Name of Claimant OIKAWA, Usaburo Case 728

Custodian File 5590

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	
					1575.						989.86 46.00

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	
			46%	201.50	92.69			92.69

TOTAL RECOMMENDATION	1128.55

1540

CASE NO. 728.

JAPANESE PROPERTY CLAIMS COMMISSION.

Lethbridge, Alberta,

September 29th, 1948.

IN THE MATTER OF THE CLAIM OF

USABURO OIKAWA.

PROCEEDINGS AT HEARING.

Original

CASE NO. 728.

IN THE MATTER OF THE "INQUIRIES ACT"

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

JAPANESE PROPERTY CLAIMS COMMISSION.

B E F O R E

(HIS HONOUR JUDGE R. M. EDMANSON, SUB-COMMISSIONER).

10 Lethbridge, Alberta,

September 29th, 1948.

IN THE MATTER OF THE CLAIM OF

USABURO OIKAWA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C.,	appearing for the Dominion Government.
W.S. RUSSELL, Esq.,	appearing for the Claimant.

MISS LILLIE THOMAS,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

30

THE SECRETARY: Case No. 728, Usaburo Oikawa.

USABURO OIKAWA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Oikawa, this is the summary of evidence in support of your claim? A: Yes.

Q Did you cause this document to be prepared?

A Yes.

10 Q Did you provide the materials and figures that went into the form? Did you supply the information?

A Yes.

Q Is this your signature at the end of this document?

A Yes.

Q You believe this to be true to the best of your knowledge, information and belief?

A Yes.

MR. RUSSELL: I will put that in as an exhibit.

(SUMMARY MARKED EXHIBIT NO. 1).

20 MR. RUSSELL: Q: I am showing you a picture?

A That is my house.

Q That is your house, this building on the right?

A Yes.

Q What is this building just behind the car there, the small building? A: Yes, that is the packing house for tomatoes.

Q And what is this building on the left?

A That is a chicken house, and there are lots more that do not appear in the picture, 500 x 25 feet.

30 Q That is the chicken house, is it?

A Yes.

Q Are these fruit trees here on the left?

A Yes, twenty-three apples and pears.

Q And what are these bushes on the right here in the foreground, these bushes here (indicating)?

A Those are flowers.

MR. RUSSELL: I will put that in as an exhibit.

(PHOTOGRAPH MARKED EXHIBIT NO. 2).

MR. RUSSELL: Q: When was this land purchased?

10 A 1931.

Q How much did you pay for the land?

A $350.00.

Q You show in your summary of evidence $375.00?

MR. RICE: You are wrong again.

A Oh, yes, that is a mistake on my part. One acre, $75.00.

MR. RICE: Just a minute. I think you mean $75.00 an acre, if I may interrupt.

MR. RUSSELL: Yes, that is right.

20 MR. RICE: It is nearly five acres.

MR. RUSSELL: Q: Well, that is just a little over $350.00? A: Yes.

Q How many acres did you clear of that land?

A Three acres.

Q You show here that it cost you $300.00 per acre to clear the land. How did you arrive at that figure of $300.00? A: Well, to buy the powder and clear the stumps away and do all the necessary work it cost at least $300.00 an

30 acre or more.

Q Does that include your work? A: The cost of the labour is included in that. I hired other people to do it.

Q Was this land raw land when you bought it?

A Yes, it was just bushland.

Q What kind of trees were on it? Just small bushes or big trees or what?

A Large trees, three feet or more in diameter, were on the land.

10 Q Why was it necessary to put in five wells?

A I had to dig additional wells because after I dug I found there was no water.

MR. RICE; Did youcharge enough for the holes dug?

MR. RUSSELL: Apparently.

Q How much did it cost you to dig each well?

A About $50.00.

Q Well, you show the five wells cost you $300.00, that would be roughly $60.00 a well. How do you account for that? A: That is $50.00

20 not including my own labour.

Q Well, what does the $50.00 include?

A I had three men working for me on that job and that was the cost of their labour.

Q Well, of these five wells you dug, how many wells did you finally get water from and used?

A Two of them gave a satisfactory amount of water, one wasn't so good, and the other two had a little water in the winter-time.

Q Well, did you use all five, or how many did you use?

30 A Yes, I used them all.

Q You used them all? A: Yes.

Q Is that why you are claiming for all five?

A Yes. I had 2000 chickens and needed water for them.

Q And you needed all five wells,is that right?

A Yes.

Q You have some figures here for fencing, $50.00, drainage, $50.00, tillage, $10.00, weed eradication, $20.00, planting one acre of strawberries, $20.00; have you an accurate record of that, or how did you arrive at that?

A No. I remember having paid that money, but I have no record, no written record. 500 feet of fence around the chicken house, and that fence was eight feet high.

Q Well, did you prepare this material yourself, or did your son help you? A: We both did it. My son was acting as the foreman.

Q He was living with you on the place before you were evacuated? A: Yes.

A Is that right? A: Yes.

Q And he was your foreman out there?

A Yes, he did everything for me.

Q And he also helped you with these figures as well, did he? A: Yes. I paid him $1000.00 a year to act as foreman.

Q Where did the $1000.00 a year come from that you paid him? A: From the chickens and strawberries. All together the strawberries and chickens brought an income of $1800.00; I kept $800;00 and paid my son $1000.00.

Q You are speaking of an average year now? That wasn't every year?

MR. RICE: You had better not lead him.

A I built the chicken houses eight years before evacuation.

MR. RUSSELL: Q: These buildings that you show that you erected on the land, you show material costs, you show the year built, you show the labour cost, and you show the total cost there; how did you arrive at those dates and those figures?

10

A I remember the material cost altogether $6000.00, and the labour and other things $6000.00, all together $12000.00.

Q That is for the buildings? A: Yes.

MR. RICE: He had better go out and prepare a new claim sheet.

MR. RUSSELL: Q: Well, you show the cost of the buildings here to be $8895.00. If they cost $12000.00, why didn't you claim $12000.00?

20

A This figure here must be a mistake. I know it cost $12000.00 altogether, but this is quite all right, this figure as it appears on the summary, $8895.00.

Q You are satisfied that this is not too much?

A No, this is not really enough, but it is all right.

MR. RUSSELL: Your Honour, I would point out on this claim form the total cost of land and improvements we show to be $10620.00. Notwithstanding that, the claim is reduced by the claimant to $8895.00, which I think is a substantial reduction for depreciation

30

on the buildings on the land.

Q You also are claiming for personal property, Mr. Oikawa, and on page 6 you list a large number of items and particulars and date of purchase, the price paid and the value of the articles at the time of your evacuation. How did you arrive at these various figures? A: The kitchen utensils, I put down the price that we paid at the time of purchase. I want to call my son.

10 THE SUB-COMMISSIONER: His son gave the information about the furniture, did he? A: I provided the cash and he actually made the purchases.

Q Well, you can call him.

A It is all right as it appears on the sheet here in the summary.

