Name of Claimant TANAKA, Morison Masamoto Case 762

Custodian File 4845

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	
					192.00 ~~192.00~~		426.38				426.38

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	426.38

1540

CASE NO. 762.

JAPANESE PROPERTY CLAIMS COMMISSION.

Lethbridge, Alberta,

October 6th, 1948.

IN THE MATTER OF THE CLAIM OF

MORISON MASAMOTO TANAKA

PROCEEDINGS AT HEARING.

Original

CASE NO. 762.

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 L. H. STACK, SUB-COMMISSIONER).

10 Lethbridge, Alberta,

October 6th, 1948.

IN THE MATTER OF THE CLAIM OF

MORISON MASAMOTO TANAKA.

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.
MRS. LUCIE HANDFORD,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

30

THE SECRETARY: Case No. 762, Morison Masamoto Tanaka.

MORISON MASAMOTO TANAKA, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Tanaka, I am showing you a summary of evidence in support of claim? A: Yes.

Q Was this prepared on your instructions and from material supplied by you? A: Yes, it was.

10 Q Is that your signature? A: Yes.

Q And you believe the same to be true and correct 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).

MR. RUSSELL: Your Honour, I am putting in a notice of assessment taken from the Custodian's files for the year 1943 from the District of Maple Ridge. The assessment altogether amounts to

20 $850.00.

(ASSESSMENT MARKED EXHIBIT NO. 2).

MR. RUSSELL: Q: This real property which you are claiming, you say you paid $750.00 for it?

A Yes.

Q Who did you pay that to, that money to?

A To my dad.

Q To your father? A: Yes.

Q And did you pay that in cash? A: Yes.

Q In cash? A: Yes, most of it

30 cash.

Q Most of it cash? A: Yes.

Q How was the rest of it paid? A: Oh, by work done.

Q And you say you cleared two acres at a cost of $510.00? A: Yes.

Q And you state the labour cost $400.00. Whose labour was that? A: Oh, mine and my brother's.

Q Did you have to pay your brother?

10 A No, we just kind of helped.

Q Well, you estimate that this cost of labour would be $400.00 had you paid somebody, is that right?

A Yes.

Q But you did it yourself and you value your own labour at $400.00, is that right?

A Yes.

Q I think that is all I have in this claim, sir.

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

20 I wish to tender as an exhibit a farm appraisal report.

(APPRAISAL REPORT MARKED EXHIBIT NO. 3).

MR. RICE: And two summaries respecting the real estate.

(SUMMARIES MARKED EXHIBIT NO. 4).

MR. RICE: That is all.

MR. RUSSELL: There is just one thing I want to draw to your attention. The land was sold for $192.00 that was assessed for in 1943 for $850.00.

THE SUB-COMMISSIONER: Yes. All right.

(Witness aside)

30 (PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify the transcript correct:
"S.R.HOWARD" Official Reporter S.R.Howard

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

L. H. Leach SUB-COMMISSIONER.

4845 ACKNOWLEDGED
Case No. 762.

NOV 27 1947

Leth

Proof of Claim

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

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

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

1. Name of Claimant in full: Morison Masamoto Tanaka

   Registration No. 13718

2. Claimant's address at the time of his evacuation from the protected area: 17th Ave. 22nd Road, Haney, B.C.

3. Claimant's present address: Diamond City, Alta.

4. Claim relating to real property:

   (a) Street address of real property:

   (b) Legal description of property:

   Municipality of Maple Ridge.
   Lots 13 and 14 of the S. W. ¼ of Sec. 22, Township 12,
   District of New Westminster.

VIRTUE & RUSSELL, Barristers, Lethbridge.

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

Fruit farm

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

Reg. Vol. Fol. 115190E

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

(I) Land— $ 1640.00

(II) Buildings— $

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

$ 1640.00

5. Claims relating to personal property, etc.

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

(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:

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

In the care of the 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:

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

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

7. An Interpreter will not be required.

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

S. Kumimoto
Witness to Signature of Claimant.

M. Tanaka
Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Morison Masamoto Tanaka
(Full Name of Claimant)

of Diamond City, Alta. Beet worker.
(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:

Received from the Custodian the sum of $189.00

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

DECLARED at Picture Butte

in the Province of Alberta,

this 13th day of November

A.D. 1947.

