Name of Claimant HIRAMOTSU, Tairoku Case 496

Custodian File

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	
270.00	13.50 12.50										110.00 26.00

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	136.00

CASE NO: 496.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

April 1st, 1948.

IN THE MATTER OF THE CLAIM OF

TAIROKU HIRAMATSU.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 496.

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,

April 1st, 1948.

IN THE MATTER OF THE CLAIM OF

TAIROKU HIRAMATSU.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
W.E. HUCKVALE, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
G.N.R. UPTON, Esq.,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

30

THE COMMISSIONER: What is the next case, Mr. Huckvale, that you wish to take?

MR. HUCKVALE: If it suits your Lordship's convenience, No. 41 on the list, Hiramatsu. That was in origin a very large claim, sir, but I find it is another case of a forced sale. Now, these facts appear, after examining the Custodian's file it shows that he declared no chattels and no buildings although he did declare his real property. I have set forth in the form that I am about to file or will file later, the reasons for that, but, in any event, having declared no chattels and the only chattel in issue was a wood cutting machine of some considerable size and some considerable value, I am afraid he is going to have to abandon it. Having declared no buildings, and the land having been sold, I take the position that if the land was sold the building was sold, too, and it did actually then come into possession of the Custodian although not declared.

THE COMMISSIONER: Well there is no occasion to declare a building. Would you contend that there was, Mr. Hunter?

MR. HUCKVALE: He said in his form that there were no buildings.

MR. HUNTER: If the building was there and we found it, we obviously wouldn't try to evade that issue.

THE COMMISSIONER: I wouldn't think so.

MR. HUCKVALE: That is the explanation, my lord.

THE SECRETARY: Case No. 496, Tairoku Hiramatsu.

TAIROKU HIRAMATSU, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. HUCKVALE:

Q Mr. Hiramatsu, you claim with respect to Lots 1 and 2 of Block 24, Sub-District Lot No. 264, Group 1, New Westminster District, Plan No. 4680?

A Yes, sir.

Q Is that correct? A: Yes, sir.

Q A nd in connection with that claim you have instructed me to prepare that form? A: Yes.

Q Have you had a chance to read it yet?

A Yes, I have.

Q Will you sign it, please?

A (Witness complies).

Q And are the particulars contained in that form true and correct? A: Yes.

MR. HUCKVALE: I tender that as Exhibit 1, my lord.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. HUCKVALE: Q: Now, as I understand you, Mr. Hiramatsu, that is the wood lot from which you had cleared out all the stumpage? A: Yes.

Q And the building that appears on there was erected fo for the purpose of that work? A: Yes.

Q Why would the lot have any value after the stumpage had gone? A: Do you mean the priee?

Q Yes. A: Well the reason is of the location and the pile of lumber that was piled there and it was close to the sawmill where you could get the rejected property to cut into wood.

Q Well were those lots for collecting purposes

scarce or plentiful? A: Scarce, because the Municipality of North Vancouver refused to sell any more lots to anybody.

Q And that is why you place this value on this particular area? A: Yes.

Q That is all, thank you. Will you answer my friend.

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

I would file the appraisal of the North Vancouver Realty (E.N. Topping) Limited, dated the 8th of April, 1944. It is in the form of a letter signed by E.N. Topping. (Reading). I will file that as an exhibit, sir.

(LETTER MARKED EXHIBIT NO. 2).

MR. HUNTER: This property, my lord, was sold as of March 27th, 1946, for $270.00. It ispurely a question of value, my lord, and I have no questions.

THE COMMISSIONER: Q Where did this property lie, Mr. Hiramatsu, near what streets?

A Near the Pemberton Road, the main highway.

Q Near the Pemberton Road? A: Yes.

Q Is that down on the water side?

A No, it would be on the north side of the railway on the P.G.E.

Q And on the west side of North Vancouver, is it?

A Yes.

Q Close to the West Vancouver boundary?

A Yes.

Q I think I know where it is. That is all, thank you, Mr Hiramatsu.

(PROCEEDINGS ADJOURNED SINE DIE)
Certified a true and accurate transcript.

"S.R. HOWARD"
Official Reporter.

