

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% 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		
					122.50 ( $\frac{1}{2}$ interest)					500.00
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 & 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 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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										500.00

CASE NO: 631.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,  
August 30th, 1948.

IN THE MATTER OF THE CLAIM OF  
MASATOSHI OKANO.

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

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

10

Lethbridge, Alberta,  
 August 30th, 1948.

IN THE MATTER OF THE CLAIM OF  
MASATOSHI OKANO.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C., appearing for the  
 Dominion Government.

L.S. TURCOTTE, Esq., appearing for the  
 Claimant.

---

MISS LILLIE THOMAS, Secretary.  
 MRS. LUCIE HANDFORD, Official Interpreter.  
 S.R. HOWARD, Esq., Official Reporter.

30

M. Okano,  
In Chief.

THE SECRETARY: Case No. 631, Masatoshi Okano.

MASATOSHI OKANO, the claimant herein, being  
first duly sworn, testified as  
follows:

DIRECT EXAMINATION BY MR. TURCOTTE:

Q Mr. Okano, will you just sign this form, please,  
(indicating)?

A (Witness complies).

Q You are making a claim, Mr. Okano, for the loss  
10 arising out of the sale of an unimproved piece of  
land at the Coast?

A Yes, sir.

Q You are claiming for a half interest?

A Yes, sir.

Q Who is the owner of the other half interest?

A It is my dad, Kumanosuke Okano.

Q What? A: Kumanosuke Okano.  
K. Okano.

Q K. Okano? A: Yes.

20 Q I am showing you a statement showing when you  
bought the land, what you paid for it, and from  
whom you bought it?

MR. RICE: Just to get his father's name.

MR. TURCOTTE: Kumanosuke.

MR. RICE: Kumanosuke.

MR. TURCOTTE: Yes.

Q It is K-u-m-a-n-o-s-u-k-e, is that right?

A Yes.

Q Is this statement correct to the best of your  
30 knowledge and information and memory (indicating)?

M. Okano,  
In Chief.

A Yes, that is right, sir.

(STATEMENT MARKED EXHIBIT NO. 1).

Q And in that statement you say that you bought this land in 1935?

A Yes.

Q From McAfee? A: Yes, Bill McAfee.

Q For \$400.00? A: Yes.

10 Q And you now claim it is worth \$2000.00, is that right?

A Yes, sir.

Q Why do you say that the land was worth \$2000.00 in 1942? A: Why is it worth that much in 1942?

Q That is right.

A You see, at the time we bought it, of course it was after depression, or I am not very sure, but it was near the depression, and the stumpage on the logs wasn't so high.

20 Q Yes. A: But around the duration of the war, or after the war, the price of the logs just went sky high.

Q I see. Well what is the basic value then of this land? You are talking about logs. Is there something on this land?

A Well, the only thing that produces from this land is logs.

Q Well there are trees on the land, is that right?

A Yes.

30 Q And that is the valuable part of the land, is that

M. Okano,  
In Chief.

- right? A: Yes, sir.
- Q The trees? A: Yes, sir.
- Q And have you any idea, not how many trees, but how much lumber there was?
- A Well I bought that in 1935 but this man, Bill McAfee, he got it surveyed, each tree by tree, because he used to be a logger.
- Q Yes. X A: And he got the special man that surveys the logs and he
- 10 said there was 50,000.
- Q 50,000 what, feet? A: Yes, sir.
- Q What kind of trees?
- A It is mostly Douglas fir and cedar.
- Q Mostly Douglas fir and cedar?
- A Yes.
- Q So that you are valuing that at \$4.00 a thousand, is that it?
- A Yes, sir.
- Q And that at fifty thousand feet is \$2000.00?
- 20 A Yes, sir.
- Q Now the Custodian says that those trees, if they were cut down would be only good for fuel, that is, firewood; what have you to say about that?
- A Well some trees could be made for firewood but the smaller wood or log could be made for a railroad tie because they actually cut a few out of there for railroad ties.
- Q They cut some out of there for railroad ties?
- A Yes.
- 30 Q Off this property?