Roscoe D. Smith
A Commissioner for Oaths in and for the Province of Alberta.

M. Tanaka

VIRTUE & RUSSELL, Barristers, Lethbridge.

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. 124

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: Morison Masamoto Tanaka

2. Registration Number: 13718

EXHIBIT No. 762-1
DATE October 6-1948
FILLED BY W. S. Russell

3. Present Address: Diamond City, Alta.

4. Address Prior To Evacuation: 17th Ave. 22nd Road, Haney, 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)

Lots Thirteen (13) and Fourteen (14) of the South West Quarter of Section Twenty-two (22) Township Twelve (12) Map Three Thousand One Hundred and Eighteen (3118) SAVE AND EXCEPT that portion of said Lot Thirteen (13) as shown and outlined Red on Sketch deposited No. Six Thousand Four Hundred and Twenty-five (6425) in the District of New Westminster.

(a) Nearest Post Office adjacent to land. Haney, B. C.

(b) Number of acres: 10

(c) When purchased: 1938

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

Bushland (Timber)

No building

(e) Purchase Price ..... $ 750.00

6. IMPROVEMENTS:

(a)	Clearing 2 acres at $ ..... per acre	$ 510.00	Labour 400.00 Powder 65.00 fuse & caps 45.00
(b)	Fencing	$	
(c)	Tillage	$	
(d)	Drainage labour	$ 80.00	
(e)	Weed Eradication	$	
(f)	Planting 50 fruit trees at $4 each ½ acre raspberries	$ 200.00 100.00	
(g)		$	
(h)		$	
	Total	$ 890.00	$ 890.00
	Carried Forward	$	$ 1640.00

Brought forward $ 1640.00

(i) Buildings:

ITEM	SIZE	YEAR BUILT	MATERIAL COST	LABOR COST	COST (TOTAL)
			$	$	$
		NONE			

Total Cost of Buildings

Total Cost of Land and All Improvements ..... $ 1640.00

Fair Market Value ..... $ 1640.00

Sold by Custodian for ..... $ 192.00

Loss Claimed on Parcel 1 ..... $ 1448.00

8. Assessment for 1942:

Land ..... $ 750.00

Improvements .... $ 100.00

Total ..... $ 850.00

9. Appraisal or Valuation (by Custodian):

Lands ..... $ 196.27

Improvements ..... $ _____

Total $ 196.27

10. Rental Value per Year: $ 100.00 (see lease for 20% of crop proceeds)

11. Fire Insurance on Buildings: NONE

(List amount on each building):

..... $

..... $

..... $

..... $

12. Documents in Support:

(a) Photographs:

(b) Deeds Certificate of Title # 115190 E

(c) Agreements to Purchase

(d) Leases Masamoto Tanaka to Lily Hayton

(e) Insurance Policies

(f) Correspondence

(g) Assessment notice; District of Maple Ridge ,
Statement of Sale Price from Custodian
Letter from Custodian dated June 27, 1946

(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 ..... $ 1448.00

Parcel 2 ..... $

Parcel 3 ..... $

Parcel 4 ..... $

TOTAL: $1448.00

I Certify the above to be True and Correct.

Chas. M. Vert
Witness

M. Tanaka
Signature of Claimant.

Notice of Assessment, 1943. Corporation of The District of Maple Ridge

Roll No.	Lot	Block or Quarter	Section or D.L.	Twp.	Map	Acreage	Value of Improvements	Value of Land Exclusive of Improvements	
								Improved	Wild
2606	13 Lt E. 3K 6 + 5	4	22	12	3118	8.148	$ 100—	$ 700—	$
2607	14	4	22	12	3118	1.107		50—	

TAKE NOTICE that the above property is assessed as above for the year 1943 The first sitting of the Court of Revision will be held in the Municipal Hall, Haney, B. C., on the 8th day of February, 1943, at 10.00 a.m. Section 234 of the Municipal Act reads as follows:

"234. (1) If any person is of the opinion that an error or omission exists in or upon the assessment roll as prepared by the assessor, in that the name of any person has been wrongfully inserted in or omitted from the roll, or that any land or improvements within the municipality has or have been wrongfully entered upon or omitted from the roll, or that any land or improvements has or have been valued at too high or too low an amount, or that any land has been improperly classified, he may personally, or by means of a written communication over his signature, or by a solicitor, or by agent authorized by him in writing to appear on his behalf, come before the Court of Revision and make complaint of such error or omission, and may in general terms state his ground of complaint, and the Court shall either confirm the assessment or direct the alteration thereof.

