Name of Claimant FUJIKAWA, Giichi
Executor of the estate of
Custodian File Keijiro MATSUI (decd)
5990

Case 459

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	
					1360.		936.84				936.84

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	
299.00	167.70	50.31	56.08%	149.00	83.56			133.87

TOTAL RECOMMENDATION	1070.71

1540

CASE NO: 459.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

March 22nd, 1948.

IN THE MATTER OF THE CLAIM OF

GIICHI FUJIKAWA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 459.

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

10 Lethbridge, Alberta,

March 22nd, 1948.

IN THE MATTER OF THE CLAIM OF

GIICHI FUJIKAWA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
A.G. VIRTUE, Esq.,K.C.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

30

THE COMMISSIONER: Are you going on with the Fujikawa claim?

MR. VIRTUE: Yes, my lord. He is the executor of the estate of Matsui.

GIICHI FUJIKAWA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

10 Q I show you a statement with regard to your land and buildings. Did you prepare that with the help of your Interpreter?

A Yes.

Q Is that a true statement of the value of your property and improvements?

A Yes.

MR. VIRTUE: My lord, in putting this in I might explain what appears at first glance to be a discrepancy; that is, that the estimated value at the date of sale was $8300.00, but when we came to add up

20 the cost price of $1500.00 for clearing, and so on, on $4715.00, and then the buildings at $3300.00, $9515.00? it brings the total to around $8300.00, but we do not wish to amend that figure. We are willing to let the figure stand at $8300.00, but I am simply stating that.

THE COMMISSIONER: I notice this claim is made by this man as an executor for the estate of one Matsui. I think you better establish the fact that he is the executor.

30 MR. VIRTUE: If I am not mistaken, he would have filed

some time ago with the Custodian the probate but, if not, I will make a note of that and file it.

THE COMMISSIONER: Have you the probate, Mr. Hunter?

MR. HUNTER: Yes, my lord.

MR. VIRTUE: You have it here?

MR. HUNTER: The will is weird and wonderful, but I presume it has been accepted as valid.

THE COMMISSIONER: Has the will been admitted to probate in British Columbia?

10 MR. HUNTER: In Alberta, my lord.

THE COMMISSIONER: In Alberta.

MR. HUNTER: I haven't any copy for B.C.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. VIRTUE: Q: You have also filed a claim for personal property, is that right? A: Yes.

Q And is that a correct statement of the personal property claim (producing)? A: Yes.

(STATEMENT MARKED EXHIBIT NO. 2).

Q Now this brief statement or summary of your claim, you prepared that also with the help of your Interpreter? A: Yes.

Q And is that all correct? A: Yes.

MR. VIRTUE: I offer that as the next exhibit.

(STATEMENT MARKED EXHIBIT NO. 3).

MR. VIRTUE: I will ask my learned friend to admit that the assessment on this property was $2328.00.

THE COMMISSIONER: Now, that is for what year?

MR. VIRTUE: That is for 1942.

MR. HUNTER: That is correct, my lord.

30 MR. VIRTUE: I think that is all I will put in at this

stage, sir.

THE COMMISSIONER: Very well. Yes, Mr. Hunter.

MR. HUNTER: It is submitted, my lord, that the real property was sold for its fair market value.

MR. VIRTUE: With regard to Exhibit 2, which is the personal property claim, I may say that we followed this practice, sir, where all of the personal chattels had already been listed in the proof of claim we didn't repeat them all, we simply referred to the proof of claim.

THE COMMISSIONER: That is sufficient.

MR. HUNTER: It is further submitted that the claimant did not have in crop the acreage which he states, but that there was a shortage of 4.88 acres in crop, there being 5.87 acres actually in crop as measured by a Provincial land surveyor of B.C.

THE COMMISSIONER: As of what date? Is there any possibility of there being a change?

MR. HUNTER: As of the 13th of August, 1942.

THE COMMISSIONER: Do your records show when he was evacuated?

MR. HUNTER: Yes, my lord, June 6th, 1942.

MR. VIRTUE: What does that survey show, Mr.Hunter? I looked at it some time ago. How many acres were under cultivation?

MR. HUNTER: It says 5.87.

MR. VIRTUE: The extraordinary thing about that is even the farm appraisal shows 10 acres -- 10½ acres.

THE COMMISSIONER: That may be a matter for comment later.

MR. VIRTUE: I beg your pardon, sir, it shows ten acres under cultivation.

THE COMMISSIONER: That may be a matter for comment in the course of argument later.

MR. VIRTUE: I want to ask the claimant a question about that when my learned friend is through.

MR. HUNTER: It is submitted, my lord, that the motor vehicle which was claimed for or for which claim was made was sold by the Pacific Co-Operative Union with whom the claimant left it, and as I understand it he actually transferred title to them and they sold the vehicle and the money was transmitted to the Custodian. Accordingly it is submitted it does not fall within the terms of reference.

THE COMMISSIONER: That is to say it was sold by an agent of the claimant and not by the Custodian.

MR. HUNTER: Yes, my lord, or by the owner to whom the claimant had transferred it. I don't know under what terms of trust it was done.

THE COMMISSIONER: By whom the claimant had transferred it.

MR. HUNTER: Yes. It is submitted further that those articles of personal property which were sold were sold for their fair market value and that the claims made for the chattels which were lost, destroyed or stolen are excessive. I should like to file, my lord. the Soldiers Settlement Board appraisal as Exhibit 4, and the analysis of the personal property claim as Exhibit 5.

(APPRAISAL MARKED EXHIBIT NO. 4).

(ANALYSIS MARKED EXHIBIT NO. 5).

