

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	80% of all Sale Prices		Sale Price	125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
					957		456.44			456.44
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing		45% of amount in next preceding column		
						% of Total	Amount	% of Total	Amount	% of Total
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column		Sale Price of goods Sold by Tender		12% of Sale Price	
					% of Total	Amount	% of Total	Amount	% of Total	
TOTAL RECOMMENDATION										456.44

CASE NO: 305

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

June 3rd, 1948

IN THE MATTER OF THE CLAIM OF  
SHOICHI NISHI

PROCEEDINGS AT HEARING

CASE NO: 305

IN THE MATTER OF THE "INQUIRIESACT"  
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE M.M. COLQUHOUN, SUB-COMMISSIONER)

10

Grand Forks, B.C.

June 3, 1948

IN THE MATTER OF THE CLAIM OF  
SHOICHI NISHI

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,

appearing for the  
Dominion Government

A.E. COBUS, Esq.,

appearing for the  
Claimant.

L.A. DODD, Esq.,

Secretary to Grand  
Forks Sub-Commission

G.N.R. UPTON, Esq.,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter

30

S. Nishi  
In Chief

MR. COBUS: The claim, your honour, of Shoichi Nishi, which is No. 68 on the Secretary's list. Mr. Secretary, I believe that becomes case No. 305.

THE SECRETARY: Case No. 305.

SHOICHI NISHI, the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

10 MR. COBUS: Your honour, I would ask leave to amend the claim, which is a claim for real estate only, by showing the value of the land and buildings as a total amount of \$2750.00 in place of the two items shown, \$1200.00 and \$2000.00.

THE COMMISSIONER: Amendment allowed.

MR. COBUS: The amount which is credited to the Custodian in the claim, \$957.00, remains as \$957.00, leaving the net claim for realty  
20 at \$1793.00.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the real estate for which you are making claim. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature? A: Yes.

Q: Are the statements contained therein true to the best of your knowledge and recollection?

30 A: Yes.

S. Nishi  
In Chief

MR. COBUS: I would ask to file the statement concerning the real estate, your honour, as the first exhibit.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Would my learned friend produce the farm appraisal report?

10 MR. McINNES: Yes. I am producing, your honour, at the request of my learned friend the Farm Appraisal Report prepared by the District Superintendent bearing date, the 20th of July, 1942. It is a Soldier Settlement Board Appraisal, I believe. The amount for which it is appraised is \$975.00, including improvements.

MR. COBUS: I would add, too, that the District Supervisor finally appraised the property at \$950.00, your honour.

The Farm Appraisal Report is filed on behalf of the Crown.

(APPRAISAL MARKED EXHIBIT NO. 2)

20 MR. COBUS: Referring to the statement, your honour, the subject matter of the claim is a 3 acre plot of land of which one acre was cultivated but not planted, and one acre was in strawberries, three-quarters of an acre in loganberries, and a quarter of an acre in raspberries. The land was originally purchased by the father of the claimant in 1914, one acre all bush, for \$400.00, and the other two acres later for \$800.00, making a total cost to his father of  
30 \$1200.00. This was transferred to the claimant

in January, 1942, for a nominal consideration. When he took it over it was cleared and it was also cleared when his father bought.

10 The improvements made on the land after it came into the hands of the father were building certain buildings -- or, certain buildings were on the land when it was bought. The statement is not too clear, your honour, to me there as to whether the "all cleared" refers to the original purchase of one acre; and then the second reference to "clearing and no buildings" refers to likely the second purchase.

Q: Witness, under the heading of "Improvements at the Date of Purchase," a statement appears that it was "all cleared and buildings on when bought," "all cleared and no buildings when father bought." Would you explain that, please?

A: It was all cleared and there were no buildings when my father bought it. Subsequently buildings were erected on the land.  
20

Q: I see. A: By my father.

Q: And the buildings were on the land when it was transferred to you in 1942?

A: Yes.

MR. COBUS: He estimates the value of the property, your honour, at \$2750.00. The clearing was done at -- I'm afraid I am going to have a little difficulty with Mr. Leckie's writing here.

30 THE COMMISSIONER: Well, the clearing was apparently all done before the claimant took over.

S. Nishi  
In Chief

MR. McINNES: That is the sense of it, anyway.

MR. COBUS: Yes, that appears to be. The clearing was done at time of purchase by father "see cost of cleared acreage above, \$1200.00." Well, I gather, your honour, that under the heading "From whom," the \$1200.00 would indicate the cost of clearing.

