Name of Claimant NAKAMURA, Hatsutaro Case 480

Custodian File 6904

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	
					2938.		3113.29				3113.29

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	
1007.45	268.00	80.00	46%	847.50	389.85			470.25

TOTAL RECOMMENDATION	3583.54

CASE NO: 480.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

March 29th, 1948.

IN THE MATTER OF THE CLAIM OF

HATSUTARO NAKAMURA.

PROCEEDINGS AT HEARING.

Exhibits 20 found in Mrs Auther May. 12/48

Original.

CASE NO: 480.

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 29th, 1948.

IN THE MATTER OF THE CLAIM OF

HATSUTARO NAKAMURA.

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

MR. VIRTUE: The next case is Hatsutaro Nakamura.

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

DIRECT EXAMINATION BY MR. VIRTUE:

Q This is a statement of your real estate with the improvements on it which I believe you prepared with the help of your Interpreter?

A Yes.

10 Q Is that a true statement? A: Yes.

MR. VIRTUE: I will offer this as the first exhibit, Mr. Secretary.

(STATEMENT MARKED EXHIBIT NO. 1).

Q Now is this a list of your personal property which refers to the list of goods in your proof of claim which you also prepared with the help of your Interpreter? A: Yes.

Q Is that a true statement also?

A Yes.

20 (STATEMENT MARKED EXHIBIT NO. 2).

THE COMMISSIONER: Where is this land situate?

MR. VIRTUE: I beg your pardon, sir.

THE COMMISSIONER: Where is it situated? Where does the land lie? A:

MR. VIRTUE: It is near Kennedy, sir.

THE COMMISSIONER: Outside of New Westminster, yes.

MR. VIRTUE: Quite close to New Westminster.

Q I also show you a brief statement of your evidence. Was that prepared by you with the help of your

30 Interpreter? A: Yes.

Q Isthat true? A: Yes.

MR. VIRTUE: This willbe the next exhibit.

(STATEMENT MARKED EXHIBIT NO. 3).

Q Would you look at that list with two pages there, and is that a list of your farm equipment and of your household goods which you prepared?

A Yes.

Q And that is a true list of the values?

A Yes.

10 MR. VIRTUE: This is really a supplement to Exhibit 2, sir. This is one of those cases where it wasn't included in the original ppoof, but it is just a supplement. It could be attached to Exhibit 2, if you wish.

THE COMMISSIONER: Suppose we do that.

MR. VIRTUE: Q: Will you look at this picture and tell me if this is a photograph of the house that you describe in the claim papers you have just filed?

A Yes.

20 Q When was that picture taken?

A 1943. It was sent down by a friend.

Q And was your house in that same condition when you left it when you were evacuated?

A Yes.

Q When did you build that house?

A 1940 and 1941.

MR. VIRTUE: Yes, I offer that as the next exhibit, please.

(PHOTOGRAPH MARKED EXHIBIT NO. 4).

Q And is thisa picture of your land as shown?

30 A Yes. That was taken in 1940 or 1941.

Q This one is a picture taken in 1940?

A Yes, 1940.

MR. VIRTUE: Then the next picture I tender is a photograph of his fields taken in 1940.

(PHOTOGRAPH MARKED EXHIBIT NO. 5).

Q Now these next two pictures, are they photographs of your fields taken in 1941?

A 1941, yes.

Q What crop is that? Is it strawberries?

10 A Strawberries, yes.

Q And this was the summer before you were evacuated that these two pictures were taken?

A Yes.

Q Now I will just ask you another question. You see the growth in the back of the picture here?

A Yes.

Q And the stumps, and so on? Wait a minute, now, don't answer until you know what you are being asked. Does that represent the condition of your

20 land before you cleared it?

A Yes, exactly.

MR. VIRTUE: I will enter those two as one exhibit, Mr. Secretary.

(PHOTOGRAPHS MARKED EXHIBIT NO. 6).

Q Now I will ask you this question. Did you have a fire in 1940? A: Yes.

Q And what happened to all the personal chattels you owned before the fire? A: They were all destroyed.

30 Q So that these chattels you have listed on the two

yellow pieces of paper, both household goods and farm equipment, were all bought by you after the fire in 1940? A: Yes.

Q And the prices that you show in your list on the two yellow sheets, were they fair prices for the goods you claimed for?

A Yes.

Q I want to ask you about one thing that the valuator says in his report. He speaks about your well and
10 he says he doesn't know, but maybe that well goes dry sometimes. What have you to say about that?

A It was capable of producing 40 2½-gallon buckets a day. If you take out more than that, it might possibly be too much.

Q How long did you live at that place?

A About 12 years.

Q Did the well ever go dry in that time? Did it ever stop giving water?

A When I employed about forty pickers and used an
20 electric pump, it occasionally went dry.

Q But apart from that? A: I had two or three thousand chickens, too.

Q Now, I am only going to ask you about one of your chattels. Do you remember your electric range?

A Yes.

Q When did you buy that? A: 1941.

Q What did you pay for it? A: $225.00.

Q And did you have it when you were evacuated?