MR. VIRTUE: Before my learned friend goes further, sir, I have just caught now what is obviously a clerical error on page 2 of Exhibit 3, that is the summary of evidence, where it is given as clearing 9 acres, cost per acre $2.00, $18.00. That should be $200.00, and the total $1800.00. It is just a clerical slip-up.

MR. HUNTER: Where is that?

MR. VIRTUE: That is on the summary of evidence at page 2 where it says, "Clearing, $2.00, cost $18.00". That should be $200.00 an acre.

10

MR. HUNTER: I haven't a copy of that. This witness is Mr. Matsui, is he?

MR. VIRTUE: No, Mr. Fujikawa.

CROSS-EXAMINATION BY MR. HUNTER:

Q You are the owner, for the former owner of this property?

THE COMMISSIONER: Q: Ask what relationship Matsui was to him? A: His stepfather.

20

MR. HUNTER: Q: Yes; and did you live on this property before evacuation?

A Yes, for about three years.

Q You are well acquainted then with the property?

A Yes.

Q When did you go to live on that property?

A 1936.

Q I see. Now, did you work on the property or elsewhere? A: I worked on the property for three years.

30

Q And where did Mr. Matsui work? Did he work on the property or did he have outside employment?

A He also was working on the property.

Q Now you repaired and improved the house in 1937. Did you help in the construction of that?

A Yes.

Q And you have stated that the cost of the material for that improvement was $1750.00. How did you arrive at that sum?

10 THE COMMISSIONER: Now to what is he referring? Ask the witness to what he is referring, or what is the document he has in his hand?

A These are figures which are recently compiled from memory in regard to the improvements on the house.

MR. HUNTER: Q: Yes, how old are you now, witness?

A 37.

Q 37, and this happened 12 years ago, is it?

THE COMMISSIONER: What happened?

MR. HUNTER: Q: This construction of the house and

20 these figures which you have recently compiled are figures you have compiled from memory of something that happened 12 years ago, is that correct?

A These are figures that I arrived at after talking it over with my mother and other people that were connected with the construction at that time.

Q Did your mother pay the bills at that time?

A My mother and my father.

Q Your mother was the business head of the family?

A In conference with her husband. In conference with

30 my father.

Q And he always consulted her about everything when he was spending money, is that correct?

A Yes.

Q And she remembers these figures from 12 years ago?

A Yes.

Q I see. Now, how accurate are these figures?

A I think they are accurate.

Q You think they are very accurate. I just want to know whether they are precise or whether they are an estimate?

10

A I think they are quite accurate.

THE COMMISSIONER: You might find out, Mr. Hunter, whether the deceased assisted in the preparation of this claim or whether it was filed after his death. It was apparently filed after his death, but I would like that cleared up.

MR. HUNTER: He died the 12th of June, 1946, my lord, but I will ask the witness.

Q Did your stepfather have anything to do with compiling these figures prior to his death?

20

A No, he left verbal instructions.

Q He which? A: He left verbal instructions--verbal advice before he died.

Q I see. And with whom did he leave that verbal advice? A: To my mother and myself.

Q And what wasthat verbal advice?

A Various details in connection with the real estate and the house and the children.

30

Q I see. And did he go into the details of cost

and material and labour? A: Yes, there was verbal advice from the father before he died, and my mother also remembers.

Q After you had spent all that money, $1750.00 for material, $350.00 for labour, and your own labour, $200.00, you had a small house with four rooms on the main floor, is that correct?

A Labour $350.00?

Q Yes. A: We built a basement

10 and then we finished off the attic and such improvements.

Q Just answer the question, witness. I asked you whether there were four rooms on the main floor. We will come to the rest later.

A Yes.

Q And there were two rooms upstairs?

A Yes.

Q And the house was finished inside with V.joint, was it? A: Yes.

20 Q Was that painted? A: Just varnished.

Q And was the outside of the house painted?

A No.

Q What was the outside finish of the house?

A It was siding.

Q Did you have a bathroom? A: Yes.

Q In the house? A: No, it was separate.

Q You had a bath house? I am asking you if you had a bath in the house?

30 A No, there was no bathroom in the house, it was

separate.

Q And your house was 24 x 28 feet?

A Yes.

Q And how was the main floor divided?

A I don't remember how it was divided up. I just remember there was a hallway.

Q Just wooden partition? A: These rooms were divided by sidings.

Q What do you mean by siding, exactly? Do you mean

10 shiplap? A: No, material much narrower than shiplap.

Q They were wooden partitions?

A Yes.

Q What were the floors? A: They were wooden floors. In the parlour there was a carpet down.

Q I am not interested in a carpet. What were the floors made from? Were they fir, pine, spruce or hemlock? A: I don't remember it clearly.

20 Q You helped to build this house now, eh?

A Yes.

Q You can't remember the details of the house, but you can remember the details of the cost, is that it?

A I don't remember exactly what kind of wood they used in the floor but I do remember the price we had to pay for it.

Q You don't remember the rooms or the type of material, but you can remember the price after 12 years? That is right, is it?

30 A Yes, I remember the price.

Q Yes. Now, how is your memory on the number of acres that were under cultivation? Do you remember that? Just a moment, excuse me, I will change that wquestion. How many acres were in crop at the time you left?

A There were 12 acres.

Q In crop? A: $10\frac{3}{4}$ acres in crop.

MR. VIRTUE: Q: What was his answer again?

A $10\frac{3}{4}$ acres in crop.

10 Q Under crop? A: Under crop, yes.

MR. HUNTER: Q: When did you leave?

A 1942, in June.

Q What part of June? A: About the 2nd of June.

Q Now what about this truck? Your stepfather transferred it to the Pacific Co-Operative Union, did he?

