

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village		Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	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
					1005.		982.65			982.65
<u>PERSONAL PROPERTY</u>										
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 & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
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
<u>MISCELLANEOUS CHATTELS</u>										
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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
			46%	170.00	78.20					78.20
TOTAL RECOMMENDATION										1060.85

CASE NO. 949

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba,
27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

JIRO KAMIYA

PROCEEDINGS AT HEARING

IN THE MATTER OF "THE INQUIRIES ACT"
PART 1. REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

SUB-COMMISSION

B E F O R E

10 (THE HONOURABLE MR. JUSTICE A.G. BUCKINGHAM, SUB-COMMISSIONER)

Winnipeg, Manitoba,
 27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

JIRO KAMIYA

20

PROCEEDINGS AT HEARING

APPEARANCES:

F.M. FERG; Esq., Appearing for the
 Dominion Government.

S.M. CHERNIACK, Esq., Appearing for the
 Claimant.

G.N.R. UPTON, Esq., Official Interpreter

30 MARK H. PEARCE, Esq., Sr., Official Reporter.

K. Yamada,
In Chief.

MR. CHERNIACK: Your honour, in this case, Mr. Kamiya moved to Kamloops, British Columbia, and we attempted to have this case transferred, but we were too late to do so and it was out of the question for Mr. Kamiya to come here for this hearing. I understand from Mr. Dean he received a letter of authority which I suggested he attach to the claim and we can file that as an exhibit, or attach it to the claim.

THE COMMISSIONER: Attach it to the claim.

10 MR. CHERNIACK: And the witness before you now is the person authorized by the claimant.

KEIZO YAMADA, having been duly sworn, deposed as follows:

DIRECT EXAMINATION BY MR. CHERNIACK:

Q Mr. Yamada, I show you two typewritten statements. Was this prepared in accordance with your instructions?

A Yes, it is all right.

Q This is based both on information given by you and by
20 Kamiya? A Yes.

(Real Estate Statement, EXHIBIT 1.)

Q Now, we will go into that - this is your signature, is it? A Yes.

Q And this is Jiro Kamiya's? A Yes.

Q And you swear the contents of this to be true to the best of your information and belief? A Yes.

(S.S.B. Appraisal Form, EXHIBIT 2.)

Q Exhibit 1 sets out that Mr. Kamiya bought this section of land from you in 1940; is that right?

30 A Yes.

K. Yamada,
In Chief.

- Q Do you remember the month, was it summer or winter?
- A I think it was about September.
- Q Of 1940? A Yes.
- Q And he paid you how much? A \$1,500.00.
- Q Now, did you bargain with him for that price?
- A This is what they call a Sub-Agreement Sale, that place do not get the title yet.
- Q You mean you still owe money on it? A Yes, that is what is called a Sub-Agreement Sale.
- 10 Q You turned over to him your agreement to buy it?
- A Yes.
- Q Well, did you make any money on it?
- A He paid \$500.00 down.
- Q To you? A Yes, to me, but I paid it to the other owner.
- Q You mean you didn't get any part of that \$1,500.00?
- A The five hundred, the first payment.
- Q And the balance was to be paid to the other?
- A The balance wasn't paid at all.
- 20 Q He still owes it? A Yes.
- Q Was this part a much larger part of your land, was it next to yours or a separate piece?
- A It was a separate piece.
- Q When did you buy this piece of land?
- A I bought the whole pieces way back in 1924.
- Q And you sold this piece of something over thirteen acres to Kamiya? A Yes.
- Q For \$1,500.00? A Yes.
- Q Was that a good price, or too cheap, or too much; did you make a good deal? A I do not know, but
- 30

K. Yamada,
In Chief.

I do not want too much land and that is why I sold it to him.

Q Did he come to you and ask you to sell it to him or did you go to him? A He came to me.

Q Did you ask him more than \$1,500.00?

A No, I told him \$1,500.00.

Q And he was agreeable to that? A Yes.

Q According to this, when he bought it from you about ten acres was cleared and the rest was not cleared?

10 A There is the high land and it was not cleared, only half was cleared and the bottom was all cleared.

Q The bottom was all cleared and half of the high land was not cleared? A About an acre and a half was not cleared.

Q You said about one acre and a half was not cleared?

A About an acre and a half not cleared and the balance was cleared.

Q Did you have any ditching on the property when you sold it to him? A I did it myself before I
20 sold it to Mr. Kamiya.

Q How much ditching? A I do not know how long it was, my neighbour wanted ditch and he took half and I took half.