A Yes.

30 Q What condition was it in?

A I had only used it for one month.

THE COMMISSIONER: You better put in the Custodian's analysis if you are going to examine on some of the chattels.

MR. VIRTUE: My learned friend isn't doing quite as well by me as he did at the start. I don't blame him for that. Perhaps after your Lordship has looked it over, I might have it back for a moment or two to examine it.

10 THE COMMISSIONER: Yes, turn it over to Mr. Virtue.

MR. VIRTUE: I might say I have no doubt there is an explanation for it, but with regard to this electric range, No. 3, it is shown as apparently sold by auction for $20.00. It is also shown in the column "No account, theft", etc.

MR. HUNTER: That is wrong there. Can I have it back? It was sold.

THE COMMISSIONER: You might ascertain from the claimant, Mr. Virtue, whether the prices shown in

20 his list, Exhibit 2, are cost prices, or are they simply his idea of value?

MR. VIRTUE: Q: You remember the list here on the two yellow pieces of paper?

A With the exception of the electric range, which was $225.00, all the rest of the prices are my estimate of a fair value.

Q Well, is your estimate of fair value which you have written down there your cost price or above your cost price or below your cost price?

30 A They are all below the cost price.

Q Below the cost price. Did you take good care of those goods after you bought them? Were they in good condition afteryou were evacuated?

A Yes, they were in good condition.

MR. VIRTUE: All right, thank you.

MR. HUNTER: It is submitted, my lord, that the real property was sold for its fair market value, that the personal property sold was sold for its fair market value, that the prices claimed for property not found, abandoned or lost, destroyed or stolen are exorbitant. I file a claims analysis.

(CLAIMS ANALYSIS MARKED EXHIBIT NO. 7).

MR. HUNTER: I file the Soldier Settlement Board appraisal, my lord, as Exhibit 8.

(APPRAISAL MARKED EXHIBIT NO. 8).

CROSS-EXAMINATION BY MR. HUNTER:

Q Is this your signature, Mr. Nakamura?

A Yes.

Q And you signed that, did you? A: Yes.

Q And it was in the shape it is in now?

A Yes.

MR. HUNTER: This is an inventory, my lord, of certain of the chattels of the claimant. At the bottom it says, "The above list of property may be used on the farm but cannot be taken off the farm or sold", and it is signed by Mr. Augustus, the tenant, Mr. Nakamura, the claimant. There is also a notation in longhand that when Augustus paid the 1942 taxes, Augustus is to get the above

horse as his own. It will be noted also, my lord, on the analysis where it says about halfway down under the "remarks" column that the claimant agreed to give the horse to the tenant if he pays the 1942 taxes amounting to $62.25. I would file that inventory signed by the claimant and the tenant as Exhibit 9.

(INVENTORY MARKED EXHIBIT NO. 9).

THE COMMISSIONER: Now he apparently did not pay the taxes then because I see you have sold the horse.

MR. HUNTER: Yes, that is correct. I don't know anything about it. There is nothing in the folder to indicate why. Apparently it was contemplated that when the tenant paid the taxes, the horse would be his, but apparently he was credited with the taxes and the horse was sold. I think they lost sight of the arrangement.

THE COMMISSIONER: In any event, the claimant got credit for the payment of taxes and an additional sum for payment of taxes?

MR. HUNTER: No, my lord. The tenant got the credit for the taxes. All the claimant got was what we received for the horse.

THE COMMISSIONER: All right.

MR. HUNTER: Insofar as the real property is concerned, my lord, it is purely a question of value. The sale price was $2938.00. This was a V.L.A. sale. For what it is worth, the insurance on the two chicken houses was $500.00 which included the contents, and after the contents had been removed, and

at the request of the claimant it was reduced to $400.00. Those are valued at over $2000.00 by the claimant.

Reference is made to the analysis, my lord, Exhibit 7. Under the "remarks" column, my lord, it will be seen, "Mr. Nakamura left his goods in the care of his tenant, Mr. Alex Augustus, and he stated the goods might be used on the farm but could not be taken off the farm or sold. Mr. Augustus moved off the farm in the spring of 1943, and many of the chattels could not then be found. He could not be located and Custodian's letters were returned undelivered." Accordingly it is submitted, my lord, that if any of these chattels have been lost, destroyed or stolen, they were lost by reason of the tenancy created by the claimant. On the summary there it indicates that goods which are claimed for at $1079.95 were sold for $259.00. Goods which the claimant values at $95.00 were sold with the real property. That is the electric pump, my lord, which was obviously a fixture. $132.00 worth of goods were declared but not found. $388.00, there was no record, at any time. $331.00, were lost destroyed or stolen. I think the rest is reasonably self-explanatory, mylord.

THE COMMISSIONER: Very good.

MR. VIRTUE: If my learned friend has the assessment, I wish I could have it. I don't have it in my file.

MR. HUNTER: I probably have it somewhere.

MR. VIRTUE: I want to comment, sir, forjust a moment or two on the appraisal. This is one of those cases where a brand new building is valed by the appraiser at $4000.00, then he goes on to cut it down to $2000.00, and says it adds to the value of the farm $2000.00.