MR. RUSSELL: Q: Well, how do you know it is all right?

A We discussed it together and talked it over carefully and then the particulars were fixed in that way. I am too old now and I forget a lot of things; my

20 memory is not so good as it was.

MR. RICE: I am submitting,your Honour, that the real estate was sold for its fair market value.

I am submitting the chattels were sold for their fair market value. Some chattels were sold with the real property. Other chattels were not declared, not found, and no record of at any time. And there are two items, apparently, of bedsteads, two bed sets and an electric heater that were abandoned as worthless.

30 I am further submitting that if the Custodian

is responsible for any of these items the claim made to the same is exorbitant.

I wish to tender as exhibits, the following documents. Farm appraisal report.

(APPRAISAL REPORT MARKED EXHIBIT NO. 3).

MR. RICE: Assessment notice of the Municipality of Delta for the year 1943, showing a value of improvements, $1500.00, and land, $261.00.

(ASSESSMENT MARKED EXHIBIT NO. 4).

10 MR. RICE: And I wish to tender...

THE SUB-COMMISSIONER: ...Did you say $261.00 or $26.00?

MR. RICE: $261.00.

THE SUB-COMMISSIONER: Exhibit 3 says $216.00.

MR. RICE: Did I miscall it?

THE SUB-COMMISSIONER: It is on page 2 of Exhibit 3, $216.00.

MR. RICE: The assessment notice is $261.00. I don't know which one is in error.

I am submitting two summaries respecting the

20 real estate, and both of these summaries refer to the land being assessed at $261.00 and the improvements $1500.00.

(SUMMARIES MARKED EXHIBIT NO. 5).

MR. RICE: And the summary respecting personal property.

(SUMMARY MARKED EXHIBIT NO. 6).

MR. RICE: And the analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 7).

CROSS EXAMINATION BY MR. RICE:

30 Q I show you your J.P. form, dated the 22nd of

April, 1942 (indicating), and ask you if that is your signature on that document?

A Yes.

MR. RICE: I tender that J.P. form to which the claimant acknowledges his signature, your Honour, as an exhibit.

(J.P. FORM MARKED EXHIBIT NO. 8).

MR. RICE: Q: I show you your proof of claim form completed on the 13th of November, 1947 (indicating), and ask you if you signed that document?

10 A Yes, that is my signature.

MR. RICE: I tender his proof of claim form as an exhibit.

(CLAIM FORM MARKED EXHIBIT NO. 9).

MR. RICE: Q: You leased your property to Richard Fennig before you were evacuated, did you not?

A Yes.

Q You leased for a year from the 1st of May, 1942, at a rental of $10.00 a month including buildings?

A No, the $10.00 a month included only the land, the rent for one chicken house, not the residence.

20 Q Who had the residence? What did you do with the residence? A: Just left it there without leasing it to anyone.

Q Did you have a written lease with Mr. Fennig?

A I have forgotten.

Q You don't know whether you ever made a lease or not, a written lease, I mean? A: No, I don't remember.

Q What did you do with your house? Did you lock it up before you left? A: Yes, it was

30 locked up.

Q My information is that there was a written lease and the buildings were included in the lease without exception? A: I have told him what you said.

THE SUB-COMMISSIONER: He says nothing.

MR. RICE: Q: You have no answer to that? Do you deny it ow what?

THE SUB-COMMISSIONER: Is there a written lease, Mr. Russell?

10 MR. RUSSELL: I have no knowledge of the lease. I will ask the son.

MR. RICE: You are calling the son?

MR. RUSSELL: Yes.

THE SUB-COMMISSIONER: Possibly any questions about the personalty will be reserved for the son because he says that he was the man who did the purchasing here.

MR. RICE: Q: You say the chattels were left inyour house, were they? A: Yes.

Q All your furniture? A: Yes.

20 Q What about the farming tools and one thing and another that you are claiming for?

A Those were left in the warehouse.

Q Warehouse? A: Yes.

Q On the farm? A: Yes.

Q Was it locked up? A: No, that was not locked.

Q Was the tenant permitted to use them?

A Yes, he was allowed to use the farming tools.

Q He was allowed to use the farming tools?

30 A Yes.

Q Did I understand you correctly to say that all of your chicken houses were built eight years before you were evacuated? A: No. The first ones were built eight years before, were built in 1932, and then the new ones were built each year for six years.

Q How many were built in '32? A: One and the dwelling house.

Q One chicken house and the dwelling house were built in 1932? A; Yes.

Q Then there was a chicken house built every year after that, was there, for the next six years?

A I forget exactly, but there were one or two years when we didn't build, but altogether the building lasted over a period of six years.

Q Well, then, you built all your chicken houses -- you built one, you say, in 1932. How many chicken houses do you own, or did you build on this place?

A Six.

Q Your claim says , I think, nine?

A That includes very small ones and I wasn't thinking of those small ones.

Q Well, how many small ones were there, three?

A Those were for the baby chickens; there were three.

Q Well, according to your claim here, there are four small ones? 12 x 20, is that a small one?

A I forget the details. Please call my son.

Q All right. You are satisfied that you did build the six chicken houses during the six years commencing with the year 1932? A: Yes.

Q Why did you raise the rest of your land since filing your claim in November of last year by $150.00? A: I have forgotten the details. My head is no good now. Please call my son.

Q I will put it to you this way: Last November you swore that your land was worth $1575.00, today you swore that the same land is worth $1725.00. Which is right, or are either of them right?

10

MR. RUSSELL: Your Honour, if I may interject here, the summary of evidence which you have and which I have shows a different figure.

MR.RICE: It says land $1725.00.

MR. RUSSELL: That has been amended.

MR. RICE: Mine has not been amended. I got this last night. It must have been amended this morning. That amends the claim then, does it, or what is the other figure? Is it cut down?

20

MR. RUSSELL: Oh, yes, it is amended straight through.

MR. RICE: Well, the fair market value then isn't $8726.00?

MR. RUSSELL: No, it is $8575.00.

MR. RICE: Oh.

MR. RUSSELL: Perhaps my learned friend wouldn't mind using my summary of evidence. Possibly there are other amendments. He has got one that hasn't been amended, your Honour.

MR. RICE: I made notes on this one, that is all.

30

MR. RUSSELL: Perhaps if you would use them in conjunction.

MR. RICE: Q: What is the 20-gallon large boiler that you refer to in your personal property, value $20.00? What kind of a boiler is that?

A It is a large boiler, a large hot water tank needed in the winter time for the chickens.

Q You say that cost you $30.00, did it?

A Yes.

Q And you also say that an ice cream freezer that cost you $7.80 depreciated only $2.20, or $2.80 rather, after using it nearly fifteen years, described as a one and a quarter gallon freezer. I presume it is an ice cream freezer.

A Yes, I have reduced it by $2.80.

Q After using it for fifteen years you reduce an article that cost you $7.80, you reduce it by $2.80? A: Yes.

Q How many electric heaters did you have?