A The Custodian sold it.

Q I am not asking you that question. I am asking whether your stepfather transferred it to the

20 Pacific Co-Operative Union.

A Yes.

Q And the Pacific Co-Operative Union sold it for $700.00, didn't it?

A Yes.

Q Why are you asking the Custodian to account for the vehicle?

MR. VIRTUE: I don't want to interfere with my learned friend's cross-examination, but to me it seems a bit unwarranted. According to their own

30 statement which they have now filed with your

Lordship, they say there was a sale of this truck by tender for $700.00.

THE COMMISSIONER: Perhaps if we allow the cross-examination to proceed, something might come out by way of explanation.

MR. VIRTUE: How this man could be expected to know what happened out there, I don't know.

THE COMMISSIONER: I will allow the cross-examination, Mr. Virtue.

10 THE INTERPRETER: A: We considered it was worth more than $700.00 at the time we left.

MR. HUNTER: Q: It wasthrough the act of your own step-father it was sold, wasn't it?

THE COMMISSIONER: Just one moment, Mr. Handford. Would you put the question to him, first of all, Mr. Hunter, as to what were the terms of the transfer to the Pacific Co-Operative Union? In other words, was the Co-Operative Union holding it as a trustee for this man, or what was the situation?

20 MR. HUNTER: Very good, my lord.

Q What were the terms of the transfer by your step-father to the Pacific Co-Operative Union?

A We just left it in their charge for the time being.

Q Is it not true that you transferred title to them? The vehicle was transferred with the Motor Vehicle Department -- through them to the Pacific Co-Operative? A: Yes, it was transferred to the Pacific Co-Operative Union.

Q Yes, and it was transferred some time in April, wasn't it, or March? I am sorry, it was transferred

30

in March, 1942, wasn't it?

THE COMMISSIONER: Of 1942.

MR. HUNTER: Yes, my lord.

A I don't remember the month, but some time in 1942.

Q And at the time it was transferred, you knew, or your stepfather knew, that an order was coming through or had come through to leave allvehicles with the R.C.M.P.? A: Yes .

Q And you now want the Canadian Government to reimburse you for a loss which was due to your own disobedience of the law, is that correct?

A The reason I am claiming now is because it was sold by the Custodian for $700.00, and I believe that it was worth considerably more as an engine had just been overhauled--the engine had just been overhauled and new tires put on.

Q You already stated it was sold by the Pacific Co-Operative Union. Why do you say that, if you nowsay it was sold by the Custodian?

A I misunderstood the previous question. I have been under the impression all the time that the Custodian sold the truck.

Q In other words, you don't know who sold it, do you?

MR. VIRTUE: It seems to me, sir, that is a very simple question.

THE COMMISSIONER: Let usget the answer.

A I know that the Custodian sold it.

MR. HUNTER: How do you know the Custodian sold it?

THE COMMISSIONER: Before you put another question, what was your objection, Mr. Virtue?

MR. VIRTUE: I am not objection, sir, but I think there is a very simple answer to this question. If my learned friend has some evidence that the truck was sold by the Pacific Co-Operative under authority from the father, then why not say so and we will abandon that claim. I don't think he is breaking this witness down because this man obviously doesn't know what went on out there.

THE COMMISSIONER: I won't interfere with the cross-examination. I assume that counsel considers he can support the contention he puts forward now, namely, that this was an outright sale by the deceased represented by this executor to the Pacific Co-Operative Union. Is that right, Mr. Hunter?

MR. HUNTER: There is no question about it, my lord.

THE COMMISSIONER: I am in the same difficulty as Mr. Virtue. If it is a fact that the Pacific Co-Operative Union sold the truck, how is it the Custodian knows anything about it being sold for $700.00 as appears on Exhibit 5?

MR. HUNTER: I think that is a mistake about it being sold by tender. The Custodian found out about it later and demanded the money from the Co-Operative Union.

MR. VIRTUE: If that is a mistake, then it is hardly fair to take it out on this witness.

MR. HUNTER: Under that column there is a heading "tender, etc." and then there is a note showing it is transferred to the Pacific Co-Operative Union.

THE COMMISSIONER: I have mis-read it, then.

I assumed the Custodian called for tenders and received a tender for $700.00, but that is not the case apparently.

MR. VIRTUE: If my friend has some document there, I might admit it in two seconds.

MR. HUNTER: You have had a copy of it for some time, Mr. Virtue.

THE COMMISSIONER: Well, proceed with your question.

MR. HUNTER: I didn't hear the answer to the last question.

10 THE COMMISSIONER: I stopped you before you had a chance to put the last question.

MR. HUNTER: But the question before that, that was answered, my lord.

(Answer read by Reporter).

MR. HUNTER: Q: How do you know the Custodian sold that vehicle?

THE COMMISSIONER: Mr. Hunter, have you some document there that shows how this thing was disposed of?

20 We seem to be spending a lot of time on something that there should be no reason for so doing.

MR. HUNTER: I have a memo that our records in the Custodian's office will show that we received the money from the Pacific Co-Operative Union.

MR. VIRTUE: Maybe the Custodian sold it to the Co-Operative Union; I don't know.

A I received a letter from the Custodian advising it had been sold.

MR. HUNTER: Q: And did it say that the Custodian had

30 sold it?

A No, I just remember that I received a letter saying the truck had been sold, but I don't remember clearly as to whether it stated who had sold it.

MR. HUNTER: On the main file, my lord, we have considerable evidence dealing with it. If my friend wishes to peruse it, and withdraw this claim, it will be quite in order.

THE COMMISSIONER: Let us try and clear it up. As I understand it, your position is this, that there was an absolute transfer of the truck by the deceased Matsui to the Pacific Co-Operative Union.