MR. HUNTER: The assessed value, my lord, of the land is $1050.00, and improvements $1700.00, total $2750.00. It doesn't say for what year that is, but all those were taken prior to the sale, that would be 1942.

MR. VIRTUE: If I might take a couple of minutes on this case, I would think possibly this case would furnish as good a criterion as any as towhat was happening in certain areas. This is a property only five miles from New Westminster, and according to the appraiser's report he says it is located on Unwin Road, about one-quarter mile south of the Townline Road and about half a mile from the King George Highway. Now in this particular case, we don't have to guess much about values because the property was newly constructed; not only that, but we are fortunate in this case in having photographs of the property at about the time it was sold in 1943.

THE COMMISSIONER: What it comes down to, Mr. Virtue, is this: that in the view of the appraiser, the house that was built was of greater value than the property could carry. In other words, there was little possibility in his opinion of a purchaser being found who would live in that area and would

pay the cost price of a house of that type.

MR. VIRTUE: I think this gives a pretty good criterion to judge these appraisals, because here is a farm of 17 acres, and your Lordship is fortunate in this case in not only having a photograph of the building but what actually works out to be a very good photograph of the land bearing the fruit, and in addition to that you have at the back of those photographs a pretty good idea of what the land was like when he took it over. You have all that to assist you in this particular case, and I suggest for that reason that this case might serve as a pretty good criterion for a great many of the appraisals.

THE COMMISSIONER: Have you anything further, Mr. Hunter?

MR. HUNTER: No, my lord.

(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.

Case 480 6904

ACKNOWLEDGED

NOV 27 1947

Leth

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: Hatsutaro Nakamura

   Registration No. 12738

2. Claimant's address at the time of his evacuation from the protected area: R.R. No. 4, New Wesminster, B.C.

3. Claimant's present address: Box 95 Taber, Alberta

4. Claim relating to real property: Unwin Road R.R.No. 4, New Wesminster, B.C.

   (a) Street address of real property:

   (b) Legal description of property: West Half Lots 4.5.6.7.
   Sub. N.w. ¼ Sec 32 Township2
   New Westminster District
   Plan 3270.
   17.73 acres
   15½ acres cleared

VIRTUE & RUSSELL, Barristers, Lethbridge.

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

Farm land - 17.75 acres - 15½ acres cleared
Main house - 2 stories high, white stucco with 9 rooms complete with plumbing, lights and heating.
Two chicken houses / (1) 22' by 100' (2) 22' by 60' complete with plumbing.

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

Held title.

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

(I) Land— $5115.00

(II) Buildings— $7910.00

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

$9696.00

5. Claims relating to personal property, etc.

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

Left in New Wesminster, B.C.

(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:

Land when left was in good condition.
It was left in the hands of a renter.
All furniture was left in one room locked up.
Then the list of the furniture was left in the hands of the custodian.

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

It was left under the custodian and a renter by the name of "Augustus".

(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:

Household Goods	-	$1547,25
Main house	-	$5000.00
2 chicken houses	-	$2240.00
Other buildings	/	$ 670.00
Land	-	$5115.00
		$14572.25

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

Total value	$14572.25
Amount allowed for by custodians	$ 3129.00
Total compensation	$11443.25

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 18th day of ~~October~~ November, A.D. 1947.

Samson Sanderson
Witness to Signature of Claimant.

Hatutaro Kakamura
Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Hatsutaro Nakmura
(Full Name of Claimant)

of Box 95, Taber, Alberta — Beet labor
(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:

I have received no money from the custodian.

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 Taber
in the Province of Alberta,
this 18th day of November
A.D. 1947.

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

Hatutaro Nakamura

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.

Proof of Claim

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

Mr. Hatsutaro Nakamura,
Box 95,
Taber, Alta.

Dear Sir:

Please take notice that your claim will be heard by the Japanese Property Claims Commission at the Court House at Lethbridge, Alta., on _____, the ____ day of _____ 1948, at the hour of _____ .

Please, therefore, be in attendance at that time to submit evidence in support of your claim.

Counsel for the Committee have been advised that your evidence will be heard on the above date.

An Interpreter will be in attendance at the hearing of the evidence of claimants.

Yours truly,

SECRETARY TO THE COMMISSION.

Hatsutaro Nakamura
(Claimant's Name)

REAL ESTATE
(Farm Land)

I2738
Reg. No.