THE COMMISSIONER: That is the cost of the land. It is shown in your claim form as \$1200.00.

10 MR. COBUS: The father planted about 25 fruit trees, mixed, all bearing in 1942. The cost of those would be about \$40.00. As to the buildings erected by his father, he lists a dwelling with an addition, a barn, a garage, and two poultry sheds. He indicates the costs on those buildings which he is able to estimate; that is, the two poultry sheds he says cost about \$150.00 for one, but the other he can't estimate. He doesn't attempt to estimate the cost of building the  
20 barn. With respect to the dwelling, he indicates a cost of about \$1000.00, but that was for the addition only. He is unable to estimate the cost of the main house when it was built in 1914.

With respect to the appraiser's report, the witness says that the buildings were in quite good condition when he left the property. He lived most of the time with his father on the property and they always kept the buildings in  
30 repair. He rented the property before he left

S. Nishi  
In Chief

to a Mrs. Douglas for a nominal rental, and she was to get the 1942 crop. He considers that the valuation at \$975.00 is much below a fair value for the property. He adds that the property is excellent land, all cleared, and located one mile from Steveston. The soil is well fertilized and most suitable for berry growing. He believes the property would be worth at least \$2750.00 when sold for \$957.00

10           Would my learned friend admit the assessment on this property in 1942 was, for Lot 4, land \$270.00, improvements \$1570.00?

MR. McINNES: I will.

MR. COBUS: And Lot 5, \$540.00 for the land, \$250.00 for improvements, total, \$790.00.

MR. McINNES: Would you give those figures again?

MR. COBUS: Land \$540.00, improvements \$250.00.

MR. McINNES: Yes, I will.

MR. COBUS: And adding the total assessments of Lots  
20           4 and 5 will give a total of \$2630.00.

          Would my learned friend advise the date of sale of this property?

MR. McINNES: It would appear to be the 1st of January, 1943.

MR. COBUS: Yes, I believe that would be the effective date of the sale. There is no indication on your file as to the exact date that the sale was consummated? Most of the Soldier Settlement Board sales were made retroactive to the 1st  
30           of January, '43.



S. Nishi  
In Chief

MR. McINNES: I am afraid I can't give any more than that.

MR. COBUS: Very well. Your witness.

MR. McINNES: It will be submitted, your honour, on behalf of the Crown, that the land was sold to the Director of the Veterans Land Act for its fair market value. It will be further submitted -- and I am not giving this as evidence, but just as an indication of what evidence might be called -- that this place was neglected and in a badly rundown condition and the buildings were in poor condition.

10

I have no questions.

MR. COBUS: Q: Witness, at the date that you left your property, had the land been neglected, and, similarly, had the buildings thereon been neglected?

A: At the time I left the condition was good.

Q: And the land was in crop, or at least part of the land, as you indicate in your statement, was in crop?

20

A: Yes.

MR. McINNES: It should be pointed out, in that connection, that he had leased it to his friend, Mrs. Douglas, so his tenant was in occupation.

That is all, thank you.

MR. COBUS: Apropos of the remark of my friend:

Q: Witness, why did you lease your land to Mrs. Douglas for what I think was \$1.00 a year and taxes. I am not certain about the terms, but at any rate, you indicate that it is a nominal rent-

30

S. Nishi  
In Chief

al. A: I let it to Mrs. Douglas  
at a nominal rent because I wanted her to look  
after the upkeep of the house and land.

MR. COBUS: Thank you. That is all, your honour.

THE COMMISSIONER: Thank you, that is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

10

*Gordon Hambleton*  
G. Hambleton  
Official Reporter

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

*M.M. Colquhoun*  
M.M. Colquhoun,  
Sub-Commissioner

20

30

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,  
Office of the Custodian  
Royal Bank Bldg.,  
Vancouver, B.C.

ACKNOWLEDGED  
B. W.

4997  
P. J. Jank  
Nelson

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

(1) NAME NISHI SHOICHI (RCMP) Reg. No. 03121  
(Print) Surname Given Name

(2) Pre-Evacuation Address 175 MONCTON STREET STEVESTON B.C.

(3) Present Address R.R. No. 1 GRAND FORKS B.C.

