

Name of Claimant SATO, Kaname

Case 930

" Hiroshi

Custodian File

8629 & G/191

<u>REAL PROPERTY</u>										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		
<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				
TOTAL RECOMMENDATION										00	

CASE NO. 930

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba,
21st September, 1948.

IN THE MATTER OF THE CLAIMS OF

HIROSHI SATO

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,
 21st September, 1948.

IN THE MATTER OF THE CLAIMS OF

HIROSHI SATO

20

PROCEEDINGS AT HEARING

APPEARANCES:

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

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

S. HIRAYAMA, Esq., Official Interpreter.

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

H. Sato,
In Chief.

HIROSHI SATO, the claimant herein, being first
duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHERNIACK:

MR. CHERNIACK: I would like to make a minor amendment
in connection with the real property. Instead of
showing the specific amount at \$6,566.00, we are
estimating the value of the land and buildings at
\$6,500.00. I will just check to see the Custodian's
sale price so I can confirm whether or not it is
10 correct. Possibly my learned friend can give me the
sale price by the Custodian. Neither of us seem to
have it but no doubt if it is recently stated in the
claim, it will be correct.

THE COMMISSIONER: All right.

MR. CHERNIACK: It will no doubt be shown in Vancouver.

MR. FERG: They generally send us a copy of the Veterans'
Land Act offer.

MR. CHERNIACK: In this case, your honour, the property
stood on the Title in the name of the claimant's
20 father Kaname Sato.

Q I show you a Japanese document, can you identify
this? A Yes, sir.

Q What is that? A That is a document stating
that my father's land will be mine.

Q It was given to you? A Yes.

Q This is signed by your father?

A Yes, sir, I lived with my father.

MR. CHERNIACK: I wonder if the claimant can read this to
the Interpreter so that a translation could be put on
30 the record?

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In Chief.

THE COMMISSIONER: Yes, the Interpreter can give it to
the Reporter.

BY MR. CHERNIACK:

Q What is the first line, read it in Japanese?

A I am not sure of the first line.

Q Well, the next one? A "The property which I
own at B.C. province, Delta, Lot 96 of South-East
Quarter Section, Surrey 6, Township 4, Map 1133,
10 district of New Westminster, B.C. The foregoing
land and building and chattels and poultry, goods
and lumber and the rest of the chattels and all the
other buildings I give title to my eldest son
Hiroshi Sato."

Q You are not sure of the next line? A No.

Q And this (indicating) is the date? A Yes.

Q What date is it? A September 5, 1946. This was
written at North Kildonan, 326 Edison Avenue, in my
father's name.

MR. CHERNIACK: Might I suggest as we want to finish it
20 now that he give a fuller translation.

THE COMMISSIONER: You will put the document in, it is
only a matter of translation?

MR. CHERNIACK: Yes. I showed this to Mr. Hirayama
(Japanese Interpreter) and he said he could read it.

THE COMMISSIONER: Yes, all right.

MR. CHERNIACK: So possibly this afternoon we can get him
to read it to Mr. Pearce, the Court Reporter.

(Document written in Japanese, EXHIBIT 1.)

MR. CHERNIACK:

30 Q I also show you an English written document, can you

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identify that? A Yes.

Q Whose signature is that? A My father's.

(Document in English, Exhibit 2)

MR. CHERNIACK: This reads "September 5, 1946. I,
Kaname Sato hereby give my eldest son Hiroshi Sato
the full rights of the possession of my property
located on Municipality of Delta, Lot Ninety-six
(96) of the South-east Quarter of Section 36,
Township 4, Map 1133 in the District of the New
Westminster, B.C. and all the chattels that are
left on the farm. (Signed) Kaname Sato."

10

THE COMMISSIONER: That last document is a little equivocal.

MR. CHERNIACK: Well, Mr. Sato was not a lawyer.

