,494	9.8
1914	192,932	1,472,436	10.5
1917	147,422	1,720,980	7.0

From Table XI. it is apparent that a high value for the strawberry crop is more dependent upon a large volume than upon a high price. The most valuable crops are the heaviest crops. This means that a big crop is worth more than a small crop, even though the price unit of the latter may be greater.

In turn, this means that strawberries apparently enjoy a relatively elastic demand; that is, as the price falls, the amount consumed increases proportionately more rapidly.

TABLE XII.

The Various Quantities of Strawberries Consumed at Prices Adjusted to the Urban Cost of Living Index

Production (lb.)	Price Adjusted to Urban Living Costs (5) (¢)	Year
14,891,932	6.9	1939
13,924,204	7.2	1941
11,177,027	8.9	1935
12,251,395	6.5	1940
12,163,427	6.6	1938
9,407,534	5.8	1934
5,896,743	6.1	1931
6,644,098	5.9	1933
9,051,384	7.9	1937
5,909,059	8.4	1936
5,590,952	6.3	1932
5,256,384	7.8	1930
6,951,181	8.6	1927
7,183,170	6.0	1921
5,568,337	8.9	1922
7,429,298	6.7	1928
6,701,636	8.9	1929
6,441,305	7.1	1923
4,172,888	10.2	1926
4,808,660	7.8	1924
3,126,510	14.2	1919
2,425,130	11.3	1925
2,056,212	14.5	1920

Most of the larger crops were marketed in the later 1930's rather than in the 1920's. As time went on, apparently the market was expanded and when the price was lowered, new consumers (either of processed or fresh fruit) were attracted into the market, and it was possible to sell much greater quantities.

Application of the Demand Situation in the Industry to the Business of the Individual Grower

Generally speaking, the prosperity of the strawberry industry is more closely related to a large volume of sales

BIBLIOGRAPHY

1. Clement, F.M. and R.P. Forshaw, " FACTUAL STUDY OF THE FRASER VALLEY DAIRY INDUSTRY AND THE GREATER VANCOUVER FLUID MILK MARKET," 1942.

2. Case, H.C., R.H. Wilcox and H.A. Berg, "ORGANIZING THE CORN-BELT FARM FOR PROFITABLE PRODUCTION," University of Illinois Agric. Exp. Sta. Bull. 329, 1934.

3. Woodward, E.D. "SOME FACTORS THAT INFLUENCE POULTRY FARM INCOMES - A STUDY MADE ON FORTY-SIX POULTRY FARMS IN COASTAL BRITISH COLUMBIA," p. 13, 1945.

4. White, F.W. Province of British Columbia Dept. of Agric. Hort. Circ. No. 58. "STRAWBERRY CULTURE," 1945.

5. The Economic Annalist - Indexes computed by Dom. Bureau of Statistics. Feb., 1946.

The co-operation of Mr. L.R. Wilson, Secretary of Federated Coast Growers, in supplying information on marketing small fruits is appreciated.

Exhibit #.2.

THE UNIVERSITY OF BRITISH COLUMBIA
Vancouver, Canada

SMALL FRUIT STUDY - 1946

NAME _____ DISTRICT _____

	Ave. for all farms	Ave. for Group	Your Farm
Number of farms	78		
Acres of Small Fruit	4.2		
Pounds of Small Fruit	22,781		
Acres of New Plantings only	.6		
Total Acreage	23.9		
% Investment in Land	(%) 75.3		
% Investment excluding Land	(%) 24.7		
Total Investment	$5,650.		
Receipts from Small Fruit	$3,883.		
% of Total Receipts from Small Fruit	(%) 77.06		
Receipts from Other Sources	$1,161.		
Total Farm Receipts	$5,044.		
Total Farm Outlay[1]	$2,935.		
Family Farm Income	$2,109.		
Value of Family Labour	$571.		
Operator's Farm Income	$1,538.		
Interest on Capital Investment at 5%	$282.		
Operator's Labour Income	$1,256.		
Hired Labour[2]	$1,522.		
% of Labour Hired	(%) 69.18		
Profit/# Small Fruit	5.6¢		
Profit/Acre Small Fruit	$285.		

[1]Outlay includes all farm expenses except family labour

[2]Hired Labour is included in total farm expenses

EXHIBIT 3.

PROVINCE OF BRITISH COLUMBIA

SOME FACTORS THAT INFLUENCE POULTRY-FARM INCOMES

A Study made on Forty-six Poultry-farms
in Coastal British Columbia
1944-45

Prepared by Department of Agricultural Economics
in co-operation with Department of Poultry Husbandry
UNIVERSITY OF BRITISH COLUMBIA, Vancouver

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January, 1946

AN APPRECIATION.

The poultry-farmers who provided the data for this report have been very generous in their co-operation. They have taken extra care and trouble in submitting accurate statements and accounts of the regular farm business, as well as providing additional data on such topics as mortality and hours of labour.

The writer wishes to express his sincere appreciation of the courtesy and helpfulness extended to him by these operators and to acknowledge that without such co-operation the study could not have been carried out.

This investigation was carried out with financial aid from Safeway Stores, Limited, to whom grateful appreciation is here expressed.

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Some Factors that influence Poultry-farm Incomes.

A Study made on Forty-six Poultry-farms in Coastal British Columbia, 1944–45.

INTRODUCTION.

Under direction of the Department of Agricultural Economics of the University of British Columbia, in co-operation with the Department of Poultry Husbandry, a poultry-farm survey was undertaken in the Lower Fraser Valley and on Vancouver Island on April 1st, 1943.

A previous survey was conducted by the University of British Columbia during the years 1921 to 1929. A preliminary report, "A Report on Sixty-five Commercial Poultry Farms in the Lower Fraser Valley and Vancouver Island," by E. A. Lloyd, V. S. Asmundson, and R. J. Skelton, was published in 1922; an interim report, "A Survey of Poultry Farms in British Columbia," by W. J. Riley, E. A. Lloyd, and V. S. Asmundson, in 1927; and a further report, " Farm Survey Records and Flock Management Problems in British Columbia," by E. A. Lloyd and W. J. Riley, in 1930.

Poultry-farm surveys have been conducted at many institutions throughout the United States in the last twenty-five years, but since in most cases their conditions have differed in many ways from those in British Columbia, they have not, with one or two exceptions, been referred to in this report.

This survey was made possible by a gift of funds from Safeway Stores, Limited. The gift was made with no reservations as to the conduct of the survey or the use of the data obtained. The survey has been conducted entirely under the jurisdiction of the University, and information thereby secured is available to the public. It is hoped that the data obtained in this survey may be of some assistance to practical poultrymen in studying the management of their own particular farm businesses, and especially to men returning from the armed forces who may consider engaging in the poultry industry in the post-war period.

ECONOMIC IMPORTANCE OF THE POULTRY INDUSTRY.

Poultry products rank fourth in order of value of agricultural products in Canada, their value for the year 1943 being $166,905,000. It is now estimated that the figure for the current year will be approximately $200,000,000. As will be noted from Table I., in British Columbia poultry products are also fourth in order of value, being exceeded only by field crops, fruits and vegetables, and milk products. The poultry population of British Columbia in 1943 was estimated to be 3,626,700, and the value of poultry products $11,493,000. It is estimated that the value of poultry products in British Columbia for the current year will approach $14,000,000.

TABLE I.—GROSS VALUE OF FIVE LEADING AGRICULTURAL PRODUCTS IN BRITISH COLUMBIA, 1940–43.[2 6]

Product.	1940.	1941.	1942.	1943.
Field crops	$14,427,000	$14,178,000	$18,244,000	$22,256,000
Fruits and vegetables	11,226,000	12,388,000	15,230,000	16,575,000
Milk products	6,528,000	7,173,000	10,289,000	11,823,000
Poultry products	6,201,000	6,576,000	8,806,000	11,493,000
Farm animals	5,854,000	9,401,000	9,324,000	11,261,000

It is worthy of note that the greater part of the poultry products in Canada come from a large number of general farms where poultry is a side-line. The poultry industry in British Columbia tends to be specialized, many farmers deriving their entire incomes from the sale of poultry products, and some having flocks of several thousand birds. Even here, however, a considerable percentage of production is from units which do not occupy the full time of the operator, a surprisingly small percentage of the farms having flocks as large as 1,000 birds.

METHOD OF CONDUCTING SURVEY.

In order to obtain as reliable information as possible on the various factors affecting the business of poultry-farming, the following procedure for securing data was adopted. At the beginning of the year an inventory was taken, placing a value on land, buildings, equipment, supplies, and stock. The farmer was supplied with a book of record forms, one sheet from the book for each month of the year. These forms provided for a detailed record of the birds added to and removed from the laying flock, of production, of poultry income, and of expenditures.

These record forms were mailed by the poultrymen to the University each month during the year. The figures were checked and entered on permanent record-cards in the office at the University, so that each card at the end of the year would contain a complete record of all transactions taking place during the year for that particular farm. The original monthly records, when checked, were mailed back each month to the poultrymen for their own files.

At the end of the year an inventory of each farm was again taken, so that changes in inventory could be taken into consideration in computation of returns.

Because of the seriousness of the mortality problem[5], a special effort was made to account for all birds, so that an accurate record of adult mortality could be obtained. As expected, this proved to be a difficult undertaking. It was difficult because of the numbers of birds involved and the necessity of having the poultryman make an entry for each individual bird that died or was culled. A strict account was kept each month, and even then the inventory of birds at the end of the year was found in some cases to be slightly short.

Experience in accounting for mortality in this survey would suggest that the average farmer tends to overlook some of his losses, especially when careful records are not kept. The actual losses, therefore, are generally greater than the poultry-farmer realizes.

At the end of the first year over 90 farmers were co-operating in the survey, and 30 of these had completed their first year of record-keeping. The remainder had submitted monthly records for periods ranging from one to eleven months. A preliminary report[8] was compiled in June, 1944, giving a summary of the records of these thirty farms.

By the end of June, 1944, a total of 108 poultrymen were co-operating in the survey. New inventories were taken, and a new survey-year was begun. The year's record has now been completed by 50 of these farmers. From the data obtained in the records, an attempt is made to show the returns made from different farms, what factors affect these returns, and also the cost of producing eggs on the different farms.

Interest was charged against the eggs at the rate of 5 per cent. per annum on the capital investment. Depreciation on buildings was charged at the rate of 5 per cent., and on equipment, such as brooders and incubators, at the rate of 10 per cent. per annum.

WAR CONDITIONS.

The effects of war and the consequent demand for increased production of food have resulted in raising the price-level of real estate in this area to a very marked degree.

The influence of speculative gains in changing property values has been avoided as much as possible in computation of returns. For this reason, land valuation has been held as it was at the beginning of the survey, although the market value of land has risen considerably during the period.

In any case the average interest charge of 1.73 cents per dozen eggs is not a large part of the cost, and fluctuation in property value would, therefore, as far as interest on investment is concerned, have a relatively small effect on the cost of producing eggs.

Along with the higher prices of farm products and land, a noticeable increase has taken place in the rate of turnover, as evidenced by the change in ownership of many of the farms in the survey. Of the 108 farmers co-operating at the beginning of the survey year, 16 withdrew because they had sold their farms.

The most common reason given for withdrawal was that the poultryman could not spare the time to keep the records. Nineteen co-operators were unable to continue owing to pressure of work and insufficient help. In a number of cases this situation was a result of either hired help or members of the family leaving to join the armed forces. This was responsible for increasing the amount of labour for the operator himself to the point where he was unable to continue the extra work of keeping records. Nine of the number finished their year's record before the close of the survey-year and did not continue, considering that they "had done their share." An additional nine men continued record-keeping for the full year, but their figures were incomplete in some respect or were not received in time to be included in the report. Of the remainder, three poultrymen dropped out because of illness, two died, one went out of the poultry business, and three discontinued for other reasons.

The above withdrawals from the 108 poultrymen co-operating at the beginning of the survey-year left 46 farms on which the available records were satisfactorily completed. It is from the full year's records of these 46 farms that this report is compiled.

TABLE II.—NUMBER OF FARMS IN THE SURVEY.

	Number of Farms.	Percentage of Total.
Records used in compilation of report	46	42.6
Records kept but incomplete in some respect or not received in time	9	8.3
Finished a year's record before close of survey-year and considered that they "had done their share"	9	8.3
Unable to continue owing to pressure of work and help leaving to join the armed forces	19	17.6
Sold their farms	16	14.8
Unable to continue owing to illness	3	2.8
Discontinued owing to death	2	1.9
No longer in the poultry business	1	.9
Miscellaneous	3	2.8
Total	108	100.0

DEFINITIONS OF TERMS USED.

The number of birds at the beginning of survey is the number of birds in the laying-house at the beginning of the record-year.

A hen-day is one bird in the laying-house for one day.

The average number of birds is the number of hen-days divided by the number of days in the year

The pullet:hen ratio is the average number of pullets compared with the average number of hens, each expressed as a percentage of the average number of both hens and pullets for the year.

Per cent. mortality is the number of birds that died during the year expressed as a percentage of the average number in the flock for one year.

Per cent culled and sold is the number of birds removed for causes other than death expressed as a percentage of the average number in the flock for the year.

Total turnover of stock (per cent.) is the percentage of the average number in the flock which is removed during the year because of mortality and culling.

Rate of lay is obtained by dividing the total number of eggs laid by the total number of hen-days.

Fall egg-lay is the rate of lay for October, November, and December.

Egg production per bird is obtained by dividing the number of eggs produced during the year by the *average number* of birds for the year.

Investment per bird is obtained by dividing the amount of investment by the average number of birds for the year.

DEGREE OF SPECIALIZATION.

A study of the records shows that the gross poultry income of these farms is mainly from the sale of eggs. This is true to such an extent that the typical "poultry-farm" in this area might be termed an "egg-production plant," the small percentage of the income which is from cockerels being a by-product of the egg industry. Moreover, income from the sale of cull hens is in reality a salvage value received for a badly depreciated egg-producing machine.

The percentage of income from each source on the average farm is tabulated as follows:—

TABLE III.—SOURCES OF TOTAL INCOME.

	1943–44. Per Cent.	1944–45. Per Cent.
Eggs	86.03	81.27
Chickens	11.88	16.62
Sundry	2.09	2.11
	100.00	100.00

The specialization was even more pronounced during the first year of the survey, when poultry meats were not as readily sold from the farms, partly because existing killing-stations did not have adequate facilities and labour for killing and dressing the birds. During that year the percentage of receipts from sale of birds was 5 per cent. lower than it was this year, and the percentage from eggs 5 per cent. higher. This was in part due to the fact that producers received a higher average price for their eggs the first year, 1943–44, than the second, 1944–45 (35.8 cents as compared with 30.1 cents, including eggs sold for hatching). Another influential factor, however, was that during this year (1944–45) poultry meat moved more readily

from the farms. Cull hens had a greater salvage value, and what cockerels were raised brought a better return than in the previous year.

For the purpose of computing the cost of the eggs produced, it was assumed that the by-products were sold at cost. When computed in this way, the cost of eggs is influenced to some extent by the price and amount of the by-product. However, since such a small percentage of the income was from the by-product, it was considered justifiable to regard eggs as the item on which all costs and profits were calculated.

Returns are expressed as *labour income*. By this term is meant the amount left after all costs, including interest and depreciation, but not including the labour of the operator, are deducted from the gross receipts. Labour income per bird is the labour income divided by the average number of birds in the laying flock.

SIZE OF FARMS.

The poultry-farms in the survey are small in acreage. The range is from 0.25 to 13.5 acres used by poultry, and only seven of the forty-six farms have 5 acres or more. The most popular size in this sample is 2 acres, ten of the forty-six farms being of that size. The average amount of land used is 2.8 acres.

The average total investment per farm, exclusive of residence, is $3,300. It should be realized that the buildings on these farms are old in many cases, and that in view of present-day prices the valuation, moreover, is low. It would not be reasonable, therefore, to expect to develop a new farm for such a low figure at present cost prices of both land and buildings. In addition, as has already been stated, the valuation of the farm does not include the dwelling-house. This places the poultryman on a basis more nearly comparable with the average citizen whose living-quarters are not considered a part of his business. However, since it is customary for the dwelling to be sold with the farm, the value of the house would have to be included in an estimate of the capital required for entering the poultry business.

TABLE IV.—SIZE OF FARMS IN ACRES.

Size.	Number of Farms.	Per Cent. of Total Number.
0.25 acres	1	2.2
0.50 ,,	6	13.0
0.75 ,,	1	2.2
1.00 ,,	4	8.7
1.50 ,,	3	6.5
1.75 ,,	1	2.2
2.00 ,,	10	21.7
2.50 ,,	4	8.7
2.75 ,,	1	2.2
3.00 ,,	6	13.0
4.00 ,,	2	4.3
5.00 ,,	3	6.5
6.00 ,,	1	2.2
10.00 ,,	1	2.2
11.00 ,,	1	2.2
13.50 ,,	1	2.2
	46	100.0

TABLE V.—SIZE CLASSIFICATION IN ACRES AND NUMBER OF FARMS IN EACH CLASS.

Size.	Number of Farms.	Per Cent. of Total.
Less than 1 acre	8	17.4
1 acre but less than 2	8	17.4
2 acres but less than 3	15	32.6
3 acres but less than 5	8	17.4
5 acres but less than 10	4	8.7
10 acres but less than 14	3	6.5
	46	100.0

TABLE VI.—SIZE OF FLOCK, LABOUR INCOME, AND COST PER DOZEN EGGS.

Average Number of Birds.	Flock Labour Income.	Labour Income per Bird.	Cost per Dozen Eggs, exclusive of Labour.
	$	$	Cents.
1,556.3	838.90	.54	21.99
1,243.6	1,877.84	1.51	20.18
1,235.1	2,017.86	1.63	22.80
1,155.2	1,427.89	1.24	23.22
1,096.6	2,677.27	2.44	15.92
1,049.1	1,793.66	1.71	17.35
1,013.9	496.41	.49	29.98
988.2	2,103.83	2.13	15.51
986.1	2,263.17	2.29	16.57
945.4	489.31	.52	22.29
936.7	934.57	1.00	21.84
884.8	2,493.40	2.82	14.57
867.4	1,740.77	2.01	14.73
808.3	1,144.55	1.41	22.73
783.6	2,215.10	2.83	17.80
770.0	658.15	.85	21.20
746.7	818.29	1.10	19.06
737.2	1,004.93	1.36	16.89
734.5	1,561.97	2.13	16.82
727.0	1,105.21	1.52	19.62
704.8	—58.79	—.08	22.00
692.6	408.57	.59	22.43
685.3	1,011.63	1.48	18.84
684.0	1,715.65	2.51	12.80
660.6	1,629.94	2.47	13.89
593.0	152.31	.26	24.10
555.0	998.34	1.80	16.68
554.0	765.22	1.38	19.43
545.3	1,166.30	2.14	18.65
497.1	1,136.18	2.28	12.76
490.3	1,128.40	2.30	13.22
469.4	980.20	2.09	14.21
450.9	575.94	1.28	20.53
427.8	581.78	1.36	24.66
379.6	229.22	.60	24.65
376.8	988.03	2.62	14.61
348.4	350.97	1.01	20.31
291.3	586.32	2.01	15.52
254.2	194.49	.76	21.69
249.6	219.86	.88	20.80
198.5	431.25	2.17	15.21
194.7	461.97	2.37	10.26
194.7	155.33	.80	22.53
188.0	322.99	1.72	18.27
139.4	113.01	.81	32.08
105.0	198.67	1.99	17.10

SIZE OF FLOCKS.

A better measure of the size of a poultry-farm is the average number of birds kept in the laying-houses. These flocks range in size from 105 birds to 1,556 birds on a hen-day basis, with the average size being 656 birds.

The reliability of this average has been tested statistically, and it can be stated with confidence that the average flock size of all poultry-farms in the areas is between 553 birds and 759 birds.

In discussing factors that affect the cost of producing eggs, the question of what constitutes an "economic unit" is frequently raised. In this connection it is considered by some that costs will decrease as the size of the flock increases, or, in other words, that eggs cannot be produced economically from a small flock.

Examination of records from different sources does not seem to confirm this supposition. Furthermore, there seems to be considerable confusion in the minds of some as to the difference between labour income per bird and the total labour income of the farm. It is the labour income per bird that is important when discussing the cost of producing eggs, because these two figures (labour income per bird and cost of eggs per dozen) are interdependent.

In a poultry-record study of eighty-five Washington State farms it was stated that "size of the flock has very little effect on the profit per bird."[1]

It is reasonable to conclude that it is possible to obtain a larger total labour income from a large flock than from a small flock; and in a farm where poultry is the only source of income, a sufficient volume of business is necessary to provide the operator with a sufficient net labor income to constitute a living wage. In many cases, however, the poultry enterprise is only a part of the owner's occupation, and consequently only a proportion of his living is chargeable to poultry. Under these conditions there is no reason why eggs cannot be produced from small flocks, by men who devote only a part of their time to poultry, at a cost no higher than that of a commercial poultry-farm, where the owner devotes all his time to the business of egg production.

Table VI. shows the various flocks in descending order of size, their corresponding per-bird labour incomes and costs per dozen eggs, exclusive of labour. These figures, on the face of them, do not suggest any relationship between size of flock and labour income per bird; however, for a more critical analysis of the data, statistical tests were applied. The results indicate that by these methods no relationship can be established between flock size and labour income per bird.

Since at any given selling price the labour income per bird is directly dependent on cost per dozen eggs, it follows that within the limits of these flock sizes there is no relationship between the size of the flock and the cost of eggs per dozen. In other words, the cost of producing eggs in flocks of sizes within the limits of those in the survey cannot be lowered by merely enlarging the size of the laying flocks.

LABOUR.

Very little hired labour was employed for the care of the flocks in the survey, but the hours of labour spent by the flock-owners and their families were long. In order to obtain data on the amount of labour required to care for flocks of various sizes, estimates of the hours of work actually done during the year were obtained from poultrymen in the survey. According to figures obtained from these poultrymen, a flock of average size (656 birds) required 2,309 hours of work during the year, or 44.4 hours per week.

On the basis of returns actually made by these poultrymen and their estimates of hours worked, the average hourly wage was 47 cents.

According to the same estimates, a flock *averaging* 1,000 birds would require 9.8 hours of labour per day, 365 days in the year, or 70 hours of work per week.

If the working-week of the poultryman were 44 hours, as it is in many other industries, a flock averaging 1,000 birds would require 80 man-weeks of work during the year. In other words, it would be the work of 1.6 men to take care of a flock that size. In this connection it should be remembered that a flock *averaging* 1,000 birds would, in total numbers, be considerably larger than 1,000 birds.

It is interesting to note that on this same basis a flock requiring the labour of one man would have an average number of 625 birds, a figure closely approaching the 656 shown as the average number on the farms of the survey. For those who consider this a high estimate of labour requirement, it should again be emphasized that a flock averaging 625 laying birds *on a hen-day basis* would have considerably more birds at some times during the year and would almost certainly have more than 1,000 birds going through it during the year. In addition, if the flock is to be maintained, young birds must be reared, all of which is included in the hours of labour quoted.

As shown in Table VII., the labour income of the average poultry-farmer was $1,000.70 for the year, or $83.39 per month. This was his remuneration for the work and managerial ability required to look after an average number of 656 laying birds (hen-day basis), or a total number of 1,094 laying birds, and to rear the young stock necessary to keep his flock up to strength.

TABLE VII.—SUMMARY OF BUSINESS ON THE AVERAGE FARM.

Sales for year—			
Eggs		$2,866.30	
Chickens		586.29	
Sundry		74.34	
			$3,526.93
Inventory 1944—			
Feed	$22.81		
Litter	7.25		
		$30.06	
Feed purchased		1,773.12	
		$1,803.18	
Inventory 1945—			
Feed	$25.07		
Litter	6.66		
		31.73	
			1,771.45
			$1,755.48
Operating expenses—			
Hired labour		$77.23	
Electricity		24.23	
Fuel		8.57	
Litter		56.70	
Medicine and disinfectant		23.91	
Small tools		5.76	
Insurance and taxes		31.00	
Car or truck		38.08	
Other		26.32	
			291.80
			$1,463.68
Inventory live-stock adjustment—			
Birds on hand at beginning of year		$1,104.78	
Birds purchased		194.03	
		$1,298.81	
Birds on hand at end of year		1,086.52	
			212.29
Farm income			$1,251.39
Depreciation on buildings		$66.87	
Depreciation on equipment		18.80	
Interest on investment		165.02	
			250.69
Labour income			$1,000.70

Average number of birds, 656.