Q It says here that there is an open ditch 3 ft. x 3 ft. x about 700 ft., is that the ditch you put in, or is this the ditch that Mr. Kamiya did?

A I do not know. I dug myself 700 feet when I sold it to Mr. Kamiya and he didn't do anything.

Q And this well, did you dig the well, or did Mr. Kamiya dig it? A Kamiya dug the well.
30

K. Yamada,
In Chief.

- Q Now, according to this statement there was a four-room house and shed built in September 1941; was this built by Mr. Kamiya? A Oh, yes.
- Q After he bought the property? A Yes, there were no buildings at all when he bought it.
- Q Did you help him with this building at all?
- A Well, a few days.
- Q Did you live nearby? A Yes.
- Q Did you see how the building came up, slowly?
- 10 A Oh, yes.
- Q The building didn't have the basement in yet?
- A No.
- Q It was just prepared for basement? A They would dig the basement after the war and the house was five or six feet high on posts.
- Q According to this exhibit which you signed, the material cost seven hundred and the value of Mr. Kamiya's own labour and that of his friends' and yours about four hundred? A Oh, yes.
- 20 Q Costing about \$1,100.00? A Yes.
- Q Can you confirm that in any way? A I think that is pretty close.
- Q Have you built houses before? A That is my business, I am a contractor, but I work for a contractor in Winnipeg and I sometimes do my own contracting.
- Q Well, you know something about building houses?
- A Oh, yes, my house in B.C. I built it myself.
- Q And you have built other houses? A Yes.
- Q Since you know something about it, what do you say
- 30 when he says it cost him about \$1,100.00 to build that

K. Yamada,
In Chief.

house? Would you say that is about right, or cheap, or too much? A Well, I cannot say very well, it may be a little bit too much.

Q If an experienced builder built it it might cost less?

A Mr. Kamiya before coming to that place he was living at a brother's place. They built a small house on the brother's property and after he bought my place he moved this house.

Q So this house wasn't built on the land of your property?

10 A No, not all new.

Q Well, how old was that part that they brought over?

A It was 14 x 22.

Q That was the old part - how old was that part?

A Three or four years old.

Q Then they brought it to your property? A Yes.

Q And you say you built on the kitchen?

A Yes, another ten feet.

Q It is 22 x 28 now? A Yes, there was ten or twelve feet added on by a kitchen to make it bigger.

20 Q In your experience what would you say would be the cost of building that building on your land? How much would you say? A That is pretty hard to say because it is not all finished yet.

Q Well, as far as it went, how much would you say?

A About \$700.00, I would think.

Q \$700.00 for the whole house or \$700.00 for the material? A That is pretty hard to say, the material should be about four or five hundred dollars.

Q You think \$700.00 is too much? A I think so.

30 Q Mr. Kamiya says, and you say here in Exhibit 1, that

K. Yamada,
In Chief.

there was lumber left over to complete? A Yes.

Q Would that lumber, together with the lumber that went into the house be worth about \$700.00?

A I do not know how much lumber was left over, the house wasn't all finished yet.

Q What I want you to tell me, if you can, I want to know when you left the property how much you think that building had cost him, or should have cost him, from your experience, do you understand what I want?

10 A Yes. I would say material and lumber and everything about \$800.00.

Q You say about \$800.00 for material and labour for the house? A Yes.

Q That is for the old house and the addition, that is for everything? A Yes, I think that will be pretty close.

Q What about the shed? A Well, it is only a small one.

Q What do you think would be the cost of the labour and materials for the shed? A I remember the shed, 20 there was just a post on the north side.

Q Well, what do you think - Mr. Kamiya says \$50.00 and the man who looked at it after for the government, he says it is worth \$30.00, what would you say?

A There is \$20.00 difference there and I think I would settle for about \$40.00.

Q In this statement which you signed for Mr. Kamiya, you say that you think that the fair market value was of the land, that is more than 13 acres, and of the buildings was about \$2,500.00? A Yes. 30

K. Yamada,
In Chief.

Q If you think that is right, or if you think it is too much, say so, and if you don't know, I want you to say that too; just tell us what you really think.

A Well, I think there is \$200.00 more there. Mr. Kamiya figured about \$2,500.00, the house cost about \$800.00 and it was much cheaper then. Mr. Kamiya figured lumber and labour at \$1,100.00 but I told you about \$800.00 was pretty close and it was quite cheaper.

Q So you would say about \$200.00 off the 2500?

10 A Yes.

Q You would say about \$2,300.00? A Yes, somewhere there.