MR. FERG: I wish to make a submission in this case and I
think I had better make it now so you will be seized
with the facts. I might say that I have agreed with
my learned friend that the evidence in the case can go
in but subject to this submission, that the record is
this, that Kaname Sato, the father of this boy, appears
to be the registered owner of the above property
according to a Certificate of Encumbrance obtained on
July 1943 at the Land Office, New Westminster. Now,
Mr. Sato, the father of the claimant, was repatriated
to Japan on the S.S. Marine Falcon on October 2, 1946,
and accordingly the claim on his behalf is not within
the terms of the reference, but he declared this property
as his own in his J.P. Form and he received the full
amount of the net proceeds derived from its sale at the
time he was repatriated. The property has been sold
and the father received the proceeds. Now, this

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claimant, Hiroshi Sato, according to information supplied by the Royal Canadian Mounted Police, was born on the 10th of February, 1928, and was therefore only 14 years of age when evacuated and he is still a youth under 21 years of age. Now, it is submitted that the documents that have been supplied are not sufficient documents in law in which to transfer these claims and property or the interest in the claims to the claimant.

10 THE COMMISSIONER: The last document is in English and I observe it states it gives him the right of possession of the property and chattles but doesn't transfer the title.

MR. FERG: But apparently what happened in the case here is the property was sold, chattels disposed of, the father received the proceeds and the only thing that would come to this boy is the possibility of claim being settled by this Commission, and I submit, or I have arranged with my learned friend, Counsel for the
20 Crown, to allow the evidence to go in subject to this objection, that if the claim is ultimately thrown out, that we are not prejudiced by allowing the evidence in.

THE COMMISSIONER: The Reporter is making a note of this?

MR. CHERNIACK: Yes. As my learned friend indicated, neither of us propose to argue this point now, but leave it to the adjourned hearing. I would only like to point out that this Commission itself is not sitting as a matter of law except insofar as it was created by the Cabinet, to consider whether or not
30 justice was done in certain cases and it may be that

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the Commissioner in considering these facts will consider that this claimant should be heard. It may be that he will throw it out. We are not arguing it now and the evidence will be brief so that we can put it on the record and let the Commission make the decision.

THE COMMISSIONER: Yes, I think perhaps that is best. This Exhibit Number 1, I will leave it for the Interpreter.

10 MR. CHERNIACK: Well, I propose to do that right in Court, I think the Interpreter will be able to read it.

THE COMMISSIONER: Perhaps he had better go over it first.

MR. CHERNIACK: Well, I will give him that opportunity.

MR. FERG: There is just one other thing, if I may interject. If it is so found that this claimant is not entitled, then the father being repatriated to Japan and not being a resident of Canada no longer, that the claim nor the evidence will be received in support of any claim on behalf of Kaname Sato, the
20 father.

MR. CHERNIACK:

Q Your father, I understand, left at the end of September, 1946, for Japan? A Yes.

Q Did he take with him any members of your family?

A Yes.

Q Who? A My mother and two brothers and one sister.

Q Is there any part of your family left in Canada other than yourself, are you the only one left here?

30 A Yes, sir.

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In Chief.

Q And you didn't go with them? A No.

Q Why was that? A I came from Japan seven years ago and I didn't like Japan, so I like to stay in Canada.

Q And you refused to go with your parents?

A Yes.

Q Where were you born?- A New Westminster.

Q New Westminster, British Columbia? A Yes.

Q And you have no relatives left in Canada, is that correct? A That is right.

10

MR. CHERNIACK: Mr. Hirayama, the Interpreter, has prepared a translation of Exhibit 1 and I think we should get him to certify it and leave it with Mr. Pearce.

THE COMMISSIONER: You will attach it to the original document?

MR. CHERNIACK: Yes. Shall we put into the record that Mr. Hirayama, one of the Official Interpreters, has translated this and also attach his translation to the original Exhibit 1?

20

THE COMMISSIONER: That is a true and correct translation of the document?

MR. HIRAYAMA: Yes, that is the best I can do, sir.

MR. CHERNIACK:

Q Mr. Sato, I show you two typewritten statements; were these prepared in accordance with your instructions?

A Yes, sir.

Q And is that (indicating) your signature on each paper? A Yes.

30

Q Are the contents true to the best of your knowledge,

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information and believe? A Yes, sir.

MR. CHERNIACK: I tender them as Exhibits 1 and 2 respectively, your honour.