Table VIII.—Comparison of Averages of all Farms with the High-income and Low-income Groups.

Items.	Average of all Records summarized.	High-income Flocks.	Low-income Flocks.	Your Farm Record.
Number of birds at beginning of survey—				
Hens	276	211	475	
Pullets	307	341	209	
Flock	583	552	684	
Average number of birds during the year—*				
Hens	257	193	377	
Pullets	399	491	273	
Flock	656	684	650	
Total number of birds, including replacements	1,094	1,188	962	
Pullet-hen ratio (per cent.)—				
Pullets	60.9	71.7	42.0	
Hens	39.1	28.3	58.0	
Mortality (per cent.)—†				
Hens	27.57	23.55	39.98	
Pullets	23.06	20.11	41.20	
Flock	24.77	21.18	39.83	
Turnover due to culling (per cent.)—†				
Hens	105.34	183.72	55.05	
Pullets	40.46	46.44	36.30	
Flock	69.88	85.26	59.47	
Total turnover of stock (per cent.)†	94.65	106.44	99.30	
Rate of lay (per cent.)—†				
Hens	41.92	44.82	41.39	
Pullets	53.04	57.11	48.58	
Flock	48.85	53.64	38.77	
Fall egg-lay (October, November, December) (per cent.)—*				
Hens	25.54	23.00	26.78	
Pullets	48.03	53.56	42.14	
Flock	40.27	45.76	33.35	
Egg production per bird—*				
Hens (11,819) Eggs	153.00	163.61	151.06	
Pullets (18,377) ,,	193.58	208.45	177.33	
Flock (30,196) ,,	178.30	195.77	141.53	

* Hen-day basis.
† Based on the average number of birds.

Table IX.—Comparison of Investment, Costs and Receipts.

Items.	Average of all Records summarized.	High-income Flocks.	Low-income Flocks.	Your Farm Record.
Investment per bird—				
Land	$0.92	$0.70	$1.34	
Buildings	2.05	1.46	2.55	
Equipment	.28	.16	.19	
Birds	1.70	1.61	1.51	
Total	$4.95	$3.93	$5.59	
Costs and receipts per bird—				
Gross income	$5.38	$5.92	$4.54	
Total expenses	3.44	3.17	3.42	
Cost of feed for layers	2.21	2.29	2.28	
Total feed for layers and young stock	2.70	2.59	2.61	
Receipts above feed	2.68	3.33	1.93	
Farm income	1.91	2.83	1.00	
Labour income	1.52	2.53	.57	
Feed cost per dozen eggs—	Cents.	Cents.	Cents.	
Feed for layers only	14.87	14.04	19.34	
Total feed used on the farm	18.17	15.88	22.14	
Selling price per dozen eggs	30.14	30.76	30.94	
Operator's labour income per dozen eggs	10.52	15.67	4.35	
Cost without operator's labour	19.62	15.09	26.59	
Cost of hired labour	.81	.09	1.41	
Cost with no labour charge	18.81	15.00	25.18	

TABLE X.—COMPARISON OF 1944 AND 1945 SURVEYS.
(All computations on a hen-day basis.)

Items.	Average of all Records summarized, 1944.	Average of all Records summarized, 1945.
Number of birds at beginning of survey—		
Hens	248	276
Pullets	380	307
Flock	628	583
Average number of birds during the year—*		
Hens	251	257
Pullets	472	399
Flock	723	656
Total number of birds, including replacements	1,291	1,094
Pullet-hen ratio (per cent.)—		
Pullets	65.3	60.9
Hens	34.7	39.1
Mortality (per cent.)—†		
Hens	24.99	27.57
Pullets	23.92	23.06
Flock	24.30	24.77
Turnover due to culling (per cent.)—†		
Hens	80.84	105.34
Pullets	31.49	40.46
Flock	49.01	69.88
Total turnover of stock (per cent.)†	73.31	94.65
Rate of lay (per cent.)—†		
Hens	41.74	41.92
Pullets	53.99	53.04
Flock	49.41	48.85
Fall egg-lay (October, November, December) (per cent.)—*		
Hens	-------	25.54
Pullets	-------	48.03
Flock	43.22	40.27
Egg production per bird—*		
Hens ..... Eggs	153.90	153.00
Pullets ..... ,,	195.10	193.58
Flock ..... ,,	180.83	178.30

* Hen-day basis.
† Based on the average number of birds.

A STUDY OF FLOCKS.

The average size of the forty-six flocks was 656 birds, of which 60.9 per cent. were pullets and 39.1 per cent. were hens. The average production on a hen-day basis was 178 eggs.* The pullets averaged 40 eggs more than the hens, laying 193 eggs, while the hens averaged 153. The average mortality for the year was 24.77 per cent.—27.57 per cent. for hens and 23.06 per cent. for pullets. The average number of birds culled was 69.88 per cent. of the average number in the flock. As a result of mortality and culling, 94.6 per cent. of the average number of birds in the flock were removed during the year. It will be seen that this is an increase of 21 per cent. over last year's figure of 73 per cent. removed due to mortality and culling. Since the mortality figure is the same, the difference is due entirely to a larger percentage of culling. This figure is based on the average

* If the average production were computed on the basis of the total number of birds in the pen during the year, it would be 107 eggs. This figure, however, is unsatisfactory as a measure of production because the length of time a bird is in the pen is variable. The hen-day basis provides a measure by which comparisons can be made.

number of birds for the year, and because the average flock size decreased during the year, the percentage culled appears larger. The large percentage of culling is also due in part to the fact that at the beginning of the survey-year the flocks still contained a considerable number of birds which would have been removed earlier if the poultrymen had been able to dispose of them.

It might be pointed out that birds are culled for three main reasons. Some are removed because they are poor producers, and a considerable number simply to make room for pullets beginning to lay.

In addition to those in the above two groups, many are culled because they have become diseased and would, in all probability, die within a short time. Thus, a certain percentage of the birds listed as culls in many flocks would otherwise be included in mortality; a large number, on the other hand, have fully completed their laying-year.

COMPARISON OF RETURNS.

By comparing the two groups made up of the high-income and low-income, 20 per cent.* of the farms in order of labour income per bird, the following differences were observed: The high-income group had an average of 54 more eggs per bird, 12 per cent. higher fall egg-lay, 18.6 per cent. lower mortality, and 25.8 per cent. higher culling than the low-income group. It was found, too, that the high-income group had a 29.7-per-cent. higher pullet:hen ratio, having 71.72 per cent. pullets to 28.28 per cent. hens, while the low-income group had 41.98 per cent. only of pullets to 58.02 per cent. hens.

The average price received by the forty-six farms for all eggs, including hatching-eggs, during the period was 30.14 cents. The lowest average price was 26.72 cents and the highest 38.49 cents. The average cost per dozen without charge for labour was 18.8 cents, leaving an average labour income per dozen eggs of 10.52 cents.

* One farm was omitted because the reason for poor returns was theft of several hundred birds.

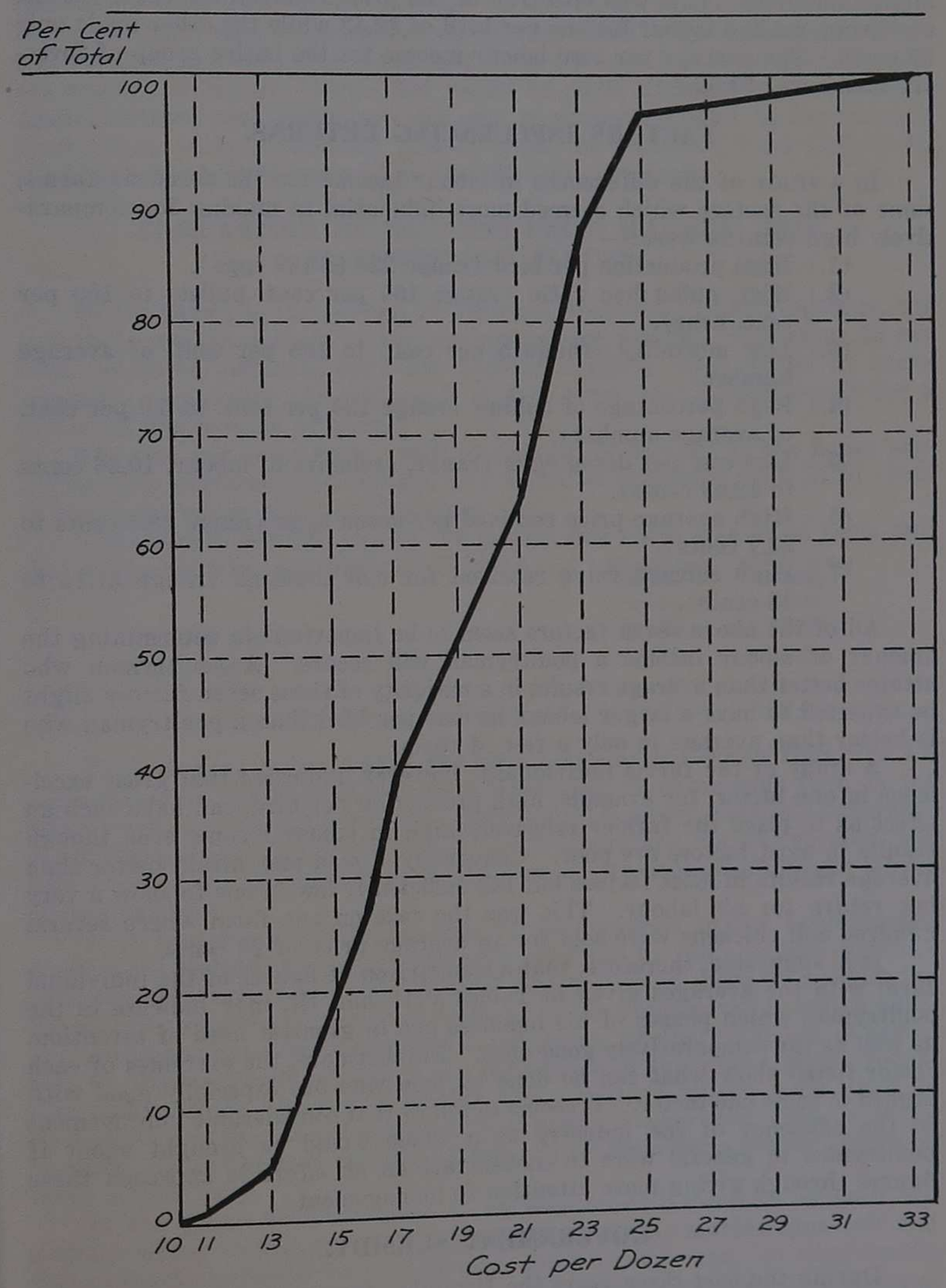
TABLE XI.—FLOCK SIZE, MORTALITY, AND CULLING.

Total Number of Birds.	Average Number of Birds.	Number that died.	Mortality (per Cent. of Average Number).	Number sold.	Birds sold (per Cent. of Average Number).
1,872	1,556.3	560	35.98	188	12.08
1,441	1,234.6	119	9.57	73	5.87
2,510	1,235.1	299	24.21	1,361	110.19
1,549	1,155.2	297	25.71	242	20.95
1,737	1,096.6	177	16.14	722	65.84
1,843	1,049.1	162	15.44	1,649	157.19
1,726	1,013.9	132	13.02	1,138	112.24
1,881	988.2	342	34.61	531	53.73
2,023	986.1	177	17.95	1,007	102.12
1,502	945.4	177	18.72	436	46.12
1,151	936.7	228	24.34	172	18.36
1,619	884.8	45	5.08	881	99.57
1,562	867.4	210	24.21	844	97.31
1,131	808.3	170	21.03	376	46.51
947	783.6	147	18.76	180	22.97
1,689	770.0	809	105.06	318	41.30
1,354	746.7	57	7.63	754	100.98
1,185	737.2	264	35.81	467	63.35
1,566	734.5	140	19.06	889	121.03
1,236	727.0	208	28.61	631	86.80
1,348	704.8	57	8.09	427	60.59
1,045	692.6	180	25.99	220	31.76
1,037	685.3	90	13.13	297	43.33
1,363	684.0	111	16.23	1,252	183.05
1,126	660.6	256	38.75	396	59.94
1,210	593.0	142	23.94	655	110.45
892	555.0	148	26.67	270	48.65
1,200	554.0	173	31.23	475	85.74
900	545.3	137	25.12	349	64.01
718	497.1	76	15.29	178	35.80
961	490.3	86	17.54	436	88.92
724	469.4	130	27.69	150	31.95
787	450.9	124	27.50	347	76.96
777	427.8	59	13.79	309	72.23
823	379.6	60	15.80	485	127.76
569	376.8	134	35.56	244	64.75
693	348.4	170	48.79	260	74.63
707	291.3	41	14.07	381	130.79
428	254.2	102	40.12	141	55.47
590	249.6	24	9.61	284	114.20
351	198.5	47	23.68	112	56.43
351	194.7	29	14.89	132	67.79
253	194.7	48	24.65	32	16.44
462	188.0	47	25.00	254	135.11
285	139.4	27	19.36	84	60.24
202	105.0	38	36.30	71	67.82
50,326	30,196.0	7,256		21,100	

COST OF FEED PER DOZEN EGGS.

The cost of feed for *layers* in the average flock was 14.87 cents per dozen eggs produced. The *total* feed cost per dozen eggs, however, was 18.17 cents in the average flock, as compared with 15.88 cents in the high-income group and 22.14 cents in the low-income group. Although the total feed costs per bird were almost identical in the high- and low-income groups ($2.59 as compared with $2.61), the low-income group, with an average egg production of 141.5 eggs per bird, had a 6.26-cent greater feed cost per dozen eggs or

FIG. 1.—CUMULATIVE DISTRIBUTION OF COST OF PRODUCING EGGS, SHOWING PERCENTAGE OF TOTAL PRODUCED AT LESS THAN STATED COST PER DOZEN.



39 per cent. more than the high-income group, with an average production of 195.8 eggs per bird.

Although egg and feed prices are important factors in their effect on the *average* profit, variation in returns is to a large extent affected by individual management. This may be illustrated by comparing the 20 per cent. of the farms showing highest labour income per bird with the 20 per cent. showing the lowest in the survey. The poultrymen operating these farms were

subject to the same feed prices and had the same markets for their eggs. In fact, the feed cost per bird in one group as compared with the other was almost identical. This was also true of the price received for eggs, yet the one group made a labour income per bird of $2.53 while the other made only 57 cents. The average per bird labour income for the entire group of forty-six farms was $1.52.

FACTORS INFLUENCING RETURNS.

In a study of the differences in labour income for the forty-six farms, some of the factors which seemed most influential in making for comparatively high returns were:—

(1.) High production per bird (range 228 to 139 eggs).
(2.) High pullet:hen ratio (range 100 per cent. pullets to 100 per cent. hens).
(3.) Low mortality (range 5 per cent. to 105 per cent. of average number).
(4.) High percentage of culling (range 183 per cent. to 5.9 per cent. of average number).
(5.) Low cost per dozen eggs (range, exclusive of labour, 10.26 cents to 32.08 cents).
(6.) High average price received per dozen eggs (range 38.5 cents to 26.7 cents).
(7.) High salvage value received for cull chickens (range $1.14 to 16 cents).

All of the above seven factors seem to be important in determining the amount of labour income a poultryman will secure. A poultryman who attains better than average results in a majority of these seven factors might be expected to have a larger labour income per bird than a poultryman who is better than average in only a few of them.

A study of the farms individually, however, indicates that great excellence in one factor, for example, high production per bird, can have such an effect as to place the farmer relatively high in labour income even though results in most factors are poor. Conversely, a man may attain better than average results in most factors but fall sufficiently low in one to show a very low return for his labour. This was the case on one farm where several hundred cull chickens were sold for an average price of 28 cents.

It is suggested, therefore, that a comparison of figures of the individual farm with the averages given in Tables VIII. and IX. may indicate to the poultryman which phases of his business are in greatest need of attention, as well as the comparatively good ones. Furthermore, the extremes of each factor listed show what can be done by men who are especially good with regard to some one factor. It seems to follow that considerable improvement in the efficiency of the industry as a whole would be brought about if poultrymen in general were to concentrate on an effort to approach these figures through giving more attention to management.

GOVERNMENT SUBSIDY.

During the past three years the Dominion Government has given assistance to the poultrymen by paying the freight on feed-grains and by an additional subsidy on wheat shipped from the Prairies. Since over 80 per cent. of the poultry ration is made up of grains, this assistance has an important effect on the cost of feed to the farmer. As far as the Lower Fraser Valley is concerned, this assistance now amounts to $14.33 per ton on wheat and $6 per ton on other grains. It is estimated that this lowers the poultryman's feed bill by 24 per cent. of the present figure, or $435 for a

flock the size of the average in the survey. In terms of cost per dozen eggs this amounts to approximately 4.5 cents. In other words, of the $1.52 labour income per bird shown as the average for the farms of the survey, approximately 66 cents may be estimated as being derived from freight assistance and subsidy on feed. The remaining 86 cents might be considered as the net amount of labour income that would be made without such assistance. Again, without such assistance, the cost of producing eggs, to the average poultryman, without including labour, would be increased from 18.8 cents, the figure shown in the survey, to over 23 cents per dozen.

COMPARISON OF RETURNS FROM MARKET- AND HATCHING-EGG FLOCKS.

Of the farms in the survey, 72 per cent. produced no hatching-eggs, but sold their product entirely in the commercial egg market. The other 28 per cent. produced hatching-eggs for periods ranging from three to seven months. A majority (75 per cent.) of this group sold hatching-eggs for a period of five months or more.

The cost per dozen eggs (with no charge for labour) in the flocks producing only market-eggs averaged 18.1 cents, as compared with 21.54 cents in the flocks which sold hatching-eggs.

The average selling price of the market-egg flocks was 28.55 cents and that of the hatching-egg flocks 33.79 cents.

	Market-egg Flocks. Cents.	Hatching-egg Flocks. Cents.
Selling price	28.55	33.79
Cost price	18.10	21.54
Labour income per dozen	10.45	12.25

These figures indicate that the labour income per dozen eggs was 1.8 cents larger in the case of the flocks producing hatching-eggs than in the flocks producing market-eggs only. Tests show, however, that this difference is not statistically significant, and it should, therefore, not be expected that a flock producing hatching-eggs would show a correspondingly larger labour income per bird.

It is reasonable to suppose that if the cockerels in the hatching-egg flocks were replaced by pullets, the eggs produced by these pullets, together with the additional costs, such as blood testing, would more than offset the 1.8-cent per dozen larger net gain received by the producers of hatching-eggs.

An important consideration in determining whether or not it is profitable to produce hatching-eggs is the percentage of the total annual production which can be disposed of in this way. It is, of course, more likely to be profitable in the case of a farm selling hatching-eggs over a period of six or seven months than in the case of one selling them for a period of two or three months only.

In the group studied, there is no significant difference between the average labour income per bird of the flocks producing market-eggs only and that of the flocks producing both market- and hatching-eggs. In other words, the price received for hatching-eggs just compensates for the additional expense but not for any extra labour entailed in their production.

SUMMARY.

A survey was conducted by the University of British Columbia to determine costs of egg production and factors affecting incomes from poultry-farms in the Fraser Valley and on Vancouver Island. In the inves-

tigation, detailed records were obtained of the production and returns of forty-six farms for the year ended June 30th, 1945.

The flocks ranged in size from an average number of 1,556 birds to an average number of 105 birds on a hen-day basis, the average size of the flocks being 656 birds. The average investment per bird was $4.88 and the average labour income per bird $1.52. The labour income of the average poultry-farmer was $1,000.70 for the year, or $83.39 per month on the average.

The birds in all flocks on the average were made up of 60.9 per cent. pullets and 39.1 per cent. hens. The average mortality on a hen-day basis was 24.77 per cent. of the flock, ranging from 5 per cent. to 105 per cent., and the average percentage culled was 69.9 per cent.

The egg production per bird on a hen-day basis was 178.3, the average for hens being 153 eggs and for pullets 193.6. The average production on the basis of hens housed would be very much lower.

The average price per dozen eggs sold was 30.14 cents for all eggs produced, including hatching-eggs. The average cost, exclusive of labour, was 18.81 cents. No relationship was found between flock size and cost of producing eggs, or labour income per bird.

The benfit enjoyed by the poultrymen through Government freight assistance and subsidy on Prairie grain amounted to $14.33 per ton on wheat and $6 per ton on other grains. Such assistance would be the approximate equivalent of a bonus of 4.5 cents per dozen on all eggs produced.

Out of all the poultry-farmers in the group, 72 per cent. produced market-eggs only, while the remaining 28 per cent. produced hatching-eggs as well, in periods ranging from two to seven months of the year. No statistically significant difference was found between the average per bird labour incomes of the group which produced hatching-eggs and the group which produced market-eggs only.

BIBLIOGRAPHY.

[1]Cagle, A. J., and Frasier, F. W.: Poultry Record Study of Eighty-five Washington Farms 1943 (Agricultural Extension Service, State College of Washington, Pullman, Wash.).

[2]Canada Year Book, 1943–1944 (Dominion Bureau of Statistics, Ottawa, Ont.).

[3]Lloyd, E. A.; Asmundson, V. S.; and Skelton, R. J. (1922): A report on Sixty-five Commercial Poultry Farms in the Lower Fraser Valley and Vancouver Island (Agricultural Department Circular No. 41, Victoria, B.C.).

[4]Lloyd, E. A., and Riley, W. J. (1930): Farm Survey Records and Flock Management Problems in British Columbia—
Fourth World's Poultry Congress 1930 (British Ministry of Agriculture and Fisheries, London; Conference Papers, Section D).

[5]Lloyd, E. A., and Biely, J. (1944): Poultry Mortality—Number One Profit Killer (U.S. Egg and Poultry Magazine, Vol. 50, No. 5).

[6]Quarterly Bulletin of Agricultural Statistics, Vol. 37, No. 1 (April-June, 1944). (Dominion Bureau of Statistics, Ottawa, Ont.).

[7]Riley, W. J.; Lloyd, E. A.; and Asmundson, V. S. (1927): A survey of Poultry Farms in British Columbia (Bulletion No. 102, Department of Agriculture, Victoria, B.C.).

[8]Woodward, E. D.: A Summary of Production and Returns of Thirty Poultry Farms in the Lower Mainland of The Fraser Valley, 1943–1944 (Department of Agricultural Economics, University of British Columbia, Vancouver, B.C.).

VICTORIA, B.C.:
Printed by Don McDiarmid, Printer to the King's Most Excellent Majesty.
1947.

2M-247-9844

13th September 1948.

PROPOSED CATEGORISATION OF CASES WITH A VIEW TO THE POSSIBILITY OF THE SETTLEMENT OF SIMILAR CASES.

(1) FISHING VESSELS: 20 cases, 10 to be picked by Mr.Hunter and 10 by Mr.McMaster. All cases will be approved by both Counsel prior to hearing.

(2) MOTOR VEHICLES: An endeavour will bemade to settle these cases prior to hearing. The standard used car prices will be obtained from price lists as at the date of sale. If there is a large discrepancy between the sale price and list price evidence will then have to beheard to explain such discrepancy. If such prices are similar, settlement will be made.

(3) FISHING NETS: 20 cases. These cases willbe ones where the nets have been specifically declared and have been left with a cannery.

(4) CHATTELS: 25 cases. These will be divided into three areas:

(I) Urban (a) Better class: 5 cases
(b) Poorer class: 5 cases
(II) Steveston: 5 cases

(III) Rural (a) Better class: 5 cases
(b) Poorer class: 5 cases

(5) REAL PROPERTY: V.L.A: 54 cases: 3 cases will be selected by both Counsel for each of the 9 Appraisers,making a total of 27 cases tobe selected by each Counsel.

Farm land, other than V.L.A. is not, at present, considered to be worth categorisation.

Urban Property: Improved land - Jap Town: 20 cases
(a) Business: 5 cases to be selected by each Counsel
(b) Residential: 5 cases tobe selected by each Counsel.

Improved land - Better class: 12 cases, six to be chosen by each Counsel, one for each of the six Appraisers used by the Custodian.

Steveston: 20 cases
(a) Business: 5 cases to be selected by each Counsel;
(b) Residential: 5 cases to be selected by each Counsel.

(FORM LETTER)

September 18th, 1948.

R. J. McMaster, Esq.,
Barrister & Solicitor,
Royal Bank Building,
Vancouver, B. C.

Dear Mr. McMaster:

Re: Corporate Claims

I assume that you have already been advised that commencing Monday morning, September 20th, the Government counsel will present general evidence defending its position with respect to the administration of the affairs of Japanese Evacuee Claims.