MR. HUNTER: Yes, my lord.

THE COMMISSIONER: Then the Pacific Co-Operative Union sold the truck without reference to the Custodian; that the Custodian subsequently ascertainedthe fact that the sale had been made, and that the Pacific Co-Operative was, in fact, a trustee for the deceased Matsui.

MR. HUNTER: We didn't know that they were, but we assumed that and asked for the money.

THE COMMISSIONER: And you subsequently received the money.

MR. HUNTER: Yes.

MR. VIRTUE: If my friend would show me that, I would be glad to withdraw the claim.

MR. HUNTER: You have seen it. You have had a chance to look at it.

THE COMMISSIONER: Well, let us not quibble about it. During the recess you might produce the evidence to Mr. Virtue, and he can consider this particular feature of the claim which can be postponed in

the meantime. Is there some further cross-examination that you want to follow on with?

MR. HUNTER: Yes, my lord. Reference is made to Exhibit 5. It will be noted that aside from the vehicle, chattels were sold totalling $165.60. There were not many shortages. There is the horse and the horse cultivator. They appear to have been stolen, my lord. They were there for a long time and then they were missing.

10 THE COMMISSIONER: Yes.

MR. HUNTER: The 800 feet of raspberry wire, that wasn't inventoried, although it was declared, and the probability was it was in use and was sold with the real property. The 400 feet of half-inch cable was never found.

THE COMMISSIONER: Although declared?

MR. HUNTER: Although declared, my lord. The one cord ditch cover wasn't declared and wasn't inventoried, and, in fact, we can't imagine what it is.

20 THE COMMISSIONER: May I have that again, Mr. Hunter?

MR. HUNTER: One cord ditch cover, the last item, my lord, in the details of claim. It wasn't declared, wasn't inventoried and we don't know what it is.

THE COMMISSIONER: Well the fact that it was not declared puts the onus on the claimant to establish it was there, and we have not any evidence in support of it yet.

MR. VIRTUE: We have never received in this case a J.P. Form. If we had that, we might know a little

30 more about it.

THE COMMISSIONER: Was it not produced in the file to you?

MR. HUNTER: The J.P. form is in the file.

MR. VIRTUE: We haven't a copy of it.

THE COMMISSIONER: Now, Mr.Virtue, it has not been possible for the Custodian to furnish claimant's counsel with copies of all documents. There has been a practice established that claimants' counsel should have an opportunity to examine the file, and I take it you have had that opportunity, is that not so?

MR. VIRTUE: I have, my lord, but I haven't anything in my own file now that would enable me at this moment to check that particular item.

THE COMMISSIONER: Then you were permitted to examine the file?

MR. VIRTUE: It is a very small item. I don't think we will press it.

MR. HUNTER: If my friend wishes to look at the J.P. form, it is available.

MR. VIRTUE: We won't press that, I think. I take it that what that really is, is an irrigation block that is very often used in connection with irrigation, and that might very easily disappear.

MR. HUNTER: I don't know. From the description it is almost impossible to say what it is.

THE COMMISSIONER: I see no reason why you should be concerned with it in the meantime until it is established it was there at the time of evacuation.

Q Now, witness, you have claimed for one cord ditch

cover, what is that? It is the last item there, Mr. Handford.

A It is a wooden cover about 4 feet square made from shingle bolt wood and about 2 inches thick for covering the ditch.

MR. HUNTER: Q: What is the "cord"?

A It is one cord of wood, shingle bolt wood for making ditch covers four feet wide and two inches thick. It is the raw material for making ditch covers.

10

THE COMMISSIONER: I think you better drop that claim, Mr. Virtue. What is the situation regarding the car, Mr. Virtue?

MR. VIRTUE: We are waiving that claim, sir.

THE COMMISSIONER: You abandon the claim on the car?

MR. VIRTUE: I can well understand how this man was confused. There is evidence in the correspondence it did get back in the hands of the Co-Operative, and they wouldn't sell it until it was appraised by the Custodian. He had a great deal to do with it, too, but we are waiving that claim.

20

THE COMMISSIONER: Any re-examination?

MR. VIRTUE: I want to call your Lordship's attention that the claimant has been cross-examined at length about this dwelling house. Now I notice from the farm appraisal report that there were not only four rooms discussed but two rooms upstairs.

THE COMMISSIONER: That was stated by counsel.

MR. VIRTUE: And there was a good cement basement and that the condition of repair was good. Now I think

30

in view of that that the valuation of $2000.00 placed on a house of that kind with a cement basement and all that was a modest valuation.

THE COMMISSIONER: You will have an opportunity to cross-examine the valuator, no doubt.

MR. VIRTUE: I think the report speaks for itself. I don't think I need more than call attention to it.

THE COMMISSIONER: Is there no further re-examination?

MR. VIRTUE: No further re-examination.

10 THE COMMISSIONER: That is all, thank you, Mr. Fujikawa.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

T. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

20

30

ACKNOWLEDGED

File 5990
5979

NOV 24 1947

Case 459

Lethbridge

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

---

1. Name of Claimant in full: Giichi Fujikawa, Executor of the Will of Keijiro Matsui, Deceased, late of Coaldale, Alberta

   Registration No. EXECUTOR 12171, DECEASED 03651

2. Claimant's address at the time of his evacuation from the protected area: Deceased's Clayburn, British Columbia

3. Claimant's present address: Executor's Coaldale, Alberta.

4. Claim relating to real property: Downs Road, Clayburn, British Columbia

   (a) Street address of real property:

   (b) Legal description of property:

   Lot Two (2) of North West Quarter of Section Twenty-eight (28) Township Section (16) Clayburn, B.C.