(4) REAL ESTATE

(a) Street Address (if any) 175 MONCTON ST. STEVESTON B.C.  
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)  
LOT 4 BLOCK "A" OF SEC. 12, BLOCK 3 N. OF RANGE 7 W.,  
MAP 2794, DISTRICT OF NEW WESTMINSTER, C. OF E. 51807.  
AND  
LOT 5, BLK. "A" OF SEC. 12, BLK. 3 N., RANGE 7 W.,  
MAP 2794, DISTRICT OF NEW WESTMINSTER, C. OF E. 51806.

(c) Type of Real Property (cross out words which do not apply):  
(i) Farm  
(ii) ~~Residence~~ Type of business \_\_\_\_\_  
(iii) ~~Business~~  
(iv) Any other type of property (describe) \_\_\_\_\_

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) SOLE OWNER

(e) Fair market value at date of sale (estimate this to the best of your ability):  
(i) Land - - - - - \$ 1200.00  
(ii) Buildings - - - - - \$ 2000.00  
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ \_\_\_\_\_  
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 3200.00  
(v) Amount at which Custodian sold property and credited your account - - - \$ 957.00  
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 2243.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation \_\_\_\_\_  
(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) \_\_\_\_\_  
(c) How stored or packed at time of evacuation \_\_\_\_\_

299

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

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

- |     |       |                    |       |
|-----|-------|--------------------|-------|
| 1.  | _____ | Estimated Value \$ | _____ |
| 2.  | _____ | Estimated Value \$ | _____ |
| 3.  | _____ | Estimated Value \$ | _____ |
| 4.  | _____ | Estimated Value \$ | _____ |
| 5.  | _____ | Estimated Value \$ | _____ |
| 6.  | _____ | Estimated Value \$ | _____ |
| 7.  | _____ | Estimated Value \$ | _____ |
| 8.  | _____ | Estimated Value \$ | _____ |
| 9.  | _____ | Estimated Value \$ | _____ |
| 10. | _____ | Estimated Value \$ | _____ |

TOTAL CLAIM FOR PROPERTY LOSS \$ \_\_\_\_\_

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$ 2243.00

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

(b) Do you require the services of an interpreter at the hearing? Yes or no No

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA }  
of )  
TO WIT: }

I, SHOICHI NISHI of the CITY  
of GRAND FORKS in the PROVINCE OF BRITISH COLUMBIA  
DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the )  
of Grand Forks )  
in the Province of B.C. )  
this 15th day of November )  
William Stuerby )  
A.D. 1947 )

*S. Nishi*

A Commissioner &c.

N.B.— THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

REAL ESTATE  
(Farm Land)

- 03121 -  
Reg. No.

S. Nishi  
(Claimant's Name)

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale	
Uncleared <i>none</i>	3 ac	Jan 1942	Father U. Nishi	1.00 ac family transaction - nominal consideration	cleared when I got from father and cleared when father bought	all cleared + buildings on when I bought - all cleared & no buildings when father bought	2750 <sup>00</sup>	
Cultivated not planted								1 acre
Cultivated and not in crop								not in crop
List Crops								
strawberries	1 ac							
logans	3/4 ac							
raspberries	1/4 ac							
Total 3 ac								

EXHIBIT No. 305-1  
DATE 3 June 1948  
FILLED BY Claimant

Father bought in 1914 - price (all cash) for 400<sup>00</sup>; 2 acres later for 400 - total 1200<sup>00</sup>

IMPROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation, plants, trees or special equipment)

Description	When Made	Cost
Clearing was done at time of purchase by father - see cost of cleared acreage above		1200 <sup>00</sup>
Father planted about 25 fruit trees (mixed) - all clearing in 1942 - cost would be about		40 <sup>00</sup>

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value	Cost
Dwelling	addition	28x36	Frame on posts - shingle roof - no basement - 2 stories (attic unfinished) - 5 rooms - paint papered (inside) - bir floors	1914						
Barn		14x24	Frame - on posts - shingle roof	1925						
Garage		15x15	Frame - shingle roof	1935						
2 poultry sheds		14x36 / 14x16	Frame - shingle roof - larger one finished inside	1935 / 1930						

Comments re Appraiser's report not covered by above information:

The buildings were in quite good condition when I left the property. I lived most of the time with my father on this property and we always kept the buildings in repair. I rented this property before I left to a Mrs Douglas for a nominal rental and she was to get the 1942 crop. I consider that the valuation at 975<sup>00</sup> was much below a fair value for this property.