THE COMMISSIONER: You have 1 and 2 in.

MR. CHERNIACK: I am sorry, 3 and 4 respectively. The Real Estate Statement and the Personal Chattels Statement identified by the claimant and on behalf of my learned friend I will file the Appraisal as Exhibit 5.

(Real Estate Statement, EXHIBIT 3.)

10 (Personal Chattels Statement, EXHIBIT 4.)

(Appraisal Report, EXHIBIT 5.)

MR. CHERNIACK: Referring to the real property, the claimant sets out that the crops on the land are set out in the S.S.B. Appraisal filed as Exhibit 5. He sets out that his father purchased the property in 1932 and his father cleared all the land, dug three wells and installed electric pressure pumps. Now the buildings on this property are as set out in the claim which has been filed and the valuations that are shown in the claim are those given to the claimant by his father, so that obviously, your honour, it will remain only a question of valuation, the claimant being unable to give very much information as to costs and is only able to estimate the market value of the \$6,500.00, which will be up to the Appraisers at the adjourned hearing, to be either confirmed or varied, that is, the valuations as set by the claimant.

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THE COMMISSIONER: Well, that observation applies to the chattels too.

30 MR. CHERNIACK: Yes, to a large extent it does, because the

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claimant sets out in the exhibit that they were all bought by his father. He doesn't know the price paid or when they were bought.

THE COMMISSIONER: Is there personal property in that?

MR. FERG: No, there is none, your honour, and we don't know what happened to the chattels in this case as there is no accounting of them.

10 MR. CHERNIACK: We have certain auction sheets for just a few of the items, some of which were sold by the other auction sales by the Appraiser and some of which were sold by auction. The claimant does set out that certain of the items were bought while he was present, he was able to certify as to the date they were bought. I might indicate that this real property is three and one-half miles from New Westminster, having direct access to Horel Road, which is gravelled and in fair condition. There is mention made of the electric pressure pump but it is not valued, nor is it indicated this value has been added to the land. The buildings are valued by the Appraiser in Exhibit 5 at \$3,325.00
20 and the amount added to farm is \$2,000.00. The total value given in the Appraisal is \$2,337.40. Mr. Barnet, District Superintendent, sets his valuation at \$2,500.00. The assessment which is shown on page 2 of the Appraisal as being land \$1,265.00, improvements \$3,000.00, and the total would be \$4,265.00. The comments as to the buildings on page 3 of Exhibit 5 are that the buildings are generally of fair type construction and have been kept in fair repair. It indicates that the
30 Incubator House is apparently of new construction,

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with cement foundation, painted and in good repair and an addition to the poultry house, number 1, is of new construction, not completed, and the foundation is of cement blocks. I might indicate that there is a letter, which I didn't think I need file, from the Custodian to Mr. K. Sato, dated ---

THE COMMISSIONER: That is the father?

10 MR. CHERNIACK: Yes. dated October 18, 1945, which sets out that the Beatty Electric Pump and Tank was a fixture on the property and was included when the property was sold. I have already indicated that was included as far as value was concerned, it was not shown in the Appraisal. That is all.

20 MR. FERG: Your honour, it is submitted again in connection with this case that this is not a proper claim to come before this Commission, due to the fact that the property concerned with this claim was owned by the claimant's father, Kaname Sato, and that it is one of those claims which is and ought to be claimed in personam and, secondly, cannot be assigned. It is also submitted in any event that documents, Exhibits 1 and 2, are not such documents on which the claimant can found a claim. It is also submitted that in the event that the claim is considered at all, that the real property was sold at its fair market value, that the personal property was sold at its fair market value and anything claimed by the claimant for goods which have not been found that the claim is excessive and unreasonable. I will file the following document but before doing so I would like to ask the witness

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H. Sato,
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Cr. Exam.

CROSS EXAMINATION BY MR. FERG:

some questions.

Q Do you know whether your father had rented his property before being evacuated or not?

A Yes, he did.

Q Who did he rent it to? A Mr. G.J. Weins.

Q You know that? A Yes, sir.

Q How old were you at the time of evacuation?

A Fourteen, sir.