VIRTUE & RUSSELL, Barristers, Lethbridge.

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

Twenty-acre farm, 12 acres broken and planted with berry bushes and fruit trees. Contained house 24' X 28', hot house, barn 14' x 24', chicken house 12' x 16', Woodshed 12' x 24', bathhouse 12' x 20', garage 12' x 24', 3 fruit sheds, bunk house 14' x 20', tool shed; fenced one side.

(d) Title or interest held by Claimant in the real property:

Fee simple, clear Title

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

(I) Land— $ 5000.00

(II) Buildings— $ 3300.00

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

$~~5925.00~~ $8300.00

5. Claims relating to personal property, etc.

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

Truck at Pacific Co-op, Mission, British Columbia
Tools in tool shed on land
furnishings in house
Horse on Farm

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

5925.00
646.22
6572.12

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

Bob Jackson, Clayburn, British Columbia

Truck in hands of Custodian

(d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

		Forward	1258.50
Truck	$850.00	Pic	$ 1.50
Horse	100.00	Trucking saws (3)	12.00
Chairs (8)	8.00	800 feet raspberry wire	20.00
Sofa	20.00	400 ft. ½ inch cable	20.00
Tables (3)	35.00	1 cable block	8.00
Beds (3)	70.00	1 hothouse stove	8.00
Stoves (4)	80.00	1 chain	3.00
Lamp (4)	4.00	27 chimeny stove	5.00
Lanterns (2)	3.00	50 ft. hose pipe	4.00
Ironing Board	1.50	1 pair truck fender	5.00
Hand Saw	2.00	1 scale	15.00
Hammer (2)	4.00	1 set dishes	20.00
Horse Cultivator	20.00	1 cord ditch cover	10.00
Plough	20.00		
Harrow	5.00		$1390.00
Sprayer	12.00		
Hoes (8)	4.00		
Potatoe Hooks (4)	1.50		
Pitch Fork	1.50		
Pee Vee	3.00		
Matich (3)	6.00		
Shovels (5)	5.00		
Axes (3)	3.00		
Forward	~~1258.50~~		

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

~~$9290.00~~ $590.00

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

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

DATED this 22nd day of ~~October~~ November, A.D. 1947.

K. Matsui
Witness to Signature of Claimant.

Giichi Fujikawa
Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

NOV 24 1947

STATUTORY DECLARATION

I, Giichi Fujikawa
(Full Name of Claimant)

of Coaldale, Alberta
(Present Address) *(Occupation)*

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.

2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.

3. The above Claim is true and correct.

4. I have not received any payment upon the above Claim other than the following:

~~$400.00~~
$1100.00

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at Lethbridge

in the Province of Alberta,

this 22nd day of November

A.D. 1947.

M Russell

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

Giichi Fujikawa

VIRTUE & RUSSELL, Barristers, Lethbridge.

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapted 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

IN THE MATTER OF THE CLAIM OF

KEIJIRO MATSUI

Proof of Claim

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

Executor of the estate
of Keijiro Matsui, Deceased

Deceased
0365I

Executor
I2I7I
Reg. No.

Giichi Fujikawa
(Claimant's Name)

REAL ESTATE
(Farm Land)

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 Cultivated not planted Cultivated and not in crop List Crops							
Lot 2 of the N.W. ¼ of Sec. 28 Twp.I6 Clayburn, B.C.	20	I932	K. SHIKAZE	$I500.00	I¾ acres cleared	I house 24x28 incomplete	$8300.00
Total							

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

Description	When Made	Cost
Clearing 9 acres	I933 ~~to I942~~	$ I800.00
Fencing	I940	I00.00
Planting I0¾ acres to all small fruits, Asparagus, Rhubarb	I933 to I942	2850.00
		$ 4750.00

EXHIBIT No. 459-1
DATE 22 mar 1948
FILED BY
alg. Vaitne.

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
Repairs & improvements to House		Frame	I937	$I750.00	$ 350.00	$ 200.00	$ 300.00	$2000.00
Hot house	I8x32		I935	400.00	200.00	I50.00	I00.00	650.00
Barn	I4x28	"	I934	I00.00	50.00	50.00	50.00	I50.00
Chicken House	I2xI6	"	I940	20.00		I0.00	5.00	25.00
Woodshed	I2x24	"	I937	50.00	I5.00	20.00	25.00	60.00
Bathhouse	I2x20	"	I936	30.00	I5.00	I5.00	20.00	40.00
Garage	I2x24	"	I933	35.00	I5.00	I0.00	I0.00	50.00
3 Packing Houses		"	I933/ 37	40.00	25.00	35.00	25.00	75.00
Bunk House	I4x20	"	I94I	I45.00	75.00	50.00	20.00	250.00
								$ 3300.00

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

1 file
Tax assessments
Correspondence

The above property was sold by custodian for $I360.00, Claimant received $I340.00
I942 Tax Notice values this property at $2328.00
Total value of above property $ 9550.00 as shown

Claimant wishes claim to remain as estimated value above $ 8300.00

Dwelling insured for $1500

G. Fujikawa
Signature

Executor of the estate
Giichi Fujikawa of Keijiro Matsui, Deceased
(Claimant's Name)

PERSONAL CHATTELS

Deceased
0365I

Executor
I2I7I
Reg. No.

