Name of Claimant TAMURA, Yukio
" Makoto

Case 482

Custodian File
5316 & 5280

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	
					2091.						1795.96

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	1795.96

1540

CASE NO: 482.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

March 30th, 1948.

IN THE MATTER OF THE CLAIM OF

YUKIO TAMURA and MAKOTO TAMURA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 482.

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 30th, 1948.

IN THE MATTER OF THE CLAIM OF

YUKIO TAMURA and MAKOTO TAMURA.

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.
G.N.R. UPTON, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

30

YUKIO TAMURA, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

Q You and your brother, Makoto Tamura, are making a joint claim? A: Yes.

Q And is this a statement of your claim prepared by you with the assistance of your solicitor?

A Yes, it is.

Q And is that a true statement of your claim?

10 A Yes.

MR. VIRTUE: I will put this in, sir, as Exhibit 1. This is one of those blessed cases where there are no personal property claims.

THE COMMISSIONER: Yes, it is always a help.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. VIRTUE: Q: Would you look at this photograph and tell his Lordship what it represents?

A The building on the left is the dwelling house.

Q In respect of which you claim?

20 A Yes.

Q That you are claiming for?

A Yes.
Q Yes?
A And the building in the background is the chicken house and the building on the right is, I believe, t the pump house.

Q I understand this photograph was taken at your request quite recently?

A Yes, that is correct.

Q How does the condition of the buildings as shown

30 in this photograph compare with their condition

when you were evacuated? A: It looks as if it is somewhat rundown from the time when we left.

Q Were the shingles off the roof when you left?

A No, they were not.

Q And that would apply to the general condition of the buildings, they have been run down since you left? A: Yes.

MR. VIRTUE: I offer that as the second exhibit, Mr. Secretary.

10

(PHOTOGRAPH MARKED EXHIBIT NO. 2).

THE COMMISSIONER: Q: What acreage did you have on the farm? A: 19 plus a little bit. 19 plus.

Q And was it all cleared? A: No, there were about 14 cleared.

MR. VIRTUE: Q: Would you look at this second photograph and tell his Lordship what it represents?

A This is a closer view of the chicken houses which I mentioned in the first picture in the background with some of the fruit trees in the foreground.

20

Q And the high trees, the firs, or whatever they are in the background, does that represent the condition of your land more or less when you took it over, the uncleared part? A: Yes.

Q And you cleared land of that nature in order to make it tillable land? A: That is when dad bought the land.

Q When your father bought it?

30

A Yes.

MR. VIRTUE: I offer this as the third exhibit.

(PHOTOGRAPH MARKED EXHIBIT NO. 3).

Q You had fire insurance on your dwelling house of $1500.00? A: Yes, that is correct.

THE COMMISSIONER: Q: Were these photographs taken about the same time, do you know?

A Yes, they were.

THE COMMISSIONER: That is Exhibits 2 and 3.

10 MR. HUNTER: My lord, it is submitted that the real property was sold for its fair market value. I will file the Soldier Settlement Board appraisal.

(APPRAISAL MARKED EXHIBIT NO. 4).

MR. HUNTER: There are no questions, my lord.

MR. VIRTUE: Perhaps I should have asked this question in chief but I didn't know it.

Q Did you do a good job of farming and cultivating of this land? A: I believe we did.

Q I understand you are a graduate of the school

20 at the University of British Columbia in agriculture?

A Yes, that is myself.

THE COMMISSIONER: Q: What was the year of your graduation?

A 1941.

MR. HUNTER: I don't know whether there is any purchase price given to your Lordship. It was $2,091.00, my lord. The assessed value was $3800.00, $1700.00 for the land, $2100.00 for the improvements.

MR. VIRTUE: If my friend is finished, I want to add

30 a couple of remarks here. My learned friend has

already called attention to the assessment, which was almost double the sale price, and in the appraiser's report once again he lists the value of the buildings at $1805.00 and cuts them down to $1000.00, and notwithstanding his valuation he says it is a fairly good type of property with good soil condition.

THE COMMISSIONER: Yes. All right, that is all, thank you, Mr. Tamura.

