

Name of Claimant SATO, Sumiko

Case 261

Custodian File 7038

<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
					1527		1167.37			1167.37
<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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										1167.37

CASE NO: 261.

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B. C.,

March 3rd, 1948.

IN THE MATTER OF THE CLAIM OF

SUMI SATO.

PROCEEDINGS AT HEARING.

Original.

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

10

Grand Forks, B.C.,

March 3rd, 1948.

IN THE MATTER OF THE CLAIM OF

SUMI SATO.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

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

R.J. McMASTER, Esq., appearing for the
 Claimant.

A. WATSON, Esq., Secretary.

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

G. HAMBLETON, Esq., Official Reporter.

30

S. Sato,
In Chief.

MR. McMASTER: My lord, I would like to call the case of Mrs. Sato who I think is on the last day of the list.

THE COMMISSIONER: No. 24.

MR. McMASTER: Yes.

(MRS.) SUMI SATO, the claimant herein,
being first duly sworn, testified
as follows:

DIRECT EXAMINATION BY MR. McMASTER:

10 Q Mrs. Sato, did you instruct me to draw this statement with regard to your claim relating to real estate, and is that your signature on the document?

A Yes.

Q Are the contents of that statement true, to the best of your knowledge and recollection?

A Yes.

MR. McMASTER: I ask to file that as Exhibit No. 1, my lord.

(STATEMENT MARKED EXHIBIT NO. 1)

20 MR. McMASTER: On behalf of my learned friend I will file the farm appraisal report of the Soldier Settlement Board as Exhibit No. 2.

(FARM APPRAISAL REPORT MARKED EXHIBIT NO. 2).

30 MR. McMASTER: My lord, if I might refer to Exhibit No. 1. The property is situated half a mile from Mount Lehman. It is 155½ acres approximately of uncleared land. It was purchased at tax sale by the claimant's father in 1921 for \$5500.00. At that time it was uncleared, and may at the time have been logged off. The claimant doesn't know. Some years ago they rented the place to a farmer who did some clearing and cultivating but that has not been kept

S. Sato,
In Chief.

up. The appraiser refers to some shack on the premises and the claimant states there are no buildings of value on the premises and comments with regard to the appraiser's report, "As indicated in the appraiser's report this was an excellent piece of farm land. There were a lot of trees on the property and we had many offers to pay stumpage if I would let them take the trees off. I never agreed to do so. The appraiser's information from the neighbour at page 3 of the appraisal report is incorrect." I will refer to that again, my lord.

THE COMMISSIONER: Yes.

MR. McMASTER: She states, "I inherited the property from my father who died in 1933". I might say, my lord, that it was actually transferred in 1941. "While I have no special knowledge of real estate value, I believe the property was worth at least \$40.00 per acre."

20 Now, my lord, referring to Exhibit No. 2, the appraisal report. First of all, at page 3 the reference to the neighbour in the claimant's statement, the appraiser said, "I understand from a neighbour that the owner has been in Japan for a long time and has offered to sell at six thousand dollars but of course there are no takers." The claimant says that that information from the neighbour is not correct.

Q How long was your father in Japan?

30 A He took a three months holiday, coming and going.

S. Sato,
In Chief.

Q In which year? A: 1929 to
1930. We left in December, 1929, came back around
the 1st of March.

Q Yes. And aside from that holiday from that time
after that, was he in Japan at all?

A No, that was the first time.

Q Are you aware of your father ever having offered
this property for \$6000.00?

A No, I don't know of anything like that.

10 Q Did you yourself ever offer it for sale for \$6000.00?

A No.

MR. McMASTER: Now, my Lord, referring also to Exhibit 2,
it is to be noted at page 3 that the appraiser says,
"This is not agricultural land except potentially.
Nevertheless it is rather a choice bit of land
potentially though situation at present is poor".

20 Then at page 2 in the second paragraph where
the typing appears, he states that it has been
logged off but much fire wood could be cut off it
now with some maple logs, also some alder large
enough for alder logs. It is a good soil, 6-16"
light clay loam on a bed of 6 feet good clay with
a heavier more impervious clay underneath."
The appraiser values it at \$10.00 an acre. It
might also be noted that the appraiser estimates
it would cost about \$125.00 per acre or up to
clear.

30 Now I would ask my friend if he would be good
enough to produce from the Custodian's file an
undated letter from Carlson & Anderson ^{offering} to cut timber

S. Sato,
In Chief.

on this land.

MR. HUNTER: What is the point of this, Mr. McMaster?

May I ask that?

MR. McMASTER: The point of the letter?

MR. HUNTER: Yes.

MR. McMASTER: I take it they asked the Custodian for permission to cut timber and pay stumpage.

MR. HUNTER: I am just wondering how you are going to prove that letter.

10 MR. McMASTER: Well, perhaps I might put it the other way, my lord. I can leave this matter ~~for~~ cross-examination and ask the Custodian when he is in the box whether he ever received this or any other offers to cut timber. It seems to me it will speed the procedure.

THE COMMISSIONER: Have you any objection to producing the letter as something on your file?

MR. HUNTER: I have no objection but I don't know what evidencial value it has at the present time.

