

<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	80% of all Sale Prices		Sale Price	125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
					366.00		429.06			429.06
<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 CHATELS</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			
TOTAL RECOMMENDATION									429.06	

CASE NO: 907

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba.

September 15th, 1948.

IN THE MATTER OF THE CLAIM OF

MASAO ITO

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.

September 15th, 1948.

IN THE MATTER OF THE CLAIM OF

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MASAO ITO

PROCEEDINGS AT HEARING

APPEARANCES:

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

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

- - - - -

SHIGRU HIRAYAMA, Esq., Official Interpreter.

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MARK H. PEARCE, Esq., Official Reporter.

M. Ito.
In Chief.

MASAO ITO, the Claimant herein being
first duly sworn, testified as follows:-

DIRECT EXAMINATION BY MR. CHERNIAK:

Q Mr. Ito, I show you a typewritten statement, was
this prepared in accordance with your instructions?
A Yes.

Q And was it prepared with the help of your
father? A Yes.

Q And is that your signature?

10 LA Yes.

Q Do you swear the contents to be true to the best
of your knowledge, information and belief?

A Yes.

MR. CHERNIAK: I tender this as Exhibit 1, Your
Honour.

(REAL ESTATE STATEMENT, EXHIBIT 1.)

MR. CHERNIAK: And on behalf of my learned friend
I will tender the S.S.B. Appraisal as Exhibit 2.

(S.S.B. APPRAISAL, EXHIBIT 2.)

20 MR. CHERNIAK: Your Honour will note from Exhibit
1 that this property was purchased in December
1933, by the Claimant's father Katsutaro Ito
for \$700.00 from Mr. N.G. Knotts. I have on file
and I am showing to my learned friend an agree-
- ment of sale dated December 6th, 1933 from
Knotts to Katsutaro Ito, affecting this land for
a consideration of \$700.00. I might say that
this Claimant's father is in Court and can give
evidence in this respect should my learned
30 so desire. I also have on file and I am showing

M.Ito.
In Chief.

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to my learned friend a Certificate of Title, number 148388-E, dated January 20th, 1942, in the name of this Claimant Masao Ito. At the time this property was purchased by the Claimant's father it was all bush and on the date of evacuation about four acres had been cleared and one acre had been partially cleared. This is indicated by the appraiser in Exhibit 2. The Claimant sets out that they had one building on the property consisting of a shack with a lean-to, both constructed in 1934 with cedar siding and shingle roof and the estimated value of same is indicated at \$300.00. The Claimant sets out that the appraiser has substantially undervalued the land and buildings and he believes that the fair market value at date of sale was at least \$1,300.00. Turning now to Exhibit 2 we note that this property is one and a quarter miles from Pitt Meadows, and fronts on Hammon Road which is a paved road. There is an indication here that there are four chains of three barbed wire fence along the front. The appraiser shows the value of the building at \$150.00 and then reduces it to \$100.00 for the purpose of adding it to the value of the land. Your Honour will note that the Claimant's father paid well over \$100.00 per acre when he bought this property and it was all bush at that time. This was in 1933. In spite of that the appraiser shows a value of the cleared land at \$60.00 per acre and the uncleared land at

M. Ito.
In Chief.
Cr-Exam.

\$10.00 per acre, that is less than one tenth of what the Claimant's father paid for the property. Page 2 of Exhibit 2 also gives the assessment of this property; land \$700.00, improvements \$200.00, total \$900.00. That is the 1942 assessment. Other than that, Your Honour this is merely a question of value. As I have indicated, I am quite willing to call the original purchaser of this land, the Claimant's father, should my learned friend wish to question him about it.

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MR. FERG: It is submitted, Your Honour that the property sold for its fair market value. I have just one question.

CROSS-EXAMINED BY MR. FERG:

Q Did you have an independent valuation made of this property at the time of evacuation or since?

A No, not exactly.

20

MR. FERG: That is all, Your Honour.

MR. CHERNIAK: May I ask my learned friend if he has any note as to a lease on this property?

MR. FERG: Yes, the property was leased by the Claimant, apparently the Claimant's Father on the 7th of May 1942 to a A. Beufort for 9 months, with an option to extend the lease and the consideration was \$175.00

MR. CHERNIAK: Might I ask, Your Honour, whether there is any indication as to whether or not the chattels were included in that lease?

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M.Ito.

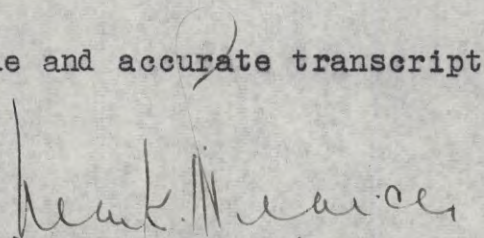
MR. FERG: I have no record of any chattels being included in that lease. There is no claim for chattels.

MR. CHERNIAK: No, but I am just thinking this way that if the chattels were included in the lease and this lease ran into 1943, then the purchaser of the property who continued to lease benefitted by the chattels, it being added revenue already inherited for the rent in 1943.