A I forget, maybe twenty-four or twenty-five.

Q Electric heaters? I am not talking about electric lights, I mean electric heaters.

A I had one electric stove.

Q One electric stove. Why are you claiming for two?

A You will have to ask the son.

Q All right. How much did this electric stove cost you? A: I forget.

Q You forget? A: Yes. Ask my son about it.

Q You answer if you can; if you can't say so.

A All right.

Q That is all.

THE SUB-COMMISSIONER: Any more questions?

MR. RUSSELL: No more questions.

THE SUB-COMMISSIONER: How much money would he receive from his farming operations for the whole year of say 1940? A: Chickens about $1000.00, and the strawberries $800.00. I paid $1000.00 to my son and that left me with only $800.00.

Q Now, would he only receive $1800.00 during the year from all the things that he sells?

A That is the gross income.

Q How old are you? A: 69.

Q All right.

MR. RUSSELL: May I just ask one question?

THE SUB-COMMISSIONER: All right.

MR. RUSSELL:

Q Mr. Oikawa, you say $1800.00 was your income. Would that be before the expenses were all paid or after the expenses were all paid?

A He must have misunderstood my previous question, your Honour.

THE SUB-COMMISSIONER: What does he say now?

A It is the net. There would be 50¢ left from each chicken.

Q Well, never mind going into the details. Can't he say what would be approximately the total amount ofmoney that he would get from the farm by selling his things, and eleminating the expense? Don't worry about the expenses. What is all the money that he would get in?

A I am afraid I can't say. I only know that I had $1800.00 left.

Q He had $1800.00 left? A: Yes.

Q After he had paid all his expenses?

A Yes, after deducting the chickens' feed and everything.

Q Would his son know? A: Yes.

Q All right.

MR. RUSSELL: I will call the son now, your Honour.

10 THE SUB-COMMISSIONER: All right.

(Witness aside)

MASAMI OIKAWA, a witness for the claimant, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Oikawa, are you the son of the party who was just on the stand now, the claimant?

A Yes.

Q How old are you? A: 42.

20 Q You were living with your father on this land that is being claimed in this summary of evidence?

A Yes.

Q I believe you acted as foreman for your father?

A Yes.

Q You, apparently, were the person who paid a lot of the accounts and who helped prepare this summary of evidence for your father, is that right?

A Yes, in conjunction with my father.

Q Your father has mentioned that the land was leased

30 to a Mr. R. Fennig, I believe, when you were evacuated?

A Yes.

Q Do you know if there was a written lease made?

A I don't think there was a written lease made at the time.

Q You don't think so? A: I am not sure because Fennig arranged with the Custodian for the lease.

Q What was your understanding of the arrangement with Mr. Fennig? A: On condition

10 that they took care of the place and watched it for us until our return, we agreed to rent it for $10.00 a month.

Q What were they to get for that $10.00 a month?

A They were allowed to use my father's property.

Q Were they allowed to use all of the buildings, or some of the buildings? A: Yes.

Q How about the house? A: Yes, they moved in the day we left.

Q Into the house? A: Yes.

20 Q In the summary of evidence somebody estimated the rental value of this land at $500.00 per year; who was that? Who put that rental valuation on it?

A In conjunction with my father, I made it.

Q How did you arrive at the figure of $500.00?

A It was just an estimate.

Q Well, you had rented the land for $120.00 a year to Mr. Fennig. Now, had you any basis for thinking that the land would rent for more than $120.00 a year? A: Yes, there is a

30 reason.

Q What is that reason? A: We loaned it to Fennig on the condition that he would take care of it and return it to us in the same condition as when we left, and there was no understanding as to the length of the term of Fennig's occupancy.

Q Well, that explains why you rented it for $10.00 a month, possibly, but it still does not explain, perhaps, why you now say it was worth $500.00 a year.

A As I said before, the arrangement with Mr. Fennig was that he was to watch the place and keep it in good order and look after it for us, which is the reason why it was rented so cheaply.

Q Did you ever rent it for $500.00 a year before?

A No.

Q Did you know anybody who would rent it for $500.00 a year at that time? A: No.

Q This $500.00 a year then is apparently an estimate?

A Yes, it is just an estimate.

Q Did you prepare the list of personal property and the valuations, and so on, that are shown in your summary of evidence in conjunction with your father, of course? A: Yes, in conjunction with my father and also, in some cases, with my mother , because there were some points we didn't know about.

Q Well, did youhave some personal knowledge as to the purchase price and the date that these articles were purchased? A: Yes, I have a pretty good rough idea of most of the things, but I can't say exactly.

Q Well, this personal property summary is an estimate also, is it? A: That is approximate.

Q Approximate? A: Yes.

Q Do you know how many chicken houses there were on this property when you left? A: There were nine.

Q How many large chicken houses were there?

A Five.

Q And the rest were small chicken houses, four small chicken houses? A: There were

10 four small houses, four colony houses, small houses.

Q Well, your father was not exact in the particulars that he gave. Who actually prepared this list of buildings, you or he? A: We prepared it together.

Q You have read over this list of chicken houses and other buildings, have you? You have seen this finished form before, have you (indicating)?

A Yes.

Q Is that correct, according to your recollection?

20 MR. RICE: His father swore that it was correct and then he denied it.

A Yes.

THE SUB-COMMISSIONER: Pardon?

MR. RICE: I say his father swore that it was correct and then he denied the statement, the buildings cost more, and everything cost more. This witness should be warned about what his father said about it.

THE SUB-COMMISSIONER: All right.

30

CROSS EXAMINATION BY MR. RICE:

Q Your father stated that all this place would produce, or did produce net was $1800.00 a year, $1000.00 of which was paid to you and $800.00 was retained by himself, is that right?

A It is my recollection that the net was about $2000.00 of which I had $1000.00 and my father had about $1000.00 left.

Q He says he had $800.00 left; is he lying to us or
10 is he telling the truth?

A I think my father must have been mistaken. My father must have forgotten.

Q Which is a gentle way of calling him a liar.

MR. RUSSELL: It is a nice way of putting it anyway.

MR. RICE: Q: Did your father work looking after the chickens as well as you? A: No, he was sick.

Q He did no work at all? A: In 1931 and '2 he did, but afterwards he didn't.

Q Your father stated these chicken houses cost
20 $12000.00; this statement shows a lot less amount?

A After consulting, the prices were entered with depreciated amounts.

Q Well, this statement that you have sworn to, it totals about $4000.00 for chicken houses and says that that is what they cost to construct; your father said they cost $12000.00?

THE SUB_COMMISSIONER: That is for all the buildings.

MR. RICE: Well, I understood him to say that the chicken houses cost him $12000.00.

30 THE SUB-COMMISSIONER: $12000.00?

MR. RUSSELL: All the buildings, he said.

THE SUB-COMMISSIONER: For all the buildings, $6000.00 for material and $6000.00 for labour; that was his evidence.

MR. RICE: I have it wrong then.