Comment: This was excellent land, all cleared and located one mile from Atterton. The soil is well fertilized and most suitable for berry growing. I believe the property would be worth at least 2750<sup>00</sup> when sold for 957<sup>00</sup>.

S. Nishi  
SIGNATURE

BC-586-1  
BC-2599-C

R.P.4

# Farm Appraisal Report

File No. J.L.534

Land Description Lots 4 & 5 of S.D. of Block "A" Sec. 12 Blk. 3N Rge. 7W Map 2794..  
House No. 175 Moncton Road.

Containing 3 Acres

Owner's Name NISHI, Shoichi Post Office Address Steveston, B.C.

Nearest Rail Point Steveston B.C. Distance 1 mi.

Market Town Vancouver 10 mi., New Westminster 10 mi. Distance .....

Church (give denomination) All denominations, Steveston Distance 1 mi.

Nearest School Steveston, B.C. Distance 1 mi.

State how property was identified: Map location and corner post.

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

Direct access to Moncton Road, paved road, good.

Is this district a good one? Reasonably good.

Employment opportunity Fairly good, Steveston, fishing, industries.

Predominating Nationality and religion: Oriental predominating in this area.

Describe Fencing and its condition: Fenced on north only. Value \$ .....

Water supply: Municipal water supply. Value \$ .....

Electric power available; lights installed.

## BUILDINGS ON FARM

EXHIBIT No. 305-21  
DATE 3 June 1948  
FILLED BY Croson

4997

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	28 x 36	Frame	1 st.	Shgl.	20	Wood	V. poor	) \$300.00
Addn.	28 x 9	"	6 to 10 "	"	20	"	"	
BARN	X							
Pkg. shed	14 x 24	"	1 st.	"	20	"	" "	75.00
BARN	X							
Garage	15 x 15	"	1 st.	"	20	"	" "	20.00
GRANARY	X							
Poultry	14 x 36	"	6 to 10 "	"	20	"	poor	80.00
Shed	14 x 16	"	1 st.	"	20	"	V. "	-
	X							
	X							

Total present day value \$ 475.00

Total Value Buildings add to farm \$ 300.00

Is dwelling habitable without repairs? Yes. If not what is your approximate estimate of cost to make it habitable? .....

Describe the basement and chimneys: No basement; 2 brick chimneys on bracket.

No. rooms downstairs? 5 Upstairs? .....

How finished Wood-lined.

Are buildings painted? No. Condition of paint .....

Distance from nearest bush No exposure.

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

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
3	Level	Clay loam 10 to 15"	Clay	Loganberries, straw- berries, fallow.	\$225.	\$675.00
Area which can be cultivated without cost other than for breaking.						
	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL		VALUE PER ACRE	
Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.						
	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE
Area Unsuitable for Cultivation.						
	CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.		NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE		VALUE OF LAND PER ACRE	

Total value of Land \$ 675.00

Total added by buildings to value of farm \$ 300.00

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

Total value of farm \$ 975.00

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:  
Dwelling occupied daily by lessee. Area in berries in fair condition but weedy. Balance of land lying fallow and weedy.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.  
suitable for truck farming and growing of cane fruits.

Noxious weeds: Numerous annual weeds but none of serious type.

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

Assessment: Land - \$ 810.00 Taxes: Lot 4. \$24.21  
Imp. - 1820.00 " 5. \$15.83  
Corporation of Richmond

Date: July 16th, 1942.

Place: New Westminster, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 14th day of July 1942

Inspector's Signature

"H. L. SINCLAIR"

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

# Farm Appraisal Report

NISHI, Shoichi

Remarks: This is a small property reasonably close to Steveston. There is only a small area in crop, balance of land lying fallow and weedy. The soil is a good clay loam over clay, and judging from crop growth is in a good state of fertility.

Buildings are old and generally in poor condition. The property is rented to Mrs. Alice Douglas for the nominal sum of \$1.00 plus taxes until the termination of the war.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation.

Low-lying land in the Richmond dyking and drainage area.

Drainage is assisted by a pumping system when necessary.

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

Dyking and drainage charges are included in the general tax.

Pumping charges fluctuate from 15 cents per acre.

ORCHARDS, SMALL FRUITS, ETC.