According to present plans, Mr. John Hunter, who is handling the defence so far as claims filed by individual Japanese evacuees are concerned, will present general evidence. He will be calling a number of witnesses and it is assumed that some time will be taken in cross-examination.

It has been agreed between Mr. Hunter and myself that I, having been specially retained to present the Government's case insofar as corporate claims are concerned, will handle the presentation of this general evidence. It is impossible to state the day upon which I shall present the Government's general evidence with respect to the corporate claims, but I estimate that it will be October 5th or 6th.

Mr. Justice Bird has requested that I advise you of the above in order that you may make such arrangements as you desire to attend or be represented at the hearing.

Yours truly,

G. M. McPherson.

GMMcP/ER

cc - Mr. A. Watson, Secretary,
Japanese Claims Commission.

P.S. It is my present intention to call Mr. F. C. Sheers of the Custodian's Office and Mr. Frederick Field, representing P. S. Ross & Sons.

ATM

Ottawa, September 18, 1948.

Dear Mr. McPherson,-

Thank you for your telegram of the 17th, as follows :

"Justice Bird advises that in addition to the question of commissions on sales there are several other matters which he considers to be outside the terms of reference that he may like to comment on and with respect to which he may desire to make recommendations when forwarding his report to Ottawa. STOP He is anxious that he should not be placed in the position of supplying gratuitous advice to the Government but he is prepared to do so and to deal with the question of commissions if he is advised in writing that there will be no objection. STOP If the Ministers concerned agree can you arrange to have a letter forwarded to him which will obviate the question of enlarging the terms of reference."

It reached me about 4.30 yesterday afternoon and I at once showed it to the Secretary of State. I also arranged to forward a copy of the telegram to the Department of Justice.

Mr. Wright tells me that yesterday he was asked to attend at the Department of Justice to give some information as the Deputy Minister of Justice is preparing a memorandum for the Minister dealing with various suggestions which have been made by Mr. Brewin and his friends for a widening of the terms of reference. I felt, therefore, the Deputy Minister of Justice should at once know the result of your informal interview with the Commissioner.

With kindest regards,

Yours sincerely,

E. H. Coleman
Under Secretary of State.

G. W. McPherson, Esq.,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

September 23, 1948.

J-175A
Legal Section
KWW/MC

BY SAFE-HAND

R. A. Olmsted, Esq.,
Department of Justice,
Justice Building,
Ottawa, Ontario.

Re: Japanese Claims Commission
Fishing Vessels

Dear Mr. Olmsted:

Referring to our recent conversations relative to Mr. Brewin's application to amend the terms of reference herein, I send you herewith, two copies of material received from our Vancouver office dealing with the disposition of fishing vessels formerly owned by persons of the Japanese race.

This for your information.

Yours very truly,

K. W. Wright,
Counsel to the Custodian.

Encls.

Fishing Vessels

The Custodian was not at the outset concerned with fishing vessels as these were among the items excepted by Order-in-Council P.C. 1665 and did not at that time become vested in the Custodian.

Immediately following the declaration of war with Japan in December 1941, steps were taken by the Naval Services to bring into custody all fishing vessels owned by persons of Japanese nationality or Japanese origin. 1337 vessels of various types were involved and these vessels were located in many places along the entire length of the British Columbia coast. 200 of these vessels were later released as Japanese ownership was not established. Some 200 vessels were stored at Tuck's Inlet at Prince Rupert and at some other outports, the main fleet being brought to New Westminster where approximately 1000 vessels were moored.

Circumstances attending the mass assembling at temporary moorings at one small area in the Fraser River under the severe weather conditions prevailing in December and January caused considerable hull and engine damage and a number of small boats sank at their moorings.

The removal of a substantial part of the fishing fleet from active service when the product was of vital importance to food supply prompted the Government to appoint a Committee for the purpose of returning these vessels to active fishing in the hands of fishermen other than Japanese origin.

Under the authority of the War Measures Act a special Committee known as the Japanese Fishing Vessels Disposal Committee, was empowered under Order-in-Council P.C. 288 dated January 31th, 1942, "to make such arrangements as would make it possible for the present owners to freely negotiate for charters, leases or sales of such vessels as they own to persons other than of Japanese origin". The personal of the Committee was:

The Honourable Mr. Justice Sidney Smith, Chairman.
Commander B.L. Johnson, D.S.O., R.C.N.R.
Mr. Kishizo Kimura

Mr. A.E. McMaster was appointed as Executive Assistant and on his retirement on May 12th, 1943, was replaced by Mr. H.S. Durkee.

The cash received by the Committee for sales made on behalf of the Japanese owners was disbursed to them after deduction of 1% service charges, survey fees and payments to creditors as authorized by the vendors.

The impounded vessels dealt with consisted of the following:

No. of Vessels	Type
67	Seiners
139	Packers
115	Trollers
715	Gill Net Boats
101	Cod Boats
1137	

By May of 1942 the Committee's report states that 600 vessels had been sold by free negotiation, but at that time it became evident that certain Japanese were determined to retain ownership if possible. In view of this when offers were received by the Committee which were deemed to be fair the Committee negotiated a sale without the owners consent. Approximately 2/3rds of such sales were afterwards regularized by the Japanese owners executing the necessary sale documents, and the Custodian executed Bills of Sale on behalf of the other Japanese owners after Order-in-Council P.C. 6247 had been passed giving authority to complete the unfinished business of the Committee.

The following sales were negotiated through the Japanese Fishing Vessels Disposal Committee:

To Fishing Industry	- 887 vessels	$1,021,530.89
" B.C. Admiralty	- 20 "	70,315.00
" Dept. Munitions & Supply	- 27 "	267,690.00
" Air Force	- 6 "	30,000.00
" Army Service Corps.	- 10 "	16,520.00
	950 "	$1,405,055.89

The amount paid to Japanese owners by the Committee after deduction of mortgage payments and other charges was $1,089,097.47.

Prices of the various types of fishing vessels varied considerably but the average amounts were approximately

as follows:

Seiners	$ 6,800.00
Packers	3,200.00
Trollers	1,500.00
Gill Net Boats	650.00
Cod Boats	810.00

By Order-in-Council P.C. 6247 dated July 20th, 1942, vessels in the hands of the Japanese Fishing Vessels Disposal Committee remaining unsold were to be turned over to the Custodian as at August 1st, 1942, together with the unfinished business of the Committee. The Order-in-Council provided for 238 vessels to be turned over to the Custodian but on account of additional sales being made by the Japanese Fishing Vessels Disposal Committee prior to the 1st August, the actual number taken over by the Custodian was 181. As might be anticipated these were the least desirable vessels and the Custodian proceeded to negotiate sales at an appraised valuation without requiring the consent of the Japanese owner.

As referred to above, at this time certain sales made by the Japanese Fishing Vessels Disposal Committee without the consent of the Japanese owner were regularized by the Custodian executing the necessary sale documents.

In order that sales might be more readily made 85 of these vessels which remained at New Westminster were brought to Vancouver. Some 14 trips were required and the work was done after accepting a tender received from the North Arm Towing Company at a cost of $900.-. The boats were then moored at Coal Harbour, Vancouver, and wharfage charges were paid to Columbia Waterfrontage Limited, the Royal Vancouver Yacht Club and Stanley Park Shipyards. It was necessary for watchment to be employed for the care of these boats and for aiding inspection by possible purchasers.

By adecision of a special Committe of the Cabinet at a Meeting held in Ottawa, January 11th, 1943, it was decided that the Custodian should charge all disbursements incidental to fishing vessels against the net proceeds received. As a result of this, insurance charges, charfage and watchmen's wages, survey, printing, advertising, towing and sundry expenses toalling a sum of $14,485.71 was charged

proportionately to the individual accounts of the former Japanese owners of these boats.

This office completed the liquidation of these vessels together with some other boats not originally surrendered but which had been located from time to time. The following figures represent the sales and collections which have been made by this office:

	Totals to December 1944	1945	1946
Collections from sales made by the Disposal Committee	49,902.49	49,902.49	49,902.49
Collections from sale of vessles to fishing companies	74,895.97	76,062.72	78,167.94
Proceeds of sales made by the Custodian(fishing vessels)	71,583.20	72,679,53	73,628.97
Proceeds of sales made by the Custodian (scows)	925.00	1,325.00	1,350.00
	$197,306.66	$199,969.74	$203,049.40

The vessels which were owned by Japanese classed as "enemies" vested in the Custodian under the Regulations. These boats were advertised for sale by tender and disposition has been made as follows:

	1944	1945	1946
Proceeds of sale of fishing vessels	100,351.47	99,801.47	111,405.92
Proceeds of sale of scows	6,890.00	5,930.00	5,930.00
	$107,241.47	$105,731.47	$117.335.92

As referred to above, while these vessels were in the Custody of the Navy, considerable hull damage and equipment losses were incurred. Order-in-Council P.C. 3737 dated May 5th, 1942, provided for appraising the damages and setting up a fund of $80,000.- from which such damages were to be paid. Survey for the amount of damage and losses were made by the Surveyor of Naval Services and the Committee, from which the amount of the claim allowances were assessed. As the liability of the Naval Service for the damage was to the Japanese owner, purchasers were required to support their claims with an "Assignment of Claim" form executed by the Japanese vendor. Claim documents were signed by the Surveyors, the Commanding Officer of the Pacific Coast Naval Service and the Chairman of

e Committee.

Another type of claim was for expenses incurred in bringing vessels from the place of seizure to the Fraser River and other moorings. At the time of seizure Japanese crews remained aboard when their vessels were towed under Naval escort. On arrival at their destination the Japanese crews were desembarked and returned to their homes, the evacuation order not having become effective at that time.

The Japanese files claim for actual expenses from the time of seizure until the return to their homes.

The sum provided in the Order-in-Council was exhausted before the Custodian took over the unfinished business of the Japanese Fishing Vessels Disposal Committee and eventually on March 14th, 1945, an additional sum of $10,829.70 was received from the Department of the Secretary of State for settlement of outstanding claims as follows:

Assignment of Claims to purchasers	$4,246.70
Claims paid to Japanese owners	1,884.70
Japanese transportation expenses	4,698.30
	$10,829.70

Copy for Mr. McPherson.

Thrasher
McMaster
McLennan
Hogg
Johnson
Harris

Sept 27/48

Genl Evid 12-
Royston 14-
Mailed Vancouver 21
Harvey Box. 26
Harvey Mills Nov 1.
Deep Bay Kagetsu Nov 8
Burrard Fish Co Allen cases Nov 15
Howe Sound.
Comish on Salt. Nov 17.
Tanaka
Tanaka & Co Ltd

R. J. McMaster, Esq.,
Barrister & Solicitor,
Royal Bank Building,
Vancouver, B. C.

Dear Mr. McMaster:

Re: Corporation Claims

You have been advised that the general evidence relating to corporations would be presented around the 5th and 6th of October. Owing to a change in plans I am advised that the Commission will not be sitting during the week of October 4th. No definite time has been set for the hearing of the Government's evidence and it is probable that it will not be heard until October 12th, but you will be advised. In the meantime, this is to advise you that at the morning session of the Commission commencing at 10 a.m. Friday, October 1st, I will raise the following questions and you may wish to be present or represented:

1. To set a definite date for the hearing of the Government's general evidence on corporation claims.

2. I will advise that it is my understanding that the following disposition has been made of the cases referred to:

   (a) Maple Ridge Co-operative Produce Exchange - withdrawn.

   (b) The claim of Ocean Fisheries Company Limited, No. 1 District Fishermens Association and River Fish Company Limited have been referred to Sub-Commissioners in Toronto with respect to the first two cases, and in Winnipeg with respect to the third case, and the Government will not be presenting its defense to these cases during the present hearing of corporation claims.

   (c) Union Trading Company Limited. This case will not be heard at the present hearing of the corporation claims.

3. Procedural Matters.

   (a) In view of the fact that Government counsel is obligated to advise opposing counsel with the general line of the Government's defense, I will request that opposing counsel be required to let me have replies to my letters of July 16 and July 17 with which claim files were forwarded to you. I will ask that opposing counsel should let me have any amendments to the claims and sufficient detailed information respecting the claims to enable me to prepare a reply and come to a conclusion as to what portion

of the claims the Government will oppose, and will point out that it is essential I have replies to these letters, with particular reference to the length of time the claimant's case will take, in order that a schedule of dates for the various cases may be finally fixed.

(b) In view of the fact that I have supplied you with copies of all documents and correspondence, which copies include all exhibits that I will be filing on behalf of the Government, I should be supplied within a reasonable time with copies of all documents and correspondence that you will be filing on behalf of the claimants. If the claim file forwarded to you indicates that I have already copies of some or all ~~copies~~ of such correspondence and documents, I will request that you be required to indicate same.

I think you will agree that the above is a reasonable request in view of the different procedure being followed in the corporation cases from the individual cases, where Government counsel is already aware as to the details of the claims and exhibits filed on behalf of the claimants prior to his preparation of the Government's reply.

(c) While I think it is already understood, I will request that the Government be authorized to file carbon copies of all documents and correspondence in view of the fact that the Custodian is anxious to retain possession of originals. The originals, or any such documents or correspondence in the hands of the Custodian or his agents, will be available in the Court at the time the case is heard, if you desire to refer to them.

(d) I will request a definite ruling that no application to amend the claimant's claim to increase the amount claimed will be accepted by the Commissioner, unless such amendments have been delivered to Government counsel at least one week before the presentation of the claim.

If you care to discuss the above questions or any other questions relating to the claims which you will be presenting, I will be pleased to make myself available to you, and you can contact me at PAcific: 3643 or Room 1243 Hotel Vancouver.

Yours truly,

GWMcP/ER G. W. McPherson.

An original of this form letter has also been sent tothe following persons:

J. A. MacLennan, Vancouver.
H. G. Johnston, New Westminster
Gilbert Hogg, of Tiffin, Wismer, Russell, DuMoulin & Brown, Vancouver.
W. C. Thomson, Vancouver.
T. G. Norris, Vancouver

RAO:GD

1948 SEP 28 AM 9:07

UNDER SECRETARY OF STATE

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA September 27th, 1948

152189-1
Re: Japanese Property Claims Commission

Dear Sir:

On September 17th the Custodian, through Mr. Wright, forwarded me a copy of a telegram sent to you of the same date from Mr. McPherson.

According to Mr. McPherson Mr. Justice Bird, while admitting that the terms of reference of the Commission do not cover such matters, feels that he may like to comment on the question of commission or fees paid to real estate valuators by the Custodian. There are also several other matters regarding which he might like to comment in his report. His suggestion is that he be authorized to do so without enlarging the terms of reference of the Commission.

The Custodian will know the number of properties disposed of and the amounts paid in fees and would be in a better position to judge the advisability of opening this question and the probable length of time it would take to dispose of them.

This question has been raised by Mr. Brewin, of Toronto, solicitor for a number of Japanese located there in collaboration, I assume, with a solicitor representing Japanese interests in Vancouver. It may be assumed I think that they have been bringing pressure to bear upon the Commissioner.

The Deputy Minister has asked me to obtain an expression of your opinion on the advisability of extending informally the terms of reference under which Mr. Justice Bird is acting.

In view of the fact that Mr. McPherson's telegram was directed to you, I would, with respect, suggest that it might be advisable to enquire of Mr. McPherson as to what are these several other matters referred to by him.

Yours truly,

for Deputy Minister.

The Under-Secretary of State,
O t t a w a.

RAO:GD

ATM

Ottawa, September 28, 1948.

Dear Glenn,-

I received this morning a letter written for the Deputy Minister of Justice a copy of which I enclose. Will you kindly write me by air mail indicating what other subjects the Commissioner, Mr. Justice Bird, had in mind.

I do not know whether Mr. Shears could give you approximately the number of property sales in which we paid real estate fees. I should think, since all the sales were made in accordance with the real estate tariff, it would scarcely be necessary for the Commissioner to hear a great deal of evidence in relation to the deductions made for the real estate fees.

Yours sincerely,

E. H COLEMAN

G. W. McPherson, Esq.,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.

VIA AIR MAIL

2 Copies

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

506 Royal Bank Building,
Vancouver, B.C.,
September 29, 1948.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright:

Thanks for making enquiries in regard the list of boats taken over by the Custodian in August 1942. We have a list of boats, but cannot locate any original signed document. However, Miss Matheson went on the witness stand for a short while and stated that the list we had, covered the boats in question and I think we will be able to get by.

You mention that further representations are being made to enlarge the terms of reference in connection with fishing vessels. I believe the Judge is sympathetic to some Japanese whose boats were used by Government Services on a charter basis, the terms of the charter supposedly to be arranged later. When these Government Services later purchased the boats, no further consideration was given to the payment of any charter money for their previous use. It might be reasonable for some adjustment to be made in this regard, but I would not think that the terms of reference need be widened for that purpose, as that had no connection with a sale being at fair market value.

I think careful consideration should be given before widening the terms of reference which would include the boats sold while being dealt with by the Japanese Fishing Vessels Disposal Committee. They only negotiated sales between the Japanese and a white purchaser, and with the exception of about fifty cases where we subsequently gave title, the Japanese himself conveyed to the purchaser, and I believe something like 900 vessels would be involved. If claims for such sales are to be considered, the door would be opened to Japanese who sold their businesses and their real property before they were evacuated and might claim that circumstances forced them to sell at sacrifice prices. The next step would then be for claims for other losses caused by evacuation.

1948 SEP 28 AM 9:07

VIA AIR MAIL

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FILE NO.....

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

I was on the witness stand all last week. On Monday last Mr. Gould and Mr. McMaster of the Fishing Vessels Committee were on the stand. Yesterday Mayor Mott and two auctioneers were on. Today another auctioneer and Bill Anderson are to be called, and Menzies' evidence is planned for this Friday. The Court will not be sitting the following week, but on the 12th of October I believe I have to be on the stand again giving general evidence in connection with the handling of companies up until the time that P.S. Ross came into the picture. Field will also give general evidence at this time. It is then expected that Mr. McPherson will proceed with individual corporation cases, after which Hunter will put in further general evidence, calling Mr. Barnet and the V.L.A. appraisers at the conclusion of which defence in connection with individual cases will commence.

An endeavour is being made to group some of these claims into what are being termed "categories" and a certain number in each category will first be dealt with before the Commissioner. The idea is that at that time the Commissioner might be prepared to make recommendations within each of these categories, and provided the balance of the claims could then be grouped in similar categories, his recommendation might then be extended to include all the cases involved. However, there is no assurance that this can be done. In any case it is going to take some time before that stage is reached. Should it still be necessary to defend each individual case, it will be a long while yet before we are finished.

Yours very truly,

F.G. Shears

F.G. Shears,
Director.

FGS/GN

MEMORANDUM OF MATTERS DISCUSSED BETWEEN

THE COMMISSIONER AND COUNSEL FOR VARIOUS CORPORATIONS,

AS FOLLOWS:

G.W.McPHERSON - Government Counsel
J.A.MacLENNAN - Counsel for Royston Lumber Co.Ltd.
R.J.McMASTER - Counsel for United Marine Products Ltd. Haney Box Co.Ltd. and Haney Mills Ltd.
R.B.BALDWIN - Counsel for Deep Bay Logging Co.Ltd. and Kagetsu.

The following dates for hearings have been agreed upon between Counsel, and the dates are accordingly fixed by the Commissioner as follows:

Corporation general evidence	-	October 12th
Royston Lumber Co.Ltd.	-	October 14th
United Marine Products Ltd.	-	October 22nd
Haney Box Company Ltd.	-	October 26th
Haney Mills Ltd.	-	November 1st
Cowichan Saltery Ltd.) Tanaka & Co.Ltd. and) Renzo Suzumoto)	-	November 4th
Deep Bay Logging Co.Ltd. and) Kagetsu)	-	November 8th
Burrard Fish Co.Ltd.) Canadian Saltery Ltd. and) Howe Sound Fisheries Ltd.)	-	To be spoken to.

It is agreed that the foregoing dates are tentative only. The claims will be heard in the order indicated, and Counsel will be expected to be ready to proceed with the next following case immediately after the conclusion of the case preceding.

The claims of OCEAN FISHERIES LTD. and NO.I DISTRICT FISHERMEN'S ASSOCIATION are referred for hearing to the Toronto Sub-Commission, and the claim of RIVER FISH CO.LTD. has already been heard by the Winnipeg Sub-Commission.

The procedural matters outlined in Mr.McPherson's letter to the several Counsel, dated September 27th, were discussed, when certain difficulties facing Counsel for the claimants, as well as Government Counsel, were indicated. Consequently the following directions were made:

1. That Counsel for the Royston Lumber Co.Ltd. shall furnish particulars, pursuant to demand by Government Counsel, of that corporation claim, the same to be furnished five days prior to the date fixed for the hearing thereof, namely,- October 14th.

2. A further direction was made in regard to all other corporate claims, namely,- that Counsel for the claimants should furnish particulars, pursuant to demand of Government Counsel, five days prior to the date set for hearing of the claim, subject to this,- that the direction now given may be spoken to prior to the datefixed for delivery of such particulars.

3. Government Counsel is directed to furnish to Counsel for the several Corporate Claimants a statement of the line of defence to that claim upon which the Government will rely; this information to be furnished within three days after delivery of particulars by the Corporation Claimant in accordance with the directions earlier given.

4. Government and Corporate Claimants are directed to furnish to opposing Counsel information relative to documents and correspondence which are proposed to be used in support of Claimant's claim or Government defence, and where same are available copies of such documents. The direction now given shall be subject to be spoken to if anything shall transpire in the meantime to render it impossible for parties to furnish information as above directed.

5. Direction is made that parties may file carbon copies of any documents or correspondence as exhibits on the hearing of any corporate claims, so long as the same are certified by Counsel submitting the same to be true copies and the original documents are produced on the hearing.

Leave is given Government Counsel to file charts prepared by the Custodian at the opening of the hearing of any claim, the same to be filed as documentary evidence tendered by the Government, and the same to be available to all Counsel as they may be advised.

Argument by Claimant and Government Counsel will be submitted at the conclusion of the hearing of all corporate claims.

October 1st 1948.

H. J. Bird - comm.

c.c. Hon. Mr. Justice Bird

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO.

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

1948 OCT 4 AM 9:06

UNDER SECRETARY OF STATE

October 2nd, 1948.

Dr. E. H. Coleman, C.M.G., K.C., L.L.D.,
The Under-Secretary of State,
Department of the Secretary of State,
West Block,
Ottawa, Ontario.

Dear Dr. Coleman:

I received your letter of September 28th and saw Mr. Justice Bird on Friday Morning when we discussed Mr. Olmsted's letter. Justice Bird has requested that I make it quite clear in replying to your letter and Mr. Olmsted's letter that he is not suggesting that he be authorized to comment on matters outside the Terms of Reference, as stated in Mr. Olmsted's letter, but rather that it was only his intention to bring certain matters to the attention of the Department of Justice.

With respect to the third paragraph of Mr. Olmsted's letter, I am attaching a memorandum prepared by Mr. Shears, which he feels that you should have in view of the fact that it indicates that disbursements of at least $175,000.00 may be involved in these questions. Mr. Shears feels that it would not be equitable to refund any commissions paid only to those Japanese who have filed claims.

With respect to the last part of your letter, the matters, other than the question of commissions on sale of real estate, are as follows:

1. Charter hire, which the Navy and/or other Government Departments have not paid.

2. Charges with respect to the auction sales as referred to in Mr. Shears' memorandum.

3. Compensation to the Japanese owning property in outlying districts that could not be sold, and which they are not now permitted to occupy.

4. Losses resulting by the anti-dating of the V.L.A. sale from July 1 to January 1, these losses being in the nature of the adjustments that were made as of January 1st, and I am advised by Mr. Shears that these adjustments, including taxes and rentals, would involve approximately $25,000.00.

I hope that the above information will be of assistance to Mr. Olmsted and yourself.

Yours very truly,

G. W. McPherson.

GWMcP/ER
1 encl.

MEMORANDUM September 29, 1948.

To: Mr. G.W. McPherson

From: Mr. F.G. Shears

Apart from the properties sold to the Director of the Veterans' Land Act on which no real estate agents' commission was paid, the Custodian sold 920 properties for the approximate sum of $1,682,000.00. Five per cent commission was paid on this amount, making a total of approximately $84,000.00. It has been our contention that this was not a commission charged by the Custodian, and that the Custodian was following out the normal method by which an ordinary person usually disposes of his real property and that the net amount received after the deduction of the 5% commission, represented the fair market value of the property at the date of sale.