Q Your father said that all the buildings cost $12000.00, and according to this statement that the members of his family had compiled and he thought was fair it is $8895.00, that is, for labour and material. Who is right on that? Is your father wrong again? A: It must be a mistake on my father's part.

10

Q All right.

THE SUB-COMMISSIONER: Any questions, Mr. Russell?

MR. RUSSELL: No.

THE SUB_COMMISSIONER: That is all, thanks.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

20

"S.R.HOWARD" Official Reporter.

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

SUB-COMMISSIONER.

30

5-590 ACKNOWLEDGED NOV 27 1947 Case No. 728

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:
   Usaburo Oikawa

   Registration No.
   12737

2. Claimant's address at the time of his evacuation from the protected area:
   1317 Gibson Road, R.R.#1, New Westminster, B.C.

3. Claimant's present address:
   Picture Butte, Alberta.

4. Claim relating to real property:

   (a) Street address of real property:
   Gibson Road

   (b) Legal description of property:

   Title no, 98482E covering lot 117 of lot 440 Gp 2 Map 1133

VIRTUE & RUSSELL, Barristers, Lethbridge.

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

(d) Title or interest held by Claimant in the real property:
No. 98482E

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

(I) Land— $ 1575

(II) Buildings— $ 7000

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

$6985.52

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:
1317 Gibson Road, R.R.#1, New Westminster, 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:
Stored in own property

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

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:

Kitchen Utensils	$100.00
Furnitures	$100.00
Bed Sets	$ 50.00
2 Rolls Stock Fences	$20.00
Poultry Supplies	$300.00
3 Stoves	$50.00
Bath	$10.00
Farm & Garden Implements	$50.00
10 cords Wood	$50.00
Gramaphone	$25.00
Electric Heater	$10.00
2 Water pumps	$200.00
	$965.00

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

$866.02

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

7. An Interpreter will yes be required.

DATED this 13th day of ~~October,~~ Nov A.D. 1947.

S. Yamamura

Witness to ~~Signature~~ of Claimant.

Kisaburo Oikawa

Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Usaburo Oikawa
(Full Name of Claimant)

of Picture Butte, Alberta. None
(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:

$1688.46

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 Picture Butte

in the Province of Alberta,

this 13th day of November

A.D. 1947.

Usaburo Oikawa.

Lorne D. Lutz

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

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.

COPY

June 10, 1948.

Japanese Property Claims Commission,
Court House,
Vancouver, B.C.

Dear Sir:

Re: Lethbridge Hearings

On checking the list of claims to be heard in Lethbridge, this fall, we find that Masami OIKAWA, Reg.No.12759, is listed as being represented by our Mr.Virtue on Tuesday September 28th.

Mr.Virtue is in fact representing Usaburo OIKAWA, Reg.No.12737, whose name does not appear on the list.

We would suggest that the required change be made at an early date, and all interested parties notified, so that the proper files will be forwarded to Government Counsel, and the Commissioner will be aware of the claim which will be presented at that time.

Thanking you, we are,

Yours truly,

VIRTUE & RUSSELL

Per. Chas.G.Virtue.

15 Victoria Mansions,
Lethbridge, Alberta.
June 17, 1948.

Dear Sirs:- RE: OIKAWA, Usaburo
Reg. No.12737.

Referring to your letter of the 14th Instant, enclosing copy of letter from Messrs. Virtue & Russell, and also to copy of their letter of 14th of June received this morning - upon checking the list I find that the above claim has always been on the list, and is No. 91 of Messrs. Virtue & Russell's claims, and the hearing is set for Wednesday, 29th September. I am enclosing a copy of letter written to the above noted Solicitors to-day.

I trust that this will clear this matter up.

Yours truly,

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

Japanese Property Claims Commission,
The Court House,
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta.
June 17, 1948

Dear Sirs:- RE: OIKAWA, Usaburo Reg.No.12737

The Vancouver office has forwarded to me copies of your letters of the 10th of June and 14th of June with reference to the claim of the above noted party. If you refer to the list, furnished your office, of the dates of hearings you will find that the above claim is on for hearing for Wednesday, September 29th, (See page 14, No. 91); this being the date set by The Honourable, Mr. Justice Bird.

Yours truly,

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

Messrs. Virtue & Russell,
Barristers, etc.,
LETHBRIDGE, ALBERTA.

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. 87

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: Usaburo OIKAWA

2. Registration Number: 12737

EXHIBIT No. 728-1
DATE Sept. 29/48
FILED BY W. S. Purnell

3. Present Address: Picture Butte, Alta.

4. Address Prior To Evacuation: 1317 Gibson Road, R.R.#1
New Westminster, B. C.

5. LEGAL DESCRIPTION OF PROPERTY: Parcel 1.

(If more than one parcel, list each separately, beginning as Parcel 1, Parcel 2, etc. with following particulars covering each parcel separately on individual sheets)

Lot One Hundred and Seventeen (117) of Lot Four Hundred and Forty (440) Group Two (2) Map One Thousand One Hundred and Thirty-three (1133) in the District of New Westminster.

(a) Nearest Post Office adjacent to land. New Westminster

(b) Number of acres: 4.75

(c) When purchased: 1931

(d) Condition when purchased: Give improvements and values in detail as of date of purchase)

Bushland

No Buildings

(e) Purchase Price ..... $ 375.00

6. IMPROVEMENTS:

(a)	Clearing 3 acres at $ 300.00 per acre	$ 900.00	
(b)	Fencing 330 feet	$ 50.00	
(d)	Drainage)	$ 50.00	
(c)	Tillage 1 acre	$ 10.00	
(e)	Weed Eradication	$ 20.00	
(f)	Planting 1 acre strawberries	$ 20.00	
(g)	5 Wells	$ 300.00	
(h)		$	
	Total	$ 1350.00	$1350.00
	Carried Forward	$	$ 1725.00

Brought forward $ 1725.00

(i) Buildings:

ITEM	SIZE	YEAR BUILT	MATERIAL COST	LABOR COST	COST (TOTAL)
House	24 x 48	1932	$1850.00	$1900.00	$ 3750.00
Chicken house	20 x 90	1932	700.00	700.00	1400.00
" "	20 x 90	1933	750.00	500.00	1250.00
" "	20 x 64	1935	380.00	250.00	630.00
" "	20 x 64	1937	380.00	250.00	630.00
	20 x 40	1941	315.00	210.00	525.00
" "	12 x 20	1941	50.00	15.00	65.00
" "	12 x 20	1941	50.00	15.00	65.00
" "	12 x 20	1941	50.00	15.00	65.00
" "	12 x 20	1941	50.00	15.00	65.00
Store house	12 x 28	1939	90.00	80.00	170.00
" "	12 x 18	1936	70.00	45.00	115.00
" "	6 x 8	1937	50.00	35.00	85.00
Bath house	10 x 12	1932	20.00	15.00	35.00
Out house	6 x 10	1932	20.00	15.00	35.00