20 THE COMMISSIONER: It will show nothing more than an inquiry has been made to the Custodian for the purchase of the timber.

MR. HUNTER: There were several inquiries ~~for~~ that, my lord. We are quite willing to admit that.

MR. McMASTER: Perhaps if my friend is willing to admit that, I don't need to file it, my lord.

MR. HUNTER: I don't say for timber, my lord, I am saying for firewood.

THE COMMISSIONER: Yes. You don't suggest there is merchantable timber on the land, do you, Mr. McMaster?

30 MR. McMASTER: It would appear from the Soldier Settlement

S. Sato,
In Chief.

appraisal, my lord, that there may be some and I notice the phrase used here is "Although there is considerable timber on the place"--no, he says it wouldn't be a paying proposition to take the timber off. It would be firewood, my lord.

THE COMMISSIONER: I will take it then that Mr. Hunter concedes there were inquiries of the Custodian with a view to acquisition of the wood on the land.

MR. McMASTER: Yes, correct.

10 THE COMMISSIONER: Does that suit you, Mr. Hunter?

MR. HUNTER: Yes, my lord, for firewood.

THE COMMISSIONER: Yes.

MR. McMASTER: Now my friend has on his file, my lord, a notice of an appeal, of an assessment for tax purposes. I don't know whether he is prepared to admit the assessed value of the land as shown on that notice or whether he succeeded in getting the assessed value reduced on the appeal. The file doesn't disclose it.

20 MR. HUNTER: The assessed value in '43, my lord, was \$5,084.00, the total of \$3,084.00 for the land and \$2,000.00 for what they called improvements which were the subject of the correspondence. This letter here which I am quite willing for my friend to see shows how they arrived at their improvements.

MR. McMASTER: Do I understand, my lord, from my friend that the Custodian is not disputing the assessed value of the land but only the improvements?

30 MR. HUNTER: I can't admit that, my lord. I don't know what the situation is in regard to that.

S. Sato,
In Chief.
Discussion.

THE COMMISSIONER: Very well.

MR. McMASTER: But the assessed value of the land at that time, my lord, was \$5,084.00.

THE COMMISSIONER: We have it that that is the Municipal assessment for what it is worth.

MR. McMASTER: Yes.

Q Witness, at the time you had this property transferred from your father's name into your own name, that was quite a bit after your father's death, was it?

10

A: Yes.

Q And what arrangements did you make to have the property transferred; who did you instruct to undertake the transfer of the property?

A Black & Pearce, is it?

Q They are solicitors in Vancouver?

A Yes.

THE COMMISSIONER: Black and Pearce.

MR. McMASTER: Black and Pearce, yes, my lord.

Q And at that time do you recall giving them any information as to what the value of the land was?

20

A No, I guess all I had was the tax papers and they probably saw that.

Q So that when they registered the deed in your name, did they declare any value with your instructions?

A I don't remember, but I remember there was a value in the paper but I forget what it was.

THE COMMISSIONER: Well that is a matter that can be proved by the filing of the affidavit of value, I should think.

30 MR. McMASTER: Yes, my lord.

S. Sato,
In Chief.
Discussion.

THE COMMISSIONER: Q: When did your father die, Miss Sato?

A I beg your pardon?

Q When did your father die? A: March,
1933.

Q 1933? A: Yes.

Q Was he living in Canada at the time of his death?

A Yes.

THE COMMISSIONER: All right, Mr. Hunter.

MR. McMASTER: Your witness, Mr. Hunter.

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

CROSS-EXAMINATION BY MR. HUNTER:

Q I wonder, Miss Sato, if you know this chap
Méalder, who made several offers to the Custodian
in connection with the purchase of wood? Was he
a neighbour or anything? You have never heard of
him? A: I have had a few names or

20 a few names of people offering to cut wood and
things, but I can't remember who they were.

MR. HUNTER: I think that is all, my lord. It is a
straight question of value.

THE COMMISSIONER: Thank you, Miss Sato, that is all
we require.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton

"G. HAMBLETON"
Official Reporter.

Case 261.

DEC -2 1947

30 Wednesday Jan 28

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

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

ACKNOWLEDGED
W

7038

G. Fisher
Kamloops

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

(1) NAME SATO SUMI (RCMP) Reg. No. 01270
(Print) Surname Given Name

(2) Pre-Evacuation Address Vancouver, B.C.

(3) Present Address Brookmere, B.C.

(4) REAL ESTATE

(a) Street Address (if any) Municipality of Matsqui, Mt. Lehman
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.) The Fractional North-East quarter of Section 12, Township 14, Sevens and Except therefrom two portions, viz. - 2.27 acres conveyed to the Vancouver Power Co. as shown on sketch No. 143 and 2.22 acres conveyed to the Canadian Northern Pacific Railway Co. as shown in the District of New Westminster

NOTIFIED

(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 - - - - - \$ 6,500
(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) - - - - - \$ 6500 00

(v) Amount at which Custodian sold property and credited your account - - - \$ 1527 00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 4973 00

(5) PERSONAL PROPERTY

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

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

(c) How stored or packed at time of evacuation

(over)

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

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

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

TOTAL CLAIM FOR PROPERTY LOSS \$ _____

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

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$ 49,730.00)

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

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

Vancouver, B.C.

