Name of Claimant ENDO, Hisa Case 406

Custodian File 9363

REAL PROPERTY											Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% there-of	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	
					411.00		251.55				251.55

PERSONAL PROPERTY								
Motor Vehicles		Boats and Boat Gear						
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS					
Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price

MISCELLANEOUS CHATTELS							
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price

TOTAL RECOMMENDATION	251.55

1540

CASE NO: 406

JAPANESE PROPERTY CLAIMS COMMISSION

New Denver, B.C.

June 21, 1948

IN THE MATTER OF THE CLAIM OF

(MRS) HISA ENDO

PROCEEDINGS AT HEARING

Original

CASE NO: 406

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE H.W. COLGAN, SUB-COMMISSIONER)

10 New Denver, B.C.

June 21, 1948

IN THE MATTER OF THE CLAIM OF

(MRS) HISA ENDO

PROCEEDINGS AT HEARING

20 APPEARANCES:

DONALD MACDONALD, Esq.,	appearing for the Dominion Government
A.E. COBUS, Esq.,	appearing for the Claimant.

W.J. STURGEON, Esq.,	Secretary to New Denver Sub-Commission
G.N.R. UPTON, Esq.,	Official Interpreter
G. HAMBLETON, Esq.,	Official Reporter

30

MR. COBUS: The claim, your honour, of Mrs. Endo, which is No. 4 on the Secretary's list.

(MRS) HISA ENDO, the claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: This claim, your honour, is for real property only. We are amending the value as shown originally to $2000.00 in place of $2500.00 and $250.00. The total claim now is $2000.00 for land and buildings.

THE COMMISSIONER: $2000.00.

MR. COBUS: Yes, your honour. And we are crediting the Custodian with $411.00 rather than the net proceeds amount which was shown on the claim originally.

DIRECT EXAMINATION BY MR. COBUS:

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

A: Yes.

Q: Is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

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

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Would my friend produce the Farm Appraisal

Report?

MR. MACDONALD: I presume this is Block 14?

MR. COBUS: Blocks 14 and 17, lots 1 to 10.

(Handed to Mr. Cobus)

MR. COBUS: I file the appraisal on behalf of the Crown, your honour.

(APPRAISAL MARKED EXHIBIT NO. 2)

MR. COBUS: Referring to Exhibit 1, your honour, the parcel was a five acre plot of land, of which five acres was cultivated -- in rhubarb, 3½ acres, asparagus, 1 acre, hops, ½ acre. Only a very small portion was uncleared. The property was purchased in 1939 for $2000.00 and when purchased the five acres had been cleared. She points out that the buildings which are listed below under "buildings," were on the land when purchased. She estimates the value at the date of sale to be $2000.00 for the land and improvements thereon. She lists as an improvement 600 feet of ditching with cedar covers, which was done in 1939 after they had purchased the property, at a cost of about $300.00. The buildings that were on the land were a packing house, 12 by 16, a second packing house, and a third packing house of similar size. She estimates the cost of those buildings to be $650.00.

She points out in her comments that the appraiser under-estimated the acreage of the property at 4.74 acres. She estimates her acreage at 5.14 acres. The appraiser over-estimates the

age of the buildings. She agrees that they, meaning her husband and herself, operated this acreage with the larger acreage abutting across the highway. However, she says she disagrees that it is suitable only for such joint operation as the appraiser would suggest. She considers that the land was quite adaptable to independent operation, and points out the Custodian and the Soldier Settlement Board must have also so believed as they sold it as an independent unit. She says that they never experienced any stagnation of water, and that she thinks the drainage facilities were adequate. She says that this was excellent productive land, and believes that when it was sold for $411.00, it would be worth at least $2000.00 at a fair market value.

The statement continues on the reverse side, and she makes this additional comment, that in 1930 they sold approximately 1½ acres of this property for highway purposes for a consideration of $898.00. On this basis, the price obtained by the Custodian for 5 acres is very much out of proportion. She believes that at a minimum this land would be worth $350.00 per acre.

Would my friend advise the assessment for the year '42 or '43?

MR. MACDONALD: There is the '42 assessment.

MR. COBUS: It would appear from the tax notice produced from the Custodian's file that in 1943 the assess-

ment amounted to $238.00 for improved land -- that is to be noted -- and $500.00 for improvements, a total of $738.00.

Your witness.

MR. MACDONALD: I submit, your honour, that the real property was sold at its fair market value. It was appraised by the Soldier Settlement Board at $400.00 and sold for $409.00.

There is no personal property claim here. I do not think there is anything that I need to ask the witness about this, as this is a property that was appraised by the Soldier Settlement Board and bought by the Director of the Veterans Land Act. I don't see any need for questioning of the witness.

However, I have a letter here, your honour, that I think, in the interest of all concerned, should be filed.

CROSS EXAMINATION BY MR. MACDONALD:

Q: Is this your signature?

A: Yes.

MR. MACDONALD: This letter is dated November 10th, last year, your honour, dealing with this particular property -- a part of it, anyway.