Total Cost of Buildings 8895.00 8895.00

Total Cost of Land and All Improvements ..... $ 10620.00

Fair Market Value Buildings $7000.00 Land $~~1725.00~~ 1575.00 ..... $ ~~8726.00~~ 8,575.00

Sold by Custodian for ..... $ 1572.00

Loss Claimed on Parcel 1 ..... $ ~~7153.00~~ 7003.00

8. Assessment for 1942:

Land ..... $ 261.00

Improvements .... $ 1400.00

Total ..... $ 1661.00

9. Appraisal or Valuation (by Custodian):

Lands	$ 101.00
Improvements	$ 1500.00
Total	$ 1601.00

10. Rental Value per Year: $ 500.00

11. Fire Insurance on Buildings:
(List amount on each building):

Dwelling	$ 1000.00
	$
	$
	$

12. Documents in Support:

(a) Photographs: one

(b) Deeds

(c) Agreements to Purchase

(d) Leases

(e) Insurance Policies
Michigan Fire & Marine Insurance Company ,Policy # 6018475

(f) Correspondence

(g)

(h)

Parcel 2:- (Add additional sheets if necessary)

(Give exactly the same information as in paragraphs 5 to 12 above)

13. SUMMARY OF LOSSES ON REAL PROPERTY:

Parcel 1 .....$ 7003.00 ~~7153.00~~

Parcel 2 .....$

Parcel 3 .....$

Parcel 4 .....$

TOTAL: $ 7003.00 ~~7153.00~~

PERSONAL PROPERTY:

ITEM	YEAR PURCHASED	PRICE PAID	VALUE	REMARKS
KITCHEN UTENSILS		$	$	
~~1 Doz. Large Dish~~	1941	15.60	12.50	
7 Big Bowls	1941	5.50	5.50	
3 Fruit Bowl	1931	5.00	8.00	
5 Doz. Fruit Jars		6.25	5.00	
3 Rice Pot	1933	6.00	3.00	
6 Small Saucers	1935	1.20	.60	
3 Mixing Bowls	1935	2.25	1.00	
2·40Gal. Water Barrel	1937	7.00	3.60	
6 30 Gal.Water Barrel	1939	7.50	3.00	
4 Japanese Water Barrel	1937	4.00	2.40	
8 Gal. Jar	1940	3.10	2.75	
2 6 Gal. Jar		4.20	3.80	
5 Gal. Jar		2.00	1.65	
5 1Gal. Jar		3.75	3.00	
2 20Gal. Large Boiler	1938	30.00	20.00	
3 Kitchen Basket	1934	3.10	2.00	
1 Enamel Ware Pan	1932	1.50	.70	
1 Stone Grinder	1929	15.00	10.70	
1¼ Gal. Freezer	1928	7.80	5.00	
1 Steamer	1938	4.00	2.50	
3 Buckets	1941	3.65	1.55	
1 Boiling Tub	1939	2.45	1.75	
HOUSEHOLD FURNITURE				
3 Table	1932	60.00	35.00	
Drawer	1932	30.00	16.50	
Cot	1932	20.00	15.00	
Set of Japanese Dolls-Temples	1929	30.00	20.00	
1 doz. Window Blinds	1942	1.20	1.20	
1 Electric Heater	1938	4.50	3.50	
12 Chairs	1932-40	18.00	9.00	
2 Bench	1939	3.00	1.80	
1 Wooden Sink	1933	10.00	8.00	
Bed Sets	1935-42	100.00	50.00	
2 Rolls Stock Fences	1932-42	45.00	20.00	
Poultry Supplies	1932-42	500.00	300.00	KITCHEN STOVE — $60.00
3 Stoves	1935-38	100.00	50.00	2 heaters $20.00 each.
Bath	1939	20.00	10.00	— made by Claimant.
Farm & Garden Implements			50.00	
10 Cords Wood	1941	50.00	50.00	
Gramaphone	1928	75.00	25.00	
Electric Heater	1940	15.00	10.00	
2 Water pumps	1938-32	250.00 22.00	200.00	1 electric 1938 1 hand pump 1932
			$ 965.00	

(ADD ADDITIONAL PAGE IF NECESSARY)

(IF CLAIM FOR VESSEL DESCRIBE ON SEPARATE SHEET NUMBERED 6 A)

PAYMENTS RECEIVED FROM CUSTODIAN ON PERSONAL PROPERTY

Item:	Year:	Month:	Amount.

Total: $ 98.98

Total Claim for Personal Property	$ 965.00
Deduct Payments from Custodian	$ 98.98
Net Loss on Personal Property	$ 866.02

I Certify the above to be True and Correct.

Chas. H. Veth
Witness

Isabelle Oikawa
Signature of Claimant.

EXHIBIT No. 728-R
DATE Sept. 29/48
FILLED BY W.S. Russell

BC 463 P
BC 671 B

BC/463-P
BC/671-B

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

Farm Appraisal Report

File No. J.L.715

Land Description Lot 117 of D.L.440 of SE¼ Sec.36, Gp.2, Map 1133.
House No. 1317 Gibson Road.

Containing 4.75 Acres

Owner's Name Usaburo OIKAWA Post Office Address R.R.1, New Westminster, B.C.

Nearest Rail Point New Westminster - C.P.R. & shipping Kennedy Station, B.C.Electric Rly. Distance 3½ miles. ¾ mile

Market Town New Westminster, B.C. Distance 3½ miles

Church (give denomination) New Westminster, all denominations Distance 3½ miles

Nearest School Kennedy Public School Distance ¾ mile.

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

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

Has direct access to Gibson Road - fair gravel road.

Is this district a good one? Poor farming location - fair for poultry raising.

Employment opportunity City industries at 3½ miles.

Predominating Nationality and religion: Japanese owners predominate.

Describe Fencing and its condition: No fences. Value $

Water supply: from 5 wells with Beatty Electric Pressure Pump. Value $

Electricity - Power available Light and power used.

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	20 x 30	frame	1½	shgl	20	wood	fair	800.00
addn	15 x 24	"	1	"	"	"	"	
Henhouse	20 x 100	"	1	"	10	"	"	300.00
" ~~BARN~~ "	20 x 60	"	1	"	10	"	"	200.00
" "	20 x 40	"	1	"	10	"	"	175.00
" ~~BARN~~ "	18 x 30		1	"	10	"	"	100.00
" "	20 x 90	"	1	"	10	"	"	250.00
Feed house ~~BARN~~	18 x 30	"	1	"	10	"	"	175.00
	x							
3 colony	x							
houses	10 x 12	"	1	"	10	"	" @ $8.00	24.00
	x							

Total present day value $2024.00

Total Value Buildings add to farm $1500.00

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

$

Describe the basement and chimneys: No basement. 2 stovepipe chimneys.

No. rooms downstairs? 6 Upstairs? attic How finished Wood finish

Are buildings painted? House only Condition of paint fair.

Distance from nearst bush Approx. 150 yards.