"(2) The Municipal Council may, by its clerk, solicitor, or otherwise, make complaint against the said roll or any individual entry therein, and upon any ground whatever, and the Court of Revision shall deal with the matter of such complaint, and either confirm the assessment or direct the alteration thereof.

"(3) Every complaint shall be made in writing and shall be delivered to the assessor at least ten days prior to the first annual meeting of the Court of Revision."

"(4) Notwithstanding anything in this Act contained, no complaint to the Court of Revision as in this section provided, and no appeal to a Judge of the Supreme Court or to a County Court Judge as hereinafter provided, shall be sustained or allowed on the ground that any land has been valued at too high an amount in any case if the assessment of land complained of or appealed against is ten per centum or more less than the assessed value of the same land in and according to the revised assessment roll for the year immediately preceding, or on the ground that any improvements have been valued too high an amount in any case if the assessment of improvements complained of or appealed against is five per centum or more less than the assessment of the same improvements in and according to the revised assessment roll for the year immediately preceding.

L. W. Hawkins, Assessor, Haney, B.C.

File 4845
Regis # 13718

Masamoto Tanaka

R. R #1

Haney, BC.

C/o Custodian

R.P.2

EXHIBIT No. 762-2
DATE October 6-1948
FILLED BY
W. S. Russell

BC-179-P

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

Farm Appraisal Report

File No. J.L.271

Land Description Lots 13 & 14 of SW¼ Sec.22 Tp.12 Map 3118

Containing 8.347 Acres

Owner's Name TANAKA, Masanoto Post Office Address R.R.1, Haney

Nearest Rail Point Haney, C.P.R. Distance 2½

Market Town Haney 2½ miles. New Westminster, 23 miles Distance

Church (give denomination) All in Haney Distance 2½

Nearest School A.Robinson - Public Distance ½

State how property was identified: Road, post and map check.

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

Yes. It fronts on Baker Road; good gravelled municipal road.

Is this district a good one? Normally, yes.

Employment opportunity Limited to cannery, brickyard and two mills, 1-4 miles.

Predominating Nationality and religion: British, Protestant.

Describe Fencing and its condition: Nil. Value $

Water supply: Nil. Probable good domestic water found 10-20' - the usual arrangement in this vicinity. Value $

BUILDINGS ON FARM

4845

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	x							
	x							
	x							
BARN	x							
	x	NO BUILDINGS.						
BARN	x							
	x							
GRANARY	x							
	x							
	x							
	x							
	x							

EXHIBIT No. 762-3
DATE October 6-1948
FILED BY Trudie

Electric light along road frontage.

Total present day value $

Total Value Buildings add to farm $

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

$

Describe the basement and chimneys:

No. rooms downstairs? Upstairs? How finished

Are buildings painted? Condition of paint

Distance from nearst bush

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
1.88	Level	Sandy loam 8-10"	Clay & parts sandy.	Weed grown, neglected 2nd year straws, raspberries & blackberries.	$70.	$131.60
	There are 60 orchard trees 2 yrs, ~~80 - 5 yrs; mixed.~~					

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	
6.467	Practically level.	Sandy loam 8" to 10"	Clay generally, parts sandy.	Clear logged-off land, alder grown heavy.	$150.	$10.	64.67

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

8.347

Total value of Land $ 196.27

Total added by buildings to value of farm $ -

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

Total value of farm $ 196.27

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Very neglected; strawberries just about a wash-out; some blackberry and raspberry to follow; all badly grown up to high weeds. The 80 five-year old orchard trees will survive. I doubt if the 2-year olds will.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
It's little more than a start towards a fruit farm. Sufficient cleared land to warrant building a house.

Noxious weeds:
Thistle bad.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities:
Maple Ridge Municipal: Land, School & Library $25.55.

Date: 15th June, 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 11 day of June 1942.