"In 1931 I received $898 from the B.C. Provincial Government for a piece of land 99 feet wide and 660 long to make a highway through this block 14. Therefore the remainder - more than 5 acres, planted with rhubarb, asparagus and hops,

and the two packing houses I built, one on the middle of the north side of the highway, and the other on the north-east corner should be worth $2600. Therefore I cannot accept your cheque as just compensation. I am bringing the matter before the Compensation Board, and must wait for their opinion."

Of course, she was mistaken as to what the Compensation Board had to do with it. I think that should be filed, your honour.

THE COMMISSIONER: That will be Exhibit 3.

(LETTER MARKED EXHIBIT NO. 3)

MR. MACDONALD: I don't think there are any other documents that have any bearing on this that have not already been filed. The only question is that there is a little bit of discrepancy about the acreage, but the record speaks for itself, there. It is not very much, just part of an acre.

THE COMMISSIONER: Have you any other witnesses, Mr. Cobus?

MR. COBUS: No further witnesses, your honour.

THE COMMISSIONER: That is all, thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gadon Hambleton

G. Hambleton
Official Reporter

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

H.W. Colgan
Sub-Commissioner

406

DEC - 2 1947

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

9363

New Denver

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

(1) NAME ENDO (Print) Surname HISA (Mrs.) Given Name (RCMP) Reg. No. 13222

(2) Pre-Evacuation Address MISSION B. C.

(3) Present Address 172½ The Orchard NEW DENVER, B. C.

(4) REAL ESTATE

(a) Street Address (if any) MISSION City or Municipality, B. C. Province

(b) Legal description (lot number, block number, section number, etc.)

BLOCKS 14 - 17 & LOT 1 - 10 inclusive of BLOCK 20
of BLOCK A of LOT 165 GROUP 3 MAP 2632
in the District of New Westminster
Less #898 received in 1931 for highway right of way 99 feet wide
and 660 ft long through BLOCK 14

(c) Type of Real Property (cross out words which do not apply):

(i) Farm
(ii) ~~Residence~~ Type of business Asparagus, Rhubarb, and Hops Farm
(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 - - - - - - - - - - - - - - - $ 2,500.00
(ii) Buildings - - - - - - - - - - - - - - - $ 250.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - Crops - - - - - - $ 750.00
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 3,500.00
(v) Amount at which Custodian sold property and credited your account - - $ 397.29
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 3,102.71

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)

(c) How stored or packed at time of evacuation

(over)

39a

(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") _____

LEFT IN CHARGE OF THE CUSTODIAN

(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) - $ 3,102.71

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

New Denver, preferred. if necessary Nelson

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

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, Mrs Hisa Endo of the Village of New Denver in the Prov British Co

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 Village of New Denver in the Prov of British Columbia this 17 day of November A.D. 1947. Dial Broughton — Mrs. Hisa. Endo.

Commissioner for Taking Affidavits
Province of British Columbia

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.

_____

_____

_____

_____

Mrs Hesa Endo –
(Claimant's Name)

REAL ESTATE
(Farm Land)

13222
Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared .14 ac Cultivated not planted — Cultivated and not in crop List Crops Rhubarb 3½ ac asparagus ½ ac Hops ½ ac	5.14	1939	Eiji Endo (son)	$2000.00	5 ac cleared	Bldgs noted below were on land	$2000.00 land & improvements
Total 5 ac							

EXHIBIT No. 406-1
DATE June 21/48
FILED BY Cohen

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

Description	When Made	Cost
Put in about 600' ditching (cedar covers) – in 1939 after purchase – hired labour		cost about 300.00

BUILDINGS on land when purchased –

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
Packing house	12×16	Frame on blocks – shingle roof – shiplap floors + walls painted outside	1936	hired labour – bought material			–	cost 200.00
"	12×16	" " "	" 1933	"	"	"	–	200.00
"	12×16 (appraiser gives 8×14)	" "	— 1932	"	"	"	=	250.00

Comments re Appraiser's report not covered by above information: The appraiser underestimates the acreage at 4.74 I estimate my acreage at 5.14. He overestimates the age of the buildings – I agree that we operated this acreage with the larger acreage abutting across the highway. However, I disagree that it is suitable only for rush joint operation as the appraiser would suggest – I consider it is quite adaptable to independent operation – and the Custodian + Soldiers Settlement Board must have also so believed as they sold it as an independent unit. We never experienced any stagnation of water and considered drainage facilities adequate

H. Endo
SIGNATURE

Comment – This was excellent productive land. I believe that when sold for $4110.00 it would be worth at least $2000.00 at a fair value

PTO

Comment (ctd)

In 1930 we sold appx 1½ acres of this property for Highway purposes for a consideration of 898.00 for 5 acres + on the basis the price obtained by the Canadian is very much out of proportion. I believe that at a minimum this land would be worth 350.00 per acre

406

BC-222-P

BC/222-P

PAGE 1

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

Farm Appraisal Report

File No. JL-110

Land Description Blks.14 & 17 & lots 1 to 10,incl.in Blk.20 of Blk."A" of Lot 165, Gp.3, Map 2632, N.W.D.