10 Q And do you remember then, or were you present at all, when your father arranged to lease his property to Mr. G.J. Weins?

MR. CHERNIACK: I have the Lease, if my learned friend would like it.

THE WITNESS: I wasn't present.

MR. FERG:

Q Do you know your father's signature? A Yes, sir.

Q I show you a document, would that be your father's signature (indicating)?

20 A Yes, it is my father's signature before he lost his hand.

Q Do you know Mr. Wein's signature? A No, but I saw his writing a couple of times.

Q But you didn't see him write? A No, sir.

MR. FERG: I will file this, this is a lease dated the 6th of May, 1942, made between Kaname Sato, as Lessor, and Gerhard Jacob Wiens, as Lessee, and following is part of the lease: "In addition to the lands and premises above described, the said Lessee agrees to purchase from the Lessor the household equipment

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" named herein for the price or sum of One Hundred and Seventy Dollars (\$170).

Electric Washer (Beatty)	\$ 75.00
Electric Brooder (Vrand View)	25.00
4 Beds, 9 Chairs, 1 Table	25.00
1 Stove (Heater)	5.00
Electric Heater	5.00
Kitchen Cook Stove (Coal & Wood)	<u>35.00</u>
	<u>\$ 170.00</u>

10

It is also understood and agreed between the Lessee and the Lessor that the household equipment above-named is to be returned to the said Lessor at the end of the War, in the same condition and at the same price as originally paid; viz., One Hundred and Seventy Dollars (\$170.00)."

(Lease referred to, EXHIBIT 6.)

Q Do you know if your father sold any other chattels to Wiens? A No, sir.

20

Q There is a record in the file here of Wiens having purchased another \$60.00 worth of goods, do you know anything about that? A No, sir.

Q Well, these goods were apparently sold by the Custodian to Wiens - now, Mr. Sato, when the agreement or the papers, Exhibits 1 and 2 - you know what Exhibit 1 is? A Yes.

Q And Exhibit 2? A Yes.

Q Where were these papers signed? A At 326 Edison Avenue, North Kildonan.

Q That is in Winnipeg, in Canada? A Yes.

30

Q They were actually signed there? A Yes, sir.

H. Sato,
Cr. Exam.

Q Did your father know at that time he was being repatriated to Japan? A Yes, sir.

Q Did he know the date he was leaving?

A No, sir, he know the date when he left Winnipeg but didn't know the date when he was going to leave Canada.

Q Do you remember what date it was when he left Winnipeg?

A I am not sure, about September 18th, or 17th, I am not sure.

10 Q And he knew when these documents, Exhibits 1 and 2, were prepared he would be leaving for Japan on the date you say that he was to go?

A Probably he got a letter from the Mounted Police and probably he knew.

Q You knew when he was going? A Yes, sir.

Q And you knew at the time these papers were signed the date he was going? A Yes, sir.

Q Now, you discussed together about your father's claim; at that time did your father talk to you about the claim against the government in connection with real property? A Yes, and he left me all the necessary documents.

20

Q He left you all the necessary documents?

A Yes.

Q What do you mean by "necessary documents"?

A When the land was bought and how much it cost and how much the house was worth now.

Q And of course your father knew at that time, he knew that he was being repatriated and going off to Japan he would have no further right or claim in connection

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with that property?

MR. CHERNIACK: That is a question of law, I do not see this witness is able to decide that.

MR. FERG: I just want to find out if they discussed it.

MR. CHERNIACK: All right, but I am pointing out he cannot make an answer as to whether the matter was legally right or not.

MR. FERG:

10 Q Was it discussed at all between your father and yourself about the claim, or prospective claim, there might be in connection with his property at the Coast?

A Yes, we discussed it.

Q You did? A Yes.

Q What was said between your father and yourself about it? A My father told me to put in the claim about my land and he gave me the documents.

Q Did you give your father any money or anything for the property mentioned in Exhibits 1 and 2?

20 A No, sir, but he left me some money, I didn't give him money.

Q He left you money? A Yes.

Q Left you the money coming out of his property?

A No, sir, he left me money so I could go to school.

Q He gave you money to keep you here in this country?

A Yes.