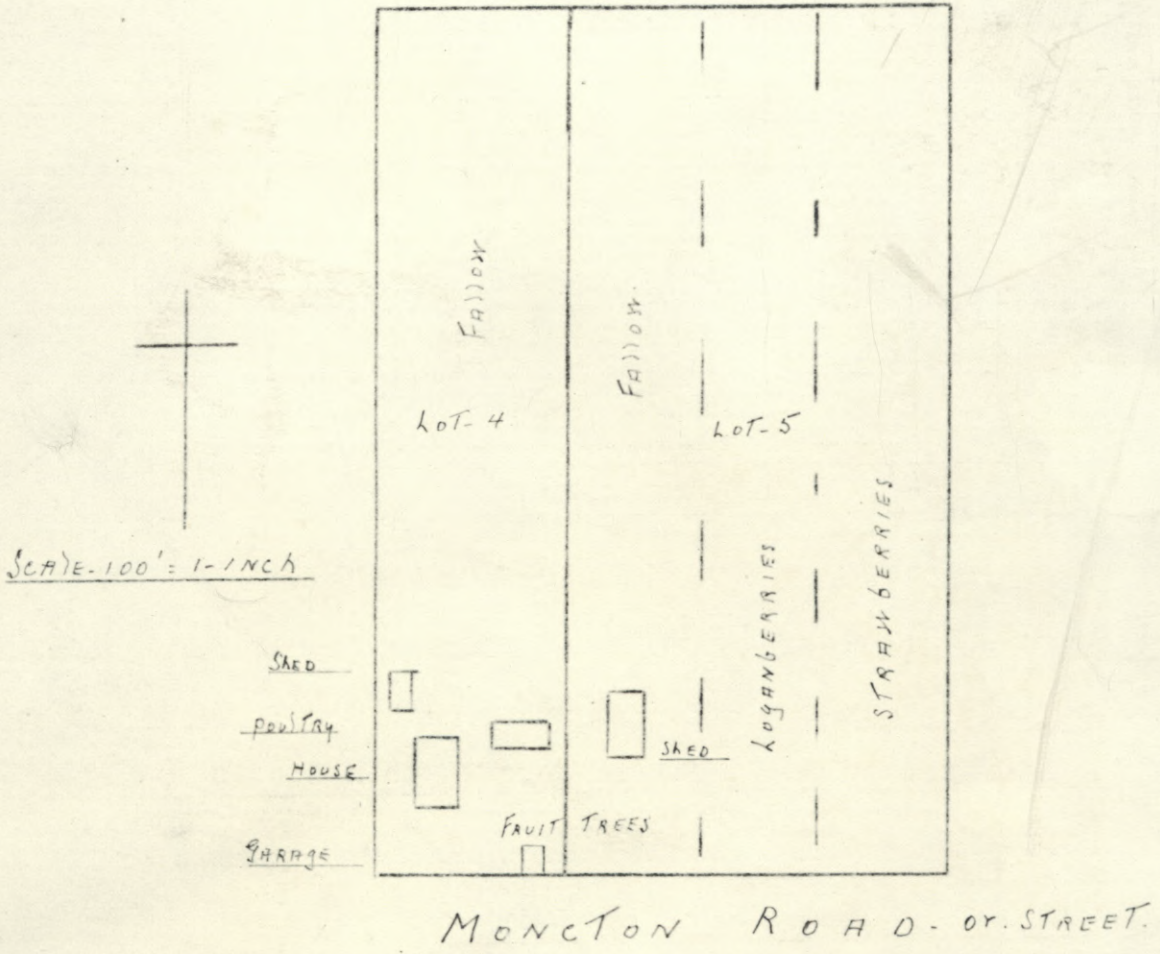
(Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

	<u>Present Value</u>
Strawberries - 0.71 acs. part clean and part	\$ weedy.
Loganberries - 0.61 " fair condition.	\$
Fruit trees, bldgs., and fallow - 1.68 "	\$
3.00	\$
Approximately 25 old mixed fruit trees, value included	\$
in land.	\$
	\$
	\$
	\$
	\$
Total \$	_____

Amount fruit trees add to value of farm \$ \_\_\_\_\_



Diagram of Property



LOTS 4 AND 5 - SUB-DIV. OF BLOCK "A" SECT. 12, BLK-3N-R 7-N. MAP 3794

Shoichi-Nishi

3. Acs

Following careful review of this appraisal report, it is my opinion that the present value is \$ 950

Date 20th July 1942

[Signature]  
District Superintendent.