In addition to this matter, in connection with sales by auction the Custodian charged against the Japanese, the auctioneers' fees and the handling and trucking charges. The usual auctioneers' charge is 15% and on the gross sales of $246,000.00 this would be equivalent to $36,900.00. We feel that the same argument applies to this charge as to the 5% commission on real property referred to above. In addition to this amount however, charges amounting to approximately $20,000.00 or something like 7½% of the total gross sales was also charged to the Japanese to cover handling and trucking charges. It may be that we did not have the right to assess these particular items against the Japanese owner, and that this amount should have been charged as an administrative expense. It should be understood that this amount is not connected in any way with the regular administration costs of the Custodian organization, but specifically relates to those expenses incurred in removing goods to auction and the labor employed to deal with them for the purpose of sale by auction.

On several occasions during the hearing of Japanese evidence in regard to fishing vessels, the point has been raised that vessels which were taken over by Government services on a charter basis on terms that were to be arranged at a later date did not receive any further consideration and that when the boat was actually sold, no allowance was made for charter fees while it was in use or in drydock.

The flat legal fee of $15.00 which was paid to Mr. Duncan Crux on each of the 741 parcels sold to the Director of the Veterans' Land Act was also charged to the Japanese owner, and our authority for making this charge has also been challenged.

VIA AIR MAIL

RE

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

506 Royal Bank Bldg.,
Vancouver, B.C.,
October 2, 1948.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright:

Very little publicity has been given to the present hearing in Vancouver and for the most part we have been talking to ourselves, with no reporters or any of the general public being present.

As usual, the newspaper reporters do not always give the clearest picture of the most significant matters but are chiefly looking for headlines.

In my general story I made no reference to the nets which were taken by the army, and I was very surprised when Mr. Hunter asked me questions which forced me to refer to this matter, and of course this is one of the things which the newspapers have picked up. You may remember that in this regard Mr. Robinson was unable to give any satisfactory accounting of just what nets were taken, although of course we have contended that they had no commercial value.

Yours very truly,

F.G. Shears,
Director.

FGS/GN

1231 Haro Street,
Vancouver, B.C.
October 7th, 1948.

Mr. J.W.G. Hunter,
Crown Counsel,
Office of the Custodian,
Vancouver, B.C.

Dear Sir: Re: Properties acquired from the Custodian which remain unsold as at September 15th, 1948.

Attached is a list, in duplicate, showing the properties which remain unsold as at September 15th. I am also attaching a second list, in duplicate, showing the properties which remain unsold but on which we have instructions that they are not to be sold pending a decision from the Government on the disposal of these holdings. I would particularly draw to your attention the following three cases:

S. Kinoshita - BC/331P - Cust. File 8646
G.Y. Shoji - BC/157P - Cust. File 12276
S. Inouye - BC/530P - Cust. File 8788

These three men were soldier settlers under the Soldier Settlement Act of Canada but were evacuated at the same time as all other people of the Japanese race from the protected area. In due course the Director of Veterans' Land Act acquired these properties from the Custodian and sufficient money was paid the Director of Soldier Settlement to clear off the indebtedness on these properties and the balance paid by the Director of Veterans' Land Act was paid over to the Custodian. The Director of Veterans' Land Act immediately gave instructions that these properties were not to be sold but were to remain rented until the Government decided what course would be followed in dealing with these particular cases after the war. These instructions have never been changed and the properties are still rented to tenants.

With regard to the balance of the cases for one reason or another we have received instructions not to dispose of these particular properties. I believe in one or two cases the previous owners were accepted into the Canadian Forces during World War 2.

You will note that the balance of the properties contain 74.22 acres of cleared land and 792.45 acres of logged over bush land.

Mr. J.W.G. Hunter (Cont'd)

No veterans have shown any interest in these properties to date and a number of them are entirely non-revenue producing and the taxes which have had to be paid now approach in some instances the purchase price. The Veterans' Land Act is authorized to charge interest at 4½% and if interest was added to the taxes, it is questionable whether anyone would buy some of these properties for the debt now properly chargeable against them, without adding anything for administration charges.

In previous statistical data with which I furnished you I pointed out that in buying backlog property from white owners this organization purchased properties with about 85% of the total land under cultivation, thereby avoiding having land that was non-revenue producing, because the average veteran is not interested in land clearing. I also stated from the very beginning when the Custodian's Committee made the decision that the Veterans' Land Act would have to take these properties en bloc, that in all probability we would end up with at least 10% of the acreage not saleable to veterans at the price at which it was appraised in 1942. Time has proven my estimate to be reasonably accurate, inasmuch as only 2% of the cleared acreage now remains unsold and this is spread over a large number of properties, mostly with a large percentage of uncleared land. It is significant however that we still have for sale 792 acres of bush land which is 15% of the total acreage of uncleared land purchased in the Fraser Valley from the Custodian as at November 30th, 1944. Summed up, this represents 42 parcels of land containing 867 acres almost six years after the deal was negotiated.

There has always been talk about some properties that were sold by the Japanese after we appraised them, but before Order-in-Council 5523 became effective. The Custodian has constantly stressed that he also sold properties from 1944 on, which we appraised but for one reason or another title was not taken by the Director of Veterans' Land Act.

To get a complete and correct picture of this whole problem I felt that you should have full information in your possession regarding the residue of these properties. This gives the effective answer as to why out of any group of several hundred properties certain people at certain times will pay for special reasons more than a reliable appraiser will value a property at. On the other hand, when taking a large volume of properties there are parcels which no one desires for a period of years at any price. Taxes in most municipalities in the Fraser Valley have gone up very decidedly since the time these properties were purchased, in spite of the fact that the population in some of the Municipalities has doubled since these properties were

Mr. J.W.G. Hunter (Cont'd)

purchased. The fact remains that the demand for schools and other services are so heavy that shrewd investors are shying away from the purchase of logged-off land.

I might also point out to you that we divided 175 parcels of land into 531 units and at September 15th, 1948, 468 had been sold and there were 20 more veterans who stated they wanted to acquire property but for one reason or another an agreement for sale had not been issued. There still remains 43 parcels on which there were no offers. The majority of those remaining unsold do not contain any cleared land.

Yours truly,

(I.T. Barnet)
District Adviser.

ITB/W
Encl.

MUNICIPALITY -- COASTAL

ACRES

FILE NO.	NAME	LEGAL DESCRIPTION	ACREAGE C	ACREAGE B	TYPE	BUILDINGS	LEASED	SUITABLE FOR S/D	REMARKS
734	Yamazaki	Lot 6, Blk. 6, DL 692 Map 3632 (Granthams)	Nil	4.87	S.H.	Nil	No	No	$48.00
				COQUITLAM					
261	Saskamato, M	Lot 2, SW¼, NE¼, Sec 7 Twp 40, Map 5944	Nil	15	S.H.	Nil	No	No	$442.00
282	Yasakawa, S.	Lot 18, Blk 10, Prt Lot 16 Grp. 1, Map 1531	.11	Nil	S.H. Town lot	Nil	No	No	49.00
				DELTA					
623	Hamanishi, S.	Lot 10, NE¼, Sec 36, Twp 4 Map 1186	Nil	6.07	S.H.	Nil	No	Yes	119.00
				DEWDNEY					
608	Nagamine, H.	Lot 14, N½, Sec. 25, Twp. 18 Map 1841	Nil	19.1	S.H.	Nil	No	No	189.00
				MAPLE RIDGE					
8	Ariza, E & M	N½, NE¼, Sec 3, Twp 12 Exc. prt 2.137 acs Sk 6502	3.85	74.013	S.H.	House C. Others S			1482.00

V.L.A.

MUNICIPALITY OF MAPLE RIDGE

ACRES

FILE NO.	NAME	LEGAL DESCRIPTION	ACREAGE C	ACREAGE B	TYPE	BUILDINGS	LEASED	SUITABLE FOR S/D	REMARKS
47	Itayia, W.	Lot 1, S½ SW¼, Sec. 8, Twp 15, Map 5848	2.02	7.98	S.H.	House F. Shacks S.	No.	Yes.	$492.00
61	Kobashi, K.	Lot 2, Pcl "A" Lot 434 Grp. 1, Map 4995	2.4	9.127	S.H.	House F. Bal F.	M to M	Yes	276.00
111	Mikaido, M.	N½, SE¼, Sec. 9, Twp 15	3.15	76.85	S.H.	H. House F. Packing Shed P.			632.00
116	Odamura, T.	S½, Lot 1, NE¼, Sec. 16 Twp. 12, Map 1676	Nil	2.3	S.H.	Nil	No.	No.	46.00
120	Otta, Y.	Prt E 80 acs SW¼, Sec. 25 Twp 12, Sk. 3015	10	70	F.T.F	House F. House P. Bal. P			1031.00
130	Oki, T.	Lot 8, NW¼, Sec11, Twp 12 Map 1363	Nil	9.7	S.H.	Nil	No.	No.	47.00
139	Sasaki, T.	Lot 3, lot "A" Lot 278, Grp 1, Map 4948 Exc. .5 acs Sk 8142	Nil	1.106	S.H.	Nil			98.00
196	Wada, K.	Lot 8, SW¼, Sec. 9, Twp 15, Shwn ~~Sk 3730~~ Map 1118	3	6.75	S.H.	Shack P.			200.00
209	Yokayama, T.	Prt 10 acs, SW¼, Sec 14, Twp 12, Shwn "A" Sk 3730	6.5	3.5	S.H.	House F. Bal P.			741.00
215	Yoshihara, R.	Prt 17.3 acs, NW¼, Sec 14 Twp 12, Shwn "D" Sk 4372 Exc. 1.09 acs shwn Sk 7990.	241	15.28	F.T.F. Greenhouses	House F. Others G to F.			3622.00

V.L.A.

MUNICIPALITY OF MATSOUI

ACRES

FILE NO	NAME	LEGAL DESCRIPTION	ACREAGE C	ACREAGE P	TYPE	BUILDINGS	LEASED	SUITABLE FOR S/D	REMARKS
360	Handu, M.	Lot 13, NE¼, Sec. 5, Twp 14 Map 2514	Nil	7.8	S.H.	Nil	No.	Yes	$76.00
362	Hinatsu, Y.	Prt of 143.17 ac prt of Lots 356, 208 & 209 Grp 2 Sk 1006	3.7	34.3	S.H.	Salvage			854.00
370	Kinoshita, M.	Prt 19.278 acs S½ SE¼, Sec 3, Twp 14, Sk 5959	Nil	19.278	S.H.	Salvage	No	Yes	476.00
375	Matsoka, H.	W½ of W½, NE¼, Sec 34, Twp 13,	2.6	36.9	S.H.	Nil			725.00
380	Morikawa, T.	W½, SE¼, Sec 33, Twp 13	3.5	79.7	S.H.	Nil			989.00
381	Murikami, H.	Lot 3, SW¼, Sec 24, Twp 13 Map 5763	Nil	30	S.H.	Nil			442.00
398	Tajairo, K.	N½, E½, SE¼, Sec 35, Twp 13	Nil	41.5	S.H.	House s.			466.00
400	Tanaka, T.	W½, NE¼, Sec 5, Twp 13,	5.4	73.6	F.T.F.	House P. Others P.			448.00
401	Tanayama, S.	Prt 51.918 acs, W½, SE¼, Sec 14, Twp 14, Sk 40388	3	48.91	F.T.F.	House P Others S.			904.00
405	Yamamoto,	E½, W½, NE¼, Sec 4, Twp 13	3.4	36.1	S.H.	House Unfin.			1316.00

V.L.A.

MUNICIPALITY OF MISSION

ACRES

FILE NO.	NAME	LEGAL DESCRIPTION	ACREAGE C	ACREAGE B	TYPE	BUILDINGS	LEASED	SUITABLE FOR S/D	REMARKS
244	Kamamura, K.	Lot 5, SE¼, NW¼, Sec 27 Twp 17, Map 1113	3.59	8.71	S.H.	Salvage			$274.00
250	Kunamato, S.	Lot 8, NW¼, Sec 27, Twp 17 Map 679	8.03	1.6	F.T.F.	House P Bal P			612.00
269	Okabi, B.	S½, Lot 5, NW¼, Sec 27, Twp 17, Map 679	Nil	4.82	S.H.	Nil			94.00
279	Sakon, M & I	Lot 2, N½, SE¼, Sec 34, Twp 17, Map 5840	3.7	14.61	S.H.	Nil			505.00
328	Takamato, S.	Lot 143, & 144, Sec 21, Twp 17, Map 955	1	3.1	S.H.	House T.			221.00
693	Tsujii, S.	Blk "B", E½, NW¼, Sec 19 Twp 17, Map 1966	.85	4.16	S.H.	House F. Bal P			343.00
		PITT MEADOWS							
511	Umemoto, Y.	E½, Lot 3, S½, Sec 4, Blk 5N, Rge 1E, Map 4741	.75	7.89	S.H.	Salvage			82.00
		SURREY							
533	Eto, K.	Lot 1, NE¼, Sec 33, Blk 5N Rge 2W, Map 5151	Nil	9.195	S.H.	No			224.00
1	Tamaki, K.	Lot 42, Blk 5, Sec 7, Blk 5N Rge 2W, Map 1755	.944	Nil	S.H.	Nil			49.00
		Blk 17, NE¼, Sec 18, Twp 2 Map 1692	Nil	4.27	S.H.	Nil			32.00
	Tsumura, A.	Blk 32, Sec 15, Blk 5N Rge 1W Map 1571	.63	4.37	S.H.	Shack S			140.00
			74.224	792.459					$18,874.00

V.L.A.

PROPERTY NOT FOR SALE

DELTA

FILE NO	NAME	LEGAL DESCRIPTION	ACREAGE C	ACREAGE B	TYPE	BUILDINGS	LEASED	SUITABLE FOR S/D	ACRES REMARKS
455	Suzuki, O.	Lot 8, NE¼, Sec 36, Twp 4 Map 1186	.35	6.315	S.H.	House F Shed S.	No	Yes	$280.00
				LANGLEY			NOT TO BE SOLD, H.O. INSTRUCTIONS		
331	Kinoshita, S.	Lot 1, S½, SE¼, Sec 25 Twp 10, Map 3130	6.5	20.32	F.T.F	House F Others F.	M to M	Yes	1456.00 (NOT FOR SALE)
				MAPLE RIDGE					
129	Oki, S & T	Lot 23, NE¼, Sec 16, Twp 12 Map 1676	4.85	.15	S.H.	House G. Others F.	NOT FOR SALE		1551.00
132	Omura, S.	E½, Lot 2, S½, Lot 263, Grp 1, Map 1051	4	1	S.H.	Nil	NOT FOR SALE		589.00
133	Omura, S.	W½, Lot 2, S½, Lot 263, Grp 1, Map 1051	4	1	S.H.	House G. Bal F.	NOT FOR SALE		2955.00
				MAPLE RIDGE cont'd					
150	Shimazu, R.	Lot 2, Pcl "B" Lot 434 Grp 1, Map 6560	1.25	5.346	S.H.	House Unfin.	NOT FOR SALE		271.00
157	Shoji, G.Y.	Lot 2, of 48.03 ac prt of 79.78 ac prt NE¼, Sec 5, Twp 15, Map 3912	6.5	12.15	F.T.F	House F Bal F	NOT FOR SALE		1281.00
				SURREY					
530	Inouye, Z.	S½, NW¼, Sec 32, Twp 2	26	54	F.T.F.	Bldgs. Salvage	NOT FOR SALE		3908.00
			53.45	100.281					# 12,291.00

V.L.A. 10

CANADA

JUDGE'S CHAMBERS
LINDSAY, ONTARIO

Oct. 9th.1948.

The Honourable Mr. Justice H.I. Bird,
Japanese Claims Commission,
Court House,
VANCOUVER. B.C.

My dear Judge Bird:-

I went up to Toronto and began my Sittings on Tuesday morning. Mr. Brewing immediately made two Motions . First-, that he had a Japanese Interpreter whose services were available to the Court . To this, I replied, that the Government had already furnished uswith a competent Interpreter, and he would be the official officer for interpretation purposes during this Sittings . Secondly - Mr. Brewing desired to file some claims on behalf of Japanese persons who were living up in Chapleau area, that is , up in northern Ontario, on the Canadian National , without their being present to vouch and verify their claim or to be subject to cross-examination . I refused the Motion and said that the Dominion Government had been more than lenient with these Japanese in providing them with a central place in the City of Toronto , and if they could not come in person and verify their claims and submit to cross-examination, then, they would be struck from the list.

Mr. Brewing thensaid that he would make application to you , as Commissioner, and I said in so far as I am concerned I am sitting as head of the Commission, and that would be my ruling , and I hope you will see fit to to uphold me in this regard. Mr. Brewing's suggestion and request, which I think probably he will make to you, is that the Commission should adjourn and go to Chapleau and hold Court up there and hear these Japanese . In my opinion this is preposterous , that if they cannot come down to the City of Toronto , which is only

The Honourable Mr. Justice H.I. Bird .

a night's journey by train, then I think their claims should be abandoned , or the Sub-Commission sitting in Toronto given authority to strike them from the list.

The other question was that on Thursday the Court had to adjourn for an hour or more to permit some Japanese, who were served with a subpoena , to be present to appear . After waiting for some time Mr. Best , who is acting on behalf of the Claimants , sent a car for them, and two appeared, but the third didn't . I think the Commission should give some ruling in regard to cases of this kind , that if they do not appear after they have been served and proof of service has been shown, then I think they ought to be given one extra chance, and one only, and then if they do not appear the case should be struck from the list . I may say, that I completed all the cases for the week with one exception, that is where one, Saito Hiromitsu failed to appear . Mr. Bell is his solicitor, and he told me that he had notified them by letter to attend. I advised Mr. Bell I thought in the future that registered notices ought to be sent.

I think , as Commissioner, that you should advise your Sub-Commission here, both myself and His Honour Judge Miller, on these two points, namely , that unless persons appear before the Sub-Commission verifying their claims and submit themselves to cross-examination their claims should be struck from the list , and - secondly , a person could be given two opportunities to appear before the Commission to present their claims, and if they do not appear on the second notice then their claims also should be struck off the list .

I would be glad if you would give rulings in this regard to myself and to Judge Miller.

With kindest regards ,

I am,

Yours truly,

(J.A. McGibbon)
JUDGE .

JAMc/OC.

October 12th 1948.

His Honour Judge J.A.McGibbon,
Judge's Chambers,
Lindsay, Ontario.

Dear Judge McGibbon,

Your letter of the 9th inst. reached me this morning.

I gather from perusal of it that you are meeting somewhat similar difficulties to those which I experienced in Toronto during May last. Brewin knew very well that I had appointed Interpreters for the several Sub-Commissions, and that only those Interpreters would be permitted to act officially. Apparently he thought it worth while to try out on you his previous attempt to introduce an Interpreter of his own selection. I concur with your disposition of the matter.

The claimants resident in Chapleau had their opportunity to elect the place of hearing for their claims and made their election for hearing at Toronto, apparently in preference to Fort William which I think would have been closer. I sat in Fort William for two weeks, and disposed of all the claims set for hearing there. I find it difficult to understand why at this late date Brewin should attempt to obtain a hearing of those claims in Chapleau. Mr.Brewin was present at the opening Sessions held here early in September, but strangely enough did not mention the Chapleau situation.

I give you the foregoing information so that you may have all the facts when the matter is spoken to again.

You may tell him of our exchange of correspondence on the subject, and of my confirmation of the ruling made by yourself. In the circumstances,

I would not entertain an application for the hearing of these claimants at any point other than Toronto, nor would I permit the claimants to present claims unless they attend in Toronto for cross-examination. On the other hand, if Government Counsel is prepared to consent to proof of the claims, and proof of the same by affidavit without cross-examination, then I think they might be received and the affidavits taken as prima facie proof subject to being answered by the Government during the course of the Sessions which I am now holding.

I agree with the disposition proposed to be made by yourself of the claims where witnesses fail to appear at the time set for hearing.

These claimants and their Counsel have had ample notice of the time when the claimants were likely to be heard. If they fail to attend, after due notice of the time and place is given them, I agree that Counsel should be informed that, failing attendance at a set time, the claim will be struck out.

As I intimated earlier, I experienced a great deal of difficulty with Counsel representing the Japanese claimants in Toronto, infinitely more difficulty there than at any other point across the country. During my Toronto Session on two occasions I called Counsel to my Chambers, and intimated to them privately that claimants must be ready at the time fixed. When I found these private warnings to be unproductive, I later - on at least two occasions - called attention in public Session to the inadequate preparation of claims presented in Toronto and failure of claimants to appear when called. I had hoped that these warnings would have been sufficient to remedy the difficulties I encountered.

Consequently I would say without hesitation that you should warn them once, and strike out the claims if they are not ready to proceed on the second day fixed.

I sincerely hope that you may find less difficulty with future claims than you have experienced up to date.

With kind regards,

Yours very truly,

HIB/W.

COURT OF APPEAL

1948 OCT 15 AM 9:16

UNDER SECRETARY
OF STATE

October 12th 1948.

E. H. Coleman, Esq., C.M.G., K.C., L.L.D.,
Under-Secretary of State,
West Block,
Ottawa.

Dear Dr.Coleman,

McPherson has been good enough to show me certain correspondence he has had with yourself and Mr.Olmsted of the Justice Department, and to discuss the subject of that correspondence with me. I gathered from it, perhaps erroneously, the impression that either Justice or your own Department had assumed that I desired authority to comment on various matters which I considered to be outside the terms of reference, among which are the points enumerated in McPherson's letter to you of October 2nd, a copy of which was furnished me.

I have not at any time expressed any such desire, although the various questions have been raised before me in the course of the Sessions which have taken place during the past eight months. On these occasions I have said to Counsel that if requested by the Minister of Justice or your Minister to comment upon these matters in the recommendations that I will ultimately be called upon to make, I was prepared to do so, but that I had no intention of placing myself in a position where I was assuming to offer gratuitous advice to the Cabinet on these matters.

I have told Mr.McPherson and other Counsel concerned, both for the Government and Claimants, that I consider myself bound by the terms of reference, and will make no recommendations or comment upon any matter which I consider outside the terms of reference, unless requested to do so by the Government.

I thought it desirable, in view of my discussions with Mr.McPherson on the subject of the correspondence before mentioned, to write you directly on the subject.

Yours very truly,

H. S. Bird

13th October, 1948

3201

R. J. McMASTER, ESQ.,
c/o Messrs. Campbell, Brazier, Fisher
and McMaster,
Barristers and Solicitors,
Royal Bank Building,
675 West Hastings Street,
VANCOUVER, B.C.

Dear Mr. McMaster: RE: PROPOSALS RE CATEGORIES

We have had some difficulty and delay in getting final instructions from our Committee, owing to the fact that practically all of the members of the Committee are responsible for large areas of sugar beets, and the sugar beet harvest is now in full swing and, of course, is of an urgent character.

However, the Committee have now given us the necessary instructions.

They feel that it was the desire of Parliament and the Canadian Government in appointing a Commission to deal with their claims, that substantial justice should be done in respect of losses suffered by all the claimants coming within the terms of the Commission.

Therefore they consider that they are not at liberty to do anything or take any position which would cut down the rights and privileges given by the Government. They also feel that they cannot justifiably take a position which, for the sake of convenience, might result in great hardship to a substantial number of the claimants.

At the same time they fully realize that a full detailed individual hearing of the whole fourteen hundred cases will be almost a superhuman

R. J. McMASTER, ESQ.,
c/o Messrs. Campbell, Brazier, Fisher
and McMaster,
VANCOUVER, B.C.

13th October, 1948

RE: PROPOSALS RE CATEGORIES.

task from a practical standpoint. Accordingly they wish to co-operate in every way possible with the Commission in reducing the number of detailed Hearings to a point where it will be practically possible to deal with them in a reasonable length of time, and at the same time protect the individual rights of the claimants and prevent undue hardship to any of the claimants.

Having all the above considerations in mind they have given us the following instructions:

1. We are to agree to the proposal advanced by the Commissioner for the selection and full hearing of "category cases" as already outlined;

2. The principle will be recognized and acted upon that general findings of fact and law in category cases are bound to be applicable to all other cases pro tanto of like character;

3. Therefore, where such general findings of fact or law make it possible to settle cases of like character and circumstances without further hearing we are authorized to settle such cases;

4. Where a further hearing would merely result in a duplication of evidence, or otherwise cause a waste of time, we are authorized to settle such cases;

5. Where it is impossible to arrive at a fair settlement either by reason of special circumstances or undue hardship or otherwise, we are not authorized to abandon any rights which were given to the claimant by the Government of Canada.