Q The Appraisal, Exhibit 2, shows this property to be half-a-mile from Pitt Meadows and thirteen miles from New Westminster fronting 116-1/2 feet on the Lougheed Highway.

MR. CHERNIACK: Your honour will note the house was boarded and locked up and apparently the Appraiser didn't see the inside of the house. This land, which was sold in September 1941, which was about nine months or so prior to the Appraisal, sold for something over \$100.00 an acre and the Appraiser gives his valuation at \$50.00 for the cleared land and \$20.00 for the uncleared land.

20

Q Do you remember if there was a crop on that property of strawberries or raspberries? A No.

Q You don't remember that? A No, there was no crop.

Q Well, on this statement that we put in as Exhibit 1 it says, Strawberries - one acre; Raspberries - one acre; you don't recollect that? A Before I sold it to

30

K. Yamada,
In Chief.

Mr. Kamiya I planted one acre of Raspberries, but I do not know whether it was good or not.

Q But you had actually planted in an acre?

A Yes, I planted an acre of everbearing Raspberries before I sold it to Mr. Kamiya.

Q According to the man the government sent down to look at the property, they say you had never broken any land; that is not true, is it?

A Sure, I ploughed it up.

10 Q Have you any idea how many acres you ploughed up?

A I didn't plough it up for a few years, but I did before.

MR. FERG: The Appraiser says that the kind and quality of property, it was in pasture all but the acre ploughed.

MR. CHERNIACK: Yes, just at the bottom he says, never broke any land. I see there is mention of an acre ploughed. In any event, that is real property and is a matter of value and there is nothing further, I don't think, we can do about that. I would like to bring to your honour's attention there is a claim made for chattels and that claim is sworn to, so to that extent
20 I submit there is a certain amount of evidence, but I realize it is not subject to cross-examination and for that reason it is not satisfactory. The witness is unable to give any information about these chattels and I would withdraw them, except for the reason that none of the chattels were sold by the Custodian in spite of the fact that certain goods were declared and certain other goods inventoried. I will file on behalf of my learned friend the Custodian's Analysis Sheet
30 as Exhibit 3 and I would like to point out that there

K. Yamada,

is a bed and a crib and a gramophone and a kitchen range and a heater, which was actually inventoried, but not accounted for under theft of chattels. There was also a claim made as to certain items which they say, "No record of, no account." A dining set was claimed and I will point out to your honour that the J.P. Declaration mentions tables. I note also there is mention made of inventory having been taken but the items are not shown. I would like to ask my learned friend to produce from his file inventory, so it will be before your honour. This is a report dated May 19, 1942, and it is with interest to note that this report shows, "Acreage: Strawberries - 1, Raspberries - 1." They are both marked out in pencil and a question mark placed beside them - we don't know who did that - and it indicates that the house is in good condition and it then lists the following goods as stored in the house: Heater, 7 chairs, bed complete, baby crib, gramophone and records, and kitchen stove.

(Custodian's Analysis, EXHIBIT 3.)

(Report dated May 19, 1942, EXHIBIT 4.)

I submit, therefore, that the dining suite was both declared and inventoried to the extent that tables were declared and seven chairs were inventoried. In the Analysis, Exhibit 3, it shows that J.P. Declaration and evacuation both 1948. I am sure that must be 1942, and assuming that 1942 is correct, it would appear that a matter of a month and three days elapsed between the evacuation and the inventory and that might explain the absence of the kitchenware and farm implements. I fully realize Kaniya is not here and cannot give

K. Yamada,
Cr. Exam.

evidence as to the date of purchase of these goods, or price paid. He is not subject to cross-examination and all we have to submit is his own sworn statement as to his estimate of value of these goods, which is shown in the claim itself. Thank you.

CROSS EXAMINATION BY MR. FERG:

- MR. FERG: It is submitted, your honour, that the real property was sold at its fair market value and with regard to the other articles of chattels we submit that the prices claimed are unfair and unreasonable and would like it noted that the claimant has not appeared and the Custodian reserves his defence as to the chattels and any evidence in connection with it.
- 10 Q You purchased this property, Mr. Yamada, from Frank Vickers Harris? A Yes.
- Q And when you purchased it, you purchased Lots One and Three? A That was a big place when I bought it.
- Q You bought the two lots? A Yes.
- 20 Q And subsequently you sold one of those lots to Kamiya? A Yes, two lots anyway.
- Q That would be Lots 1 and 3, the north part of Block "A", Lots 261 and 266? A Yes.
- Q What did you pay Frank Vickers Harris for Lots 1 and 3? A I bought 96 acres in one piece.
- Q When did you buy it? A 1924.
- Q From Frank Vickers Harris? A Yes.
- Q What did you pay for it? A \$1,500.00.
- Q For the whole 96 acres? A No, \$15,000.00.
- 30 Q You made another Agreement of Sale later with Frank

K. Yamada,
Cr. Exam.

Vickers Harris covering Lots 1 and 3; didn't you make an Agreement in 1940? A After I bought it I sold several lots from time to time.