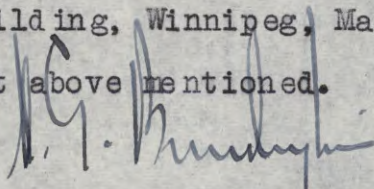
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(PROCEEDINGS ADJOURNED SINE DIE)

Certified to be a true and accurate transcript.


(MARK H. PEARCE)
OFFICIAL REPORTER

I, the undersigned Sub-Commissioner hereby certify that the foregoing 5 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)

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Case 907 wpg

NOV 28 1947

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

7363 [Signature] wpg

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

- (1) NAME Ito Masao (RCMP) Reg. No. 14367
(Print) Surname Given Name
- (2) Pre-Evacuation Address R. R. # 1, Pitt Meadow, B. C.
- (3) Present Address Box 641, North Kildonan, Manitoba
- (4) REAL ESTATE
 - (a) Street Address (if any) Pitt Meadow B. C.
City or Municipality Province
 - (b) Legal description (lot number, block number, section number, etc.)
Lot 2, Parcel "A" of Lot 223, Group 1
Map 5393, New Westminster
 - (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) - - - - - \$ 1300.00
 - (v) Amount at which Custodian sold property and credited your account - - - \$ 366.00
 - (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 934.00
- (5) PERSONAL PROPERTY - No claim
 - (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) - - - - - \$ 934.00

(6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no. No
(Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)

Winnipeg

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, Masao Ito of the City
of Winnipeg in the 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 14th day of November
A.D. 1947.

M. J. [Signature]
A BARRISTER AT LAW ENTITLED TO PRACTISE
IN THE PROVINCE OF MANITOBA.

A Commissioner &c.

M. J. [Signature]

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.

ITO, Masao

(Claimant's Name)

**REAL ESTATE
(Farm Land)**

14367

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	over 1 acre	Dec. 1933	N.G. Knotts				
Cultivated not planted	2 acres						
Cultivated and not in crop							
List Crops							
Strawberries	2 acres			700.00			
partly cleared	1 acre				all bush	none	land and Bldgs. 1300.00
Total	6 acres						

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

Description	When Made	Cost
cleared four acres and partly cleared one acre		

BUILDINGS	Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
Shack		12 x 20	cedar siding						
Lean to on both sides		6 x 20	Shingle roof	1934	bought materials and own & hired labour				\$300.00

Comments re Appraiser's report not covered by above information: The appraiser has substantially undervalued the land and buildings. I believe that the fair market value at date of sale was at least \$1300.00

EXHIBIT No.

907-1

DATE

Sept. 15/48

FILLED BY

Claimant.

M. Ito

Signature

EXHIBIT No.

907-2

Farm Appraisal Report

DATE

Sept. 15/48

VALUED BY

Clement

File No. JL-424

Land Description Lot 2, Pol. "A" of Lot 223, Gp. 1, Map 5393, N.W.D.

Containing 6.06 Acres

Owner's Name ITO, Maso Post Office Address Pitt Meadows, B.C.

Nearest Rail Point Pitt Meadows - C.P. Rly. Distance 1 1/4 miles

Market Town New Westminster, B.C. Distance 15 "

Church (give denomination) Church of England & Presbyterian, Pitt Meadows - Distance 1 1/4 "

Nearest School Pitt Meadows School Distance 1 "

State how property was identified: Two corner posts located and map and road check.

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

Property fronts on Hammond Road, paved. There is a gazetted unopened road on West boundary.

Is this district a good one? Fair - mostly small holdings.

Employment opportunity Limited at Hammond and Haney sawmills and brick plant.

Predominating Nationality and religion: British, Protestant - mostly all holdings near are Japanese.

Describe Fencing and its condition: 4 chains of 3 B.W. along front Value \$ -

Water supply: No well dug. Water can be obtained by digging from 30' to 50' Value \$

BUILDINGS ON FARM

7363

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
Frame shack HOUSE	12 x 20	Frame	8'	Shgl.	10	Cedar wood sills	POOR	150.00
Lean to on both sides	6 x 20	"	8'	"	10	"		
BARN	X							
BARN	X							
GRANARY	X							
	X							
	X							
	X							
	X							

Total present day value \$ 150.00

Total Value Buildings add to farm Frame shack of 2 rooms. \$ 100.00

Is dwelling habitable without repairs? Yes. If not what is your approximate estimate of cost to make it habitable? Needs new set of buildings.

Describe the basement and chimneys: No basement and stove pipe chimney

No. rooms downstairs? 2 Upstairs? nil How finished Shiplap lined

Are buildings painted? No. Condition of paint -

Distance from nearest bush Unexposed.