Inspector's Signature "T. GODFREY"

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

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

Farm Appraisal Report

TANAKA, M.

Remarks: Sufficient land has been cleared here to warrant building a house.

Miss Lilian Hayton has rented the land for this season on a 80% of crop return basis. Association receipts to be taken and M.O. to be purchased and mailed to owner. Owner has other property. Miss Hayton has nothing to lose; lives near by and figured it a good way to put in spare time.

This will be a wilderness of weeds within a month.

(FOR ORCHARD LANDS ONLY)

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

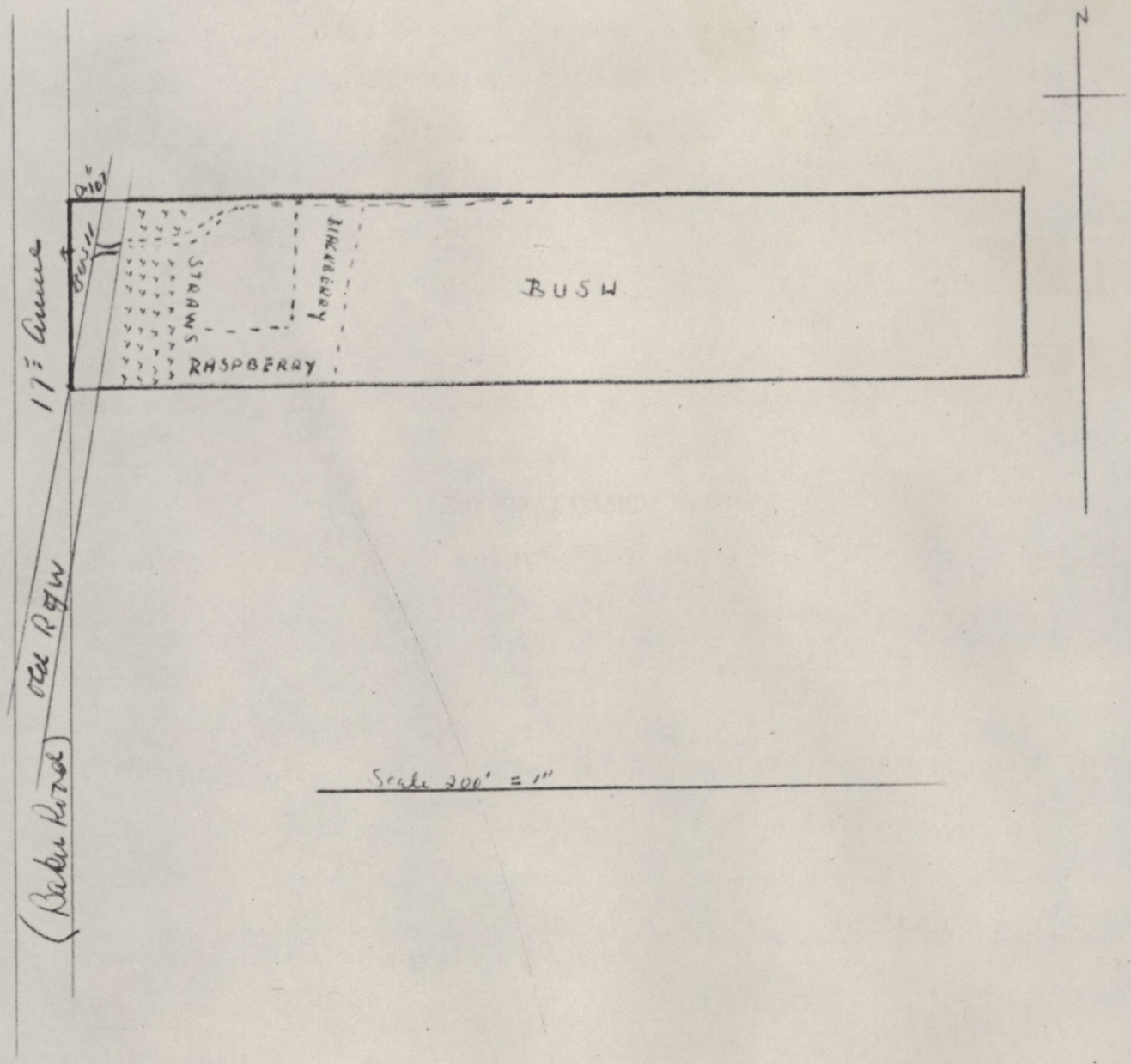
ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

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

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

Amount fruit trees add to value of farm $

Diagram of Property



Following careful review of this appraisal report, it is my opinion that the present value is $ 200.00

Date 16th June 1942

"I. T. BARNET"
District Superintendent.