Q Didn't you make another deal - you hadn't paid for this land to Frank Vickers Harris in full, had you?

A No.

Q And on the 12th of June, 1940, you made a new deal with Mr. Harris? A I think so.

10 Q To buy Lots 1 and 3? A This is a plan of the original purchase of the property which I bought from this man Harris. Subsequently, the Highway was put through here (indicating) and I sold this to the Municipality, which was about three acres. Subsequently, I sold a small portion here (indicating) as a gas station, and also a little piece here (indicating). My subsequent arrangement with Harris I returned this lower portion of the land to Harris and got this top portion.

20 Q In other words, the Highway was put through the property and it divided the 96 acres that you purchased in 1924?

A Yes.

Q The 96 acres originally purchased in 1924 was divided by a Highway. Mr. Kamiya returned to the original vendor all the land lying to the south of the Loughheed Highway?

A Yes.

Q And you retained the land lying north of the Loughheed Highway? A Yes.

30 Q And that land lying north was composed of Lots 1 and 3, being the north part of Block "A"? A I do not remember the numbers.

K. Yamada,
Cr. Exam.

- Q At any rate, you made a new deal with Harris in 1940 to purchase land north of the Lougheed Highway for \$2,000.00, that is what the agreement says; do you remember that? A That wasn't the price. I started to buy the place in 1924 and I paid every year but didn't get clear.
- Q While the agreement was a re-adjustment between Harris and yourself, and the balance you were to pay Harris was \$2,000.00? A Yes.
- 10 Q And that involved your previous transaction with him?
A Yes.
- Q How much land did you have left after you sold Lot 3 to Kamiya? A About 19 acres, all the rest was sold.
- Q And you sold Kamiya about 13? A Yes, that is right at the corner there (indicating).
- Q Well, you had the remainder of the land north of the Lougheed Highway? A Yes.
- Q So that the \$2,000.00 you were to pay Harris didn't
20 represent the actual purchase price of the land?
A Yes, that is correct.
- Q You washed up your previous deal and settled with him and this \$2,000.00 was the balance you owed him?
A Yes.
- Q Did you sell your land yourself or what happened to your land after evacuation? A I sold one acre before evacuation near the highway for \$300.00.
- Q Was it improved? A Yes, he wanted to build a house there.
- 30 Q Was it cleared? A No, half cleared.

K. Yamada,
Cr. Exam.

Q And what happened to the rest of your land, have you still got it, did the Soldier Settlement Board get it?

A I have a claim for mine.

Q You didn't sell it yourself? A No.

Q Did you ever get an offer for it? A No. Before I came here a fellow wanted to buy the property but I didn't want to sell it.

Q And no price was set or anything? A No.

Q Was Kamiya anxious to buy this property from you?

10 A Yes.

Q Did he mention the figure of \$1,500.00?

A I sold it to Mr. Kamiya for \$1,500.00 and I wanted to put down the payment on the \$2,000.00.

Q You wanted to pay Harris your \$2,000.00? A Yes.

Q Who set the price of \$1,500.00, you or Kamiya?

A I set my price.

Q He was anxious to buy it? A He says all right.

MR. FERG: That is all.

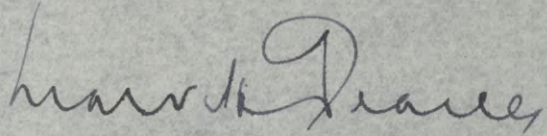
20 MR. CHERNIACK: I note on the Custodian's file a memo as to the 1942 Assessment. I would like my learned friend to put it on record, especially since his memo is wrong.

MR. FERG: The assessment in 1942 is land \$1,300.00 and fifty per cent improvements \$300.00, that is for Lot 3, Block "A".

MR. CHERNIACK: So the total assessment would be 2 x 3, 600 for improvements, 1,000 for land, or a total of \$1,600.00.

MR. FERG: That is the case.

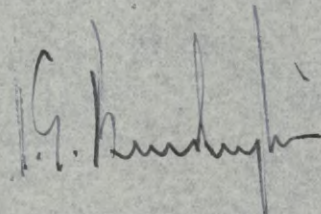
Certified to be a true and accurate transcript.