LAND Uncleared Cultivated not planted Cultivated and not in crop List Crops	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
West ½ of lots 4,5,6,7. Sub. N.W. ¼ Sec. 32 Twp.2 Dist. of New Westminster	I7.73	I930 ~~x$I240.00~~	Louis & Donald McIver	$I240.00	uncleared	none	$I3025.00
Total							

EXHIBIT No. 480-1
DATE 29 mar 1948
FILED BY af Verne

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

Description	When Made	Cost
Clearing I5½ acres	year to year	$ 3875.00
Drainage and Weed Eradication	" "	I275.00
Planting 8 acres of Strawberry, Rhubarb, Black Currant, Gooseberry and other small fruits		700.00
	Total	$ 5850.00

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
House extension	26x32 I0xI6	Frame & Stucco	I940-4I	$3500.00	$700.00	$800.00		$5000.00
Two chicken Houses	22x90 22x60	frame	I940	I240.00	400.00	600.00		2240.00
Barn	20x24	"	I936	75.00		75.00		I50.00
two packing Houses	20x26 I0xI2	"	I936 I940	I00.00		50.00		I50.00
II Colony Houses	I0xI2	"	I94I	320.00		50.00		370.00
								$ 79I0.00

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

Values shown are a little higher than claim

Sold by Custodian but no Money received by the claimant

H. Nakamura
Signature

Hatsutaro Nakamura
(Claimant's Name)

PERSONAL CHATTELS

I2738
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
Full List of personal chattel attached to proof of claim Complete list I Loaned Mr. Hunter Friday 26th	I940-4I	new	Higher than value shown	good	$I547. 25

Claimant had a fire in the spring of I940 and lost practically everything so these good were new at time of evacuation

EXHIBIT No. 480-2
DATE 29 mar 1948
FILED BY a.f. Vaine

Description of Storage of Goods:

All Goods left in one room in the house and locked up and afterwards heard that it was sold by the custodian but have had no payment.

General Statement as to Chattels not Described above:

Additional Comments, if any:

H. Nakamura
Signature

HATSUTARO NAKAMURA

FARM UTENSILS

Goods Left Behind.

Stawberry Crates ----- 600 ----------("20¢) ---	$120.00
One Horse ---------	$125.00
Lumber 3000 ft. ---------- 2" x 2", 1x4	$ 45.00
Fertilizer 700 lbs. ----------	$ 14.00
One Spray Pump	$ 23.00
One Dust Pump	$ 24.00
Two Ploughs ----------	$ 52.00
Two Wheelbarrows ----------	$ 13.00
Cultivator --------	$ 17.00
Other Garden Tools Hoes, Rakes, Shovels etc.	$ 45.00
One Scale ----------	$ 17.50
Small Spray Pump ----------	$ 7.95
Egg Grader -------	$ 12.50
Egg Scale --------	$ 2.50
Mash Holder --------- 20 ----------	$ 40.00
Poultry Net -- 14 rolls ----------	$ 70.00
Baby Chick Water Holder -------13 ------	$ 13.00
Chicken Water Pan --- 18 ----------	$ 36.00
	697.45

HOUSEHOLD GOODS

All New

	Kitchen Stove ----------	$ 55.00
	Heater ----------	$ 12.00
	Electric Range ----------	$225.00
	Cabinet --------- ------	$ 25.00
~~ND NF~~	Electric Clock ----------	$ 10.00
	Chairs 6 ----------	$ 7.50
	Table ----- --	$ 7.00
	Beds 3 ----------	$105.00
	Bedroom Suite ----------	$ 45.00
NO NF	Ironing Board ----------	$ 7.50
ND NF	10 Gallon Jar ----------	$ 3.50
	Washing Machine ----------	$125.00
ND NF	Light Bulbs 43 ----------	$ 10.75
	Rice Cooker ----------	$ 15.00
?	Camp Beds with mattress 33 -------	$100.00
N.D. NF	Drum Stove ----------	$ 12.50
N.D. NF	Bookeeping Desk ----------	$ 8.00
fixture	Electric Pump ----------	$ 95.00
N.D. & NF	Canner and Cooker ----------	$ 53.00
	Piano ----------	$325.00
	Chesterfield suite ----------	$125.00
		$1374.75

EXHIBIT No. 480-3
DATE 29 Mar 1948
FILED BY
A.G. Vulne.

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. Hatsutaro Nakamura

2. Present residence. Box 95, TABER, Alta.

3. Residence at date of evacuation.
R.R. # 4, NEW WESTMINSTER, B.C.

4. How long had you lived on property from which you were evacuated? 12 years

REAL ESTATE

1. When did you buy property in question?
March 1930

2. What price did you pay?
$1,240.00

3. What was the exact condition ofthe property then?

(a) The land itself. Not cleared, bush

(b) The buildings. No buildings

4. What improvements did you make upon the property in question? Give full particulars with the value of each and give the value of your own work separtely from the money you paid out of your own pocket. Built residence, 2 chicken house, barn 2 packing house and 11 colony houses.

(a) Buildings.
Total cost of $7,910.00

(b) Fencing. None

(c) Tillage.

(d) Drainage. Underground drainage $750.00

(e) Clearing. $250. per acre 15½ acres cleared - $3875.00

(f) Weed eradication. $275.00

(g) Planting.

5	acres of	strawberry	
1½	"	" rhubarb	
½	"	" black currant	
½	"	" gooseberry	
½	"	" fruits	Total $700.00

(h) Plumbing in chicken houses also wiring.

(i)

5. Have you the assessed value at date of evaluation? If possible bring your assessement notice.
Yes

6. What is your age? 46 years

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?
Yes. $500.00

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

$200.00 and also $400.00 of labour.