(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

Case 482

NOV 28 1947
ACKNOWLEDGED

5316
5280

Letter

29

CANADA	)	IN THE MATTER OF ORDER IN COUNCIL P.C. 1810, DATED JULY 18th, 1947, AS AMMENDED.
PROVINCE OF ALBERTA	)	AND IN THE MATTER OF A COMMISSION TO INVESTIGATE CLAIMS OF PERSONS OF THE JAPANESE RACE.
TO WIT:	)	

WE, YUKIO TAMURA and MAKOTO TAMURA, both of Rosemary in the Province of Alberta, Farmers, do hereby, jointly and severally, solemnly declare as follows:

(1) Our names in full and registration numbers are as follows:

Yukio Tamura, Registration No. 13726

Makoto Tamura, Registration No. 13946.

(2) Our address at the time of our evacuation from the Protected Area was Haney, British Columbia.

(3) Our present address is Rosemary, Alberta.

(4) Our claim relates to real property as follows:

(a) The property is located at Haney, British Columbia.

(b) The legal description of the property is Block Seven (7), of the North West Quarter of Section Twenty-one (21), Township Twelve (12), Map No. 1027 in the District of New Westminster.

(c) The real Property consisted of a farm, on which we raised poultry, hogs and some fruit.

(d) We held Title to the land in fee simple, pursuant to a so-called Certificate of Indefeasible Title No. 147775E.

(e) The fair market value at the date of sale was as follows:

(a)	Land	$4,300.00
(b)	Buildings	3,700.00
	TOTAL	$8,000.00

(f) The amount of loss which we sustained in connection with the sale of this property was approximately $5,871.00 as to the best of our recollection the property was sold by The Custodian for $2,129.00

(g) We would prefer to have our claims heard at Lethbridge, Alberta, No interpreter will be required as we are both British Subjects with a good knowledge of the English Language.

AND WE MAKE THIS SOLEMN DECLARATION conscientiously believing the same 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 by both of the above named,)
Yukio Tamura and Makoto Tamura, at)
the Town of Brooks in the Province)
of Alberta, this 24th day of November,)
A. D. 1947.)

Yukio Tamura
M Tamura

U Kaela Vergne

A NOTARY PUBLIC IN AND FOR THE PROVINCE
OF ALBERTA.

TO:

The Commissioner,
Office of the Custodian,
Royal Bank Building,
VANCOUVER, B.C.

November 24, 1947.

IN THE MATTER OF ORDER IN COUNCIL
P. C. 1810, DATED JULY 18th, 1947,
AS AMENDED.
AND IN THE MATTER OF A COMMISSION
TO INVESTIGATE CLAIMS OF PERSONS
OF THE JAPANESE RACE.

#"#

D E C L A R A T I O N

#"#

DE LA VERGNE & WILLIAMS
BARRISTERS & SOLICITORS
BROOKS .... ALBERTA

EXHIBIT No. 482-1
DATE 30 mar 1948
FILED BY
A.J. Virtue

JAPANESE PROPERTY CLAIMS COMMISSION
SITTING AT LETHBRIDGE, ALBERTA
30TH DAY OF MARCH, A.D. 1948

SUMMARY OF EVIDENCE TO BE PRESENTED BY

YUKIO TAMURA

and

MAKOTO TAMURA

CLAIMANTS

COUNSEL FOR THE CLAIMANTS
A. G. VIRTUE, K.C.

SOLICITORS FOR THE CLAIMANTS
DE LA VERGNE & WILLIAMS.

Copy given Mr. Hunter
Fri 26 Mar. 48

JAPANESE PROPERTY CLAIMS COMMISSION
SUMMARY OF EVIDENCE TO BE PRESENTED BY

YUKIO TAMURA

and

MAKOTO TAMURA

CLAIMANTS

GENERAL

REMARKS

The Claimants are:
YUKIO TAMURA, registration No. 13726, age 27, residing at or near the Hamlet of Rosemary in the Province of Alberta, Canadian Citizen,
and
MAKOTO TAMURA, registration No. 13946, age 30, likewise residing at or near Rosemary aforesaid and likewise a Canadian Citizen.

Birth Certificates attached marked Exhibit 1.

Both the said claimants were born and raised at or near the Town of Haney in the Province of British Columbia and resided there until evacuated by the Department of the Secretary of State of the Dominion of Canada in or about the month of May, A.D. 1942.

NATURE OF CLAIM

The said claimants are entering a claim in accordance with Order in Council P.C. 1810 dated July 18th, A.D. 1947 as amended by Order in Council P.C. 3737 dated September, 17th, 1947, in respect to certain real property seized by The Custodian of Alien Property and sold at and for a price less than its fair actual value. Notice of these claims accompanied by supporting affidavits was duly filed at the office of The Custodian at Vancouver, B.C. prior to the 30th day of November, A.D. 1947.