MARK H. PEARCE, Sr.,
OFFICIAL REPORTER.

CERTIFICATE

I, the undersigned Sub-Commissioner hereby certify that the foregoing 14 pages of typewritten matter contain a true and accurate record of the Sub-Commission held in the Law Courts Building, Winnipeg, Manitoba, at the time and date first above mentioned.



SUB-COMMISSIONER

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.

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

(1) NAME KAMIYA Jiro (RCMP) Reg. No. 14340
(Print) Surname Given Name

(2) Pre-Evacuation Address Pitt Meadows, B.C.

(3) Present Address Lot No. 2, Chevrier Blvd., Fort Garry, Man.

(4) REAL ESTATE

(a) Street Address (if any) Lougheed Highway, Pitt Meadows, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.) Rural Municipality of
Pitt Meadows, Lot 3 of the North Part of Block "A" of Lots 261 and 286,
Group 1, Map 6401, C. of T. 141944E

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

- (i) Farm
- (ii) ~~Residence~~ Type of business
- (iii) ~~Business~~
- (iv) ~~Any other type of property (describe)~~

(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 - - - - - \$

(ii) Buildings - - - - - \$

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 2500.00

(v) Amount at which Custodian sold property and credited your account - - \$ 1005.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 1495.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation Lougheed
Highway, Pitt Meadows,

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

(c) How stored or packed at time of evacuation Furnitures - Loose
Kitchenware - crated

(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")

In care of Custodian

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

1.	Dining Set	Estimated Value \$	50.00
2.	Bed and Crib	Estimated Value \$	40.00
3.	Gramophone	Estimated Value \$	10.00
4.	Kitchen Range	Estimated Value \$	40.00
5.	Heater	Estimated Value \$	10.00
6.	Kitchenware	Estimated Value \$	10.00
7.	Farm Implements	Estimated Value \$	10.00
8.	Linoleum	Estimated Value \$	15.00
9.	Firewood - 5 cds.	Estimated Value \$	20.00
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 205.00

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) - - - - - \$ 1700.00

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

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

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)
 Province of Manitoba)
 TO WIT:)

I, Jiro Kamiya of Fort Garry of the Rural Municipality in the Province of Manitoba,

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 City)
 of Winnipeg,)
 in the Province of Manitoba,)
 this 10th day of May)
 A.D. 1947.)

J. Kamiya
 A BARRISTER AT LAW ENTITLED TO PRACTISE
 IN THE PROVINCE OF MANITOBA.
 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.

Canada
Province of Manitoba
To Wit:

In the Matter of The Japanese Property Losses
Claims Commission.

I, JIRO KAMIYA,
of the Municipality of Fort Garry,
in the Province of Manitoba, Carpenter,
do solemnly declare that:

1. I am today completing a claim to the Commission in connection with property losses suffered by me as a result of the evacuation from British Columbia.
2. Early in December, 1947, I became ill and was confined to hospital and subsequently underwent two operations for mastoid.
3. I have been extremely ill and confined to bed from that time until the last few days and I was unable to do anything in connection with the preparation of this claim.
4. I have now been allowed to leave my bed for short periods, and this is the first opportunity I have had to prepare my claim and to have it completed.
5. I make this declaration for the purpose of inducing the Commissioner to accept the filing of this claim in spite of the delay in doing so.

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 City
of Winnipeg,
in the Province of Manitoba,
this 10th day of May,
A.D. 1948.

J. Kamiya
G. Cherniak

A BARRISTER AT LAW ENTITLED TO PRACTISE
IN THE PROVINCE OF MANITOBA.

A _____
in and for the Province of Manitoba

Dated _____

A.D. 194 _____

Province of Manitoba
Statutory Declaration

THE WILLSON STATIONERY CO., LTD.

CHERNIACK & CHERNIACK

BARRISTERS & SOLICITORS

460 MAIN STREET

WINNIPEG - MANITOBA

Y. S. Saito
R. R. #1
Kamloops, B.C.

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

Dear Sir:

In regards to your letter of August 31;
I have written to Cherniak &
Cherniak of Winnipeg to have
Mr. Leigo Canada to represent me at
the Winnipeg hearing.

I purchased my property from
Mr. Canada and he had been my
neighbour so I believe he will
be able to give all the required
information. However, if the
above mentioned is impossible
I would like to have arrangements
made to have my case heard in
Lethbridge.

Yours truly
Yiro Kanija.