762 - 4
EXHIBIT No.
DATE October 6-1948
FILED BY G.E.A.Rice

File 4845

REAL PROPERTY SUMMARY

JAPANESE NAME: Masamoto M. TANAKA - - Reg. No. 13718. V.L.A B.C. 179-P

CATALOGUE NO: Part of The Director The Veterans' Land Act first offer.

PROPERTY ADDRESS: 2917 - 22nd Road, Haney, B.C.

LEGAL DESCRIPTION: Lots 13 and 14 of the South West quarter of Section 22 Township 12 Map 3118 SAVE AND EXCEPT that portion of said Lot 13 as shown outlined Red on sketch deposited No. 6425 Municipality of Maple Ridge in the District of New Westminster.

TITLE: In the name of Masamoto TANAKA.

ENCUMBRANCE: Vesting 25083 - 10th December 1942.

ASSESSED VALUE: 1942 -
Land $750.00
Improvements $100.00 Total $850.00 Taxes $25.55.

CLASSIFICATION: Inspector reported December 7th, 1942, 2 acres of cleared land, 1 acre in raspberries and 50 large and 110 small fruit trees. The only building on the place was one packing shed 14 x 16. Occupied at date of inspection by Mr. HAYTON.

HISTORY OF ADMIN/ ISTRATION: Lease dated the 15th April 1942, Masamoto TANAKA to Lily HAYTON for 18 months from date of lease at a rental of 20% of the crop. There is no statement respecting this report but Mrs. HAYTON paid to the Custodian - $58.32. Lease was handed to The Director The Veterans' Land Act on the 1st August 1943.

SOLD: To The Director The Veterans' Land Act for $192.00 as at 1st January 1943.
Approval of Advisory Committee 1st June 1943.

FUNDS: Released to the credit of Masamoto TANAKA, sale price $192.00, plus amount of crop return $58.32, total $250.32; less taxes $28.11, Certificate of Encumbrance $1.00, registration fee $3.00, legal fee $15.00, total $47.11. Net amount released $203.21.

TITLE: Included in C. of T. 170841-E and payment of consideration included in cheque to the Custodian dated March 14th, 1942.

OLD C. OF T. NO. 115190-E: In possession of Masamoto TANAKA.

The above summary is certified to be in accordance with the information on file and on record by accounting department.

DATED May 23rd, 1946.
IM:ML

"Ian Macpherson"

(Part of Ex. 762-4)

File No. 4845 REAL PROPERTY SUMMARY FOR CLAIM May 27/48

CLAIMANT: (Mr.) Masamoto TANAKA Reg. No. 13718.

PROP. SUBJECT OF CLAIM: 2917 - 22nd Road, Haney, B.C. (V.L.A.)
being
Lots 13 and 14 of S.W.$\frac{1}{4}$, Sec. 22, Twp.12, Map 3118 SAVE & EXCEPT that portion of said Lot 13, shown outlined Red on Sk. 6425, Mun. of Maple Ridge, D.N.W.

CLAIM: Estimated fair market value as per claim: $1640.00
Custodian Cr. as per claim 189.00
(Actual Gross Selling Price $192.00)

CLAIM - $1640.00.

- -

REFERENCES	HISTORY
JP	Declared April 20th, 1942.
RP.1	C of E dated December 9th, 1942, notes vesting in Custodian.
RP.2	1943 Assessed Value Land $750.00 Improvements 100.00
RP.3	Valuation - V.L.A., June 11th, 1942, $196.27.
RP.4	Masamoto TANAKA advised of sale of property May 27/44, $192.00, and provided with Statement of Sale and Statement of Account.
	Statement of Account to date.

/JS "J. Spratt"

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

Nov.22/48 M. Tanaka