Copy of Notice and supporting affidavit attached marked Exhibit 2.

REAL PROPERTY CONCERNED

All and singular that certain parcel or tract of land and premises situate, lying and being in the Municipality of Maple Ridge, Province of British Columbia, more particularly described as Block Seven (7) of the North West Quarter of Section Twenty one (21) Township Twelve (12) Map. No. 1027 in the District of New Westminster, as set forth and described in Certificate of

REAL PROPERTY CONCERNED .... cont'd
Indefeasible Title No. 147775 E.

REMARKS
Deed of Land attached marked Exhibit 4.

HISTORY
The land came into the possession of the family Tamura when the Claimant's father Yazaeomon Tamura, purchased it as virgin forest in the year 1908 for the sum of $900.00. The claimants derive their interest by virtue of purchasing the same on the 15th day of December, A.D. 1941 from their said father.

IMPROVEMENTS MADE BY CLAIMANTS
Improvements made by the Claimants and their predecessor in title consist of the following:

(a)
BUILDINGS

House - 2 storey frame house and improvements		$3275.00
Barn		225.00
Garage		145.00
Incubator		175.00
Brooder house	2 @ $125.00	250.00
	2 @ $ 75.00	150.00
	2 @ $100.00	200.00
Chicken house	1 @ $150.00	150.00
	1 @ 1125.00	1125.00
	1 @ 1600.00	1600.00
	1 @ 675.00	675.00
Feed house		600.00
Pig Pen		700.00

(b)
FENCING - 15 chains 25.00

(c)
TILLAGE - 14 acres @ $4.00 56.00

(d)
DRAINAGE - 1¼ miles of ditches @ $570.00/mile 725.00

(e)
CLEARING - 14 acres @ $225.00 3150.00

(f)
PLANTING - fruit trees 80 @ $20.00 each 1600.00
- ½ acre of strawberries 80.00

(g)
2 Wells at $75.00 each 150.00

$15056.00

VALUE OF PROPERTY TO CLAIMANTS AT DATE OF SEIZURE

REMARKS

(a)

The family consisting of the father Yazaemon Tamura aforementioned, his wife and six children lived on the aforementioned property from the year 1908 to the year 1941 and earned a good and sufficient living therefrom, adequate to educate the children and send one at least to the University of British Columbia. However, the cash position of the family was generally weak inasmuch as the greater part of the profits from the farming operations were ploughed back into the land. In the estimation of the claimants, a fairvalue to be placed on the property is as follows:- making adequate allowances for depreciation -

Land	$4300.00
Buildings	$3700.00
Total	$8000.00

(b)

At the time of the seizure they had fire insurance on the buildings to the approximate value of $1200.00.

(c)

It is the estimation of the claimants that if the premises were rented for their true value, they would fetch an annual rental of $600.00.

(d)

The estimate made by the Claimants is considered reasonable because a neighboring property belonging to Tokusaboro Ooto and consisting of 6½ acres was sold in 1942 for a sum believed by the claimants to be $2500.00. This at a time when the Vendor had knowledge of the expropriation measures being taken.

Letter attached marked Exhibit 5.

(e)

The assessed value of the property in 1942 was $1700.00 and improvements $2100.00, making a total of $3800.00.

Assessment notice attached marked Exhibit 6.

(f)

The claimants estimate that at the time the property was sold by The Custodian, the fair actual value of the property would be as follows:

Land	$4300.00
Buildings	$3700.00
Total	$8000.00

PRICE SECURED BY THE CUSTODIAN

The price for which the Custodian of Alien Property sold the within described premises was the sum of $2091.00.

REMARKS

Statement attached marked Exhibit 7.

ESTIMATED LOSS

The claimants estimate their loss as the result of such sale at the fair actual sum of $5909.00.

FURTHER CLAIMS

The Claimants advance no further claim in respect to their personal or other property seized by The Custodian.

CORRESPONDENCE WITH THE CUSTODIAN

Attached

Marked Exhibit 8.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

DE LA VERGNE & WILLIAMS
Solicitors for the Claimants.

Y Damura

Mr. Y. Yamura

Haney Photo Studio
HANEY, B. C.

H.Z.C.

EXHIBIT No. 482-2
DATE 30 mar 1948
FILED BY
A. E. Wright

M. Y. Tamura

Haney Photo Studio
HANEY, B. C.