Q But you didn't give him any money for these documents?

A No, sir.

Q Why didn't you go to a lawyer and have a proper assignment, or proper papers, drawn up?

30 A My father was busy at that time going back to Japan

and didn't know it, probably he didn't know to go to a lawyer.

Q Was it mentioned at all between you?

A No, sir.

Q So after talking it over you decided your father would give you a paper writing allowing you to file claim such as you have filed in this case?

A Yes.

Q And that is what this was done for?

10 A Yes, sir.

Q And who gets the money out of this in case there is some money paid, do you intend to give it to your father?

A Yes, sir, it all depends on my father, if he wants to keep it here.

Q If your father says you can keep it, you will keep it, but otherwise you propose to give the money to your father?

A Yes, unless my brothers come back, I will be in business then.

Q You are the only one of the family left here?

20 A Yes.

Q Was that arranged between your father and yourself that if you found there was some money realized out of this claim you would give it to your father if he asked for it?

A Yes, sir, not arranged but that is the way I saw it. He didn't say anything about it.

Q Was there anything said at all about the disposition of the proceeds of this claim in the event there was any proceeds?

A What do you mean?

30 Q Maybe I can put it more simply.

H. Sato,
Cr. Exam.

A We did talk a little bit about it.

Q That is, what you would do with the money?

A Yes.

Q And what did you agree to do with it?

A If he wanted it in Japan, if necessary I will send the money to Japan.

Q That is what you agreed to? A Yes.

Q At the time of signing the papers?

A Yes, but at that time he knew that the Canadian
10 government might allow my brothers to enter Canada and in that case me and my brother would start business together with this money.

Q Otherwise the arrangement was that you would send the money to your father in Japan?

A Yes, sir.

Q You didn't know anything about the value of the farm?

A No, sir.

Q Nor the chattels? A I know about the farm only from the documents left by my father.

20 Q And you do not know anything about the value of the chattels? A No, sir.

Q You do not know what your father paid for them?

A Except the stove, the vacuum cleaner and washer.

Q Do you know what your father paid for the washing machine? A He traded in with an old one and paid \$85.00.

Q And got the new machine? A Yes.

THE COMMISSIONER: Is that what your father told you?

MR. FERG:

30 Q Were you present when that deal was made by your

H. Sato,
Cr. Exam.

father? A No.

Q It is just what he told you? A He told me that he bought it.

Q That is how you know, he told you? A Yes.

Q And is that the same with the other things, that it is just what your father told you that you are telling us now? A Yes.

Q You did not know yourself of your own knowledge what your father paid for these things?

10 A No.

Q You did not see him buy it and you were not there when he bought it? A No, sir.

Q I will put in the Appraisal of some chattels sold by the Custodian to Wiens, it is an appraisal and sale, list of articles, by the Trapp Motors Limited. I also put in the list of the chattels which the claimant made 16th of May, 1942.

(Appraisal, Exhibit 7.)

(List of Chattels, EXHIBIT 8.)

20 MR. FERG: And it is signed by Kaname Sato and G.J. Wiens and I also put in a memorandum in connection with specified articles, the car, it gives a description of it and the appraised value, appraised at \$25.00, and sold to the Campbell Motors for \$35.00.

(Memorandum, EXHIBIT 9.)

Q What is your age now? A 20.

Q Twenty years of age? A Yes, sir.

Q And you would like to stay in Canada?

A Yes, sir.

30 Q And you like Canada? A Yes, sir.

H. Sato,
Cr. Exam.

Q That is very nice - you didn't sign any papers at all, yourself, in connection with your father turning these things over to you?

A No, sir.

Q And at the time of receiving the papers you didn't sign any notice or anything to the Custodian or to anybody in connection with these chattels?

A No, sir.

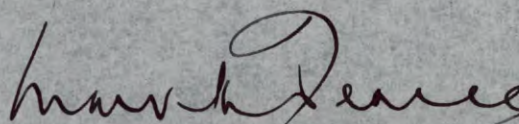
10 Q In other words, you just had the agreement signed and you kept them in your possession ever since?

A Yes, sir.

MR. FERG: That is all the questions, your honour.