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
4.06	Level <i>x.06</i>	8-12" light sandy to gravelly loam.	Gravel & Sand	Strawberries & fallow weedy land	60.00	243.60
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
.91	Level <i>91</i>	8" to 12" sdy. lm. & sand	Grav. & sand	Part clear	40.00	20.00
1.09	Level <i>1.09</i>	8" to 12" sdy. to grav. lm.	Grav. & sand	Lt. to heavy bush.	150. an acre up	10.00
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	
<i>6.06 an</i>						

Total value of Land \$ 272.70

Total added by buildings to value of farm \$ 100.00

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

Total value of farm \$ 372.70

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

Property in fair state of cultivation; berry patches are weedy. Property not occupied, and no information on crop harvested.

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

Small fruit and poultry.

Noxious weeds:

Some Canadian thistles - not bad.

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

Corporation of District of Pitt Meadows, B.C.

Land assessed at \$700.00
Improvements at 200.00 - 1942 Taxes - \$15.75
\$900.00

Date: 4th July 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 3 day of July 19 42

Inspector's Signature

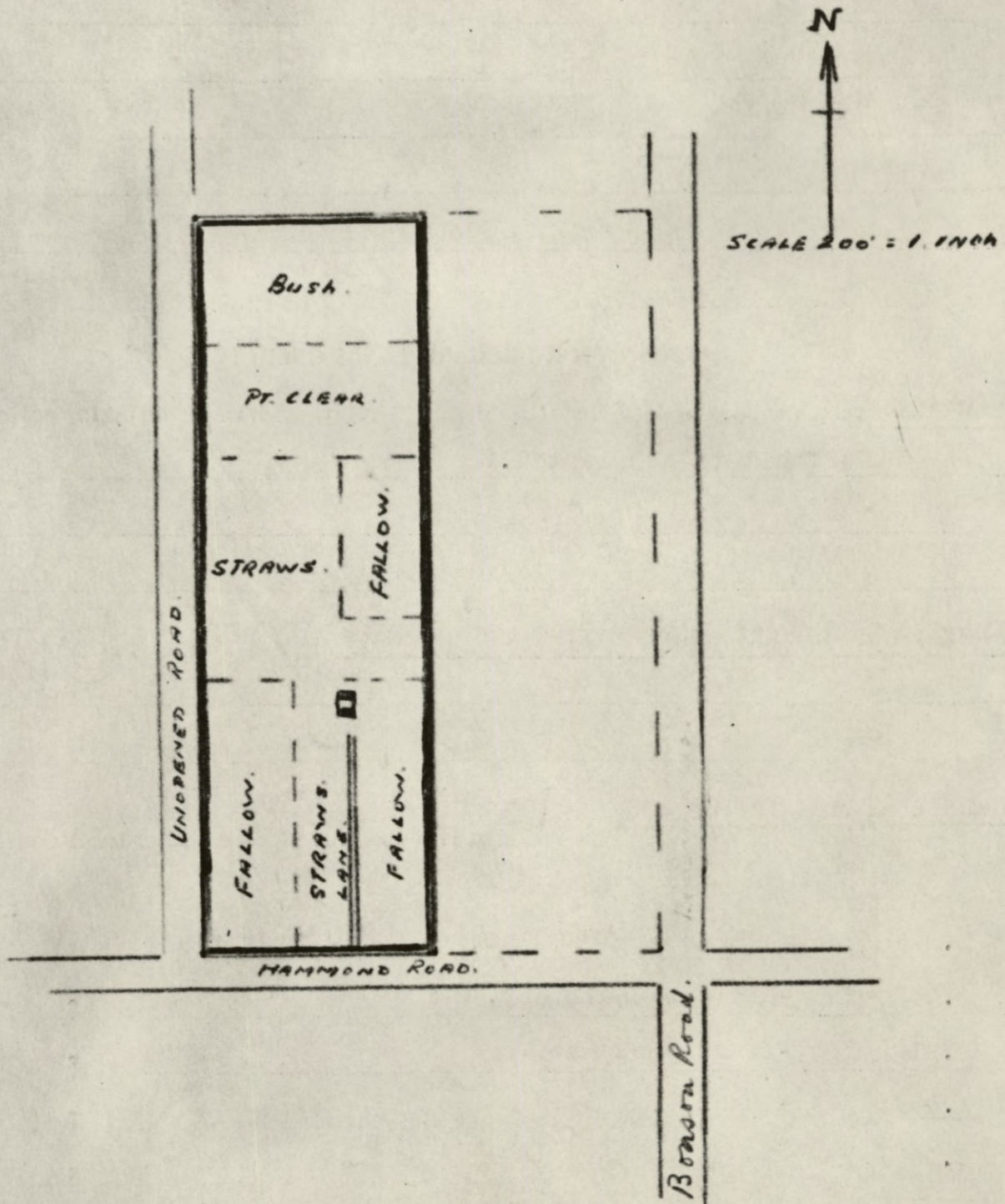
"L.B. PLUMBLY"

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

Diagram of Property

MASO ITO.

Lot 2 of Pl "A" of Lot 223. G/L 1. Map 5393 N.V.D.



Following careful review of this appraisal report, it is my opinion that the present value is \$ 350.00

Date 6th July 1942.

"I.T. BARNET"

District Superintendent.