Let me say in addition that, speaking for myself, I have every wish to shorten the time taken by the Hearings to the greatest degree possible consistent with the rights of claimants, and I will go to almost any length in an endeavour, in individual cases, to shorten the Hearings or waive the entire case if a just settlement can be worked out.

It seems to me that if we all approach this problem in this spirit it is unnecessary and unwise to tie any of the parties by hard and fast inflexible rules.

REID, ALLEN, HUNTER & CAMPBELL
BARRISTERS & SOLICITORS

THOMAS REID JOHN B. ALLEN
JOHN W. G. HUNTER ALAN R. CAMPBELL

~~38 KING STREET WEST~~
TELEPHONE ELGIN 3141

~~TORONTO 1~~

Room 506,
Royal Bank Building,
Vancouver, B.C.

14th October 1948.

The Honourable Mr.Justice Bird,
The Court House,
Vancouver, B.C.

Japanese Property Claims Commission

Dear Mr.Justice Bird,

You will recall that you directed that the corporate cases, other than those being handled by Mr.McPherson, were to be heard immediately after the cessation of the arguments for those cases being conducted by Mr.McPherson.

Mr.McMaster has now advised me that he finds this singularly inconvenient and would much prefer them to be heard at a later date. I have no objection to this, although I would have preferred them to be heard as directed by your Lordship. Accordingly, if you are agreeable to this, I will advise all counsel concerned that these corporate cases will be adjourned sine die and that, immediately after Mr.McPherson's arguments, we shall proceed with the Crown and Japanese general evidence.

I should appreciate having your further directions in this matter.

Yours very truly,

John W. G. Hunter

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

1948 OCT 18 AM 9:31

UNDER SECRETARY OF STATE

506 Royal Bank Bldg.,
Vancouver, B.C.,
October 14, 1948.

9-175

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Bldg.,
Ottawa, Ont.

Dear Mr. Wright:

I think the enclosed cutting is quite good and describes humorously what actually occurred.

I was giving general evidence and cross-examination Tuesday morning and a part of the afternoon. Mr. Guy Hoult followed with a brief statement and Field finished the afternoon and was on the stand for an hour yesterday morning.

I am just leaving the office for the hearing of the first corporation case - the Royston Lumber Company, which is expected to take six or seven days. I have worked very closely with Glenn, and a lot of preparation has been done. For four days last week we were in the office from 8 in the morning until close on midnight.

The corporation cases which Glenn is handling may last up until the middle of November. Mr. Hunter will be handling one or two corporation cases, the Japanese evidence of which has already been heard or is to be heard at the present sessions in Toronto.

As regards the defence for the individual claims, we are endeavouring to break these down into what are being termed "categories" in the hope that the Commissioner may be able to find a pattern by which he could make recommendation in the various categories which would apply to the balance of the claims which fall into similar categories. One difficulty of course, will be arriving at an agreement between Government and claimants' counsel as to the particular categories in which the claims may be considered to fall. However, I think it is an attempt worth trying, but in any case it would appear

reserved on this point.

Two legal lights were struggling with two windows. "Open them a little bit more," suggested someone gravely. "Nothing the judge likes better than a brisk draft whistling down his neck."

In a few minutes the secre-

nical.

So we tiptoed out.

We dropped in at the Appeal Court on the way out to see how the other half lived. But the place was empty: Not a judge, not a counsel, not a witness, not even a forgotten brief-case.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

that we would still be engaged in this work up until next June. If this attempt fails, I hesitate to say how long it will take to hear the defence on each case on an individual basis.

I am keeping quite fit and trust you and your family are quite well.

Yours very truly,

G. Shearz

Noted
H.F.C.
D/C.
17/10/48

reserved on this point.

Two legal lights were struggling with two windows. "Open them a little bit more," sug-

nical.

So we tiptoed out.

We dropped in at the Appeal Court on the way out to

October 15th 1948.

J. W. G. Hunter, Esq.,
506 Royal Bank Building,
Vancouver, B.C.

My dear Hunter,

Re Corporate Claims

I have yours of the 14th inst.

Since you have no objection to McMaster's proposal, I wish you would advise Counsel concerned of the fact, so that we may proceed with the Crown and Japanese general evidence after the conclusion of the argument in McPherson's cases.

Yours very truly,

HIB/W.

ATM

DEPARTMENT OF THE SECRETARY OF STATE
OF CANADA

Ottawa, October 15, 1948.

Dear Mr. Justice Bird,-

I have today received your letter of October 12th. When I saw the Secretary of State this morning I showed him the letter.

As I think I mentioned in our conversations, the decision to appoint the Commission was taken by the Government and a Committee of the Cabinet settled the terms of reference. As I understand it, two or three points have been raised by Counsel for Japanese claimants:

(1) That the Commission should consider claims in respect to the sale of fishing vessels by the Japanese Fishing Vessels Disposal Committee. In this Department we have taken the position, which I am sure you will understand, that this is not a matter which in any way concerns the Department or the Custodian. The Japanese Fishing Vessels Disposal Committee was set up on the recommendation of the Minister of Fisheries and the great bulk of the vessels were sold under the authority of the Committee. It is true that at a later stage, when the Committee reported that it had disposed of most of the marketable vessels, the remaining vessels were turned over to the Custodian and the Committee disbanded. In any communications we have had with the Department of Justice we have advised that Department to obtain the views of the Department of Fisheries and then decide whether or not a recommendation should be made widening the terms of reference to include any claims in relation to the vessels sold under the authority of the Committee.

(2) That the Commission should deal with claims for alleged damage done to some of the ships while under the control of the Royal Canadian Navy immediately after Pearl

Harbour ---

The Honourable Mr. Justice Bird,
Court of Appeal,
Vancouver, B.C.

Harbour. This we take to be a matter in respect of which the Department of Justice should obtain the advice of the Naval authorities.

(3) It is only with the third point that the Custodian is concerned. Counsel for the Japanese have objected to the deductions made in the case of the sales of real estate for commissions paid to real estate agents. I confess that both the Secretary of State and I feel that, without necessarily any extension of the terms of reference, this is a matter which you would probably take into account in determining whether the Japanese received a fair return for their property. So far as I have knowledge, the commissions charged were in accordance with the real estate tariffs in force in the districts in which the properties were located.

I am taking the liberty of sending a copy of your letter and of this reply for the information of the officer in the Department of Justice who is dealing with the matter.

With kindest regards and all good wishes,

Yours sincerely,

E. H. Coleman
Under Secretary of State.

Dr. Coleman
For information

Oct. 30/48

1948 NOV 1 11 11 26
COURT OF APPEAL

UNDER SECRETARY
OF STATE

OFFICE OF THE
OCT 30 1948
Secretary of State

LAW COURTS

VANCOUVER

23rd Oct.1948.

The Honourable Colin Gibson,
Secretary of State of Canada,
Ottawa, Canada.

Dear Mr.Gibson:

I have been asked by the Honourable the Minister of Veterans' Affairs to make a recommendation to him relative to the situation of Japanese Veterans of War I and War II, whose lands were sold to the Veterans' Land Act Administration in 1943.

For your information I enclose a copy of a report made to the Minister to day.

Yours very truly,

K.S. Sinclair

area of British Columbia from which the veteran was evacuated

Law Courts,
Victoria, B.C.,
23rd Oct. 1948.

The Honourable Milton F.Gregg,
Minister of Veterans' Affairs,
Ottawa, Canada.

Dear Mr.Minster:

Since receipt of yours of the 22nd ult. I have had discussions with J.F.MacKinnon, Commissioner in charge of Japanese Placements, Department of Labour, as well as with Miller the Local Director, Soldier Settlement Board.

Miller tells me that he anticipates no difficulty in restoring to the former Japanese veteran owner the farm lands from which he was evacuated in 1942, which lands were subsequently sold to the Director, Veterans' Land Act Administration. He tells me that such lands, formerly the property of veterans both of War 1 and War 2, have been retained by the Director V.L.A. Consequently it is possible to restore the status quo as at the time of evacuation.

The only difficulty which may stand in the way of such transactions lies in the fact that some of these Japanese veterans may not have the money to finance themselves on their former lands until suchtime as income can be derived from them. Miller and I are of opinion that this difficulty is not insurmountable, by reason of the fact that most, if not all of these properties, will have increased substantially in market value due to the rise in farm land prices, which has occurred over the past five years. Consequently if the Japanese veteran is unable to finance his future farming operations, he should be able to sell the land to advantage.

In view of the foregoing I would recommend a change in policy applicable only to Japanese veterans, to provide for re-transfer of the title of such lands to the veteran, that is to say, replace him in the position which he occupied as at the date of sale to the V.L.A. Administration. Mr.Miller concurs in this recommendation.

Mr.MacKinnon advises that if the proposed change in policy is made he will issue a permit or permits to such veterans and their families to reside in the protected area of British Columbia from which the veteran was evacuated. He tells me he now has authority to issue such permits.

I am enclosing herewith a memorandum showing the name of each veteran, with a description of his real property, sold to the V.L.A.

I would appreciate your comment on the recommendation so made.

Yours sincerely,

H.H. Sivertz

MEMORANDUM

KINOSHITA Seichi - Veteran War 1. (Case #524 Lethbridge)

FARM - Lot 1 of S/D.of
S.1/2 of S.E.1/4 of Sec.35,
Tp.10, Langley.

INOUYE Zennosuke - Veteran War 1. (Case #142 Vernon)

FARM - near Kennedy B.C.
S.1/2 of N.W.1/4 Sec.32,
Tp.2, District of
New Westminster.

SHOJI George Yasuzo -
Veteran War.1. Claim at Toronto for hearing.
Realty $3,735.72
Personalty $989.30.

IMADA Tom - Veteran War.2. BUSH LAND near Haney B.C.
S.1/2 of S.W.1/4 Sec.26,
Tp.12, except parcel 1.446 ac.
shewn on plan 8314.
Lands contain 78.55 acres.

KINOSHITA and IMADA have accepted payment of the proceeds of sale of their lands to the V.L.A.

INOUYE and SHOJI have declined payment of the selling price of their lands after deduction therefrom of the amount of encumbrances. These credits are held by the Custodian.

JAPANESE PROPERTY CLAIMS COMMISSION

LETHBRIDGE SUB-COMMISSIÓN.

NOTES OF SUB-COMMISSIONER,

HIS HONOUR JUDGE R. M. EDMANSON.

rec'd with letter Oct 21/48?
see Acknowledgement dated Oct 23/48
A.V.

JAPANESE PROPERTY CLAIMS COMMISSION.

NOTES OF HIS HONOUR JUDGE R. M. EDMANSON, SUB-COMMISSIONER, ON CASES HEARD BY HIS HONOUR.

CLAIMANTS REPRESENTED BY MR. W. E. HUCKVALE.

No. 1 — AKIZUKI Sukenobu — Reg. No. 03423.
Case 513. — Following the hearing I made the following note: "Wouldn't care to express an opinion on this evidence." Since then I have re-read the transcript, and have been unable to find anything justifying disbelief in it.

No. 2 — FUKUMOTO Yukiye — Reg. No. 08533.
Case 514. — "Have no reason to discount this witness's statement."
A subsequent perusal of the transcript confirms the foregoing comment.

No. 4 — FUKUSHIMA Torazo — Reg. No. 12418.
Case 515. — "Evidence given doesn't indicate any mis-statement."

No. 3 — FUKUNAGA Gompei — Reg. No. 12604.
Case 516. — "Impressed by the witness as being fair."

No. 6 — HAYASHI Masao — Reg. No. 04183.
Case 517. — "Witness made straightforward statement."

No. 7 — HAYASHI Rintaro — Reg. No. 05078.
Case 519. — "Can't see any reason to disbelieve this man."

No. 16 KURIO Kujiro Reg. No. 12698.
Case 528. "No reason to doubt this man."

No. 17 MAEDA Rokusuke Reg. No. 10610.
Case 529. "Reliable witness."

No. 18 MAENO Kenichi Reg. No. 12611.
Case 530. "Not altogether confident of the attitude of this claimant." He appears to be demanding excessive sums for his personalty.

No. 19 MATSUMURA Yeikichi Reg. No. 03365.
Case 531. "No reason to disbelieve witness."

No. 20 MATSUNE Tanotsu Reg. No. 13691.
Case 532. "Truthful witness."

No. 21 MIKADO Masuo Reg. No. 09160
Case 533. "Honest witness"

No. 22 MIKI Minoru Reg. No. 05854
Case 534. "Truthful witness."

No. 23 MIMURA Jitsutaro Reg. No. 11890.
Case 535. "Honest witness."

No. 24 MURAKAMI Otokichi Reg. No. 04140
Case 536. "Not entirely confident as to this witness's attitude and truthfulness." My doubt was raised by reason of his reference to the hiding of certain saws and a discrepancy as to what was left in House 40. It may be I am unfair in such conclusion as the transcript reads fairly well.

No. 25 NAKAMURA Saichi Reg. No. 12879.
Case 537. "Appears to be no dispute as to this claimant's evidence."

No. 26 NARUSE Tadayoshi Reg. No. 11229.
Case 538 "No basis on which to disbelieve this man."

No. 27 NISHIKAWA Shimo Reg. No. 13528.
Case 539. "No question about claimant's veracity."

No. 28 NOMURA Yaozo Reg. No. 13016
Case 540. "Honest."

No. 29 SASAKI CHiuzo Reg. No. 05954
Case 541. "Truthful."

No. 30 SASAKI Choichi Reg. No. 13112
Case 542. "Honest."

No. 61 MORIZAKI Fujitsugu Reg. No. 05108
Case 573. Following the hearing I made the following memorandum, "Claimant not passing anything up." However, upon a perusal of the transcript I cannot find any basis for disbelieving him.

No. 62 MURAKAMI Katsunori Reg. No. 10109.
Case 574. Exorbitant values.

No. 63 NAGATA Sanshiro Reg. No. 04271.
Case 575. "Not satisfied as to his truthfulness." Such impression I got during his cross-examination on the net claim. Then, again, I discover that the original claim never was sworn, as it purports to have been, before a notary public.

No. 66 NOMURA Toshikazu Reg. No. 04198
NOMURA Tsutae Reg. No. 04193
Case 578. "Not particularly careful about values."

No. 67 OKA Mitsumo Reg. No. 13683
OKA Takuma Reg. No. 13682
Case 579. Truthful.

No. 68 OKANO Kiyoko Reg. No. 06614.
Case 580. Truthful.

No. 69 SAKON Matsuji Reg. No. 13061.
Case 581. Told truth.

No. 70 SAWADA Shinuemon Reg. No. 08146
Case 582 Truthful. No reason to doubt him.

No. 71. SHIGEMATSU Sunao Reg. No. 08177.
Case 583. Seems to be truthful. Not too conservative in values.

No. 79 UTSUNONIYA Gengi. Reg. No. 13700.
Case No. 584 Consider truthful.

No. 80 Yamasaki Toshio Reg. No. 08040
Case 591 The claimant gave straightforward answers, which, however, leaves the Custodian's responsibility still to be decided.

No. 81 YASUI Ukiyoshi Reg. No. 03448
Case 592 Truthful.

No. 82 YONEDA Hiroshi Reg. No. 03717
Case 593. No reason to discredit him.

No. 83 KADONAGA Toyoichi Reg. No. 10663.
Case 594 Not too confident of the accuracy of this man's evidence.

No. 84 HIRASHIMA Yumiko Reg. No. 14252
Case 595. Honest.

CLAIMANTS REPRESENTED BY MR. L. S. TURCOTTE.

No. 31 NAKAMURA Jukichi Reg. No. 12578
Case 626. "Can't see any reason to disbelieve this man."

No. 33 NOMURA Masao Reg. No. 03598
Case 627. I can't rely on this man's testimony. His answers to both counsel were unsatisfactory and not convincing.

No. 32 NAKANE Mitsutaro Reg. No. 04728.
Case 628. Honest - most favourable impression.

No. 34 OKA Sozaburo Reg. No. 13679.
Case 629 Cannot see any reason for disbelieving this claimant.

No. 35 OKANO James Sueyuki Reg. No. 10064.
Case 630. Not sufficient material on which to form a conclusion as to this claimant's reliability.

No. 36. OKANO Masatoshi Reg. No. 10063.
Case 631 The witness was very frank, but I fear is looking for an unwarranted increment in the land asset.

No. 37 OSAKA George Reg. No. 07589.
Case 632 Truthful.

No. 38 SAKAMOTO Hanpe Reg. No. 02131
Case 633 Appears to give straightforward answers.

No. 41 TERAMURA Nobue Reg. No. 08354
Case 634 The witnesses impressed me as being fair and truthful.

No. 39 SHIGEHIRO Shizue Reg. No. 08085
Case 635 Truthful.

No. 42 TsUJI Shigeichi Reg. No. 13345.
TSUJI Tsuneichi Reg. No. 13348.
Case 636 Truthful.

No. 43 Uyeda, Sysumo Reg. No. 05616.
Case 637 Not impressed with this man's testimony.

No. 45 YOSHIDA Teiichi Reg. No. 01893
Case 638 Honest witness.

No. 44 YAMASAKI Bunkichi Reg. No. 03589.
Case 639 Think the witness truthful. The claim, however, is doubtful rather on the ground of insufficient evidence.

CLAIMANTS REPRESENTED BY MR. A. G. VIRTUE, K.C.

No. 19 FUKAMI Katsumi Malcolm Reg. No. 13175.
Case 657. "Doubtful." The foregoing was my comment made following the conclusion of the evidence. A persual of the transcript has not made me more certain in the absence of cross-examination as to land values. Obviously, however, in fixing such values the claimant has made no allowance for depreciation of buildings ($300.00) or endeavoured to show how the cost of clearing and planting ($1475.00) has been arrived at.
Then, again, he has charged the Custodian with the value of a horse and harness ($170.00) which he turned over to one E.H.Merrill, notwithstanding having disclosed no personal property in his J.P. form.

No. 20 HAMAURA Motaro Reg. No. 05294.

Case 658. Following the hearing I made the followint note:

"Not confident of the veracity of witness,"

based entirely on my observation of the witness, and his admission that he had no record of the costs of labour and materials entering the land improvements. They were merely prepared from memory.

Since the claim for personalty has been abandoned, I assume that the expert appraisers, when giving evidence, will be able to present proper figures on depreciation and costs of work done.

No. 18 FUJINO Iwajiri Reg. No. 13364.

Case 518. "Couldn't see any reason for disbelieving the witness."

No. 21 HARADA Eikichi Reg. No. 05347.

Case 659. My note,

"No reason to doubt this man,"

still stands following a perusal of the transcript. Expert evidence as to life of fishing nets and their depreciation following use or lack of care in treating them between seasons might affect the claim filed.

No. 22 HAYASHI Ken Reg. No. 14545.

Case 660. My notation in this instance reads,

"This man appears to have a commercial training and is intelligent. His values should be checked carefully."

My reason for the concluding remark is the big spread between the alleged cost of the land and the amount at which it sold($3130.00 and $959.00). His figures are

land	$450;00
buildings	$1300.00
other improvements	$1380.00
	$3130.00.

No attempt was made by direct or cross-examination to justify or attack the costs of building, clearing or planting. I presume that expert evidence will be given at Vancouver on such matters.

No evidence was given to prove what personalty vested in the Custodian and for which the Custodian might be responsible. That is aside from what he gave to his friend Clay. The claimant's evidence as to the values of the stove, linoleum and violin is not entirely satisfactory.

No. 23 HAYASHI Tatsuo Reg. No. 13205.

Case 661. "Values should be checked carefully. The claim on Parcel 2 should be reduced by one-half. He claimed on the basis of full value and only owns one-half share."

As to above comment, see Exhibit 2 and remarks at bottom of page 7 and on page 8 of the transcript.

Again there is a tremendous difference between values as fixed by the claimant and the price at which the land was sold. What is the answer?

No. 24 HIGO Kiyoji Reg. No. 05348

Case 662. "Seems to be a truthful witness."

Exhibit 6 will require careful scrutiny as to its effect. There is some question as to what is really covered by the release.

No. 26 HIKIDA Masaharu Reg. No. 03388.

Case 664. "Don't consider this claimant a reliable witness."

In the first place, in building up a cost of $7400.00 for the land he asserts that his father paid $4000.00 for 5 acres ($800.00 an acre). He can only say that his father told him such. Improvements of a house and barn at $2900.00 and drainage and planting at $500.00 made an actual cost of $7400.00. Such was sold for $1782.97. Such variation seems too great, in the absence of evidence supporting the aforesaid costs. The assessed value of the land is only $1174.00 and the improvements fixed at $2900.00, which latter figure is in line with the claimant's cost of improvements, after allowing for depreciation. Such facts, together with the witness's reaction under cross-examination made an unfavourable impression.

No. 29 HIROTA Mijiro Reg. No. 03390

Case 665 I was "not satisfied with the veracity of this man" upon the conclusion of his evidence. He seemed to develop a "blank" recollection of some things and varied the amount of his claim upward on the basis of the cannery manager's valuation despite his own oath in the original claim.

No. 25 HIGO Mankichi Reg. No. 09628

Case 666. In view of his answers on cross-examination as to (1) nets and (2) tools, I made the following notation in my records, "Have no confidence in this claimant's approach to recovery of loss. Unquestionably he's making it as large as possible."

No. 30 — HOMMURA Kumaichi — Reg. No. 02039.

Case 667 — This man's attitude in answering questions and the variation in values between his J.P. form and final claim, to say nothing of differences in quantities of personalty claimed, shook my confidence in the claimant's story. Accordingly, I noted, "This man's evidence is not reliable."

Nos. 27 & 28. — HIROSE Tanejiro — Reg. No. 04399
HIROSE Toku — Reg. No. 04388

Cases 668 & 669. — After hearing these two claimants, I concluded that "while the evidence of the foregoing two claimants as to their assets is in the main true, yet there appears to be an attempt to overload their claims following a failure to give the Custodian some co-operation."

No. 31 — IKEDA Teruhiko — Reg. No. 00341
No. 61 — MIYASHITA Shizuma — Reg. No. 04408.

(Ikeda and Miyashita are brothers-in-law)

Case 670. — I cannot do better than quote my note following the hearing, "There has been no cross-examination which has enabled me to draw any conclusion as to the claimant's veracity."

No. 32 — IKEDA Yoshihiko — Reg. No. 13559

Case 671 — "Another claimant attempting to get as large a sum as possible for any loss sustained."

I must confess I haven't much confidence in the routine answers given to such questions as "Are the statements made in the summary true?" and "Are the values fair values?"

No. 33 — IMADA Yoshitaro — Reg. No. 14421.

Case 672 — My note made immediately following the hearing of this claimant's evidence is s elf-explanatory - "Can't rely on this man, - possibly due to the build-up of claim by someone other than the claimant. See his evidence (pp5-9) as to value of land and building and the loss of a house by fire valued at $1500.00 on his own statement."

No. 34 — INOUYE Shigeo — Reg. No. 12960.

Case 673 — "Another claim to be checked carefully."

Nothing can be added to the above notation in view of the direct and cross-examination.

No. 35 IWAMOTO Sukezo Reg. No. 13389

Case 674 "Values exaggerated."

The question of responsibility of the Custodian is raised by the fact that the claimant gave possession of his chattels to one Mrs. Clark, in that she moved into the house where the chattels were although she was not supposed to use them, according to the claimant. The value of the land seems high.

No. 36 IWAMOTO Tsugio Reg. No. 10640.

Case 675. "Cannot rely on this claimant's statement. See the evidence as to difference between Exhibits 1 and 4 (see pp. 5 to 8)."

No. 38 KADOYAMA Ichiro Reg. No. 13160

Case 676 "I think this witness was frank and truthful, but his list and values have unquestionably been padded." (See pp. 8 to 11).

No. 39 KANEGAWA Sakuji Reg. No. 04801.

Case 677. "I fear that this witness is typical of many other claimants. He swears to the truthfulness of a summary produced and marked Exhibit 1, and then on cross-examination appears to have no basis in recollection for many of the facts sworn to. This is undoubtedly due to the summaries being prepared in the city and then taken or sent out to the claimant for execution in the country."

No. 37 KADONAGA Tetsu Reg. No. 05851

Case 678. "This claimant by his answers on cross-examination leaves the impression that he is not altogether frank. Such fact together with th e fact that the claim now being asserted for nets not referred to in the J.P. form (allegedly left with a sick friend) raises suspicion on one's mind."

No. 40 KANEGAWA Setsuo Reg. No. 02431

Case 679 "No ground to doubt witness."