Description of Major Items (and particularly of goods lost, stolen or destroyed)	Approximate Date Purchase	New or Used When Purchased	Price Paid	Condition when Evacuated	Estimated value at Date of Evacuation
Complete list of personal chattels on proof of claim	as needed	Mostly new some used	Higher than valued at evacuation	Good	$I390.00

EXHIBIT No. 459-2
DATE 22 mar 1948
FILED BY af. Vaine

Description of Storage of Goods:

Truck left at Pacific Co-op, Mission B.C. and later taken to Hastings Park
Tools in shed on land
Furniture left in House
Horse on Farm

Claimant received $799.45

Loss on above claim $ $590.55

General Statement as to Chattels not Described above:

Additional Comments, if any:

G Fujikawa
Signature

EXHIBIT No. 459-3
DATE 22 mar 1948
FILED BY a.g. Vintne

CANADIAN-JAPANESE CLAIMS FOR LOSSES

BRIEF STATEMENT OF EVIDENCE REQUIRED

Each Claimant should be prepared to answer the following questions clearly, carefully and accurately:-

1. Name **Giichi Fujikawa (K. Matsui)** Registration No.

2. Present residence **Coaldale, Alberta**

3. Residence at date of evacuation

Clayburn, British Columbia

4. How long had you lived on property from which you were evacuated?

Ten Years

REAL ESTATE

1. When did you buy property in question?

1932

2. What price did you pay?

$1500.00

3. What was the exact condition of the property then?

(a) The land itself.

1 ¾ cleared Rest stumpland

(b) The buildings

24 X 28 house (incomple te)

4. What improvement did you make upon the property in question? Give full particulars with the value of each and give the value of your own work separately from the money you paid out of your own pocket.

(a) Buildings.

See attached List $3300.00

(b) Fencing. 1940 Cost $175 ~~Value $100~~ - not included in claim

(c) Tillage. 1 acre

(d) Frainage.

(e) Clearing. 9 acres Cost per acre $200 - $1800

(f) Weed eradication.

(g) Planting. Total 10¾ acres

Strawberry - 6 acres 5000 plants per acre - 30,000 plants @ 6¢ -	$1800.00
Raspberry - 2 acres 2000 plants per acre - 4000 plants @ 10¢	400.00
Loganberry - ¼ acre - 500 plants @ 6¢	30.00
Boysenberry ½ acre 150 plants @ 12¢	18.00
(h)	
Asparagus ½ acre 2000 plants @ 10¢	200.00
Rhubarb ½ acre 220 plants @ 10¢	22.00
Fruits 40 trees @ $1.25	50.00
(i)	
Blackberry ½ acre 250 plants @ 12¢	30.00
	$2550.00

5. Have you the assessed value at date of evacuation? If possible bring your assessment notice.

Yes

6. What is your age?

7. Did you make a living on the above property?

Yes

8. Did you make a profit from your work on the above property? If so about how much over and above your living?

Total Income $5200.00 Expense $2000.00 Profit $3200.00
Living 1500.00 $1700.

9. If you had rented the above property to someone else, what annual rental could you have obtained?

$1500.00

10. What was the fair market value of this property at the date of your evacuation? $8,300.00

11. What was the fair market value of the property at the date when the sale was made by the Custodian?

$8,300.00

12. Do you know of any sales of adjoining or close-by property which were made shortly before evacuation? If so, give particulars.

No

13. Did you carry any Fire Insurance on your property? If so, give particulars and try to produce any policies of yours or documents of that kind.

Yes

14. At what price did the Custodian sell your property?

$1340.00

15. Did you receive a cheque and if so, for how much?

$1340 .00

16. What did you do with the cheque?

Cashed

17. What actual loss do you consider you suffered by sale of your property? $6,940.00

18. Bring in any correspondence you have had with Custodian.

19. Have you any Photographs or Snap Shots of your property or any part of it? (If so be sure to produce them now. <u>If not obtain them</u>.)

PERSONAL PROPERTY

1. You have already given a list of the articles in respect to which you are making a claim so you need not repeat this but be sure you are familiar with it.

2. Was this property taken over by the Custodian?

Yes

3. What became of the property?

Sold

4. Where was the property actually left when you were evacuated?

Furniture in residence
Tools in tool shed

5. If it was left in charge of anyone give the name and circumstances.

Robert Jackson, Clayburne, B.C. Verbal agreement to watch property only

6. Was this property covered by Fire Insurance? If so, try to produce Fire Policy and any other documents which would show the value.

No

7. Did you receive a cheque from the Custodian?

Yes

8. For how much?

$799.45

9. What did you do with the cheque?

Cashed

10. Any correspondence? If so, produce it.

BC-374-P

BC/374-P

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

Farm Appraisal Report

File No. 221

Land Description Lot 2. 28. 16 Matsqui Munic ipility

Containing 19. ac. Acres

House No. 4040 Downs Road.

Owner's Name K. Matsui Post Office Address Abbotsford B.C.

Nearest Rail Point Clayburn Distance 2½ Miles

Market Town Abbotsford Distance 2½ miles

Church (give denomination) Various at Abbotsford Distance 2½ miles

Nearest School On Consolidated bus route for Abbotsford Distance

State how property was identified: Map location and enquiry.

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

Not a main road but a gravelled one just fair

Is this district a good one? no.

Employment opportunity seasonal only

Predominating Nationality and religion: Japanese predominate around here.

Describe Fencing and its condition: none Value $

Water supply: shallow well . Value $

No domestic power available

EXHIBIT No. 4-59-4
DATE 22 mar 1949
FILED BY

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	24 x 28	frame	1½ story	shing	11yr	cement	good	600.00
forcing shed	20 x 30	frame	9	shing	12yr	none	fair	150.00
BARN	x							
Pickers shack	12 x 14	frame	8	shing	new	none	fair	35.00
BARN	x							
GRANARY	x							

Total present day value $ 785.00

Total Value Buildings add to farm $ 750.00

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

Describe the basement and chimneys: brick chimney good cement basement

No. rooms downstairs? 4 Upstairs? 2 How finished V. Joint unpainted.