419

NOV 27 1947

HIRAMATSU TAIROKU SUPPLEMENT

				Loss
Lumber	I2500.00	2000.00		I0500.00
(forced sale)				
Engine	200.00			200.00
Equipment	500.00			500.00
			TOTAL	II200.00
Land ~~xxxx~~ 2 lots @ 500.00		I000.00		
Sale price		I47.97		
				852.03
Building		300.00		300.00
			Loss	I2352.03

Letter

Case 496 NOV 27 1947

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

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

ACKNOWLEDGED

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

(1) NAME HIRAMATSU TAIROKU (RCMP) Reg. No. 07318
(Print) Surname Given Name

(2) Pre-Evacuation Address Lower Capilano P.O. N. Vancouver, B.C.

(3) Present Address Box 204 Raymond, Alta.

(4) REAL ESTATE

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

(b) Legal description (lot number, block number, section number, etc.) ~~Lots 1 & 2 of Blk. 24,~~ Sub. district lot No. ~~25k~~ 264, Group I, New Westminster dist. Plan No. 1680/

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

(i) ~~Farm~~
(ii) ~~Residence~~ Type of business Wood and fuel
(iii) Business
(iv) Any other type of property (describe) ~~Lumber stockpile, engine & equip.~~

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

(e) Fair market value at date of sale (estimate this to the best of your ability):

(i) Land - - - - - - - - - - - - - - - - $ ~~2 1000.00~~
(ii) Buildings - - - - - - - - - - - - - - - - $ 300.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - - $ 13200.00
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 14 500.00
(v) Amount at which Custodian sold property and credited your account - - $ 147.97 for land
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 2000.00
~~xxxxxxxxxx~~ ~~xxxxxxxxxxxx~~ LOSS 12352.03

1300
270
1030

(5) PERSONAL PROPERTY

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

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

(c) How stored or packed at time of evacuation

(over)

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

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

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

TOTAL CLAIM FOR PROPERTY LOSS $_____

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

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - $ 12352.03

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

LETHBRIDGE

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

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

DOMINION OF CANADA)
of)
TO WIT:)

I, Zenaku Hiramatsu of the Town of Raymond in the Province of Alberta

DO SOLEMNLY DECLARE THAT:

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

DECLARED before me at the Town of Raymond in the Province of Alberta this 15th day of November A.D. 1947.

W. L. Jones

Z. Hiramatsu

A Commissioner &c.

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

_____

HIRAMATSU T.

(Claimant's Name)

REAL ESTATE
(Farm Land)

07318

Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared ~~Cultivated not planted~~ ~~Cultivated and not in crop~~ ~~List Crops~~	2 Lots	16th April 1941	North Vancouver Municipality	$175.00 (see Agreement for Sale)	Uncleared	None	$1000.00
Total							

EXHIBIT No. 496-1
DATE 1 apl. 1948
FILED BY W. E. Buckvale.

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

Description	When Made	Cost
Felled trees Cleared stumps Land levelled	1941	$150.00

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
Wood-cutting building	30 x 24	Mill	August 1941	$200.00	None	$100.00	None	$300.00

Comments re Appraiser's report not covered by above information: Claimant says when he filled out J. P.Form he refrained from mentioning a 16 H.P. Stationary wood cutting engine as he thought he might be charged storage for same. He failed to mention the Building for ~~several~~ similar reasons. He abandons his claim re forced sale of Timber and reduces claim to value of lots and building. Lots were ~~estimated~~ situated on Main Road, emminently suitable for timber storage and woodcutting business. For these purposes and with the Building, claimant values lots at $500. each. Claimant states no more lots were available in that area.

T. Hiramatsu
Signature

TELEPHONE NORTH 841
RESIDENCE PHONE NORTH 994 L

ASSOCIATE MEMBER
INSURANCE INSTITUTE OF AMERICA

INSURANCE, REAL ESTATE
NOTARY PUBLIC

North Vancouver Realty (E. N. Copping) Ltd.

143 [redacted] LONSDALE AVENUE
NORTH VANCOUVER, B.C.

Rec'd APR 12 1944
File No. 4192
Ans.
Referred HARROP

8th. April 1944

F.G.Shears Esq.,
Director,
Office of the Custodian,
506 Royal Bank Bldg.,
Hastings & Granville St.,
Vancouver

re Cat#445 File 4192
Lots 1 & 2/24/264.

Dear Sir,

I have inspected the above property upon receipt of your letter forwarded on by Loewen and Harvey Ltd. These lots are assessed at $175.00 each, with $50.00 assessment on improvements. However, at this time the improvements would appear to have negligible value only, and adjoining lots, immediately east of this property are for sale at half their assessed value. I therefore value this property at $200.00 to $300.00.

Yours truly,

E.N.Copping

EXHIBIT No. 496-V
DATE 1 April 1948
FILED BY J. W. J. Kennedy