No. 41 KARIATSUMARI Miyoshi Reg. No. 13192

Case 680 "The evidence as to basis of claim is very unsatisfactory in view of the failure to produce the Jansen lease. I cannot help feeling that the claim is simply built up, and no real approach has been made by the claimant in an attempt to determine any loss. Furthermore, I am not satisfied as to the claimant's frankness."

No. 42 KARIATSUMARI Tokiyoshi Reg. No. 13314.

Case 681 "This is another build-up. Ths witness I feel told the truth as he understood the questions." The depreciation on the chattels must be greater than albwed by the claimant as he leased the furniture, etc., to a Chinaman for one year, after which the Custodian sold them. The land and automobile can be taken care of by competent witnesses for the Custodian.

No. 43 KAWABATA Bunjiro Reg. No. 05247

Case 682. "I feel this man answered the questions truthfully. However, the claim as finally submitted must be scrutinized carefully both as to chattels and land. Depreciation hasn't been considered as to buildings."

The claimant lived on the land for 20 years. He paid $2950.00 for the property and added bushes and trees costing $683.00 and buildings at $485.00, bringing a total of $4118.00. It was sold for $1183.73. The assessment is, land $1305.00, improvements $650.00, or $1955.00.

In fixing the claim no attempt haw been made to arrive at depreciation over the 20 year period or on the basis of neighbouring property values. Furthermore, he rented the place with some chattels at $100.00 a year and fixed the rental value in his claim at $200.00. His values on personalty are not convincing, and some doubt exists as to what personalty he should claim for in view of his lease with Hacault.

No. 44 KIMURA Kanzuo Reg. No. 05021

Case 683. "Feel that this man is somewhat reluctant in giving his answers. Yet I cannot say he was untruthful."

The above comment arises out of the disposition and disappearance of his goods placed, or at least transferred, to Sakamoto's house. The claimant was either very ignorant of what transpired or extremely clever in withholding the facts.

Some evidence will have to be led as to nets and their depreciation.

No. 48 KOYANAGI Sakumatsu Reg. No. 6337.

Case 686. "Claimant has inflated ideas of values of assets."

See Exhibit 4 as to value of land, and also cross-examination as to school books. If the books were available for the oldest child as he suggests, some of them must be out of use and replaced by new ones. His attitude to the disposition of his goods left in Fukushima's basement is enlightening.

No. 79 NISHI Shigeo Reg. No. 12149

Case 716 "One cannot rely on this man's statement or verification of his claim." It will be observed that he swore that he bought a house for $600.00 when as a fact he was only a lessee of it. Again he filed a claim for a boat which he had authorized the Custodian to sell. Personally, I am not satisfied as to the balance of his claim.

No. 80 NISHI Taichiro Reg. No. 13038.

Case 717 I cannot find any reasonable or fair basis to this man's claim for real estate. First, his rental value of $1100.00 is unsound and, second, when he said he got such sum as rent for 10 mos. he didn't tell the truth. In fact, he got $500 rent including crop sold and evidently chattels leased. The land in November 1947 was valued at $6770.00, is now valued at $8175.00, of which increase in 8 or 10 mos. he could give no explanation. His values of personalty seem equally unreliable.

No. 81 NISHI Tsunezo Reg. No. 03368

Case 718 I cannot find any basis for disbelieving this claimant although the values may be larger than should be.

No. 82 NISHIMURA Sanjiro Reg. No. 02401

Case 719 My criticism of this claimant's evidence is rather directed against the preparation of the claim than the oral statement. I feel he was giving fair answers to the questions, but unquestionably the values have been padded somewhat.

No. 83 NISHIZEKI Tokusaburo Reg. No. 14135.

Case 720 Aside from real property values, which were not subjected to cross-examination, the only criticism I would make is referable to the chattel values. Having regard to Exhibits 1 and 8 and Simpson's catalogue values appear to be high.

No. 84 ODAGAKI Shichitaro Reg. No. 07454

Case 721 There is no evidence given by this claimant from which it can be reasonably inferred that he wasn't giving truthful oral evidence. The only feature to consider is the correctness of values. One shouldn't be surprised to find them excessive.

No. 88 OKAHASHI Masuzo Reg. No. 14181

Case 722 The answers given are true, but there is an attempt by the claimant, or someone on his behalf to hide the real value of the land on the basis of selling one acre to the provincial government for highway purposes. He admitted selling 4 acres of the same land for $744.00.

No. 85 OGA Makitaro Reg. No. 04919.

Case 723 The claimant gave his answers frankly, and I believe told the truth. However, I am satisfied that the claim has been prepared, particularly as to chattels, without due regard to original cost and subsequent depreciation. The claim for Parcel 2 is excessive. It should be based on the value of 5 shares in the co-operative enterprise, of which there is no evidence, due possibly to the fact that he placed no value on them in April 1942. Such, of course, does not take into consideration the leasing of 4 acres with option to purchase.

No. 86 ŌHNO Kenzo Reg. No. 13138

Case 724 Again I feel a fairly accurate oral account has been given by the claimant, but obviously there is an attempt to get exaggerated amounts for assets claimed. In this the claimant was a party.

No. 87 OIKAWA Masami Reg. No. 12759

Case 725 Proof merely formal by both parties.

No. 89 ŌKAMOTO Hatsutaro Reg. No. 03466

Case 726 This claimant answered the several questions frankly and, I believe, truthfully. He has, however, an inflated idea of the value of his assets. This is particularly true of personalty. In addition, there is no proof of purchase price of either parcel of land. In one case, ($1300.00) the price seems excessive for land without improvements. The secret, I believe, is that the summary giving values was not prepared by a competent person; possibly I should say experienced.

No. 90. OKAMURA Masaru Reg. No. 13108

Case 727 Like the preceding claim (#726) it has been prepared on the wrong basis,- no allowance having been made, whether as to real or personal property, for depreciation. The claimant in giving his evidence gave a frank statement, but it was obvious that he is asking too much for his lands & chattels.

No. 91 — OIKAWA Usaburo — Reg. No. 12737

Case 728 — The claimant is an old gentleman - in fact, quite old, and, as he said, his memory was not as good as before. His claim has been prepared with assistance of his son-foreman. Whether it is because of lack of memory or lack of frankness the claimant's evidence is not correct in the light of the son's evidence. This is brought out in the matter of the terms of the Fennig lease. Since the claim was prepared by the claimant and son with the mother of latter I feel the evidence is not too reliable, which is borne out by the excessive values placed on the assets.

No. 92 — ONO (Mrs) Matsuno — Reg. No. 02566

Case 729 — Insofar as the witness's knowledge extends, her evidence was frank, and, I believe, true. She was an exceptional witness.

No. 93 — OSEKI Eichi — Reg. No. 05150

Case 730 — No evidence was given to justify my disbelief in his statements.

No. 94 — OSEKI Yosuke — Reg. No. 05153

Case 731 — Nothing was brought out which would discredit the witness, although it appears obvious that his values are high.

No. 95 — SAKAI Kazuichi — Reg. No. 11130

Case. 732. — This witness was very frank and quite honest. The only criticism to be made is that his knowledge was limited by the circumstances and consequently his values are not reliable. Two questions are outstanding for consideration (a) the validity of the Power of Attorney under which the boat "Blue Heaven No. 2" was sold, and (b) his right to claim the father's property through gift.

No. 96 — SAKIYAMA Kumataro — Reg. No. 05043
Fuku — Reg. No. 05257

Case 733 — This claimant's final answer in the transcript is revealing. Notwithstanding the tremendous claim he had prepared he said his total claim amounted to $3170.00 for "land, house, nets & everything." The preparation of this claim is in keeping with the vast majority of those prepared by the same office. Due regard has not been given for costs and depreciation.

No. 97 — SAKAMOTO Masahiro — Reg. No. 14201

Case 734 — This is another instance of exaggerated values. The method of direct examination affords no prpper approach for cross-examination with the result it is difficult to judge the bona fides of the witness. It would appear obvious from a comparison of values set out in Ex. 1 and the proof of claim that the claim is too large.

No. 98 — SAKAMOTO Kojiro — Reg. No. 14130.

Case 735 — The two witnesses supporting this claim disclosed the basis of the claim and particularly the evidence concerning the preparation of a list attached to Exhibit 2. Such I feel reveals that the values are not reliable.

No. 99 — SAKON Mataichi — Reg. No. 13128

Case 736 — Judging from the answers given by the claimant I have concluded that his claim is largely the production of some third person based on material furnished by the claimant. His statements relative to the personalty confirm such conclusion. The values inserved for them are definitely out of line with original costs and the time the chattels have been in use.

No. 100 — SAITO Keitaro — Reg. No. 13107
Mrs.Keitaro — Reg. No. 13106

Case 737 — The witness answered questions frankly and truthfully. Real estate values, however, need to be checked closely.

No. 101 — SAMESHIMA Munetoshi — Reg. No. 06608

Case 738 — Difficult to make a comment on this claimant's approach to the preparation and disposition of his claim due toabsence of extensive cross-examination. The real property seems to have been productive judging from tenant's statement on last page of Exhibit 7. It should be noted that the lessee paid $1000.00 of $1300.00 for the 1942 crop. Therefore, the rental value for the land and buildings is $300.00 and not $1300.00 as set out in Exhibit 1.

No. 102 — SAMESHIMA Toshio — Reg. No. 03403

Case No. 739. — There is no evidence before me from whichI can infer that the claimant was not telling the truth.

No. 103 SAMESHIMA Toshiyuki Reg. No. 03362

Case 740. I cannot possibly believe this witness. His demeanour and answers under cross-examination clearly revealed that he was not telling the truth.

No. 104 SASAKI Kwanichi Reg. No. 05846

Case 741 I feel that the witness was frank and truthful in answering the questions asked having regard to the method of direct-examination and his lack of knowledge of English. However, it seems to me that his claim is greatly inflated.

No. 105 SASAKI Seiichi Reg. No. 05833

Case 742 There isn't much to be said about this man's evidence. Nothing said discloses any wilful misrepresentation. The whole question involved is a fixation of proper net values which experts will, I assume, cover.

No. 106 SATO Akisaburo Reg. No. 14346

Case 743 The claimant was consciously maintaining the size of his claim as previously prepared. While I wouldn't suggest that he was deliberately making mis-statements, yet I felt that he was determined to obtain all he could.

No. 107 SATO Shotaro Reg. No. 13425.

Case 744 This is another claim the amount of which will have to be scrutinized closely. The amount is too large.

No. 108 SAWADA Toshiaki Reg. No. 13296

Case 745 The final disposition of this claim will depend upon the real estate valuation.

No. 145 WADA Kazuo Reg. No. 13467

Case 777 If this claimant's values of personal property are any indication of his real property values, then the claim is simply ridiculous. See my remarks re values of personalty.

No. 146 WATANABE Yoshizo Reg. No. 13271

Case 778. The disposition of this claim must be left to real property appraisers. There is nothing in the evidence to give one a lead as to the claimant's attitude.

No. 147 YAKASHIRO Takekuma Reg. No. 13383.

Case 779 The claimant's admission as to the personalty values is enlightening. The values are fixed at cost prices. The 1942 values he doesn't know. He valued the washing machine at $165.00. Exhibit 9 says "Bought it in the year 1940, paid in full, the amount of $159.00." The build-up of real estate claim reveals the same excessive values as shown in the personalty claims.

No. 148 YAMADA Shouemen Reg. No. 13370

Case 780 This claimant is an intelligent Jap; spoke English quite well and seemed to have a good grasp of principles entering into appraising of property. He has built up his real property claim effectively on original costs. The assessed value of same makes a striking contract, and in the absence of evidence indicating an unfair approach I must leave any conclusion until the appraisers have submitted their opinion.

No. 149 YAMAMOTO Senzo Reg. No. 05157.

Case 781 The personal claim is most vulnerable as shown by comments at end of transcript. This is revealed by the difference between claims as shown by ppoof of claim, Exhibit 1 and Exhibit 8.

No. 150 YAMAMURA Suteo Reg. No. 08214.

Case 782 The real estate claim is not greatly in excess of the assessed value and that of Coulthard, Sutherland & Co. Ltd. The sale price seems fair in view of such values and other offers received. His values on personalty are definitely out of line. Reference might also be made to Exhibit 10.

No. 151 YAMASHITA Tatsuzo Reg. No. 05867

Case 783 There appears to be no reason for doubting the evidence given by this claimant. Unquestionably, he is claiming a greater sum than originally asserted. In fact, he admitted raising the prices on the nets as he considered his 1943 values to be too low.

No. 152 YANO (Mrs) Matsuyo Reg. No. 06478

Case 784 There is no question but that this claimant is truthful. Her values are undoubtedly away too high. There is grave doubt if there is any basis for the claim based on the two houses.

No. 153 YESAKI Miyakichi Reg. No. 03583

Case 785 This claim should be scrutinized closely. The applicant's values on personalty are excessive. Only $175.00 has been allowed for depreciation on the personalty some of which is at least 12 years old. Land values appear to be on the same basis.

No. 154 YOSHIDA Nobushige Reg. No. 06976

Case 786 This claimant's appraisal of the personalty is much more reasonable than the vast majority of other claimants'. Yet, there are some values, away out of line, for example, text books and encyclopedia due to lack of knowledge of proper depreciation. There did not appear to be any attempt, conscious, that is, on the part of the claimant, to boost values.

No. 157 YOSHIHARA Nobuo Reg. No. 02328

Case 787 There is nothing much to say about this claim, as it is in the main a real estate matter to which evidence of appraisers, I suppose, be directed at a later date.

No. 156 YOSHIHARA Motoichiro Reg. No. 12110.

Case 788 The position of this claim as to realty is similar to Case 787. The personalty claim is quite small ($54.00). The boat claim is subject to argument as to being within the purview of the Commission. No evidence was adduced which in any way reflected on the claimant.

No. 162 TAMURA Morikiyo Reg. No. 14109

Case 789 This man speaks English splendidly. His demeanour in the witness-stand and his attempt to sidestep cross-examination definitely stamps this claimant as one not being frank and truthful. When shown a picture of his home he feigned inability to recognize it. When faced with Exhibit 10, which stated one Menzies was his agent, he endeavoured to escape the consequences of same. His values on personalty are ridiculous.

No. 163 TAMURA Yazaemon Reg. No. 13727.

Case 790 The claimant is an old man, - a son of the former claimant (case 789). He cannot speak English and lived with a son, Makato, who owned land jointly with another brother. The values of the personalty are obviously out of line but not as badly as some others. The claim must be examined carefully.

No. 164 — NAKAMURA Masato — Reg. No. 13764
Hidekazu — Reg. No. 16645.

Case 791 — I am not satisfied as to the bona fides of this claimant. Reference to the transcript will reveal that when cross-examined as to the leasing of the land to one Gee, he first denied renting the land and then when asked in the light of the terms thereof the rental value as set by the lease he said $700.00 (being the amount set out in Exhibit 1), indicating an obvious attempt at padding his claim. His values must be scrutinized.

No. 161 — NAKAMURA Yutaka — Reg. No. 13606.

Case 792 — This claimant is the father of the preceding claimant (case 791). His claim is one for personalty only, a portion of which he permitted his sons to turn over to one H. Gee, under the lease (Ex 11 - 791). The values fixed on the personalty are in some cases excessive.

No. 155 — YOSHIHARA Motoharu — Reg. No. 08126

Case 793 — There is not much to be said concerning this claim. The claim as to the boat and nets will have to be left largely with the respective appraisers. The values placed on the chattels appear to be a little high. There is no evidence indicating untruthfulness on his part.

No. 158 — YOSHIOKA Asao — Reg. No. 13967

Case 794. — In giving his evidence this claimant was quite frank and, I feel, truthful. The final disposition resolves itself into a matter of proper values of land and improvements. No detailed evidence is given as to the personalty which was several years old, for which $450.00 seems a big figure.

No. 159 — YOSHIOKA Kiemon — Reg. No. 14000

Case 795 — This claimant is the son of the foregoing claimant (Case 794). I have no hesitation in saying that he, an old gentleman, answered the questions truthfully, but when he stated the land values as fixed by his son and assistants were fair, he had no appreciation of the elements which enter fair actual values. His claim is too large, but it does seem that the sale price to The Veterans Department was too small.

No. 144 — UYENO Suyeki — Reg. No. 08297

Case 796 — There is not anything I can add to the evidence herein. Cross-examination was directed to a claim made in the proof of claim for stock-in-trade on November 13/47, whereas such was abandoned at the hearing because he authorized a sale for $190.00. The attempt made by counsel was to show that the value of fixtures claimed was as badly out of line as the stock-in-trade.

No. 139 — TSUIDA Suzumi — Reg. No. 05302.

Case 797 — This young lady was truthful in her statements, and I am inclined to believe fair in her claim.

No. 140 — TSUJI Shigeichi — Reg. No. 13345

Case 798 — I have no reason to disbelieve this man.

No. 141 — TSUJITA Takeji — Reg. No. 13557

Case 799 — In the absence of cross-examination, no opinion can be expressed as to the veracity of the claimant.

No. 142 — TSUJIURA Natsu,
Kanoa &
Miyo Hoyano.

Case 800 — Evidence given by daughter (now 30 years old) in the prevailing practice, but I doubt if she has the knowledge necessary to answer the questions asked in direct examination.

No. 143 — USUI Kohei — Reg. No. 10979.

Case 801. — This claim is strictly one relative to personalty. The only comment which I would make is that he had a hazy idea of some of the items for which he made a claim and in each case appeared to claim a sufficient sum; in fact, somewhat large.

Commission Sessions on
the 6th of June - wish
you would write me
here - air mail - advising
whether that is the
date - also ascertain
from Braid wood what
progress he and McMaster
have made with the
sorting out of the
claims -

Have you had
any replies from the
several Lawyers To

the letter inquiring whether they wish to present further evidence or argument- if so to what effect. I have seen both Hunter and Dr Smith since my arrival here.

With Kind regards to all of you -

Yours Faithfully

A R Ford

Some through 270 roughly 5'0 to 7' not completed

Ho-88 P.a. 0741

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

May 17th 1949.

Honourable Mr.Justice H.I.Bird,
Park Plaza,
Toronto.

Dear Mr.Justice Bird,

I have just received your letter of the 16th inst. The hearing of claims was set down for June 1st, not the 6th. Hogg is to present his claims on the 1st, and Johnston and Thomson are set down for the 2nd.

I enclose herewith for your information an agenda which I have prepared. Arriving here on the 31st will not give you any time for preparation, and if you wish the date of hearings advanced, please wire me your instructions, and I will arrange schedule accordingly. Mr.Braidwood is out of town until Thursday, but McMaster advises that 270 cases have been gone through, and that 75 of the 270 have not yet been completed. We have received acknowledgments from all independent Counsel except the following:

Fulton, Morley & Verchere, Kamloops
Swift MacLeod,Deacon & Ormond, Winnipeg
Sam Kosaka, Lethbridge.

Counsel who acknowledged receipt of our letter advise as follows:

A. J. MacLennan, Vancouver: "Intends to submit argument".
G.R.McQuarrie, New Westminster: "Claims turned over to Mr.McMaster, but awaiting instructions from claimants".
F.W.Engeman, Clinton B.C. "Intends to submit argument."
F.Drewe Pratt: Does not propose to submit further argument, but awaiting instructions from claimants and asks for extension."
J.M.Streight, New Westminster: "Does not propose to submit further argument."
Hancox & Gowan,Vancouver: "Argument to be submitted by J.A.MacLennan."
Rose,Johnson & Moore, Moose-Jaw: "Do not propose to submit further argument."
G.Tamaki, Moose Jaw: "Does not propose to submit further argument."

Raymond & Honsberger, Toronto: "Intend to submit further argument."
Simpson & Duncan, Hamilton: "Submitting further argument through R.J.McMaster."
H.R.S.Ryan, Port Hope: "Does not intend to submit further argument."

We hope Mrs.Bird and yourself are having a pleasant visit in the East, and that you are being favoured with good weather. The staff join me in extending to you both our best wishes, and we hope that you are receiving much benefit from your trip.

Yours very truly,

AW/W.

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

506 Royal Bank Bldg.,
Vancouver, B.C.,
May 25, 1949.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Bldg.,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright: Re: P.S. Ross Account -
Japanese Claims Commission

Further to my letter of the 15th, I have had a talk with Mr. McPherson, but am not able to obtain from him any actual details of any arrangements made with Dr. Coleman.

In my first discussion with Mr. McPherson, he stated that it had been indicated by P.S. Ross & Sons that in connection with fees charged for work on Enemy Companies, the question of partners' time had never been considered. Investigations in Montreal and also to some extent in Vancouver, had in many cases failed to reveal any assets whatever, or any "Enemy Assets" and that in such cases no charges had been made. Mr. McPherson thought there was a general understanding that there would come a time when P.S. Ross would make a general charge to take care of such matters. On two or three occasions in the past few years Mr. Field has intimated to me that a special fee would likely be made and charged against the N.S. McNeil Company to take care of matters of this nature. I mentioned this to Dr. Coleman when he was last here and he replied that I need not consider that any further charges would be made against N.S. McNeil. In thinking back, there may have been an inference made by Dr. Coleman, that any extra fees to which they may have been entitled, had or would be taken care of in some other way. However, I pointed out to Mr. McPherson that the account rendered appeared to specifically apply to work in connection with claims before the Commission. In this connection Mr. McPherson is positive that Dr. Coleman considered it desirable that a Montreal partner should come to Vancouver and be available.

As you are aware, Mr. Guy Hoult and Mr. Gates came and spent some time in Vancouver in connection with these matters, and the account, I take it, not only includes these services, but also the additional time given by Mr. Field and Mr. Bob Wray. I am not able to

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

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PLEASE REFER TO

FILE NO.....

K.W. Wright, Esq. May 25, 1949.

give you the exact dates, but my recollection is that Mr. Gates was here for about ten days in June, and also came out again for about three weeks in the fall, and Mr. Hoult was with him for about ten days at that time. Mr. Gates did not appear at the hearings. As indicated in my previous letter, Mr. Hoult gave evidence on one occasion, and for your information the following chart will show the dates on which Mr. Wray and Mr. Field gave evidence, and the number of pages in the transcript will give an idea of the extent of their evidence:

Royston Lumber Co.	R.F. Wray	69 pages -	(Oct. 19 - Part of P.M. (Oct. 20 - All of A.M.
" " "	" "	5 pages -	Oct. 21 - Part of P.M.
United Marine Products	F. Field	13 pages -	(Oct. 25 - Part of P.M. (Oct. 26 - Part of A.M.
Haney Box Company	F. Field	40 pages -	(Oct. 29 - Part of P.M. (Nov. 1 - Part of A.M.
Deep Bay Logging Co.	R.F. Wray	51 pages -	Nov. 24 - All of A.M. and
		18 " -	Part of P.M.
	F. Field	34 pages -	Nov. 24 - Remainder of P.M.
	R.F. Wray	9 " -	Nov. 25 - Part of A.M.
		3 " -	Nov. 25 - Part of P.M.
General Evidence (Corporations)	F. Field	30 pages -	Oct. 12 - Part of P.M.
		18 ") -	Oct. 13 - All of A.M.
	R.F. Wray	10 ")	
	G.E. Hoult	11 pages -	Oct. 12 - Part of P.M.

June 27th 1940.

F. P. Varcoe, Esq., K.C.,
Deputy Minister of Justice,
Ottawa.

My dear Varcoe, Re JAPANESE PROPERTY CLAIMS COMMISSION

Formal Sessions of the Commission for the present term have now been concluded.

Government Counsel will be engaged during July and August in discussions with Counsel for various claimants, to determine which claims it is mutually agreeable to dispose of on the over-all basis which has been previously outlined to you and which claims require to be dealt with as special cases.

Counsel have already disposed of more than 400 claims during discussions held between them up to this date. In addition, they have brought before me all special cases included in this group of approximately 400 claims, and the majority of these special cases have been dealt with.

I propose to hear argument in the corporation claims commencing in September, and will follow on with the special cases remaining to be presented.

I am hoping that the work of the Commission can be wound up about the end of October, although that estimate may prove to be somewhat optimistic.

Effective as at June 30th, I have dispensed with the services of the remaining two Interpreters, who in the interval have also been engaged on clerical duties in connection with the claim files. It is improbable that further interpreter service will be required.

In the result, the Commission staff is now reduced to the Secretary and a Stenographer.

Yours truly,

HIB/W.

MEMORANDUM September 12, 1949.

TO: Mr. J. McDonald

FROM: Mr. F. G. Shears

My understanding of the basis of awards in connection with fishing boats is as follows:

Nelson Brothers Fisheries.