A Yes, they cut some out of it.

Q When?

A Oh, I believe that would be 1931.

Q 1931? A: Yes.

Q Now what I am getting at is this; which story is  
basically correct, your statement that there is  
fifty thousand feet of lumber there at \$4.00 a  
thousand or the Custodian's statement that most of  
the timber is only suitable for fuel? Which  
10 picture is correct; your picture or his?

A Well, I don't know what happened after I left but  
at the time I ~~was~~ there there was a very nice timber  
for logs, I am sure of that.

Q For logs?

A Yes.

Q In any event, and this is a question right out of  
the blue and in the dark, what would timber for fuel  
be worth in 1942?

A In 1942 we used to pay \$8.00 a cord, I am quite  
20 sure.

Q Well now, how would that compare with \$4.00  
a thousand, \$8.00 a cord?

A Well, the fuel wood, I mean the wood that you  
use for fuel, and the logging wood, is a different  
thing altogether.

Q I see. Well is there any way of comparing \$8.00  
a cord for fuel wood and \$4.00 per thousand for  
lumber on this 50,000 feet of lumber? What would  
be the difference in value in that amount of lumber?

30 That is what I am getting at, if you can give me

M. Okano,  
In Chief.

that. I don't know whether you can. Suppose you cut all that 50,000 feet of timber for fuel wood. How much at \$8.00 a cord would it bring?

A Well, let's see, gosh, I haven't got it.

Q Is it worth more or less?

A Well, firewood would be less.

Q Less? A: Yes.

Q Well, how much? A: I used to remember that but I just can't estimate it.

10 Q You see what I am trying to get at is that maybe the Custodian is putting the value of firewood up as high as you anyway, but if you can't answer that you will get it from someone later on who knows.

A Yes, I have no knowledge of that.

Q Has your father made a claim?

A Pardon?

Q Has your father made a claim?

A Yes, he has.

20 Q How about his values? Do you know whether he has claimed the same amount as you or not?

A Well dad was telling me this morning that he couldn't understand English and the Interpreter kind of couldn't understand him very well either, and he said there might be a slight difference where they asked him how much did he pay for that place and he said \$400.00, and then after he asked him how much the land valuation is now and he thinks he said \$400.00 again, so far as what he figured out, so that if you can check that up



for me I will be very glad.

Q But his claim was for a thousand dollars, too,  
was it? A: Yes, sir.

Q All right.

CROSS-EXAMINATION BY MR. RICE:

Q You say you paid \$400.00 for this property, did  
you?

A Yes, sir.

10 Q That was in 1935?

A Yes, sir.

Q And in 1942 it was worth \$2000.00?

A Yes, sir.

Q And you hadn't done anything to it?

A Yes, sir.

Q Had you taken any timber or wood off the property?

A No, sir, we haven't taken any out.

Q You took enough out of there for your own firewood,  
didn't you?

20 A No, sir. We had enough on the fifty acres we  
had down at the settlement. It is quite a ways  
from our establishment down where we were at.

Q Well what did you do with this property from  
'35 to '42?

A We just left it the way it was.

Q Pastured it? A: No.

Q Did nothing to the property?

A No, sir.

MR. TURCOTTE: Hoping for the unearned increment.

30 MR. RICE: Q From 1935 to '42, 7 years, it had grown

M. Okano,  
Cross-Exam.

\$1600.00 in value?

A Yes, sir.

Q Over \$200.00 a year?

A Yes, sir.

Q I suppose by now it is worth quite a bit of money?

I would like to point out to your Honour  
that this claim was part of another case, No. 498,  
heard before Mr. Justice Bird on the 1st of April,  
1948, in which this claimant's father, Kumanosuke  
10 Okano's claim came up for hearing. Mr. Huckvale  
was acting for the claimant.

THE SUB-COMMISSIONER: Yes.