Are buildings painted? no Condition of paint N.A.

Distance from nearst bush fifty yards

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

Cultivated Land

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
10	hilly	6to 8 in sandy loam	8 in granular loam	5 ac strawberries 2 ac raspberries 1 ac rhubarb ½ ac asparagus ½ ac logans 2 ac weeds no crop	50.00	500.00

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.

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE	TOTAL
9	undulating	6 to8 in	8 in	reasonably thick bush and stumps	75.00	15.00	135.00

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 $ 635.00

Total added by buildings to value of farm $ 750.00

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

Total value of farm $ 1385.00

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

The place is in a fair state of cultivation occupied at present by a renter

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

Limited to small fruits and possibly a few poultry

Noxious weeds: some canada thistle.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Matqui Municapility. $ 32.24.

Date: 4 June 1942.

Place: Abbotsford B.C

I certify that the above report is based on a personal examination of the whole farm made on the 2nd day of June 1942. 19

Inspector's Signature

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

Farm Appraisal Report

Remarks: This roperty of just under twenty acres has ten acres in crop land, the greater part of which is on the north side of a ravine that runs diagonally through the place from the north east to the south west ends of it, thus giving the fruit the benefit of a southern slope for early ripening. There is a noticable difference in the berries on the south side of the ravine, they are not nearly so far advanced. The soil in the bush land is considerably lighter than the cultivated area. The clearing is not heavy, but there are many large fir stumps all through the property.

The house is a fair building with full cement basement, in which the Japanese family were living at the time of my inspection. It is said to be eleven years old. A white man has the property rented for this season for fifteen hundred dollars, according to the Japanese he got half of the rent in cash and is to receive the remaindor after the crop is disposed of.

There are these disadvantages, there is no domestic power line near, and the only water supply is awell, it has plenty of water just now, but I gather from the Jap's remarks that there may be some shortage in August and September. The area immediately around this property has not been opened up more than ten to twelve years and it is not at particularily good one, a lot of light sandy soil with out-croppings of gravel in many places. The roads are not the best either.

(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.

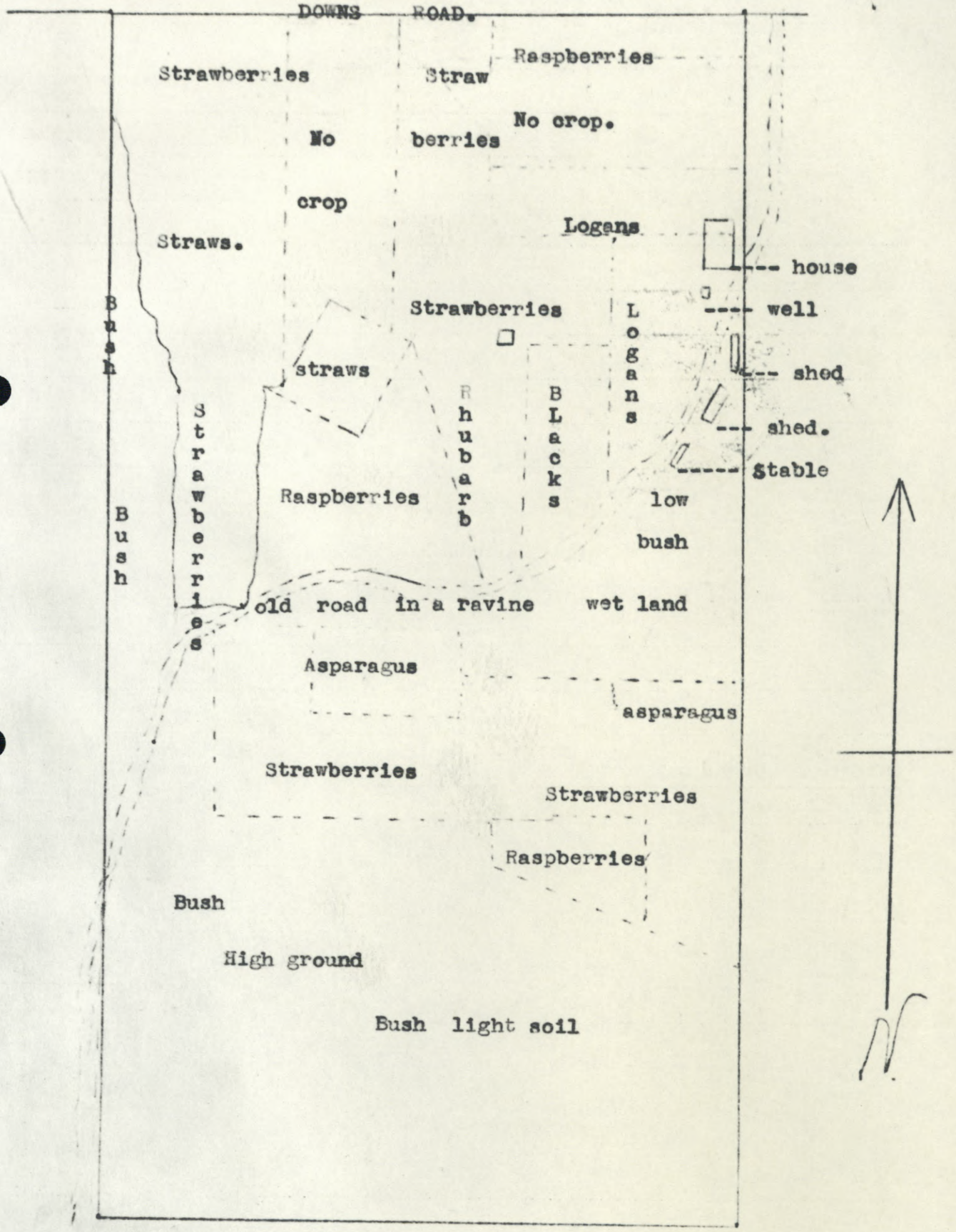
ORCHARDS, SMALL FRUITS, ETC. (Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

	Present Value
	$
	$
	$
	$
	$
	$
	$
	$
	$
Total	$

Amount fruit trees add to value of farm $

K. Natsui Lot 2- 28-16 Matsqui. 19.628 ac
Scale 2 chains to the inch.

Diagram of Property



Following careful review of this appraisal report, it is my opinion that the present value is $ 1350.00

Date 9th June 19 42.