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

Land	$5115.00	
Bldgs.	$7910.00	$13,025.00

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

Same as above

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

There was a manager of the Mac and Mac Feed Company who wanted me to swap my farm for his at Regina. He was a manager in 1941.

There was a chinaman who came to buy my farm for $10,000.00 in cash but at that time I did not sell it.

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?
$3,129.00

15. Did you receive a cheque and if so, for how much?
Have not received any.

16. What did you do with the cheque?
n/a

17. What actual loss do you consider you suffered by sale of your property? $9,696.00

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

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 by the Custodian

4. Where was the property actually left when you were evacuated?
All furniture was left in one room locked up in the house.

5. If it was left in charge of anyone give the name and circumstances. Alec August Steveston, B.C.
rented it

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

7. Did you receive a cheque from the Custodian?
No, though heard that it was sold under the Custodian.

8. For how much?
n/a

9. What did you do with the cheque?
n/a

10. Any correspondence? If so, produce it.

GENERAL INFORMATION

Give name and address of any persons who can corroborate your evidence as to ownership, value and loss. Opposite the name of each witness show briefly what evidence the witness is wxpected to give.

1. Name.

2. Address.

3. Evidence expected.

1. Name.

2. Address.

3. Evidence expected.

If there are any special facts applying to your case please state them clearly.

From 1943 I was to receive in agreement for him to pay taxes and $200. in cash

LETTERS AND DOCUMENTS

If you have any Agreements for Sale, Transfers, Titles, Insurance Policies, Leases, letters or other writings of any kind shedding any light on any of the above matters, please be sure to bring them in with you and give a list of them below.

EX 4,586

PHOTOS

Ex 480-6

EXHIBIT No. 480-6

DATE 29 mar 1948

FILED BY

a.f. Vitke

4

HATSUTARO NAKAMURA

EXHIBIT No. 480-7

DATE 29 mar 1948

FILED BY af Nielsen

D61

HATSUTARO NAKAMURA

EXHIBIT No. 480-5
DATE 29 mar 1948
FILED BY
a.g. Wilson

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. _____ EXHIBIT No. _____

NAME Nakamura Hatsutaro

REG. No. _____

DATE

DECLARATION 29 Apr 42

EVACUATION 11 Mar 42

INVENTORY

TAKEN BY Maryson J.S. / Fogarty H.J.

DATE 14 July 42

DETAILS OF CLAIM		SALES: AUCTION	SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND
J.P. Declaration					
Household furniture including:					
Chesterfield set					
Piano					
Bedroom suite					
Electric Kitchen range					
washing machine					
Farm tools - located					
in the house at R R No 4					
New Westminster B.C.					
Key will be left in					
care of party who					
will lease the land					
when I leave					
Also:					
Lumber shingles					
wire netting					
Chicken house wiring					
wheelbarrow					
sprayer					
& fertilizer, in the					
same place.					
3 pc chesterfield suite	1. kitchen stove 55 00	13 00			
piano	2. heater 12 00				
electric stove	3. electric range 225 00	20 00			
spray pumps	4. cabinet 25 00				
Kitchen range	5. electric clock 10 00				
Heater	6. chairs (6) 7 50	3 00			
Kitchen cabinet	7. table 7 00				7 00
6 chairs	8. beds (3) 105 00	(1) 5 00			
beds and cots	9. bedroom suite 45 00				
electric rice cooker	10. Ironing board 7 50				
egg scale	11. 10 gallon jar 3 50				
5 stone fountains	12 washing machine 125 00	100 00			
2 lino rugs	13. light bulbs (43) 10 75				
2 cross cut saws	14. rice cooker 15 00	1 75			
Pembroke bath	15. camp beds with mattresses (33) 100 00				
Bed, bureau & chiffonier	16 drum stove 12 50	50			
8 rolls of wire	17 bookkeeping desk 8 00	1 00			
wheelbarrow	18 electric pump 95 00			95 00	
hand spray	19 canner & cooker 53 00				
Harrow	20. piano 325 00	75 00			
electric clock	21. Chesterfield suite 125 00				
duster	1371 75				
Bundle of garden tools see below					
dresser	22 strawberry crates 600 @ .20¢ 120 00				
magazine rack	23 horse 125 00	28 00			
box of dishes	24 lumber 3000' 2"x2", 1"x4" 45 00				45 00
pots and pans	25 fertilizer 700 lbs 14 00				14 00
dining table	26 spray pump 23 00				
baby crib	27 dust pump 24 00				
	28 2 ploughs 52 00				26 00
	29 2 wheelbarrows 13 00				
	30 cultivator 17 00	4 00			
	31 other garden tools, hoes, rakes 45 00	5 75			
	32 scale (chemicals etc 17 50	1 00			
	33 small spray pump 7 95	1 00			
	34 egg grader 12 50				
	35 egg scale 2 50				
	36 meat holder - 30 - 40 00				40 00
	37 poultry net 14 rolls 70 00				
	38 Baby chick water holder (13) 13 00				
	39 chicken water pan (18) 36 00				
	677 45				
add furniture claim above	1371 75				
Total Claim	2049 20	259 00		95 00	132 00