C. S. SAITO
R. R. # 1.
Kamloops, B.C.

I, THE UNDERSIGNED GIVE FULL AUTHORITY
TO MR. KAIZUO YAMADA, OF ST. VITAL
WINNIPEG, TO REPRESENT ME AT THE JAPANESE
PROPERTY LOSS CLAIMS HELD IN WINNIPEG.

Jiro Kamijima
(JIRO KAMIYA)

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 42B

EXHIBIT No. _____

NAME Jiro KAMIYA

REG. No. 14940

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION <u>Apr. 10/48</u>	TAKEN BY <u>I.C. Bardwell</u>					
EVACUATION <u>Apr. 16/48</u>	DATE <u>May 19/42</u>					
<u>2 stoves</u>		<u>1. Dining set</u>				
<u>Beds</u>		<u>2. Bed & crib</u>				
<u>Tables</u>		<u>3. Gramophone</u>				
<u>Gramophone & records</u>		<u>4. Kitchen range</u>				
<u>Kitchen utensils</u>		<u>5. Heater</u>				
<u>Farmer's implements</u>		<u>6. Kitchenware</u>				
		<u>7. Farm implements</u>				10 00
		<u>8. Linoleum</u>				10 00
		<u>9. Firewood 5 cds.</u>				
		<u>\$205.00</u>				20 00

EXHIBIT No. 949-3
 DATE Sept. 27/48
 FILLED BY Claimant

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NOT ACCOUNTED FOR THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
				50 00				not declared - 7 chairs only inventoried
						40 00		
						10 00		
						40 00		
						10 00		
			10 00					
			10 00					
				15 00				
				<u>20 00</u>				
			20 00	85 00		100 00		
<p>Goods valued by claimant at \$20.00 declared not found. " " " " " 85.00 no record at anytime " " " " " <u>100.00</u> not accounted or, theft, etc. \$205.00</p>								

MRS

KAMIYA, Jiro

(Claimant's Name)

REAL ESTATE
(Farm Land)

14340

Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared or Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared	$3\frac{1}{2}$						
Cultivated not planted	8						
Cultivated and not in crop							
List Crops		1941	yamada	1500.00			
Strawberries	1				3 $\frac{1}{2}$ acres uncleared	none	land & bldgs. 2500.00
Raspberries	1						

Total 13.5

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

Description	When Made	Cost
Dug open ditch about 3' wide and 3' deep about 700' long		
Dug one well 12' cribbed		

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value - cost
House	4 rooms	22 x 28	frame on post house was high off ground so that basement could be built later, unfinished but left enough lumber to complete	Sept. 1941	700.00		400.00		1100.00
Shed		8 x 10	frame on post			bought material & own labour			50.00

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

I believe that the appraiser has considerably undervalued the land and buildings. I believe that the fair market value at date of sale was at least \$2500.00

EXHIBIT No. 944-1
 DATE Sept. 27/48
 FILLED BY Claimant.

JIRO KAMIYA
per.

K. Yamada
Signature

949-2
Sept. 27/48

Farm Appraisal Report

File No. JL 455

Land Description Lot 3 of the North part of Block "A" of Lots 261 & 286.
Gp. 1, Map 6401.
(No house number) Containing 13.144 Acres

Owner's Name KAMIYA, Jiro Post Office Address Pitt Meadows, B.C.

Nearest Rail Point Pitt Meadows, C.P.R. Distance 1/2 mile

Market Town New Westminster 13 miles. Good local delivery Distance

Church (give denomination) C. of E. and United Distance 3/4 mile

Nearest School Pitt Meadows Distance 1 mile

State how property was identified: Posts and Road.

Roads: State whether property has access to main road, the kind of road and its condition.
Yes. Property has 116.5 feet frontage on Lougheed Highway.

Is this district a good one? Quite fair and improving as water table is lowered.

Employment opportunity Local peat plant and brickyard and 2 mills. 4 to 6 miles.

Predominating Nationality and religion: British Protestant.

Describe Fencing and its condition: Barbed wire fenced all round-fair/repair, excepting north line which is dredge cut. Value \$

Water supply: Good dug well in the sand. Supply good. Value \$

BUILDINGS ON FARM

4218

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	21 x 28	frame	14	shgl	new	conc.	not fin.	400.00
Shed	8 x 10	"	8	"	"	wood	good	30.00
	X							
BARN	X							
	X							
BARN	X							
	X							
GRANARY	X							
	X							
	X							
	X							

Electric light along highway.