Containing 4.74 Acres

Owner's Name ENDO, Hisa Post Office Address Mission, B.C.

Nearest Rail Point Mission Distance ½ mile

Market Town Mission Distance ½ "

Church (give denomination) All denominations Distance Mission

Nearest School Distance Mission

State how property was identified: Maps, L.R.O. Sketch, and surveyed roads.

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

#7 Highway crosses property.

Is this district a good one? Good when small fruits are high.

Employment opportunity Local berry picking. Nearby mills. Remote in logging camps.

Predominating Nationality and religion: British. No predominating sect.

Describe Fencing and its condition: Highway and Ry. Right of Way only Value $not owned

Water supply: Located on main part of farm. Blk. 2-8 and 11. Value $

9363

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
Berry HOUSE	12 x 16	Lumber	studs 8'	Shgl.	10	Blks.	good	50.00
Pckg.house	8 x 14	"	8'	"	old	"	"	20.00
Pickers hse.	12 x 16	"	8'	"	"	"	fair	40.00
BARN	x							
	x							
BARN	x							
	x							
GRANARY	x							
	x							
	x							
	x							
	x							

Total present day value $ 110.00

Total Value Buildings add to farm $ 110.00

Is dwelling habitable without repairs? If not what is your approximate estimate of cost to make it habitable? House on other unit.

$

Describe the basement and chimneys:

No. rooms downstairs? Upstairs? How finished

Are buildings painted? No Condition of paint

Distance from nearst bush None near.

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

Cultivated Land BC/222-P PAGE 2

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
4.44	Level	Black loam 14"	Sandy clay	Hops, rhubarb and asparagus	70.00	300.00

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	
0.3	Level	Black loam	Sandy clay	Clearing and local draining	75.00	30.00	9.00

Area Unsuitable for Cultivation.

CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.	NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE	VALUE OF LAND PER ACRE

Total value of Land $ 309.00

Total added by buildings to value of farm $ 110.00

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

Total value of farm $ 419.00

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

Owner still in residence. Tillage good.

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

Suitable only for what it is now in use for, that is as an added acreage to the existing farm set-up along with blks.2-8 & 11 where buildings are situated (see report)

Noxious weeds:

Few Canada thistle and mare's tail.

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

Municipal & School - $13.99.
Mun. District of Mission, Mission, B.C.

Date: 21st May 1942.
Place: Abbotsford, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 20th day of May 1942.

Inspector's Signature "B.C. WORMWORTH"

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

Farm Appraisal Report

JL-110 - Hisa ENDO

Remarks: This is an additional acreage set-up and goes with Blocks 2-8 and 11 lying directly north and abutting, across the highway. Is worked as one parcel and the whole is handled without regai to the location of streets, which though surveyed, have never been opened. One building is on the street, but can be easily moved, so I have included it in the valued buildings.

While the soil on this land is excellent, the drainage is no of the best. The sandy element in the subsoil should give underdrainage, but cannot function properly in this respect for the reason that the railway ditch, and the one along the highway are not properly opened at outlet for the best drainage. The run-off goes down to about 3' below the surface level and stagnates there. With these outlets opened, there would be marked improvment in this condition.

(FOR ORCHARD LANDS ONLY)

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

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

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

No small fruits.

Present Value

$

$

$

$

$

$

$

$

$

Total $

Amount fruit trees add to value of farm $

Roll # 18/19

T. H. Endo.
Roll # 18/19.
Blks. 2-8 + 11

Diagram of Property

Hisa Endo.

Blks. 14-17 + Lots 1 To 10 inclusive of Blk 20. Blk "A" - of Lot 165, Group 3. - Map. 2632.

(See report on Balance of Farm. T & H. Endo. Lots. 2-8 + 11)

Following careful review of this appraisal report, it is my opinion that the present value is $ 400.00

Date 22nd May 1942.

"I.T. BARNET"
District Superintendent.

EXHIBIT No. 406 - 3

DATE June 21/48

FILED BY

Crown

172 The Orchard, New Denver, B. C.
Nov. 10th 1947

Department of Secretary of State
Custodian's Office,
Vancouver, B. C.

Dear Sir:

Until lately I was expecting to eventually return to Mission City, but last week I received a cheque from you for the sale of my property for $397 On Nov. 3rd I placed this money in the Bank of Montreal, and do not intend to draw on it.

You request me to send you the title for this property immediately, but this I am not prepared to do.

The reason Is:

In 1931 I received $898 from the B. C. Provincial Government for a piece of land 99 feet wide and 660 long to make a highway through this block 14. Therefore, the remainder - more than 5 acres, planted with rhubarb, asparagus and hops, and the two packing houses 1 built, one on the middle of the north side of the highway, and the other on the north east corner should be worth $2600. Therefore I cannot accept your cheque as just compensation.

I am bringing the matter before the Compensation Board, and must wait for their opinion.

Yours truly,

Reg. No. 13222

"Hisa Endo"

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

Sept. 20, 1948

E. McLaughlan