These boats were sold to Nelson Bros. at 10% less than the appraised price or the S.N.P. price. This item is to be reversed, together with a charge which was made against each boat, of 13.5% of its sale price.

Boats sold to Other than Nelson Bros.

The award in these cases was the charge of 13.5% as mentioned above, together with an award of 15% to cover what was considered to be extra depreciation which had occurred in connection with these boats.

The charge of 13.5% against each boat was the amount necessary to absorb the total charges paid by the Custodian for general expenses in connection with the care of boats.

Mr. J. Macdonald.

September 19, 1949.

21 Fishing Vessels Sold to Nelson Bros.

File No.	Case No.	Boat Name	Appraisal	Sale Price	Expenses 13.58%	
2252	335	Oceanic	$ 250.00	$ 225.00	Survey, Stge., Advtg. Towing Wages, Wharfage, Ins. & Sundry	30.56
15065	431	Fumie K.	400.00	360.00	"	48.88
1219	47	K.H. N.W. 3265	250.00	225.00	"	30.55
5328	871	Y.H. 3159 Miss Acme	350.00	315.00	"	42.77
1830	527	K.K.	300.00	270.00	"	36.67
3640	128	Y.K. #3	350.00	315.00	"	42.77
4694	567	R.M.	200.00	180.00	"	22.32
5024	608	K.O.	275.00	247.50	"	33.61
4533	730	E.O.	350.00	315.00	"	42.78
5549	534	M.M.	700.00	630.00	"	85.55
9216	1107	N.M.	1300.00	1170.00	"	158.89
9609	211	TS & KS	150.00	135.00	"	18.33
9609	211	JE	250.00	225.00	"	30.56
4693	290	K.M.	150.00	135.00	"	17.78
6943	98X	NO 1009	350.00	362.70	"	49.26
13080	420	Cherub	450.00	466.20	"	63.30
3353	58	HARUKADE	750.00	776.70	"	105.47
XI/1029	1150	K.N.	250.00	288.00	"	39.00
XI/430	816	Ruth "C"	375.00	431.00	"	58.52
5336	1260	RK 1425	~~540.00~~ 450.00	486.00	"	66.00
1441	687	TK or SM	275.00	284.40	"	38.61
			8175.00	7842.50		1062.18

TO: Mr. J. Macdonald.

Information requested in your memo of 14th September, 1949.

FROM: Mr. F.G. Shears.

MEMORANDUM

STEVESTON PROPERTIES

Claims made for losses alleged to have been sustained on the sale by the Custodian of real property situate in the town of Steveston, a fishing community situate near the Gulf of Georgia at the mouth of the Fraser River, present questions of unusual difficulty in the determination of fair market value at the date of sale.

Here, as in all other such sales of real property, the price finally accepted by the Custodian was largely influenced by the valuation of the property made by real estate appraisers employed by the Custodian.

My examination of the evidence in these claims showed that the price realized on sale of these properties seldom realized more than 50 to 60 per cent. of the value placed thereon by the Municipal Assessor. The evidence also disclosed that in 1942 this community was reduced to the status of a "ghost town", due to the fact that roughly 90 per cent. of its inhabitants were persons of the Japanese race who at that time were compulsorily evacuated from the coastal area.

These properties were offered for sale by the Custodian in a period commencing in the fall of 1943 and continuing through 1944. It was apparent that the local real estate market, which was virtually non-existent in the period following the introduction of the evacuation policy, showed little indication of recovery until 1945.

In my judgment, the evidence supports the conclusion that, although properties sold in the period of 1943 - 1944 were sold at the best prices then obtainable, in view of the depressed conditions, nevertheless the prices realized cannot be said to have represented the fair market value in normal circumstances. Consequently, I have considered these claims

in the light of the term "value to the owner", as defined by the Supreme Court of Canada in its recent decision in Diggon-Hibben vs. Regem, not yet reported, and have endeavored to base the recommendations made on the principles there laid down.

A.J. Bird

Commissioner.

November 9th 1949.

MEMORANDUM

FROM: Mr. F. G. Shears. November 8, 1949.

Re: Hakoda Bay Properties

Transcript of Case 1101 (Yutaka HAKODA) supplies information regarding the property at this location.

1. Hakoda's father purchased 65 acres of land.

2. This was divided into 11 parcels.

3. Houses were built by various Japanese.

4. Each of these Japanese became the owner of approximately 5½ acres of the total parcel and for which they drew lots, thus the house owned by each Japanese was not necessarily located on the land he owned and for which he was assessed.

The municipal assessment notices issued in the name of the registered owner, and which were sometimes filed at the hearings, were therefore of no value in establishing the assessed value of the house on which a claim was being made.

The correct assessment relating to each house on which there is a claim, and the amount for which the property was sold, is as follows:

Case No.	Name	Assessed Value	Share of Sale Price
788	Motoichiro YOSHIHARA	$ 1300.00	$ 506.54
888	Tsunetaro OYE	900.00	350.68
1101	Naotsugu HAKODA	1000.00	389.65
1108	Minoru NASU	1850.00	720.85
1368	Susumu TERASHITA	1600.00	623.44
1339	Tsuneharu WATANABE	1100.00	428.62
787	Nobuo YOSHIHARA	1600.00	623.44
1343	Chonosuke MATSUBARA	1000.00	389.65
	No Claims	2500.00	974.14
		$12850.00	$ 5007.01

Appraisals were filed at the hearings, and while these may have related to the house under consideration, in view of the manner in which the houses were located, this is not conclusive. When these properties were first inspected, at the request of the Custodian, by Mr. Hinton (Teo. A. Touche & Co., Victoria), Mr. Hinton usually included in his report an estimate of what he considered the market value. His comments and values are as follows:

"The building is an incompleted two-storey frame dwelling house of six rooms. No water is piped to the house and no bath or toilet are yet built. The house is not painted. The approximate realizable value of the house is $500.00."

Hinton's Report does not give a value.

"The building is a wooden bungalow of five rooms with Jap bath and outside privy. Water is piped to the kitchen and the Jap bath. The house is built on timber uprights. The estimated value of the house is $300.00."

"The building is a bungalow of five rooms with Jap bath and outside privy. Water is piped to the kitchen and the Jap bath. The house is built on timber uprights. The estimated realizable value of the house is $1,000.00."

Hinton's Report does not give a value.
"The building is a 2-storey dewlling of 8 rooms with Jap bath and outside privy. Water is piped to the kitchen and the Jap bath. The house is built on timber uprights."

"The building is a bungalow of six rooms with Jap bath and outside privy. Water is piped to the kitchen and the Jap bath. The house is built on timber uprights. The estimated realizable value is $500.00."

"The building is a two-storey wooden farm dwelling of six rooms with Jap bath and outside privy. Water is piped to the kitchen and the Jap bath. The house is built on timber uprights.
The approximate realizable value is $1,000.00."

"This is a five-room frame house with shingle roof and large shed adjoining, all built on timber uprights. A Jap bath and outside privy are adjacent. Water is piped into the kitchen and the bath. The walls and ceiling are of paper. The house is in fair condition and might realize $500.00 from a fisherman purchaser."

Mr. H.G. Winter was engaged by the Custodian to appraise these properties when they were advertised for sale. It should be noted that these properties were included in the catalogue and advertised for sale by tender in June, 1944, but that no tenders were received.

Mr. Winter's comments and appraisals are as follows:

"Frame building, approx. 34' x 24'
4 rooms down, 2 rooms up. Shiplap partitions.
Good floors. House in fair shape. Value - $500.00."

"Frame Building - approx. 32' x 18'
5 rooms. Needs re-roofing. Value - $150.00."

"Frame building, approximately 20' x 20'.
4 rooms and small lean-to kitchen. Value - $200.00."

"Frame building on cedar posts.
5 rooms down, 2 rooms up. Lean-to shed.
Concrete chimney Value - $600.00."

"Small house. Door & windows mostly gone.
Roof leaking. Bad state of repairs.
Value - $100.00."

"Frame house, approximately 34' x 24'
4 rooms downstairs, room for 2 rooms up.
Shiplap partitions. Good floors. House in fair shape.
Value - $500.00."

"Frame house, approximately 20' x 20'. on Cedar posts.
4 rooms downstairs, 2 rooms upstairs.
Shiplap floor upstairs. In fair shape.
Value - $450.00."

Reports on these properties were obtained by the Custodian from Mr. R. Matterson. Mr. Matterson did not indicate any values, but gave a brief description of each property as follows:

"Size of house - 32' x 24'
4 rooms downstairs, open attic upstairs meant for 2 rooms,
no work done upstairs only shiplap flooring, no stairs,
Finished floors laid in 3 rooms only. Shiplap floor in kitchen,
no ceiling throughout house.

Only partly finished on outside, no outside steps to
verandah which is not finished, and no gutters on, and no
drop siding only on 2 sides. New house. No chimney, stove pipe
through window."

"Size of house - 36' x 15'6"
5 rooms. One is a lean-to. House in poor condition,
bad floors, would have to have new roof. No chimney.
Stove pipe."

"Size of house - 21' x 21'
4 rooms and lean-to kitchen. Open attic. Roof in
bad condition and very low. No chimney. Stove pipe."

"Size of old part - 24' x 15'.
2 rooms downstairs with open attic, rooms are papered with
building paper.
New part - 20' x 16'. 2 rooms down and 2 up.
House sheathed throughout with 6 inch matched lumber.
These 2 buildings are connected with door only.
No chimney. Stove pipe."

"Size of house - 32' x 22'
4 rooms and small store room. In bad condition.
Open attic. No chimney. Stove pipe. Shake roof."

"Size of house - 42' x 22'
5 rooms and 1 small storeroom.
1 room finished in 3-ply veneer, short 1½ sheets.
open attic. Flush toilet. House in fair condition.
No chimney. Stove pipe."

"Size of house - 32' x 36'
5 rooms downstairs and 1 room done of upstairs and
room for one more.
Cement block chimney. House in good condition,
practically new. On cedar posts."

"Size of house - 39' x 22'
4 rooms and 1 small storeroom and lean-to woodshed.
Open attic. House in fair condition.
No chimney. Stove pipe.
On cedar posts."

In addition to the above, when negotiations were being carried on with the Department of Mines and Resources (Indian Affairs Branch), the Custodian requested the Soldier Settlement Board to appraise these properties. The Soldier Settlement were in no way interested in the purchase of these lands, and they were asked to make an independent valuation of the land and buildings without any attempt to try to tie up each house with a particular block, but merely to value the land

and set a valuation for each house, irrespective of where it was located. Their appraisal for the whole of this property was $3,625.00.

It will be seen from the above information that most of the buildings were in poor condition and valuations suggested by Hinton, Winter and the Soldier Settlement Board all indicate a market value considerably less than assessment. The general type and condition of these houses can be seen in the photographs which are attached to this memorandum.

The following is indicated in the claimants' evidence as to the age of these buildings:

Case 787 - Built in 1940, not finished inside at time of evacuation.

Case 788 - Built in 1941

Case 888 - Built in 1924. Renovated in 1938.

Case 1101- Partly built in 1925. Addition in 1935.

Case 1108 - Purchased lot and house from another Japanese in 1941, but no evidence as to when built. Stated that the house was re-shingled in 1941, indicating it was an old house.

Case 1339 - No evidence as to date built, but states new roof cost $200.00 in 1939, indicating an old house. Two rooms added in 1941.

Case 1343 - Claimant states property purchased in 1941. No indication of when the house was actually built.

Case 1368 - Built soon after 1927.

Mr. R. G. Bell's memorandum to me dated November 2, 1944, gives an outline of the start of negotiations with the Department of Indian Affairs. After negotiations an offer was received for $4,750.00. The sale was approved by the Custodian's Office at Ottawa.

Mr. Bell's memorandum to me of August 1, 1946, refers to the distribution of the sale price being based on the assessed value as it applied to each house.

MEMORANDUM

STEVESTON PROPERTIES

COPY

MEMORANDUM

File A/63.

TO: Mr F. G. Shears. November 2nd ,1944.

FROM: Mr. R. G. Bell.

Re: Hakoda Bay (Ucluelet) Properties.

The following is a brief outline of the position at Hakoda Bay, discussed with you this morning.

A parcel of 60-acres of land divided into 11 lots, of approximately 5-acres each, together with 11 houses clustered together on the foreshore without reference to lot boundaries, constitutes the Japanese Fishing village of Hakoda Bay.

In an adjoining Bay there is situated the Ucluelet Indian Reserve. On my recent trip to the West Coast of Vancouver Island I learned that the Toquaht Band of Indians, headed by their progressive Chief Cecil Mack, are dissatisfied with their present position mixed up with the Ucluelet Indians in the latters reserve, and that they have for some time desired to get established on their own.

This situation appeared to me to offer an ideal solution to two problems, (1) Liquidating Hakoda Bay properties at one stroke as a going concern, and (2) Giving the Toquaht Indians a ready-made village of their own, with the added advantage that they could, if so desired, take it over independently on a co-operative basis. This decided me to put the suggestion before Mr P.B. Ashbridge at Port Alberni, Indian Agent for the district, who was very much interested and promised to take the matter up with his chief, Mr D.M.MacKay, Indian Commissioner for B.C., to whom I subsequently, on request, wrote fully, enclosing particulars and photographs of the property, and expressing the hope that this offered an opportunity for a collective deal that would be found satisfactory to both Government Departments concerned, as well as furthering the interests of the Indians.

RGB/P.

AIRMAIL

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

DEPARTMENT OF JUSTICE, CANADA

FPV/BB

OTTAWA November 12, 1949

Dear Mr. Justice:

There is a possibility, although I think it is very slight, that questions may be asked about the progress of your inquiry before the end of the present Session of Parliament - possibly during the consideration of the Department of Justice Estimates.

Could you let me know approximately when you expect to conclude and make your report. How many claims were actually filed with the Commission?

Yours very truly,

F. P. Varcoe
Deputy Minister

Honourable Mr. Justice H. I. Bird
Court of Appeal
Law Courts
VANCOUVER, B.C.

Files 3086 and 14179

November 21st, 1949

MEMORANDUM

TO: MR. JUSTICE BIRD
MR. SHEARS
MR. BRAIDWOOD

FROM: MR. GOOD

Re: Case No. 56
WAKITA, Hajime and WAKITA, Yutaka
Real Property Claim $11,500.00

Mr. Justice Bird phoned me on Friday afternoon, 18th November for some further information on the above case.

I find that Mr. Pratt says (transcript page 75, line 20) that the property was insured for $10,000.00. The insurance policies (in Custodian possession) total only $4,750.00 made up of policy $2,500.00 covering General Store and Dwelling, policy $1,500.00 covering rooming house at rear of store, policy $750.00 covering office furniture and fixtures in store $375.00, household furniture, etc. $375.00.

Mr. Grant (transcript page 48N, line 13) says insurance adjustment was $5,000.00 after the fire in 1937 or 1938. Mr. Vaughan of Ceperley, Rounsefell Company, Pacific 3521 informs me that the fire occurred on the 6th February, 1934 and they paid $3,333.34 on stock only. Up to the present I have been unable to find who carried the insurance on the building in 1934, but I am pursuing enquiries.

Lease, 22nd May, 1942 - Wakita to Blackburn covered three years at $180.00 per year including occupancy of living quarters, furnishings of living quarters, use of store fixtures and equipment, use of store stock at wholesale value of $631.39, which is to be refunded or returned to Wakita at end of term.

Mr. Coulthard says (transcript page 73, line 23, etc.) that he was not influenced by this lease amount when making his appraisal.

Mr. Blackburn, Wakita's lessee and purchaser from the Custodian (at $3,050.00 as at the first August, 1944) was interviewed on Saturday, 19th November, 1949 by Mr. Cuming of the Custodian Office and gave the following information, which he is prepared to give under oath before the Commissioner.

When Blackburn took over from Wakita under the lease the building was just a shell. The damage caused by the fire consisted only of scorching of the inside of the roof and rafters on the rear shed only. No repairs were effected by Wakita and in Blackburn's opinion $5,000.00 insurance adjustment for building damage only would be ridiculous.

The roof was leaking like a sieve and the buckets, pails and coal scuttles placed by Wakita to catch the rain leaks are still in the attic where placed by Wakita before evacuation. Building was unpainted inside and out, and lined only with dirty "V" joint. Blackburn painted the building inside and out, removed old partitions, installed new fluorescent fixtures and counters, etc., new roof, repaired floors, new foundations, repaired windows, etc. Could not estimate exact amount expended but is looking up his bills of costs.

Blackburn leased the premises to Douglas C. Mansell, 1111 Broughton Street on a two year lease, October 1946 to October 1948 at $150.00 per month, furnishings of living quarters included, also stock at cost, two rooms in the living quarters reserved for Blackburn's use for one year only. Mansell was unable to make enough profit to pay the above rental and Blackburn had to take over the property and business on January 19th, 1948.

When Blackburn heard that the Custodian was going to sell Japanese properties he visited Wakita in Revelstoke and made a proposition for Wakita to loan Blackburn sufficient money to buy the property, which he would hand back to Wakita when the latter was allowed to return to Steveston. If Wakita was not allowed to return to Steveston Blackburn would finish repaying the

the loan to Wakita.

Blackburn made a second trip to Revelstoke to again see Wakita, putting forward the same proposition. Wakita would not accept and stated that it was better to allow the property to be sold by the Custodian and he would collect damages from the Government.

When the war was almost over Wakita visited Steveston and Blackburn gave him a note stating that Wakita could purchase the property from him at the same price which Blackburn paid to the Custodian providing this was done within one year after the end of the war. This note is in Mr. Pratt's possession.

Wakita visited Blackburn at Steveston about the first November, 1949 and on his return wrote Blackburn a letter, which was received by him on 18th November, 1949. In this letter Wakita offers Blackburn $6,000.00 for the property in its present condition, plus $3,000.00 for all fixtures and cost price for all stock. Blackburn has this letter in his possession and is prepared to hand it to the Commissioner.

I contacted Mr. Mansell by telephone this morning at Tatlow 3019 and he informed me that his lease from Blackburn was for 5 years from 26th October, 1946 and that he handed the business back to Blackburn on the 19th of January, 1949 because of inability to make sufficient profit to pay the monthly payments of $150.00. He says that $75.00 per month "would have been plenty high."

BG:BK

cases yet to be reviewed. Mr. McMaster and Government counsel are engaged each day in seeking to arrive at awards mutually satisfactory to them.

In a considerable number of cases I have not been too happy with their findings and recently arranged for a conference with the Commissioner and Government counsel. The Commissioner was very appreciative of my concern and as a result arranged to review a number of cases that had been considered as finalized. However, the Commissioner and Government counsel both indicate that a generous approach is being made to the whole matter at this time and that the results are weighted in favour of the claimants. I feel, therefore, that there is nothing further that can be accomplished in this regard.

The following is the approximate position at the present time in regard to the analyses of claims:

Number of Award Sheets prepared		925
Of these the Custodian figures have been okayed on	411	
Number amended by over $100.00	164	
Number amended by less than $100.00	350	
	925	

This leaves about 390 Award Sheets to be considered and prepared. Possibly about fifty per cent of these have been partially dealt with but as previously indicated, I am not sure whether they can all be completed before the end of the year although that is the objective.

I believe that the Commissioner will have his general report and recommendations ready at any time. The question will be whether the actual award for each claim will be available so that a complete schedule can be prepared by that time.

When the Commissioner's report is received, am I right in assuming that this matter will then have to be presented in the House in order to provide the appropriation required for the payment of awards? Is it possible there might be any delay in this regard? I assume that some form of receipt and release by each claimant will be required as a condition of acceptance of the award and that this matter will be considered either by Justice or our own Department.

I will keep you advised in regard to the progress being made during the next few weeks and of any other matter of importance which may transpire.

Yours sincerely,

F. G. Shears

F. G. Shears,
Director.

FGS/ER

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
November 28th, 1949

J-175A
Private & Confidential

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Japanese Claims Commission

Dear Mr. Shears:

I have for acknowledgment your communication of the 23rd instant, copy of which has been handed to Mr. Mathieu.

I note that you anticipate sizeable awards in connection with the Japanese Evacuee Company claims; also that the Commissioner expects to bring down his report covering personal claims by the end of the year.

Mr. Mathieu went over the suggested awards with respect to certain parcels of land sold to the Director, V.L.A., which the Director now seeks to return to the Custodian. The Assistant Deputy Custodian was surprised to find that compensation would likely run very high. I explained that we found on examining appraisals the valuation fixed for buildings did not measure up to the market value and this fact alone would account for a considerable spread.

A letter was sent to you last week relative to a claim for funds filed by Mr. Brewin on behalf of an evacuee holder of an alleged assignment. Reference was made to work of Interdepartmental Committees on Reparations and the problems we are faced with in dealing with claims of Canadians for property losses in foreign lands during the war.

Confidentially, it is likely that direct claims of Canadians for losses will run to 63 million as against seized assets which amount to roughly 15 million. It is true some claims may turn out to be inflated but allowing for this, I suggest to you that the treatment accorded Japanese evacuees may be out of line with that which our own countrymen may receive.

I have no idea as to what the Government's policy will be when Cabinet comes to consider payment of compensation to the Japanese claimants. Ordinarily, funds would have to be provided by Parliament but they could decide to use the surplus accumulated in our administration fund. This will be decided on high level but believe I am safe in saying that no thought has been or will be given to the matter until the Commissioner's report is received.

We will certainly ask all claimants to sign a general release of all claims and demands as, if and when the time comes to disburse additional monies. This is another matter which must await Ministerial direction.

Appreciate your sending the report and would be obliged if you would keep me posted as I dislike to reply that "I don't know" when asked as to progress being made in Vancouver.

Yours very truly,

K. W. WRIGHT
CHIEF COUNSEL

KWW/JF

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

506 Royal Bank Bldg.,
Vancouver, B.C.,
December 13, 1949.

K. W. Wright, Esq.,
Chief Counsel,
Office of the Custodian,
Victoria Bldg.,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright:

I wrote to you on November 23rd giving a brief outline of the progress of the Claims Commission. At that time I indicated that I was doubtful whether the Commissioner's hopes of being in a position to make his recommendation at the end of the year would be realized. It is quite evident now that he will not be ready to do so, and I do not think it can be before the end of January, and may possibly run into the first part of February. In talking to the Commissioner yesterday, he told me he had written to Justice Department, letting them know that his expectations had been too optimistic. In the process of reaching agreements between Counsel for awards they are prepared to recommend, there are more cases than anticipated which it is necessary to bring before the Commissioner. The Commissioner informs me that in some instances it is necessary for him to give written reasons for his recommendations in these particular cases, thereby creating some further delay.

One example is in connection with several bulb farm properties in regard to which you may remember we had so much trouble with the Veterans' Land Department, in view of the fact that no consideration had been given to the value of these bulbs in the Soldier Settlement Board appraisal, which formed the basis of our sale to The Director, Veterans' Land Act.

I anticipate that the Commissioner will take a favourable view of the loss sustained in these cases, even though at the time we were able to make some disposition of these bulbs, very little was obtained for them. Some greenhouse properties are also receiving special attention, the Commissioner's attitude being that the nature of these assets was such that a loss was inevitable and depreciation rapid. These delays will not affect the arrangements already made for staff reduction at the end of the year.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

I have discussed with the Commissioner the type of schedule that he will require to attach to his recommendations, and he has expressed his desire and thanks for the co-operation which we will give him in the preparation of the schedules.

While I do not think that the review of the work of this office at the end of the year will call for a very lengthy Annual Report, I will of course, endeavour to present the position of the office at that time. At a later date, when the whole matter of claims has been finalized, it might then be desirable for record purposes, to prepare a comprehensive survey of the history of the Custodian administration that has been handled by this office.

May I take this opportunity of expressing my thanks to Mr. Mathieu and yourself for the co-operation which I have at all times received, and with the approach of Christmas time, wish you the Compliments of the Season.

Yours sincerely,

F. G. Shears

F. G. Shears,
Director.

FGS/GN

15/12/49

CLAIMS RELATING TO FARMS DEVELOPED FOR GREENHOUSE PRODUCTION.

Claims filed in respect of 12 farm properties situate in the Fraser Valley, as well as in the Gulf Islands, developed wholly or in part for greenhouse production, have been presented on the Inquiry. Such claims have raised questions of some difficulty in the determination of fair market value.

The evidence adduced on these properties discloses that,-

1. Except in one instance, no information on sales made in or shortly before 1943 by owners of land so developed was available to permit of comparison with selling prices realized by the Custodian.

2. The market for greenhouse properties was narrow, due to the highly specialized nature of such operations and the limited number of persons likely to be interested as purchasers.