Total present day value \$ 430.00

Total Value Buildings add to farm \$ 430.00

Is dwelling habitable without repairs? Yes. If not what is your approximate estimate of cost to make it habitable? Boarded and locked up. Outside not sheeted, just the bare shiplap. requires siding and probable interior lining \$150 - \$200.

Describe the basement and chimneys: Brick chimney to ground.

No. rooms downstairs? ^{estimated} 4 Upstairs? - How finished Believed shiplap only.

Are buildings painted? No. Condition of paint -

Distance from nearest bush Trees quite close up.

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
11.06	practically level, clay loam pasture <i>11.06</i>	10" clay m. merging	clay	pasture, all but the acre ploughed	50.00	553.00
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
2.08	gently undulating, wooded <i>2.08</i>	1.5 dy. soil, deep <i>13.14</i>	sandy	clear large conifers	150.00	20.00
Area Unsuitable for Cultivation.						
	CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.		NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE		VALUE OF LAND PER ACRE	

Total value of Land \$ 594.60

Total added by buildings to value of farm \$ 430.00

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

Total value of farm \$ 1024.60

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

The cleared land has been pastured by Mr. Park for many years. Japanese owner has never broken any land.

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

Mixed farming.

Noxious weeds: Couch grass worst offender.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities:	Pitt Meadows, land school and library	\$30.45
	Maple Ridge Dyking & Drainage Dist.	
	Dyking	31.80
	Drainage	8.90
		<u>\$71.15</u>

Date: July 7, 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 3rd day of July, 1942.

Inspector's Signature

"T. GODFREY"

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

Farm Appraisal Report

J. H. 1155

Remarks: I have no information as to who is looking after the property. House is boarded up.

The long field is typical of the Pitt Meadows clay loam and has been pastured for many years, improving all the time. The peculiar approach from the highway to the cleared land is a decided light sandy soil, deep, with open sandy subsoil. Trees, conifers, are old and large, and are left parklike. In my opinion would be better as a small mixed farm than small fruits. Good location for poultry on the light soil.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation. Pasture still and has been for many years.

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

See taxes - 2.6 ac. high land, 10.50 low land.

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

Just pasture.