H.F.C.

EXHIBIT No. 482-3
DATE 30 Mar 1948
FILED BY
A. Vivian

BC-175-P

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

Farm Appraisal Report

File No. JL-224.

Land Description N.W.¼ of Section 21, Tp.12, Map 1027.

Containing 19.06 Acres

Owner's Name M. & Y. TAMURA Post Office Address Haney, B.C.

Nearest Rail Point Haney, B.C. Distance 1½ miles

Market Town New Westminster, B.C. Distance 24 "

Church (give denomination) All denominations - Haney, B.C. Distance 1½ "

Nearest School Haney, B.C. Distance 1½ "

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

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

Direct access to 22nd Road, gravel, fair condition.

Is this district a good one? Yes - co-operative marketing.

Employment opportunity Two sawmills, brickyard and peat plant - 6 miles.

Predominating Nationality and religion: Mixed - Japanese predominating

Describe Fencing and its condition: No fence of consequence. Value $

Water supply: Domestic supply from two wells. Value $
Electric pump & pressure tank;piped to house & available at poultry houses.

BUILDINGS ON FARM 5316-5280

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	22 x 39	Frame	1½ st.	Shgl.	20	Cement	Poor	800.00
Garage	15 x 16	"	10'	"	20	Wood	"	-
Pump Hse.	12 x 12	"	10'	"	4	"	Fair	20.00
BARN	21 x 34	"	14-22'	Shke.	15	"	"	125.00
Add'n.	15 x 30	"	6-12'	Shgl.	15	"	"	
2 ~~BARN~~ Brooder	12 x 15	"	5-7'	"	15	"	"	30.00
5 Piggeries	12 x 12	"	5-7'	"	15	"	"	60.00
~~GRANARY~~	x							
Pig Pen	27 x 60	"	4-10'	"	7	"	"	170.00
Poultry	18 x 150	"	5-7'	"	15	"	"	325.00
"	18 x 100	"	5-7'	"	15	"	"	160.00
"	18 x 48	"	7-12'	"	15	"	"	115.00

Total present day value $ 1905.00 1805

Total Value Buildings add to farm $ 1000.00

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

Describe the basement and chimneys: Cement walls 1½ feet. Frame to first floor 6 feet.
2 Brick chimneys in bracket.

No. rooms downstairs? 4 Upstairs? 3 How finished Wood and paper.

Are buildings painted? Stained. Condition of paint -

Distance from nearst bush Over 300'

EXHIBIT No. 482-4
DATE 30 mar 1948
FILED BY J. W. G. Kruser

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
11.86	Undulating & Level 11.86	Clay loam 12"to 20"	Clay	Sod & Grass	90.00	1067:40

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	
4.00	Undulating 4.00	clay loam 12-20"	Clay.	Clearing,stumping,draining & levelling.	175.00 to 200.00	15.00	60.00

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	
3.20	Gully,creek bed - banks 3.20	-	1.00	3.20

19.06

Total value of Land $ 1130.60

Total added by buildings to value of farm $ 1000.00

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

Total value of farm $ 2130.60

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

Property apparently has been operated along poultry and hog line, and total cleared area is in sod and grass,with exception of small plot of rhubarb. Occupied at present time by tenant.

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

Mixed small fruits and poultry.

Noxious weeds:

Thistle is making inroads on cleared area.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: 1942 Tax - $77.57. District of Maple Ridge.

Date: June 5th,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 4 day of June 1942.

Inspector's Signature "H.L. SINCLAIR"

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

JL-224- TAMURA, M.& Y. **Farm Appraisal Report**

Remarks: This is a fairly good type of property, with good soil condition. The property appears to have been operated chiefly for production of hogs and poultry, as the cleared area has not been worked for some time. The holding is overburdened with buildings, both poultry houses and piggeries, and they are not in good condition. The dwelling also is old and roof not in good condition.

There is an old orchard on the property - trees are in very poor health and should be removed.

Electric light is installed in the dwelling, and several of the poultry houses have wire installation. There is also an electric pump "Century" make with a Myers pressure tank. Water is piped to the house, and also is available outside poultry houses.

The property is leased to Ivar Haugen. Term May 1st to February. Rental of $20.00 per month.

(FOR ORCHARD LANDS ONLY)

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

Fruit trees on this holding of no value.