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)
County of Yale)
TO WIT:)

I, Sumi Sato
of British Columbia

of the Valley
in the Province of British Columbia

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 Minneapolis
of Minnesota
in the Province of British Columbia
this 29th day of November
A.D. 1947. [Signature]
Commissioner for taking Affidavits

Sumi Sato
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.

REAL ESTATE
(Farm Land)

Mrs. SUMI SATO
(Claimant's Name)

01270
Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared Cultivated not planted Cultivated and not in crop List Crops	155.5	Feb 10/21	2nd sale	\$5500 ⁰⁰ Cash.	Uncleared	May have been topped off at that time	\$6500 ⁰⁰

Total

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

Description	When Made	Cost
Some years ago rented to a farmer who did some clearing and cultivated. (not kept up.)		

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
No buildings of any value.									

EXHIBIT No. 261-1
DATE 3 Mar 1948
FILED BY R. J. McMaster

Comments re Appraiser's report not covered by above information: As indicated in the appraiser's report this was an excellent price of farm land. There were a lot of trees on the property and we had many offers to pay stumpage if I would let them take the trees off. I never agreed to do so. The appraiser's information from the neighbor (Page 3) is incorrect. I inherited the property from my father who died in 1933. While I have no special knowledge of real estate values I believe the property was worth at least \$40⁰⁰ per acre.

S. Sato
SIGNATURE

Farm Appraisal Report

Matsqui

File No. J.L.174

Land Description Frac. NE 1/4 Sec. 12 Tp. 14 except 2.27 acs. conveyed to Vancouver Power Co., as per Sk. 143, and 2.22 acs. conveyed to Can. Nor. Pac. Rly. Co., Sk. 4541. Containing 155.51 Acres

Owner's Name SATO, Sumi Post Office Address Mt. Lehman, B.C.

Nearest Rail Point Mt. Lehman Distance 1/2 mile

Market Town Abbotsford Distance 8 "

Church (give denomination) Protestant denominations Mt. Lehman Distance 1/2-1 mile

Nearest School Mt. Lehman Distance 1 mile

State how property was identified: Map, roads, neighbour.

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

Poor access at north west corner on Taylor Road. Access through a neighbour's property (in use) at south west end. Not good.

Is this district a good one? Fair.

Employment opportunity Seasonal farm work, berry picking; logging obtainable miles from home.

Predominating Nationality and religion: British, Protestant.

Describe Fencing and its condition: Practically unfenced; Railway fences and neighbour's fences in places. Value \$

Water supply: Creek; well easily obtainable. Value \$

BUILDINGS ON FARM

7038

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	X							
	X	There is an old shack 12x16 without value.						
	X							
BARN	X							
	X							
BARN	X							
	X							
GRANARY	X							
	X							
	X							
	X							

EXHIBIT NO. 261-2
DATE 3 Mar 1948
FILED BY P. J. McManis

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 nearest bush

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
<p>There were 6 acs. in cultivation 20 years ago I am told. This is in evidence with a few cherry trees now surrounded by bush at shack. There is about 1 acre which could now be easily wrung back. The property must be regarded as a bush proposition.</p>						
<p>Area which can be cultivated without cost other than for breaking.</p>						
<p>Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.</p>						
155.51					\$10.	\$1555.10
<p>The whole place with little waste could be converted to agricultural land at a cost of \$125. per acre up. It has been logged off but much firewood could be cut off it now with some maple logs, also some alder large enough for alder logs. It is a good soil 6-16" light clay loam on a bed of 6" good clay with a heavier more impervious clay underneath.</p>						
<p>Area Unsuitable for Cultivation.</p>						
<p>CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.</p>			<p>NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE</p>		<p>VALUE OF LAND PER ACRE</p>	

Total value of Land \$1555.10

Total added by buildings to value of farm \$ nil

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

Total value of farm \$1555.10

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

Not occupied for years. Owner is in Japan, I am told.

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

Mixed farming.

Noxious weeds:

Natural ones only.

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

Matsqui - \$124.59

Date: 12th June, 1942.
Place: Chilliwack, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 12 day of June 1942.

Inspector's Signature

"R. L. RAMSAY"

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

Farm Appraisal Report

SATO, S.

Remarks: This is not agricultural land, except potentially.

I understand from a neighbour that the owner has been in Japan for a long time and has offered to sell at \$6000.00 but of course there are no takers. Nevertheless it is rather a choice bit of land potentially though situation at present is poor.

There are no crops. It lies immediately north and adjoining the Katsura place which Mr. Brown appraised.

(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 \$

Suni SATO.

Frac. N.E. $\frac{1}{4}$ Sec 12, Tp. 14, Except 2.27 acs to Van. Power Co and
Diagram of Property " Can. N.P. Railway Co.

As this is now all bush with no improvements no sketch would seem
necessary

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

value is \$ 1000.00

Date 17th June 19 42

"I. T. BARNET"

District Superintendent.

#22

III