Goods which claimant values at $1079 95 sold f
" " " " " 95 00 " w
" " " " " 132 00 were de
" " " " " 388 00 were m
" " " " " 331 00 were lo

EXHIBIT No. _____ CASE No. _____

VENUE _____

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
	TENDER &c							
00								
00						~~[illegible]~~		
						25 00		
						10 00		
00								
			7 00					
00								
						45 00		
				7 50				
				3 50				
00								
				10 75				apparently mentioned in lease.
75								
				76 00		(8) 24 00		
50								
00								
		95 00						fixture
				53 00				
00								
						125 00		~~claimant agreed to give horse to tenant if he would pay '42 taxes amounting to $62.25~~
				120 00				
00								claimant agreed to give horse to tenant if he would pay '42 taxes amounting to $62.25
			45 00					
			14 00					
						23 00		
						24 00		
			26 00	26 00				
						13 00		
00								
75								~~not specifically declared~~
00								~~& only found~~
00								~~mentioned in~~
				12 50				
						2 50		
			40 00					not specifically declared
				30 00		40 00		& only found
				13 00				mentioned in lease but not declared or inventoried
				36 00				" " " " " " " "
00		95 00	132 00	388 25		331 50		

NB. Mr. Nakamura left his goods in the care of his tenant Mr. Alex Augustus and he stated the goods might be used on the farm but could not be taken off the farm or sold.

Mr. Augustus moved off the farm in the Spring of '43 and many of the chattels could not then be found. He could not be located and Custodian's letters were returned undelivered.

nat values at	$1079 95	sold for	$259 00	
" " "	95 00	"	with real property as a fixture	
" " "	132 00	were declared but not found.		X
" " "	388 00	were not recorded at any time		
" " "	331 00	were lost destroyed or stolen.		X

EXHIBIT No. 480-7
DATE 29 mar 1948
FILED BY a.f. Wilne

BC-549-P

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

Farm Appraisal Report

File No. J.L.643

Land Description W½ Lots 4, 5, 6, 7, of E½ of NE¼ Sec.32, Tp.2, Map 4312.
No house number.
Municipal Roll gives..... 17.73 acres
Containing 17.32 Acres
Measurements on sketch give 17.32 "

Owner's Name H. Nakamura Post Office Address R.R.4, New Westminster, B.C.

Nearest Rail Point Kennedy, B.C.E.R. Distance 2¼ miles.

Market Town New Westminster, B.C. Distance 5 miles

Church (give denomination) St. Helen's Anglican Distance 2¾ miles

Nearest School Queen Elizabeth and Simon Cunningham Distance ¾ mile.

State how property was identified: BY survey posts, map and roads.

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

Located on Unwin Road about ¼ mile south of the Townline Road and about ½ mile from King George Highway, gravel, good.

Is this district a good one? Some fairly good farms in this area.

Employment opportunity Seasonal on farms. Established industries located along the Fraser River 4 - 5 miles distant

Predominating Nationality and religion: British Protestant.

Describe Fencing and its condition: Old rail fence along part of south boundary. Value $

Water supply: From well, electric pump & pressure tank. Value $
It is possible that this well goes dry in a hot dry season but unable to get definite information on this point.

BUILDINGS ON FARM

6904

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	26 x 32	frame & stucco	9'	shgl	1 yr	concrete	good	3000.00
	8 x 16							
	x							
BARN	20 x 24	Poles & shke	8'	shks	old	posts	poor	no value
	6 x 20							
~~BARN~~ Shack	10 x 12	frame	7'	shgl	2 yrs	on grnd	fair	no value
Packing shed	20 x 32	"	7'	shks	old	posts	poor	no value
GRANARY	x							
Chicken-house	22 x 60	frame (2 sty)	12'	shgl	2 yrs	cdr psts	good	400.00
" "	22 x 90	" (2 storey)	12'	"	" "	cdr psts	"	600.00
10 colony	x							
houses, each	10 x 12	frame	4'	shks	2 yrs	skids	fair	
Shack	10 x 12	"	6'	shks	5 "	on ground	fair	-

Electricity in the house.

Total present day value $ 4000.00

Total Value Buildings add to farm $ 2000.00

Is dwelling habitable without repairs? If not what is your approximate estimate of cost to make it habitable? Habitable but unfinished - see Remarks

$

Describe the basement and chimneys: Full sized concrete basement. Brick chimney from ground.

No. rooms downstairs? 5 & bath Upstairs? 4 How finished Plastered downstairs; 2 upstairs plastered, 2 wood finish.

Are buildings painted? Stucco and paint Condition of paint good.

Distance from nearest bush 150 yards.