EXHIBIT No. 728-3
DATE Sept 29/46
FILED BY J.R.A. Rice

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
.9	Level .9	sdy loam 8" to 12"	hard pan	Strawberries & potatoes	50.00	45.00
1.38	Slight slope to west 1.38	gravel & stones	" "	Buildings and 30 fruit trees	30.00	41.40

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	
2.47	Slightly undulating 2.47 acres	sandy loam to gravel	gravel to hardpan	Clearing, stumping, breaking & stoning	175.00 to 200.00	10.00	24.70

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
4.75		

4.75

Total value of Land $ 101.10

Total added by buildings to value of farm $ 1500.00

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

Total value of farm $ 1601.10

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Property occupied by tenant; west portion of land appears to be fairly fertile; east part is stony. Land is only in fair condition.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
Suitability for farming operations is very doubtful. Fair poultry raising possibilities.

Noxious weeds: No serious weed situation.

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

Corporation of Delta.

Ass.	Imp. -	$ 1500.00	Taxes
	Land -	216.00	1942 - $16.43

Date: July 30th, 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 29 day of July, 19 42.

Inspector's Signature "D. DODDING"

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

JL/715 - U. OIKAWA

Farm Appraisal Report

Remarks: This is a small holding with limited land development but a fair complement of poultry buildings, most of which are quite good structures and in fair condition.

The land is situated at the West and partly on a gravelly ridge that runs North and South through this locality; therefore the East part of the Lot is very poor land and only suitable for buildings.

The dwelling is set up on cedar posts; the West half of the house is finished inside with V.joint lumber, the balance with rough lumber.

The water situation here is rather serious, there being 5 wells which are typical of the area, being uncribbed pits in the hardpan.

The property is rented to Mr. R. Fennig for $10.00 a month for one year - as from May 1942 to May 1943.

(FOR ORCHARD LANDS ONLY)

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

Nil

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

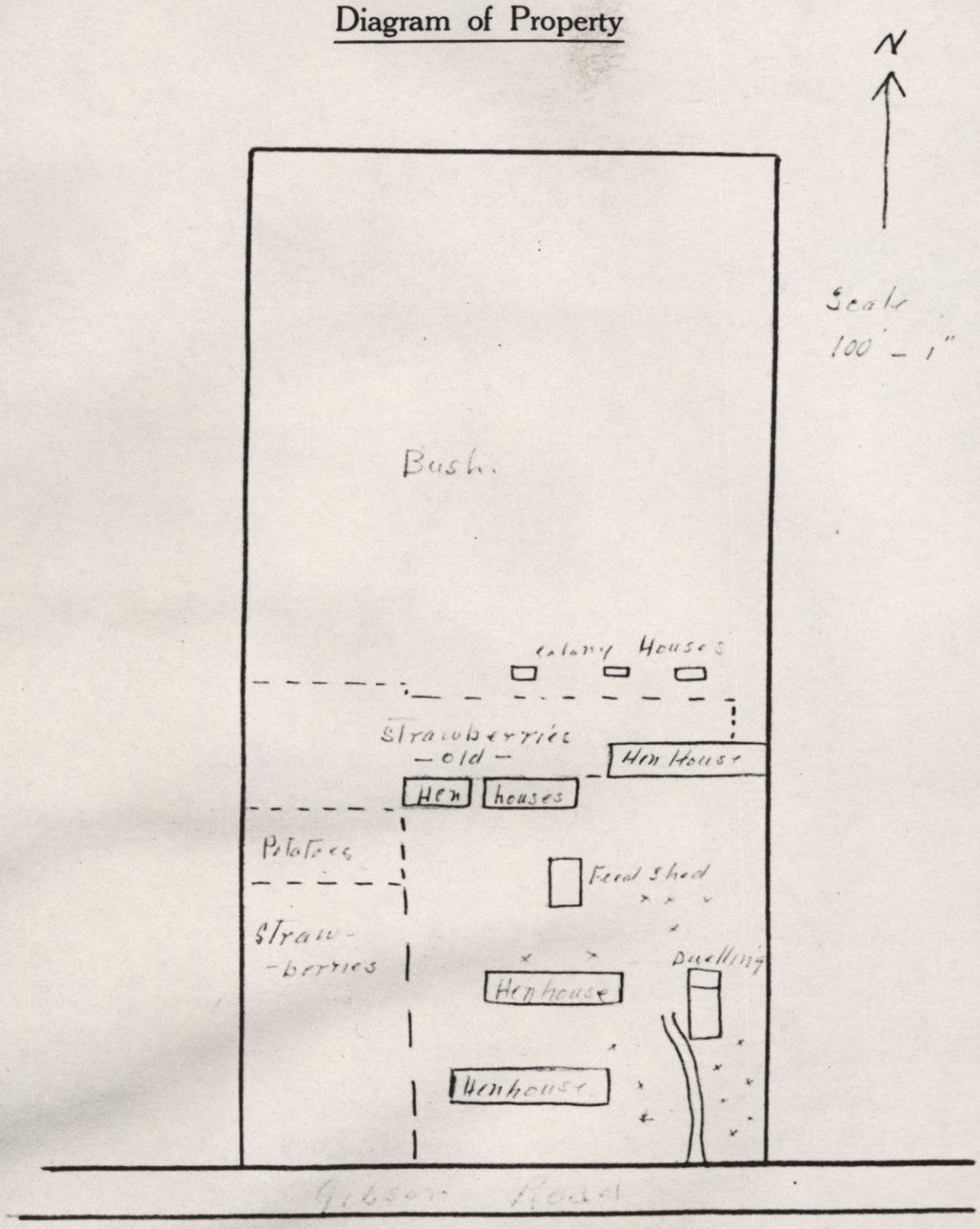
Nil

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
Strawberries	-	.80 acres.	$
Potatoes	-	.10 "	$
Buildings,yards,etc. - 40 old mixed fruit trees	-	1.38 "	$
			$
		2.28 "	
	Bush	2.47 "	$
		4.75 "	$
			$
			$
			$
		Total	$

Amount fruit trees add to value of farm $

Diagram of Property



Lot. 117 of DL 4440. of SE ¼ of Sec 36
Gp. 2. Map. 1133 — 4.75 ac
Usaburo Oikawa.

Following careful review of this appraisal report, it is my opinion that the present value is $ 1600.00

Date 1st August **19** 42.

"I.T. BARNET"
District Superintendent.

file #5590
Pages #12737

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EXHIBIT No. Sept 29/48
DATE
FILED BY G.E.A.Rice

MUNICIPALITY OF DELTA ASSESSMENT ROLL FOR THE YEAR 1943

ALL LANDS ARE ASSESSED AS "IMPROVED"

DATE OF TRANSMISSION OF NOTICE, DECEMBER 30TH 1942.