\$

\$

\$

\$

\$

\$

\$

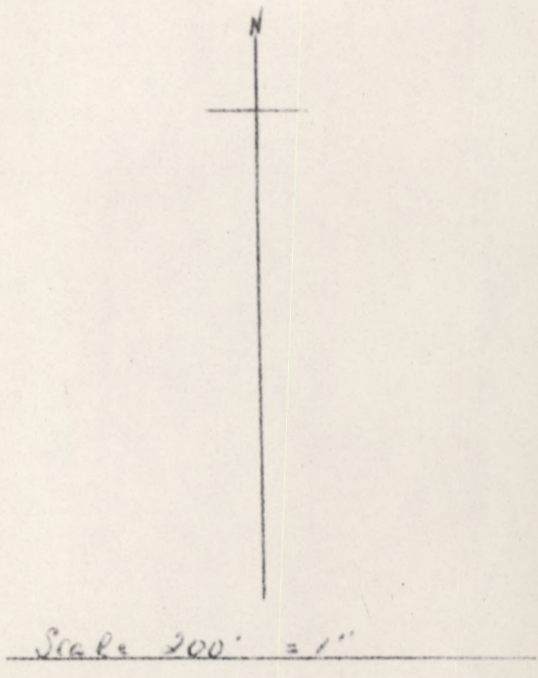
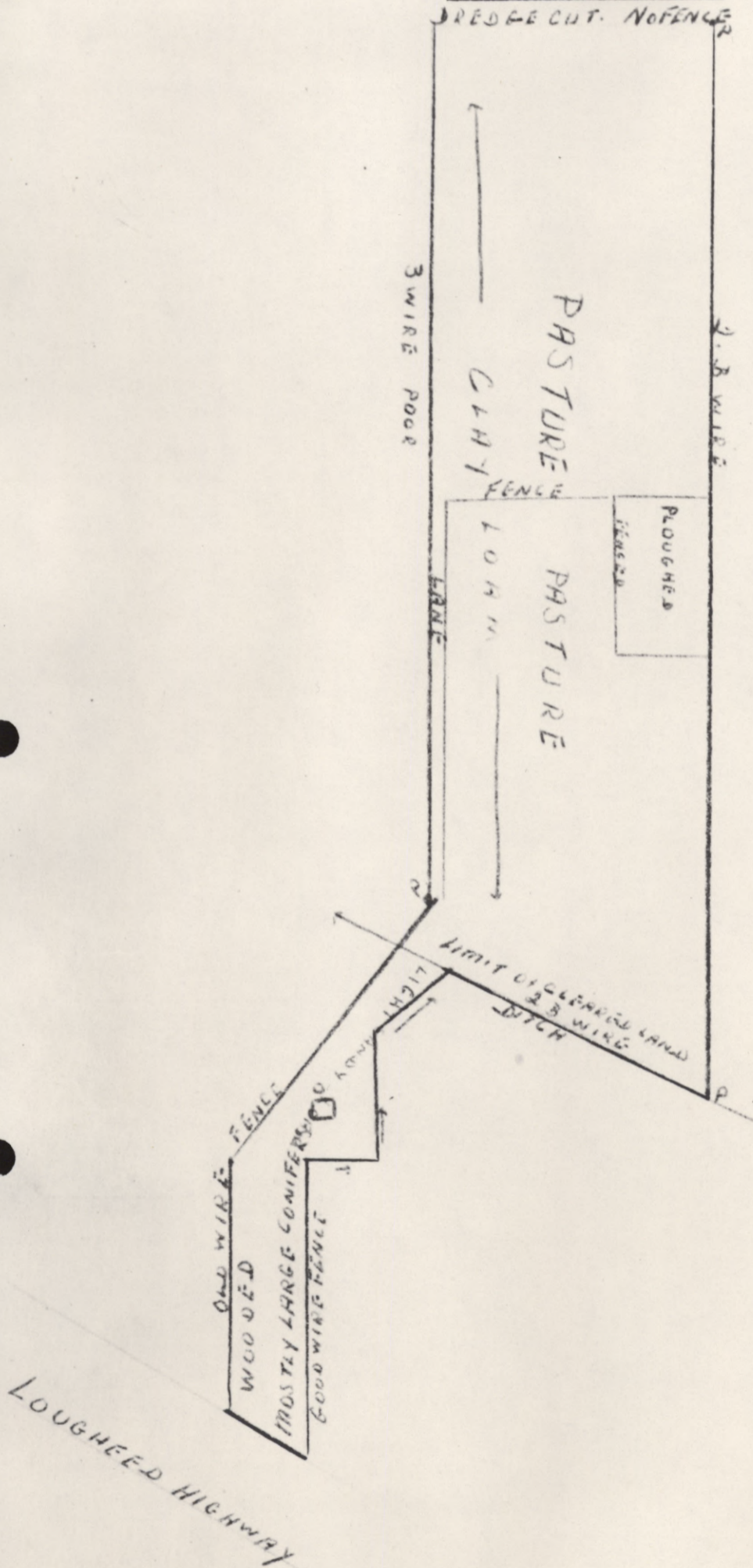
\$

\$

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 \$ 1000.00.....

Date 8th July, 19 42.

"I.T. BARNET"
District Superintendent.

R E P O R T
ON EVACUATED JAPANESE PROPERTY

File No. 4218

Date: May 19th, 1942.*Reg. no. 14340*MUNICIPALITY: Pitt Meadows

NAME: KAMIYA. Jiro.

ADDRESS: 35 Lougheed Highway. Pitt Meadows, B. C.

PROPERTY:

ACREAGE: 13.41 About 10 acres Bush land.

KIND OF CROPS: Strawberries. Rasberries.

APPROXIMATE ACREAGE OF EACH: *1.?* *1.?*

HOUSE: VACANT: yes OCCUPIED

DESCRIPTION: 1 Story wooden frame house. ROOF: Shingle

SIZE: 20 x 24. NO OF ROOMS 4.

CONDITION: good.

OTHER BUILDINGS: Woodshed.

NAME OF LESSEE OR RENTOR: Maurice Willey, Pitt Meadows, B. C.

TERMS: He pays the taxes only, and gets the crop. *(gross) pasture*

WATER: "Well" ON: OFF:

LIGHT: None there. ON: OFF:

REMARKS: Boarded up.

INVENTORY OF CHATTELS LEFT ON PROPERTY
Stored in the house.

Heater.

7 Chairs.

Bed complete

Baby crib.

Gramophone & records.

Kitchen stove.

Signed:

I.C. Bardwell.

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

Date: January 13, 1949.

E. L. Case
A. J.

May 12th 1948.

The Custodian,
Department of Secretary of State,
675 W. Hastings St.,
Vancouver, B.C.

Dear Sir,

We enclose herewith a claim
received this morning from Jiro KAMIYA, through
Messrs. Cherniack & Cherniack of Winnipeg.
Attached is declaration regarding reason for
delay.

Yours truly,

Enc.
VW.

949