480-8
29 mar 1948
P.W. Schumer

EXAMINER NO.
DATE
REPORTED BY

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
13.63	Level and slight slope	sandy loam 8"-24" variable	sand, gravel, clay	Straws., rhubarb, etc. fair	70.00	954.10

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	
1.9	Level & slight slope	sandy loam 8"-24"	sand & gravel	Clearing of stumps & second growth	100.00	10.00	19.00
1.89	"	"	"	Clearing of bush	[illegible]	10.00	18.90

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 $ 992.00

Total added by buildings to value of farm $ 2000.00

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

Total value of farm $ 2992.00

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Farm is very weedy and is not in a good state of cultivation. Rented to A. Augustus. Unable to find out terms of lease as tenant was not home.

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

Noxious weeds: Thistles and other common weeds.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Taxes $62.25

Surrey Municipality.

Date: July 25th, 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 22 day of July 1942.

Inspector's Signature "R. W. BROWN"

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

S.S. Form No. 43
(Sheet 2)

Farm Appraisal Report

Remarks: Property is located on the Unwin Road about ¼ mile south of the Town Line Road and about ½ mile from the King George Highway by road. The house is not numbered. The soil is variable but is mostly a sandy loam with some gravel in places. The sub-soil is mostly gravel with a hardpan in places down about two feet. Crops are very weedy and the Lot is not in a good state of cultivation. The dwelling is new and is not finished inside. There is a full sized basement with concrete floor. The main floor is well above the ground level which gives plenty of light in the basement. The main floor is lathed and plastered but there is some finishing to be done. The bath-tub is in place but the toilet and basin are in the house but have not been installed. Two rooms upstairs are plastered and two wood finished but the door casings are not completed. There is hot and cold water in the house, laundry tubs in the basement, sink, bath-tub, hardwood floors in the front rooms and the outside is finished in stucco. The chicken houses are in good shape and will house about 1650 birds. Water is obtained from a well with electric pump and pressure tank but the well may go dry in a dry season. I was unable to get definite information on this point. There is electric light in the buildings. A few fruit trees near the house but of no commercial value.

(FOR ORCHARD LANDS ONLY)

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

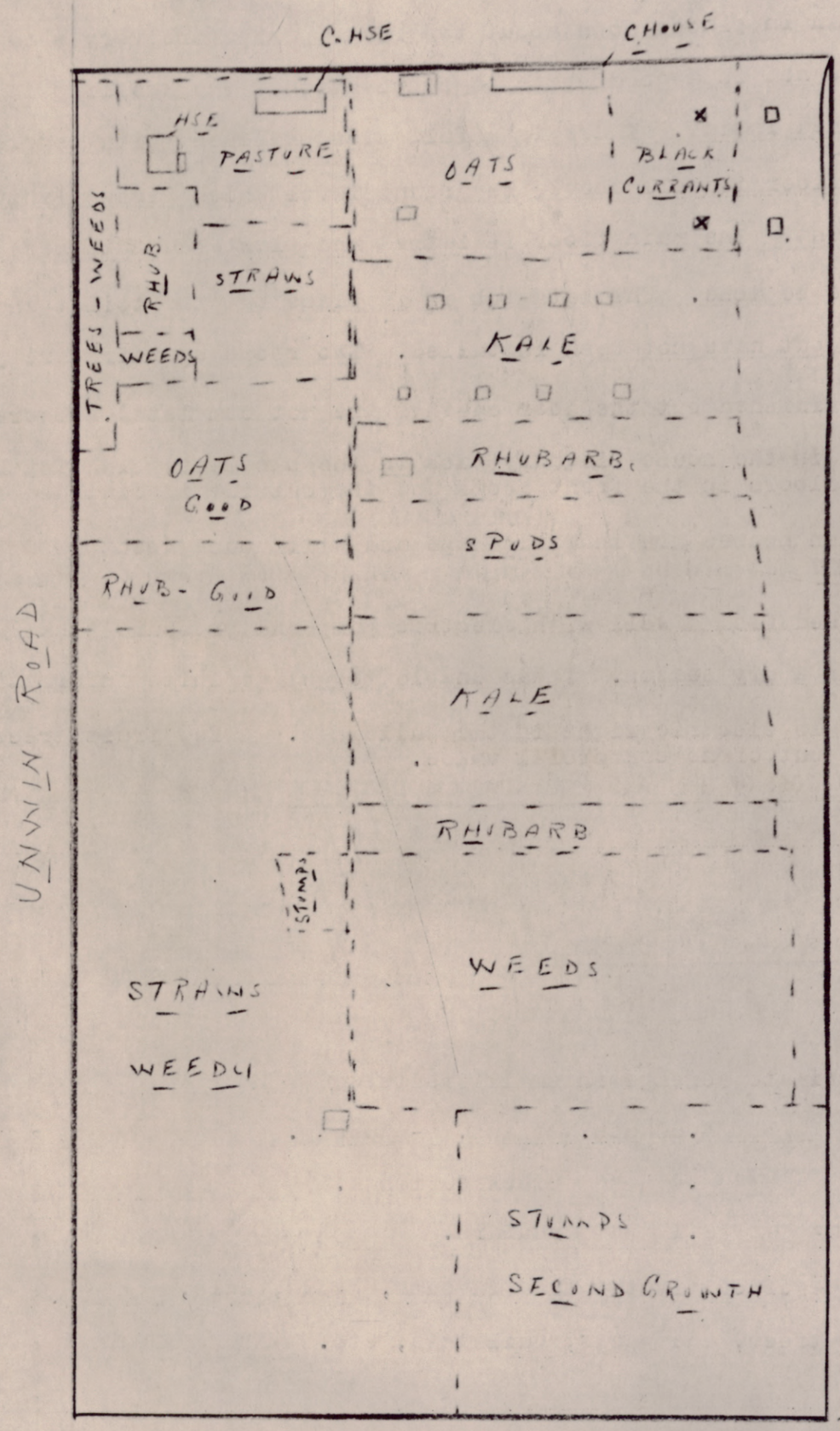
ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