3. In 1942-43 materials for greenhouse construction, and particularly glass and heating equipment, were difficult if not impossible to obtain.

4. In 1942-43 there was an abnormally strong demand for products such as bulbs, tomatoes and cucumbers grown in greenhouses, at prices higher than were realized for such products in and immediately prior to 1941.

5. There was an apparent conflict between witnesses called for the Government and for claimants respectively upon the existence in 1943 of a market for farm properties equipped with greenhouses. Certain S.S.B. Appraisers testified that such properties were relatively unsaleable at prices commensurate with the cost of greenhouse structures, whereas one Watkin, a nurseryman and bulb grower of wide experience, called as a witness by Counsel for the

land under cultivation upon the basis adopted in relation to V.L.A. farm properties generally, which has been examined in detail under the V.L.A. head of this Report. I have accepted the calculations made by Fatkin in respect to replacement cost of greenhouses, in preference to those of the S.S.B. Appraisers, since I conclude that he had greater knowledge of and wider experience in the construction of such buildings and the cost of required materials. I have rejected the conclusion of S.S.B. Appraisers that such structures add only 50 per cent. of replacement cost to the value of the farm.

Fatkin testified that the replacement cost in 1942-1943 of a greenhouse 15 to 18 ft. wide by 100 ft. long was $15.00 per lineal foot, to cover construction of the house as well as installation of the glass and heating apparatus. This basis of calculation has been taken as a denominator for houses of a lesser or greater width and length, and is subject to deduction for depreciation of 25 per cent. in case of buildings 10 years old, 15 per cent. for buildings 6 to 9 years old, and 5 per cent. for buildings 3 to 5 years old.

Since I have reached the conclusion that the market for such properties was unusually limited in the period of 1943, I consider that a deduction must be made from such replacement cost so calculated of 20 per cent., for the purpose of determining fair market value.

The value so ascertained, in my judgment, is equivalent to the sum which the former owner might reasonably be expected to have been prepared to pay rather than to be ejected from it. (Diggon Hibben v. Regem, not yet reported in C.L.R.).

K.J. Bird

Commissioner.

December 15th 1949.

24/12/49

MEMORANDUM ON SALES OF FARM PROPERTIES DEVELOPED FOR BULB PRODUCTION.

Sales of farm properties where the claimants had substantial quantities of bulbs under cultivation at the date of evacuation were made by the Custodian, without regard to the value of bulbs in the groumd. Consequently various claimants seek to recover the value of the bulbs at the date of sale.

It has been shewn that the Custodian made no attempt to protect such bulbs from deterioration, nor to recover the same during the period when such properties were vested in him.

Evidence was adduced to establish that in the period 1942 to 1943 approximately 70,000 bulbs per acre had been planted on these properties; that sound commercial practice prescribes that bulbs be lifted annually, subjected to treatment for protection against pests, and thereafter replanted; that failure to pursue this practice results in rapid deterioration in the quality of the bulbs during the second year in the ground, and may result in total loss by the end of the third year.

The evidence further establishes that in 1942-1943 the demand for good quality bulbs produced in British Columbia was very great, due to the absence of imported products, and in the result bulb prices showed a substantial rise; that in this period bulbs sold at from $20.00 to $35.00 per thousand, depending upon type and quality; that the cost of lifting, treating and preparing bulbs for shipment was $6.50 per thousand. In 1944 the Custodian, in response to complaints made by various claimants, caused an investigation to be made of the whole situation, and was informed that bulbs then in the ground had deteriorated through lack of treatment to such an extent that only a small recovery could be made.

The Custodian was successful in some instances in recovering

a percentage of such bulbs, which were sold and credits passed to the account of the former owner of the land.

The recommendations made in the various bulb claims have been based upon the evidence outlined above.

H. A. Reed

Commissioner.

December 29th 1949.

JAPANESE AMERICAN CITIZENS LEAGUE
ANTI-DISCRIMINATION COMMITTEE
WASHINGTON OFFICE
300 FIFTH STREET, N. E.
WASHINGTON 2, D. C.

TEL: FRANKLIN 8346

MIKE MASAOKA,
NATIONAL LEGISLATIVE DIRECTOR

December 23, 1949

The Honorable J. I. Bird
Royal Commissioner on Japanese Claims
The Court House
Vancouver, B. C.

Dear Justice Bird:

We have just returned from our trip to the west coast.

May we at this time express our belated appreciation for your kindness and courtesy in discussing your evacuation claims program with us while I was in your city early in December. Your comments and suggestions as to how our program here in the United States might be expedited are being given careful consideration.

I have reported to our Department of Justice on your program and they are most interested in the manner in which you have conducted it.

May we extend to you and yours our best wishes for a merry Christmas and a happy New Year.

Sincerely,

Mike Masaoka
National Legislative Director

mm:ly

Japanese American Citizens League
Anti-Discrimination Committee
Washington Office

From: Mike Masaoka, Washington

Date: January 11, 1950

To: National Board
Regional Representatives
Chapter Presidents
Chapter Evacuation Claims Chairmen
Cooperating Attorneys

Subject: First Official Government Report on Evacuation Claims Adjudications

Because these are the first awards adjudicated under Public Law 886, we are reproducing the following report, which was sent by the Attorney General to the President of the United States Senate and referred to the Senate Judiciary Committee, January 4, 1950, for your information:

* *

STATEMENT OF ALL ADJUDICATIONS RENDERED DURING THE YEAR 1949 UNDER THE ACT OF JULY 2, 1948, 62 STAT. 1231 (PUBLIC LAW 886, 80TH CONGRESS), ENTITLED "AN ACT TO AUTHORIZE THE ATTORNEY GENERAL TO ADJUDICATE CERTAIN CLAIMS RESULTING FROM EVACUATION OF CERTAIN PERSONS OF JAPANESE ANCESTRY UNDER MILITARY ORDERS"

CLAIM NO. 932, ADJUDICATED DECEMBER 13, 1949

Claimant's Name and Address: Tokuji Tokimasa, 355 East First Street, Los Angeles, California.

Amount Claimed: $322.89 Amount Awarded: $303.36 Amount Paid: $303.36

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan but at no time since December 7, 1941, ever returned to Japan. He was evacuated on May 9, 1942, to an assembly center, and by reason of his impending evacuation was forced to abandon in his office all the furniture. He stored 24 volumes of Corpus Juris and 231 copies of a book, of which he was the author, in the drug store of a trusted friend who was also evacuated. Claimant was unable to find buyers for the property and was unable to take it with him. While at the Heart Mountain Relocation Center he requested that the Corpus Juris be shipped to him but found 3 volumes of the set missing on its arrival. On his return, he was unable to recover either the abandoned furniture, the missing volumes of Corpus Juris, or the 231 copies of his own book which had been stored with his friend. In view of the situation existing at the time, the claimant acted in a reasonable manner, both in abandoning part of his property and in leaving other property with a friend. The above losses as a result of his evacuation amounted to $303.36.

CLAIM NO. 494, ADJUDICATED DECEMBER 27, 1949

Claimant's Name and Address: Noburo Miyao, 310 East Fifth Street, Los Angeles, California.

Amount Claimed: $165.00 Amount Awarded: $129.75 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan of Japanese parents and was never voluntarily or involuntarily deported from the United States after December 7, 1941. By reason of claimant's impending evacuation to Manzanar Relocation Center from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to abandon in his hotel room all the property involved in his claim with the exception of a sewing machine and a radio. Claimant was unable to find buyers for the property abandoned and could not take it with him to the relocation center. He sold his sewing machine for $10.00 and his radio for $5.00. These prices were below the fair and reasonable market value of this property at that time. The conditions existing in March, 1942, prevented claimant from selling in a free market. Claimant never recovered any of the property abandoned. In view of the situation existing at the time, claimant acted in a reasonable manner, both in abandoning part of his property and in selling his other property. The fair aggregate value of the property thus lost was

$144.75, from which must be deducted the sum of $15.00 received for the sa[illegible] certain items, leaving an uncompensated balance of $129.75.

CLAIM NO. 551, ADJUDICATED DECEMBER 28, 1949

Claimant's Name and Address: Takuichi Izumi, 453 Kensington Place, Pasadena, California.

Amount Claimed: $155.00 Amount Awarded: $155.00 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan of Japanese parents and was never voluntarily or involuntarily deported from the United States after December 7, 1941. By reason of claimant's impending evacuation from a military area in California, pursuant to Executive Order 9066, dated February 19, 1942, he was forced to store all the property involved in his claim, which consisted of a bedroom set, 9 x 12 carpet, living room couch, and 4-burner gas stove. Claimant could not take this property with him to the relocation center, and in view of conditions prevailing at the time, claimant acted reasonably in storing his property, which consisted of articles needed for his daily living, with the expectation of repossessing them when the period of relocation was ended. Upon his return the property had disappeared and he never recovered it. The fair fair market value of the property thus lost was $155.00

CLAIM NO. 834, ADJUDICATED DECEMBER 28, 1949

Claimant's Name and Address: Satoshi Fukunaga, 1756 West 37th Drive, Los Angeles, California

Amount Claimed: $570.00 Amount Awarded: $429.50 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan of Japanese parents and was never voluntarily or involuntarily deported from the United States after December 7, 1941. By reason of claimant's impending evacuation under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to sell all the property for which he filed a claim except a piano which he left in his home. This property consisted of a pickup truck, household furnishings, and garden tools, and equipment. Claimant was unable to find a buyer for the piano and could not take it with him to the Relocation Center. He received the sum of $350 from the property sold. This figure was below the fair and reasonable value of his property at that time. The conditions existing at the time, claimant acted in a reasonable manner, both in selling part of his property and in abandoning his piano. The fair value of all such property, in the aggregate, was $779.50, for the sale of most of which he received $350.00, leaving an uncompensated balance of $429.50.

CLAIM NO. 1687, ADJUDICATED DECEMBER 28, 1949

Claimant's Name and Address: Masanori Uragani, 3534 South Norton Avenue, Los Angeles, California.

Amount Claimed: $500.00 Amount Awarded: $325.00 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in California of Japanese parents and has never been voluntarily or involuntarily deported from the United States. By reason of claimant's impending evacuation from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to sell an automobile having a reasonable, fair value of $975.00 for $650.00, a price below the fair market value at that time. In April, 1942, conditions existed which prevented claimant from disposing of this property in a free market. In view of the situation existing at the time, claimant acted in a reasonable manner in so selling his personal property. Deduction of the amount of the sale price from the amount of the fair value of the automobile results in an uncompensated balance of $325.00.

CLAIM NO. 1882, ADJUDICATED DECEMBER 28, 1949

Claimant's Name and Address: Mrs. Irene Yoshida, 366 East 165th Street, Gardena, California.

Amount Claimed: $675.00 Amount Awarded: $480.50 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in California of Japanese parents and was never voluntarily or involuntarily deported from the United States, By reason of claimant's impending evacuation from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942,

she was forced to sell the property involved in this claim for prices below the fair market value at that time. Such property consisted of an automobile, gas range, refrigerator, and household goods and furnishings. In May 1942, conditions existed which prevented claimant from disposing of her property in a free market. In view of the situation existing at the time, claimant acted in a reasonable manner in selling her personal property for the best price obtainable. The fair value of the property was $1,035.50 for which claimant received a total of $555.00, leaving an uncompensated balance of $480.50.

CLAIM NO. 2706, ADJUDICATED DECEMBER 28, 1949

Claimant's Name and Address: Jirokichi Sakauye, 443 Crocker Street, Los Angeles, California.

Amount Claimed: $350.00 Amount Awarded: $164.50 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan of Japanese parents and was never voluntarily or involuntarily deported from the United States after December 7, 1941. By reason of claimant's impending evacuation from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to sell part of the property involved in this claim for a price below the fair market value at that time and to store the remainder of his property, which was lost by pilferage. The property consisted of household furniture, kitchen utensils, dishes and silverware, wearing apparel, linens, groceries, a watch, electrical fixtures, and a vacuum cleaner. In April, 1942, conditions existed which prevented claimant from disposing of his property in a free market. In view of the situation existing at the time, claimant acted in a reasonable manner in selling part of his personal property for the best price obtainable and in storing the remainder. Claimant never recovered any of the property that was stolen, nor was he compensated for the loss by insurance or otherwise. The fair aggregate value of the property lost was $167.00, from which must be deducted the sum of $2.50 received for the sale of certain items, leaving an uncompensated balance of $164.50.

CLAIM NO. 4291, ADJUDICATED DECEMBER 28, 1949

Claimant's Name and Address: Sam Soichi Hashiba, 2723 Lincoln Park Avenue, Los Angeles, California.

Amount Claimed: $125.00 Amount Awarded: $75.00 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Hawaii of Japanese parents and was never voluntarily or involuntarily deported from the United States after December 7, 1941. By reason of claimant's impending evacuation from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to sell a typewriter, radio, and certain welding equipment, which had an aggregate fair market value of $110, for a total of $35.00. In May, 1942, conditions existed which prevented claimant from disposing of his property in a free market. In view of the existing situation, claimant acted in a reasonable manner and sold such property for the best price obtainable. The uncompensated balance of the value of the property thus lost is $75.00.

CLAIM NO. 188, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Haruo Hata, 1113 South Maple Avenue, Los Angeles, California

Amount Claimed: $1,300.00 Amount Awarded: $844.85 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in California of Japanese parents and has not gone to Japan since December 7, 1941. By reason of claimant's voluntary departure, in anticipation of evacuation, from a military area in California, he was forced to sell, in March, 1942, his interest in a grocery store and truck, and some of his household furniture to the highest bidder at less than its fair value. In view of existing conditions which prevented claimant from selling on a free market, he acted in a reasonable manner in selling such property before departing from the military area. The property, which had a fair and reasonable value of $1,924.85, was sold for $1,080.00, leaving an uncompensated balance of $844.85.

CLAIM NO. 189, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Teruo Hata, 958 South Boyle Avenue, Los Angeles, California.

Amount Claimed: $1,370.00 Amount Awarded: $1,050.94 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in California of Japanese parents and has not since December 7, 1941, gone to Japan. By reason of claimant's voluntary departure from a military area in California in anticipation of his impending evacuation, he was forced to sell his interest in a grocery store and truck. Also he was forced to sell some items of his household furniture. The sales were made to the highest bidders at less than fair value. He had to abandon in his home a gas heater and a radio because he was unable to find a buyer for them. These he never recovered. In view of the conditions existing in March, 1942, which prevented claimant from selling in a free market, he acted in a reasonable manner in selling part of his property before voluntarily departing from a military area and in abandoning the other property in his home. The fair and reasonable value of the property, in the aggregate, was $2,200.94, from which must be deducted the total sum of $1,150.00 received in sales, leaving an uncompensated balance of $1,050.94.

CLAIM NO. 400, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Mary Motoyama Wong, 318½ South Clarence Street, Los Angeles, California.

Amount Claimed: $469.00 Amount Awarded: $178.00 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in California of Japanese parents and at no time after December 7, 1941, went to Japan. By reason of her impending evacuation, she was forced to sell her refrigerator, bedroom suite, gas stove, and radio at very low prices and to abandon in her apartment her drapes, dishes, and kitchen utensils. She did not recover any of this abandoned property. She received the sum of $73.00 from the property sold. Claimant was evacuated under military orders pursuant to Executive Order No. 9066 dated February 19, 1942. The conditions existing at the time of her evacuation in May, 1942, prevented claimant from selling in a free market. She acted in a reasonable manner both in selling part of her property and in abandoning the other property. The fair market value of the property thus lost, less the amount received on sale, was $178.00.

CLAIM NO. 557, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Torasaku Miyasaki, 13600 East Rosecrans Avenue, Norwalk, California

Amount Claimed: $426.00 Amount Awarded: $360.00 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on February 11, 1949, and is in the amount of $426.00. Claimant was born in Japan of Japanese parents, and has at no time since December 7, 1941, gone to Japan. By reason of claimant's impending evacuation from a military area in California under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to store all the property involved in his claim. On his return from Manzanar Relocation Center, he found that all this property had been stolen, and claimant never recovered any of this property. The conditions existing in April, 1942 prevented claimant from selling this property on a free market. In view of the situation existing at that time, claimant acted in a reasonable manner in storing his property. The fair market value of this property at the time of its loss was $360.00.

CLAIM NO. 588, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Tomota Kumagai, 3306 East Second Street, Los Angeles, California.

Amount Claimed: $1,875.00 Amount Awarded: $286.00 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on February 14, 1949, and is in the amount of $1,875.00. Claimant was born in Japan of Japanese parents, and has at no time since December 7, 1941, gone to Japan. By reason of claimant's impending evacuation, he was forced to sell his

automobile and gardening tools for the sum of $70.00, which was below the fair and reasonable value of this property at that time. From his home in Alhambra, California, claimant voluntarily moved to Holtsville, California, in anticipation of evacuation and was thereafter evacuated to Poston Relocation Center. The conditions existing in the spring of 1942 prevented claimant from selling in a free market. In view of the situation existing at that time, claimant acted in a reasonable manner in selling his property. The fair market value of his property at that time was $356.00. On the above facts, claimant sustained a total loss as a result of his evacuation from a military area in California of approximately $286.00.

CLAIM NO. 1098, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Kenichi Yamanaka, 2962 East Second Street, Los Angeles, California.

Amount Claimed: $200.00 Amount Awarded: $165.00 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on March 4, 1949, in the amount of $200.00. Claimant was born in Japan of Japanese parents and has never, since December 7, 1941, gone to Japan. By reason of claimant's impending evacuation from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942, he was forced to sell his automobile for $350.00, which was below the fair and reasonable value of it, by reason of existing conditions which prevented him from selling in a free market. He was thereafter evacuated to Poston Relocation Center in Arizona. In view of the situation existing in May, 1942, claimant acted in a reasonable manner. The fair market value of his car at that time was $515.00, deduction of the sale price from this amount leaves an uncompensated balance of $165.00.

CLAIM NO. 1265, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Takashi Yamamoto, 1435 Cowles Street, Long Beach, California.

Amount Claimed: $1,450.50 Amount Awarded: $452.00 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan of Japanese parents and has not, since December 7, 1941, returned to Japan. By reason of claimant's impending evacuation pursuant to Executive Order No. 9066, he was forced to sell a portion of the property involved in this claim and abandon the remainder. The property consisted of a station wagon, household furnishings and store fixtures. The conditions existing in April 1942 prevented claimant from selling his property on a free market. In view of the situation existing at that time, claimant acted in a reasonable manner in selling a portion of the property and abandoning the rest. The fair aggregate value of the property thus lost was $734.00, from which must be deducted the sum of $282.00 received for the sale of certain items, leaving an uncompensated balance of $452.00.

CLAIM NO. 1346, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Kizeo Nagao, 1243 West Pacific Coast, Long Beach, California

Amount Claimed: $323.00 Amount Awarded: $128.00 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on March 10, 1949, and is in the amount of $323.00. Claimant was born in Japan of Japanese parents, and has at no time since December 7, 1941, gone to Japan. By reason of claimant's voluntary and later forced evacuation under military orders, pursuant to Executive Order No. 9066, dated February 19, 1942, to Jerome Relocation Center, and later to Rohwer Relocation Center, he was forced to abandon all the property involved in his claim with the exception of the truck. The conditions existing in April, 1942, prevented claimant from selling in a free market. In view of the situation existing at that time, claimant acted in a reasonable manner in abandoning his property. Claimant's automobile was sold under the authority of the Federal Reserve Bank of San Francisco for the sum of $20.00. This price was below the fair and reasonable market value of this property at the time of evacuation. Claimant never recovered any of his abandoned property on his return. The fair market value of both the property sold and that abandoned at that time was $148.00.

CLAIM NO. 1887, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Hajime Uchio, 2015 Purdue Avenue, West Los Angeles California.

Amount Claimed: $1,530.00 Amount Awarded: $715.00 Payment pending

Synopsis of Facts and Reasons for Decision: Claimant was born in Japan of Japanese parents and has not returned to Japan at any time since December 7, 1941. By reason of his impending evacuation from a military area in California, pursuant Executive Order No. 9066, dated February 19, 1942, he was forced to sell the property involved in this claim for prices below the fair market value. The property consisted of two trucks, household appliances, furnishings, and utensils. In May, 1942, conditions existed which prevented claimant from disposing of his property in a free market, and he acted in a reasonable manner in selling his personal property for the best prices obtainable. The fair aggregate value of the property was $1,130.00, for which he received $415.00, leaving a uncompensated balance of $715.00.

CLAIM NO. 3191, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Helen Y. Sasano, 2217 Purdue Street, West Los Angeles California.

Amount Claimed: $247.60 Amount Awarded: $244.30 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on May 2, 1949, and is in the amount of $247.60. Claimant was born in California of Japanese parents and has never at any time since December 7, 1941, gone to Japan. Because she had been ordered to evacuate from military zone number 2, under military orders pursuant to Executive Order No. 9066, dated February 19, 1942, she was forced to sell hairdressing equipment owned by her, namely, one Duarte permanent wave machine, one turbinator, one V. Swivel chair, one Skiles dresser and mirror, one green shampoo bowl, one chrome dryer chair, and one Race hand dryer. The claimant sold these items in August 1942, a few days prior to her evacuation. The claimant had advertised these items for sale in a local Reedley newspaper, but on the existing market at the time of the impending evacuation from zone 2, $150.00 was the best price she was able to obtain for this beauty equipment. She valued this equipment in August 1942 at $394.30. It was all purchased by the claimant in October 1939 before her marriage. On all the above facts, claimant sustained a loss of $244.30 as a result of her evacuation from a military area in California.

CLAIM NO. 4162, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Yoshi Monji, 333 West 12th Street, Long Beach, California.

Amount Claimed: $450.00 Amount Awarded: $165.00 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on May 28, 1949, and is in the amount of $450.00. Claimant was born in Japan of Japanese parents, and has never since December 7, 1941, gone to Japan. By reason of claimant's impending evacuation from a military area in California, under authority of Executive Order No. 9066, dated February 19, 1942, she was forced to abandon the household articles involved in the present claim. She was thereafter evacuated to the Jerome Relocation Center and later to the Rohwer Relocation Center. The conditions existing in April, 1942, prevented claimant from taking her household goods with her to camp, and she thought it advisable to leave said furnishings in a house where people were living. In view of the situation existing at that time, claimant acted reasonably in trying to keep her household belongings in a house that was occupied. When she returned from the Relocation Center, all of her furniture was destroyed or damaged beyond repair, save her refrigerator for which she claimed the cost of repairs. In the light of the foregoing facts, claimant sustained a total loss of $165.00, as a result of her evacuation from a military area in California.

CLAIM NO. 4914, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Sadao Hashiguchi, 520 Towne Avenue, Los Angeles, California.

Amount Claimed: $520.00 Claim Dismissed.

Synopsis of Facts and Reasons for Decision: The claimant, in fact, was not the owner of the property involved, and voluntarily withdrew his claim.

CLAIM NO. 10301, ADJUDICATED DECEMBER 30, 1949

Claimant's Name and Address: Hide Hashiguchi, 520 Towne Avenue, Los Angeles California.

Amount Claimed: $520.00 Amount Awarded: $230.00 Payment pending

Synopsis of Facts and Reasons for Decision: This claim was received by the Attorney General on November 9, 1949, and is for $520.00. Claimant was born in Japan of Japanese parents, and has never since December 7, 1941, gone to Japan. By reason of claimant's impending evacuation, she was forced to sell her household furnishings. The conditions existing in April, 1942, prevented claimant from selling this property on a free market. In view of the situation existing at that time, claimant acted in a reasonable manner in selling her property. Claimant was evacuated under military orders pursuant to Executive Order No. 9066, dated February 19, 1942, to Amache Relocation Center. On the above facts, claimant sustained a total loss as a result of evacuation from a military area in California of approximately $230.00.

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The above report which was submitted to the Senate, as well as the House, under the Law, contains twenty-one claims which were adjudicated last year. Of this number one was dismissed when the claimant voluntarily withdrew his claim and awards were made in the remaining twenty cases.

The total amount claimed was $13,543.99 and the amount awarded, $6,882.20. This means that there is a difference of $6,661.79 between the amount claimed and the amount awarded. In all fairness, however, the $520.00 claim which was dismissed should be subtracted from the amount claimed, which makes the actual amount claimed $13,023.99 or an adjusted difference between the amount claimed and the amount awarded of $6,141.79.

All of these claims were filed by persons living in the Los Angeles area and the adjudications were recommended by the Los Angeles field office.

This report does not disclose the reasons for reducing the amount of claims in any instance to the amount awarded; the report merely summarizes the presumed facts in every individual case and draws a final conclusion as to the losses sustained by the claimant.