(PROCEEDINGS ADJOURNED SINE DIE)

Certified to be a true and accurate transcript.

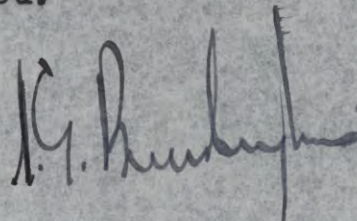


(MARK H. PEARCE, Sr.,)
OFFICIAL REPORTER.

CERTIFICATE

10

I, the undersigned Sub-Commissioner hereby certify that the foregoing 18 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)

Case 930
DEC - 5 1947
wpg

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

(Signature)

A1191
8679
wpg

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

(1) NAME SATO, Hiroshi (RCMP) Reg. No. 16505
(Print) Surname Given Name

(2) Pre-Evacuation Address R. R. 1, New Westminster, B. C.

(3) Present Address 244 Sutton Ave., N. Kildonan, Man.

(4) REAL ESTATE

(a) Street Address (if any) R. R. 1, New Westminster, B. C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot 96, S.E. Quarter of Section 36, Twp.4, Map 1133, District of New Westminster.
(Formerly owned by Kaname Sato)

(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	- - - - -	\$	<u>1,200.00</u>
(ii) Buildings	- As per attached sheet. - - - - -	\$	<u>5,366.00</u>
(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)	- - - - -	\$	<u>6,566.00 - 6500</u>
(v) Amount at which Custodian sold property and credited your account	- - -	\$	<u>2,276.00 2276</u>
(f) Loss (This figure is arrived at by deducting item (v) from item (iv)	- - -	\$	<u>4,290.00 4224</u>

(5) PERSONAL PROPERTY

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

In and on above property.

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

(c) How stored or packed at time of evacuation

Stacked in shed.

(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")

Leased to G. J. Wiens and taken over by Custodian.

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

1.		Estimated Value \$	
2.	Items as per attached sheet.	Estimated Value \$	1,262.00
3.	Received from Custodian 84.94)	Estimated Value \$	
4.	" " Wiens 170.00)	Estimated Value \$	254.94
5.		Estimated Value \$	
6.		Estimated Value \$	
7.		Estimated Value \$	
8.		Estimated Value \$	
9.		Estimated Value \$	
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 1,007.94

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) - - - - - \$ 5,297.06

(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, Hiroshi SATO of North Kildonan of the 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 20 day of November,)
A.D. 1947.)
A Commissioner &c.

Hiroshi 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.

SATO, Hiroshi.

7 Room Dwelling 1,000.00

Chicken Houses:

20" x 140" 1020.00

20" x 132" 790.00

20" x 110" 660.00

20" x 46" 2 stories 750.00

20" x 72" 376.00

3,596.00

Feed House

24" x 26" 2 stories 770.00

\$ 5,366.00

Hiroshi Sato

<u>Items</u>	<u>Value</u>
Electric Washer (Beatty)	\$125.00
Electric Brooder (Grandview)	50.00
4 beds, 9 chairs, 1 table	50.00
1 stove (heater)	8.00
Electric Heater	8.00
Kitchen Cook Stove (coal and wood)	80.00
3 Electric Brooder \$34.00 each	90.00
3 incubator \$15 each	45.00
1 Beatty E. Pump with 80 gal tank	150.00
1 Water fountain used for chickens 30 pieces	15.00
1 spray pump \$	20.00
2 bed	15.00
1 kitchen cupboard	10.00
1 bedroom set	15.00
1 vacuum cleaner	45.00
2 roll linoleum	15.00
1 electric fan	15.00
1 1929 Chevrolet Sedan	200.00
3 length 20' $\frac{3}{4}$ " galvanized water paibe	4.00
1 - 20 ft. $\frac{1}{2}$ " galvanized water pipe	2.00
5 - 7 ft. wood cross cut saw	2.00
2 sledge hammer	3.00
4 - 6 lb. wedge	2.00
80 - poultry Feed Trough	80.00
4 Axe	6.00
1 nail hammer	1.00
1 hand cross cut saw	3.00
1 peevee	1.50
4 garden rake	4.00
2 shovels	7.00
1 crow bar	1.50
2 manure hook	2.00
2 mattock	2.00
18 galvanized water pail	18.00
2 pick	2.00
3 tables	20.00
800 bd. ft. 2x4 (lumber)	30.00
1000 board ft. 2x3 lumber	35.00
20 piece 8" x 10" - 4 light sash	25.00
20 automatic water floats	30.00
200 lb. No. 11 Galvanized Wire	10.00
400 board ft. 1x6 lumber	15.00
Total	<u>\$ 1262.00</u>