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
Approximate acreage in small fruits:	$
4.66 acs. straws. - weedy.	$
.4 " black currants.	$
1.1 " rhubarb.	$
Balance of cultivated area in oats, spuds, kale,	$
few trees, and weeds, buildings, etc.	$
	$
	$
	$
Total	$

Amount fruit trees add to value of farm $

Diagram of Property



R.W. BROWN

Following careful review of this appraisal report, it is my opinion that the present value is $ 3000

Date 29th July, 1942.

(SIGNED) I. T. Barnet
District Superintendent.

NAKAMURA, Hatsutaro Reg.# 12738

INVENTORY

Household Goods

S ~~1. Kitchen Stove~~
2. Heater
~~3. Electric Range 24 x 38~~
4. Electric Clock
S 5. ~~Cabnet~~
S ~~6. Chair~~ (6)
7. Table
S ~~8. Piano~~
S ~~9. Bed~~ (2)
10. Bedroom Suite
11. Ironing Board
12. 10 gal Jar
13. Spring Door (2)
S ~~14. Washing Machine~~
15. Washing Brush
16. Light Bulb (43)
17. Rice Cooker
18. Camp Bed (33) (8)
19. Drum Stove
S 20. ~~Bookkeeping Desk~~

"J?" ~~21. Bathroom Set~~
"J?" ~~22. Tile Sink~~
"J?" ~~23. Completed Furnace~~
24. Electric Pump
25. Canner and Cooker.
26. Sink

Farm Implement

1. Plough (2)
2. Spade (3)
3. Bucket (25)
4. Garden Rake (3)
5. Manure Fork (3)
~~6. Spray Pump~~ ~~(2)~~ S
7. Dust Pump (1)
8. Wheelbarrow (2)
S ~~9. Scale~~
10. Cultivator
11. Mattock (2)
12. Garden Shovel (2)
13. Hoe (6)
14. Rake (5)
15. Sledge Hammer and Wedge
"J?" ~~16. a 10-10 fertilizer (700 lbs)~~
17. HORSE.
"J?" ~~18. 2"x4", 2"x2", 1"x4"~~ (about 3000' mixed)
Jam Box 600

Chicken House

1. Colony House (10'x12') (11 houses)
2. Chicken Waterpan (18)
3. Baby Chick Water holder (13)
4. Mash Holder (20)
5. Poeltry Net (14 rolls)
6. Egg Scale
7. Egg Grader

S. Sold by auction 31/1/45 Surrey

Mr. H. Nakamura
326 Unwin Rd.
R. R. No. 4,
New Westminster, B.C.

EXHIBIT NO. 480 - 9
DATE 29 Mar 1948
FILED BY J.W.G. Hunter

The above list of property may be used on the farm but cannot be taken off the farm or sold.

When Augustus pays the 1942 taxes Augustus is to get the above horse as his own.

"Al. Augustus"
"H. Nakamura"

O.L.

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

May 1, 1948

M. Wanstall

3212 March 11th, 1948.

John W. G. Hunter, Esquire
c/o Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Building,
VANCOUVER, British Columbia.

Dear Mr. Hunter:-

One of the cases which we would like dealt with by the Hon. Mr. Justice Bird himself is that of Hatsutaro Nakamura. His name is not on the list for any of the days when Mr. Justice Bird will be here in Lethbridge.

However we have set down as No. 27 for Monday, March 29th, 1948, the case of Western Canada Hop Cooperative Union (Reg. No. 13927).

In that case I am going to ~~attempt to show~~ admit that in strict law the claim does not come within the jurisdiction of the Commissioner and I am merely going to take about ten minutes to outline the facts in case he wishes to make a recommendation not strictly within the scope of his powers.

This being the case, I am wondering if you would consent to the case of Hatsutaro Nakamura being placed as No. 27 (a) on the list and being heard on Monday, March 29th.

This case is not to be confused with Mrs. Chizu Nakamura which is No. 23 on the list for Monday, March 29th.

If agreeable to you, perhaps you might notify Mr. Watson and speak to His Lordship, Mr. Justice Bird, so that there will be no confusion.

An additional copy of this letter is going to Mr. Watson for his information.

Yours truly,

VIRTUE & RUSSELL

Per

AGV/D
cc to Mr. Watson
cc to Mr. Nakamura.

allowed

Referred

No 97 on long list.
11443 25 Road matters

MAR 13 1948