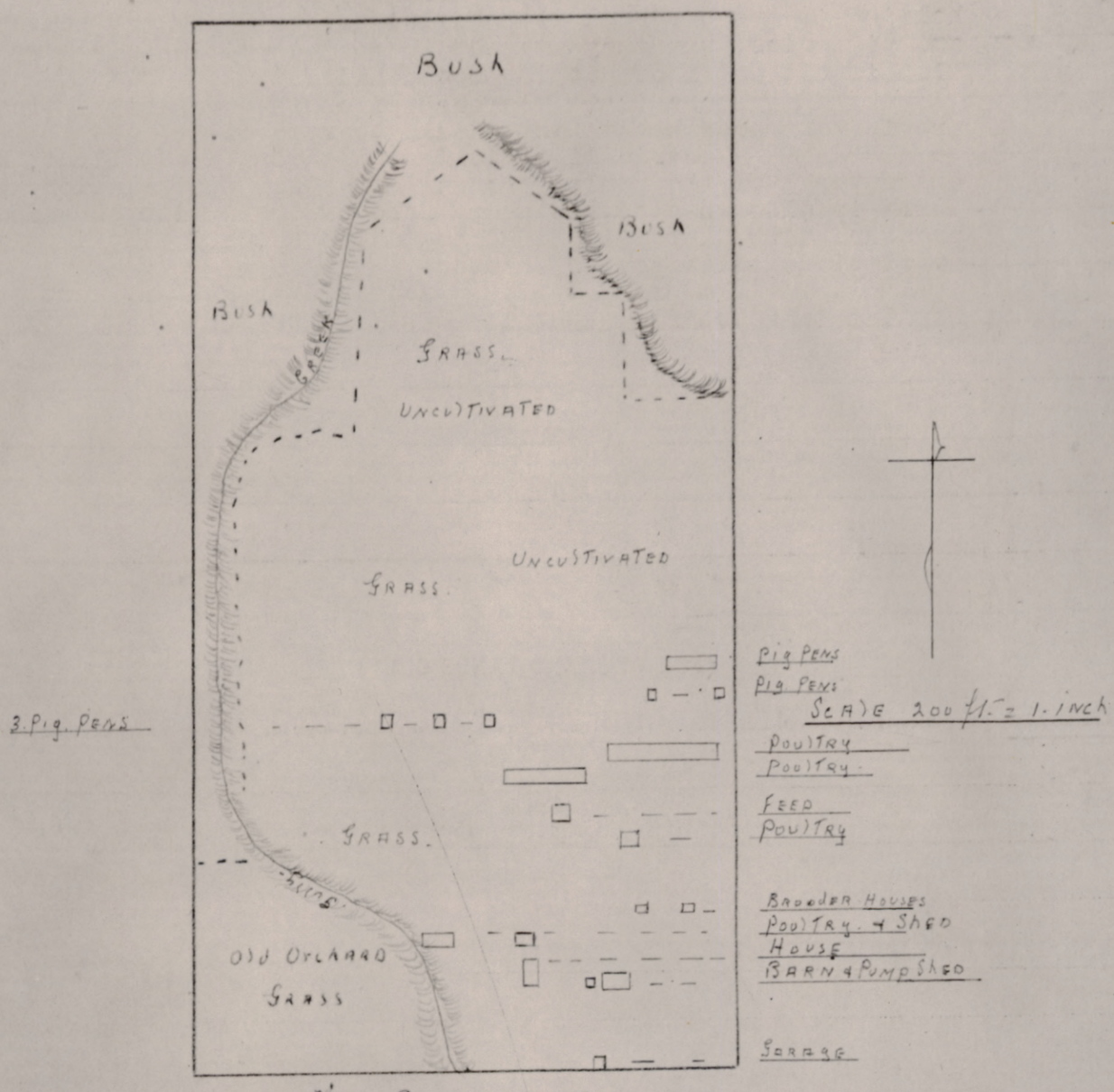
ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

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
11.86 acs. - In sod and old fruit trees, with small garden plot of rhubarb.	$
	$
	$
	$
	$
	$
	$
	$
	$
Total	$

Amount fruit trees add to value of farm $

Diagram of Property



N.W.¼ SECT. 21-Tp. 12-MAP 1027- 19.06 Acs

MAKOTO & YOKIO-TAMURA

Following careful review of this appraisal report, it is my opinion that the present value is $ 2100.00

Date 9th June 1942.

"I.T. BARNET"

District Superintendent.

#17