MR. RICE: Q: How old are you?

A I am thirty-three now, sir.

Q Thirty-three?

A: Yes, sir.

Q When you bought this property you were twenty-six?

MR. TURCOTTE: Twenty, wasn't he? It would<sup>not</sup>/be twenty-six.

A No, it wouldn't be twenty-six.

MR. RICE: Q: Not twenty-six?

20 MR. TURCOTTE: That was thirteen years ago. It is 1948  
now.

MR. RICE: Oh yes.

A I don't think I was old enough to get a title.

Q You weren't old enough?

A No.

Q You were about twenty years old?

A Yes, sir.

Q And at that age you had visions of this property  
increasing in value at the rate of \$200.00 a year?

30 A Yes, sir, it is not only the growing of trees but

M. Okano,  
Cross-Exam.

as you know after the duration of war and after the war the prices of the wood just went right up.

Q How long does it take a Douglas fir to become of any value? How many years does it have to grow?

A You mean ready to cut into timber?

Q Yes.

A Gosh, they used to count the rings on the stump but I think it takes in the neighbourhood of  
10 250 years.

Q Well, the way you have it figured in 200 years this property should be worth a lot of money. That is all.

THE SUB-COMMISSIONER: That is all, thank you.

THE WITNESS: Thank you, sir.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

20

*J. S. R. Howard*  
"J.S.R. HOWARD"  
Official Reporter.

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

*J. M. Mansour*  
SUB-COMMISSIONER.

30

2139 Case No. 631.

NOV 27 1947

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

ACKNOWLEDGED

To: The Commissioner,  
Office of the Custodian,  
Royal Bank Building,  
Vancouver, B. C.

AW

Leth.

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

(1) Name OKANO MASATOSHI (RCMP) Reg. No. 10063

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

(3) Present Address Magrath, Alberta.

(4) REAL ESTATE

(a) Street Address (if any) \_\_\_\_\_

(b) Legal description (lot number, block number, section number)

Section one (1), Range one (1) East, North Salt Spring Island,  
Cowichan District.

(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.)

Owner of one half interest.

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

(i) Land - - - - - \$ 2000.00

(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) - - - - - \$ 2000.00

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

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - - - \$ 200.00  
1780.00

(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 \_\_\_\_\_

(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 the Custodian

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

1.	_____	Estimated Value	\$	_____
2.	_____	Estimated Value	\$	_____
3.	_____	Estimated Value	\$	_____
4.	<u>nil</u>	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) \$ \_\_\_\_\_

Loss of one half claim ----- \$ 890.00

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

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

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

DOMINION OF CANADA }  
of }  
TO WIT. }

I, Masatoshi OKANO of Magrath of the town in the Province of Alberta.

DO SOLEMNLY DECLARE THAT:

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

DECLARED before me at the town }  
of Magrath }  
in the Province of Alberta. }  
this 21st day of November }  
A.D. 1947. }  
*[Signature]*

} Victor Masatoshi Okano  
} 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.

Masatoshi, Okano  
(Claimant's Name)

REAL ESTATE  
(Farm Land)

10063

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	100	1935	W. McAfee	\$400.00	Uncleared	Nil	\$1000.00 for 1/2 interest

Total

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

Description	When Made	Cost
-------------	-----------	------

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
-----------	------	------	--------	------------	---------------	-----------------	---------------------	----------------------------	-----------------

EXHIBIT No. 631-1  
DATE August 30/48  
FILED BY R.S. Swette

Comments re Appraiser's report not covered by above information: This land is all covered with timber and in 1942 there was timber on it to the value of \$2000.00. There were 50,000 feet of Douglas fir and cedar valued at \$4.00 per thousand. There is a gravelled road close to the property at one point. I dispute the Custodian's claim that the timber was only suitable for fuel. I claim that the Douglas fir and cedar on this property was saleable timber and the smaller timber could be used for railroad ties.

Masatoshi Okano  
Signature