Name of Taxable party ~~and address~~	Roll No.	Description of Property								No. Acres or Lots	Value per Acre or Lot	Value of Improvements	Value of Land Only
		Lot	Blk	Qtr	Sec	Twp	D.L.	Gp	Map				
Usaburo Oikawa c/o Official Custodian	2499	117					440	2	1133	4.75	55.	1500	261

Take notice that the above property is assessed as above for the year 1943. Court of Revision will be held at the Municipal Hall, Ladner, B.C. on 8th February 1943, at 10 a.m. see Section 234 of the Municipal Act on the back of this Notice.

J.P.SMITH, Assessor.

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

November 18th 1948

_____

EXHIBIT No.
DATE Sept 29/48
FILED BY G.E.A.Rice

File No. 5590

REAL PROPERTY SUMMARY September 12, 1947

CATALOGUE NO: Included in Director of Veterans' Land Act Offer.

JAPANESE NAME: Usaburo OIKAWA REGN NO: 12737

PROPERTY ADDRESS: 1317 Gibson Rd., R.R.#1, New Westminster, B. C.

LEGAL DESCRIPTION: Lot 117 of Lot 440, Group 2, Map 1133, Mun. of Delta, District of New Westminster, B. C.

----------SOLD----------

TITLE: In the name of Usaburo OIKAWA
Register of Indefeasible Fees Folio No. 98482E.

ENCUMBRANCES: Certificate of Vesting in the Custodian Filed No. 25652

ASSESSED VALUE: Land $261.00 Improvements $15.00 Total $1,761.00
Taxes $18.07

CLASSIFICATION: A fruit farm of some 4.75 acres producing trees and small fruits, having thereon 1 two-storey wooden frame dwelling house of 8 rooms, 5 chicken houses, 1 garage, 1 feed shed, 1 Range shelter and Pump House.

CHATTELS: Not included in sale of property.

HISTORY OF ADMINISTRATION: The above named was evacuated on June 2/42. On April 22/42 he completed a "JP" Form, declared ownership of the above described property. He further stated that he had leased this property to Richard FENNIG. From an extract of the lease, it is indicated that the property was leased for 1 year from May 1/42 at the monthly rental of $10.00 - buildings included.

Revenue from the property was sufficient to carry same. An expenditure of $46.00 for building a chimney in the dwelling-house, was authorized by the Custodian and paid from rents.

SOLD: The property was sold to the Director of Veterans' Land Act as at June 1/43, although the sale was not completed until May 12, 44.

FUNDS: The purchase price was $1,572.00, and after deductions of $2.58 for tax arrears, $3.00 Registration Fees and $15.00 Legal Fees, were made, the balance of $1,551.42 was credited to the account of Usaburo OIKAWA with advice to him. The sum of $34.06 representing unexpired fire insurance premiums was also credited to OIKAWA.

We reproduce Mr Oikawa's letter of Aug/17/44 relative to the sale of his property:

"You have informed me that my property known as Lot 117 of Lot 440, Gp 2, Map 1133, has been sold.

As you are aware, I have never consented to the sale nor ratified it but have at all times and do now object to the sale of my said property. Because, however, I am in destitute circumstances(and because the government has discontinued the advance of maintenance to me) (or as the case may be), I have to request from you, the proceeds of the sale of the property in order to maintain myself and my family but in doing so I wish to made clear that it is only being accepted under protest and without prejudice to any right which I have or may have arising out of what I consider the wrongful sale and disposition of my property."

A cheque for $183.46, representing balance to his credit is being forwarded today.

The above Summary is certified to be in accordance with the information on file.

"M.L.Brown"

M.L.Brown

MLB/JJW

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

November 18th 1948 m w.

Attached to Exhibit 728 - 5

29th May, 1948

File No.5590

SUMMARY RELATIVE TO CLAIM OF
Usaburo OIKAWA-Registration No.12737

REAL PROPERTY: Municipality of Delta, Lot 117 of Lot 440 Gp 2, Map 1133, D.N.W.

	Assessed Value	S.S.Bd Appraisal	V.L.A. Purchase	Claimant's Valuation	
Land	$261.00	$101.00		$1575.00	
Improvements	1500.00	1500.00		7000.00	4.75 acs.
	$1761.00	$1601.00	$1572.00	$8575.00	
		Less sale price		1572.00	
		Amount of claim		$7003.00	

Claimant values land at $331.5 "per acre"

"MLB"

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

November 18th 1948 MN

728 - 6

EXHIBIT No.

DATE Sept 29/48

FILED BY G.E.A.Rice

File No.5590

September 12, 1947

PERSONAL PROPERTY SUMMARY

Re: Usaburo OIKAWA
Regn No. 12737

Chattels: The above named listed some 19 articles of household furniture on his "JP" Form of Apr/22/42, as being left on his property at 1317 Gibson Road.

An inventory taken by Custodians' representative in Feb., 1942, lists a great many articles not included in owners declaration. See attached Chattel Schedule.

On Mar/14/45 all usable effects on the property were sold at auction and the proceeds, after deductions were made to cover auctioneers fees, advertising and moving, were credited to Oikawa's Account, in the sum of $98.98.

Under date of Mar/25/45 is filed a list of goods and chattels which were found to be of no value and were abandoned.

It would seem that the chattels on this property were well and fully accounted for.

Bonds: NONE

Bank Account: NONE

Life Insurance: NONE

Accounts Receivable: NONE

The above Summary is certified to be in accordance with the information on file.

"M.L.Brown"
M.L.Brown

MLB/JJW

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

November 18th 1948 mw

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 5590 EXHIBIT No. ____

NAME OIKAWA, Usaburo

REG. No. 12737

DATE	INVENTORY	DETAILS OF CLAIM			SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
DECLARATION Apr. 22/42	TAKEN BY D. Smith				AUCTION	TENDER &c		
EVACUATION June 2/42	DATE June 2/42							
10 chairs		1	Kitchen utensils	$100 00	10 75			
3 stoves		2	Furnitures	100 00	63 25			
5 beds		3	Bed sets	50 00				
1 sewing machine		4	2 rolls stock Fences	20 00	4 00			
		5	Poultry supplies	300 00	10 70			
		6	3 stoves	50 00	10 75			
		7	Bath	10 00			10 00	
		8	Farm & Garden implements	50 00	20 50			
		9	10 cords wood	50 00				
		10	Gramaphone	25 00	3 50			
		11	Electric heater	10 00				
		12	2 water pumps	200 00			(1) 100.00	
				$965 00	$123 45			
							110 00	
			Sundry other goods sold		3 75			
					$127 20			

Goo
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EXHIBIT No. _____

CASE No. _____

VENUE Lethbridge

S	TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANY TIME	ABANDONED	NOT ACCOUNTED FOR THEFT &C	UNSOLD	REMARKS
					50 00			
		10 00						
				50 00				
					10 00			
		(1)100.00		(1) 100 00				
		110 00		150 00	60 00			

Goods for which Japanese claims $645.00 sold for $123.45
" " " " " 110.00 sold with real property
" " " " " 150.00 no record at any time
" " " " " 60.00 abandoned

$965.00

EXHIBIT No. 728-7
DATE Sept 29/48
FILLED BY Ira Rice

EXHIBIT No. 728 - 8

FORM "JP"

STRAWBERRY HILL

FILE No. Sept 29/48

DATE

FILED BY G.E.A.Rice

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: OIKAWA Usaburo

HOME ADDRESS: Gibson Rd., R.R.#1, New Westminster, B.C.