"I.T. BARNET"

District Superintendent.

ANALYSIS OF REAL PROPERTY CLAIM

FILE NO.:	5979
CLAIMANT:	Giichi FUJIKAWA, Executor of the Will of Keijiro MATSUI, Deceased.
PROPERTY:	Lot 2 of the North West $\frac{1}{4}$ pf Section 28, Township 16, Map 5793, Municipality of Matsqui, District of New Westminster, being 4040 Downs Road, Clayburn, B. C.
DECLARED:	April 24, 1942
EVACUATED:	June 6, 1942.
TITLE:	Registered in the name of Kijiro MATSUI
CLAIM:	Land.....$5000.00 Buildings..... 3300.00 Total $8300.00
APPRAISAL:	Soldiers Settlement Farm Appraisal Report....$1385.00
SOLD:	To Director, The Veterans Land Act, as at January 1, 1943, for $1360.00.
APPROVED:	By Advisory Committee June 1, 1943.

EXHIBIT No. 459-5
DATE 22 mar 1948
FILED BY J. W. G. Hunter

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 5979 EXHIBIT No.

NAME Giichi FUJIKAWA, Executor of the Will of Keijiro MATSUI (Deceased) Reg. #03651

REG. No.

DATE
DECLARATION April 24, 1942
EVACUATION June 6, 1942

INVENTORY
TAKEN BY J. Moryson
DATE June 4, 1942

DETAILS OF CLAIM		SALES: AUCTION	SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND
In House					
8 Chairs					
1 Sofa					
3 Tables					
3 Beds					
4 Stoves					
2 Lamps					
2 Lanterns					
1 Ironing Board					
1 Table Set Dishes					
In Tool Shed					
3 Hand Saws					
2 Nail Hammers					
2 Hatchets					
2 Screw Drivers					
2 Pliers					
1 Snip					
1 Wrench					
1 Horse Cultivator					
1 Plough					
1 Harrow					
1 Sprayer					
Garden Tools					
800' Raspberry Wire					
400' ½" Cable Block					
1 Hothouse Stove					
1 Chain					
27 Chimney Pipes					
50' Hose Pipe					
Truck Fender					
1 Pr. House Windows					
1 Scale					
3 Sickles					
2 Mattresses.					
1 Horse					
Stored in the House					
2 Dining Tables					
8 Kitchen Chairs					
Gramaphone (dismantled)					
3 Beds complete					
Box of dishes & kitchen utensils					
Sofa					
Baby High Chair					
Baby Crib					
Kitchen Cabinet					
In Basement					
Kitchen Range					
Quantity of Garden Tools					
Hand duster					
Small Platform Scale					
3 6' Cross Cut Saws					
Coil of Rubber Hose					
Truck	850.00		700.00		
Horse	100.00				
8 Chairs	8.00	F			
Sofa	20.00	F			
3 Tables	35.00	F			
3 Beds	70.00	F			
4 Stoves	80.00	F			
4 Lamps	4.00	F			
2 Lanterns	3.00	T			
Ironing Board	1.50	F			
Hand Saw	2.00	T			
Hammers (2)	4.00	T			
Horse Cultivator	20.00				
Plough	20.00	M			
Harrow	5.00	M			
Sprayer	12.00		4.50		
8 Hoes	4.00	T			
4 Potatoe Hooks	1.50	T			
Pitch Fork	1.50	T			
PeeVee	3.00	T			
Matich 3	6.00	T			
Shovels (5)	5.00	T			
Axes (3)	3.00	T			
Pic	1.50	T			
3 Trucking Saws	12.00	T			
800 Ft. Raspberry Wire	20.00				
400 Ft. ½" Cable	20.00				
1 Cable Block	8.00	T			
1 Hothouse Stove	8.00	F			
1 Chain	3.00	T			
27 Chimney Stoves	5.00				
50 Ft. Hose Pipe	4.00				
1 Pr. Truck Fender	5.00		3.00		
1 Scale	15.00		12.00		
1 Set Dishes	20.00	K			
1 Cord Ditch Cover	10.00				
Furniture	226.50		96.40		
Kitchenware	20.00		5.95		
Tools	56.50		16.75		
Machinery	25.00		7.50		
Specified Items	1062.00		19.50	700.00	
			165.60		
			700.00		
	1390.00		865.60		

D. 5979 EXHIBIT No. CASE No.

D. VENUE LETHBRIDGE

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO. RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD		REMARKS
	TENDER &c								
	700.00					100.00			Transferred by Keijiro MATSUI to the Pacific Co-Operative Union.(Letter Feb.21/43).
						20.00			
50									Shown on Abbotsford Auction No.3 as "duster"
						20.00 20.00			
						5.00 4.00			
.00 .00									
							10.00		Not declared or inventoried. Custodian had no knowledge of the existence of this item until claim made for it.
.40									
.95									
.75									
.50									
.50	700.00								
.60 .00 .60									