REGISTRATION NUMBER 12737 SEX: Male AGE: 62

OCCUPATION: Farmer Retired

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Self

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Ichino

ADDRESS OF WIFE OR HUSBAND: Gibson Rd., R.R.#1. New Westminster

NAMES OF ANY LIVING CHILDREN: Masami (M)

ADDRESS OF CHILDREN: Gibson Rd., R.R.#1, New Westminster, B. C.

AGE OF CHILDREN: 36

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: lot 117, of Lot 440, Group 2. Municipality of Delta.

2. BUILDINGS AND OTHER IMPROVEMENTS: 2 Storey wooden frame dwelling house. 8 rooms. 5 chicken houses. Range Shelter. Garage, Feed Shed. Pump House.

3. INSURANCE (Give particulars; state where policies are) Michigan Fire and Marine Insurance $1000.00 Policy No. Unknown. Policy in declarants possession. Chicken houses insured in the same Company. Policy in declarant's possession $1000.00.

4. TAXES (Amount and where payable) Taxes $17.18 Ladner Municipal Hall.

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) None

6. OCCUPANCY AND LEASES (If vacant so state) Occupied by owner at present Leased for $10.00 per month to H.Fanning of Eburne B.C.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: In declarant's possession

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: none

9. IF FARM LAND STATE CROPS SOWN Gooseberries, Cherries, Apples, Plums Strawberries, Pears, Grapes .

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: See page 1, Section 2.

2. LANDLORD'S NAME AND ADDRESS:

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:

4. STATE WHEREABOUTS OF LEASE:

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

10 chairs, 3 stoves, 5 beds, 1 Sewing machine.

All to be left in house on Gibson Rd., New Westminster, B. C.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS

None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

FORM "JP

FILE No.

4. INSURANCE CARRIED ON ABOVE PROPERTY: none

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: none

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom) none

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts) none

8. BANK ACCOUNTS: none

9. LIFE INSURANCE: none

10. INTEREST IN ANY ESTATES OR TRUSTS

11. SAFETY DEPOSIT BOX: none

LIABILITIES:

1. PERSONAL DEBTS: none

2. TRADE DEBTS: none

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 22nd day of April 194 2

(Signature) "U. Oikawa"

"F.T.Williams"

Witness

FOR DEPARTMENTAL USE

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

November 18th 1948

Nov 27 1947

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EXHIBIT No.

DATE Sept 29/48

FILED BY G.E.A.Rice

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 ENQUIRIES 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

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1. Name of Claimant in full:
Usaburo Oikawa

Registration No.
12737

2. Claimant's address at the time of his evacuation from the protected area:

1317 Gibson Road, R.R.#1, New Westminster, B. C.

3. Claimant's present address:

Picture Butte, Alberta.

4. Claim relating to real property:

(a) Street address of real property:
Gibson Road.

(b) Legal description of property:

Title no, 98482E covering lot 117 of lot 440 Gp 2 Map 1133.

VIRTUE & RUSSELL, Barristers, Lethbridge.

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

Poultry Farm

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

No. 98482E

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

(1) Land- $ 1575

(11) Buildings- $7000

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

$6985.52

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:
1317 Gibson Road, R.R.#1, New Westminster, 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:

Stored in own property.

VIRTUE & RUSSELL, Barristers, Lethbridge

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

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:

Kitchen Utensils	$100.00
Furnitures	$100.00
Bed Sets	$50.00
2 Rolls Stock Fences	$20.00
Poultry Supplies	$300.00
3 stoves	$50.00
Bath	$10.00
Farm & Garden Implements	$50.00
10 cords wood	$50.00
Gramaphone	$25.00
Electric Heater	$10.00
2 Water pumps	$200.00
	$965.00

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

$866.02

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

7. An Interpreter will "Yes" be required.

Dated this "13th" day of ~~October~~ "Nov" A.D. 1947

"Usaburo Oikawa"
.....
Signature of Claimant

"S.Yamamura"
.....
Witness to signature of Claimant

Virtue & Russell, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Usaburo Oikawa
(Full name of Claimant)

of Picture Butte, Alberta — None
(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:

$1688.46

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 Picture Butte in the Province of Alberta, this 13th day of November A.D. 1947 ? ..... A Commissioner for Oaths in and for the Province of Alberta.	"Usaburo Oikawa"

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

November 18th 1948 _____

M.W

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 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.

PROOF OF CLAIM

Virtue & Russell,
Barristers & Solicitors,
Lethbridge, Alta.

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

#728

COURT HOUSE
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta.
June 17, 1948.

Dear Sirs:- RE: OIKAWA, Usaburo
Reg. No. 12737.

Referring to your letter of the 14th Instant, enclosing copy of letter from Messrs. Virtue & Russell, and also to copy of their letter of 14th of June received this morning - upon checking the list I find that the above claim has always been on the list, and is No. 91 of Messrs. Virtue & Russell's claims, and the hearing is set for Wednesday, 29th September. I am enclosing a copy of letter written to the above noted Solicitors to-day.

I trust that this will clear this matter up.

Yours truly,

Lillie Thomas

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

Japanese Property Claims Commission,
The Court House,
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta.

June 17, 1948.

Dear Sirs:- RE: OIKAWA, Usaburo Reg.No.12737

The Vancouver office has forwarded to me copies of your letters of the 10th of June and 14th of June with reference to the claim of the above noted party. If you refer to the list, furnished your office, of the dates of hearings you will find that the above claim is on for hearing for Wednesday, September 29th, (See page 14, No. 91); this being the date set by The Honourable, Mr. Justice Bird.

Yours truly,

(Sgd) Lillie Thomas

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

Messrs. Virtue & Russell,
Barristers, etc.,
LETHBRIDGE, ALBERTA.

COPY FOR INFORMATION OF VANCOUVER OFFICE OF JAPANESE PROPERTY CLAIMS COMMISSION.

June 14th 1948.

Miss Lillie Thomas,
Secretary, Japanese Property Claims
Sub-Commission,
15 Victoria Mansions,
Lethbridge, Alta.

Dear Miss Thomas, Re claims - Masami OIKAWA
- Usaburo OIKAWA

We enclose herewith copy of letter received today from Messrs. Virtue & Russell.

These two claims were received from Virtue & Russell, and therefore listed under their name. They must be mistaken in saying that Usaburo Oikawa's name does not appear on the list, as it was on the original one. However, we have not received a copy of your list at this office.

We understand from the Custodian's office that the files have been prepared and are being forwarded.

Yours truly,

Enc.
VW.