譲渡證

元私ノ所有地トシテ三州テルタ

ロッド九拾六

オブザサースイースト

コウターオブセキヨニ拾六

タニニツア四

マップセキヤ百拾拾

ジストリックオブニウウエトニスタービー

右ノ土地及ビ建造物、家具、器具、

養蠶器具材木其他全部ノ権利

ヲ私ノ長男佐藤博ニ譲渡仕候也

右相違無之候也

于九月四拾六年九月五日

三州ノースキッドナニエニシニ街

佐藤

西女

EXHIBIT NO. 930-1
DATE Sept. 24th
FILLED BY Claimant

Certificate of Transfer.

September 5, 1946.

#326 Edison Ave.,

North Kildonan,

Manitoba.

I am transferring the following land, which belonged to me, in Delta B.C., Lot 96, of the south east quarter of section 36, Township 4 map, 1133, District of New Westminster B.C. and also all buildings, furniture, farm implements, poultry equipments, lumber and also all ~~rights~~ ^{rights} to my eldest son, Terashi Sato.

Signed
Kaname Sato.

Sept. 5, 1946

I Kaname Sato hereby give my eldest son Hiroshi Sato the full rights of the possession of my property located on Municipality of Delta, Lot Ninety-Six (96) of the South-east, Quarter of Section 36, Township 4., Map 1133 in the District of the New Westminster, B. C. & all the chattels that are left on the farm

Kaname Sato

EXHIBIT No. 930-2
DATE Sept. 21/48
FILLED BY Claimant

SATO, Hiroshi

(Claimant's Name)

REAL ESTATE
(Farm Land)

16505

Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared 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	none						
As set out in S.S.B. Appraisal		1932	bought by father and given to me		all bush	none	land & bldgs. 6500.00
Total	almost 5 acres						

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

Description	When Made	Cost
father cleared all the land dug 3 wells and installed electric pressure pump.		

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
buildings as set out in my claim the values shewn given to me by my father.								

Comments re Appraiser's report not covered by above information: the buildings could not be more than 10 years old. This was an excellent farm and I believe the fair market value at date of sale was at least \$6500.00.

EXHIBIT No. 930-3
DATE Sept. 21/48
FILLED BY Claimant

Hiroshi Satō
Signature

SATO, Hiroshi

PERSONAL CHATTELS

16505

(Claimant's Name)

Reg. No.

Description of Major Items
(and particularly of goods
lost, stolen or destroyed)

Approximate
Date Purchase

New or Used
When Purchased

Price Paid

Condition when
Evacuated

Estimated value
at Date of Evacuation

The Chattels are all set out in the claim, but they were all bought by my father and I don't know the price paid or the date bought, except the following:

Electric washer purchased new in 1942
Kitchen stove purchased new in 1940
3 incubators purchased used in 1941
vacuum cleaner purchased new in 1941

Description of Storage of Goods:

Left at home at 1386 Horel Road

General Statement as to Chattels not Described above:

I have shewn what I think was the fair market value of these goods.

Additional Comments, if any:

EXHIBIT No. 930-4
DATE Sept. 21/48
FILLED BY Claimant

Hiroshi Satoh
Signature

BC-462-P
BC-1962-A

EXHIBIT No. 930-2
DATE Sept. 21/48
FILLED BY Claimant

BC/462-P
BC/1962-A

Page 1

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

Farm Appraisal Report

File No. JL-667

Land Description Lot 96 of S.E. 1/4 of Sec. 36, Tp. 4, Map 1133.

House No. 1386 Horel Road Containing 4.82 Acres

Owner's Name SATO, Kaname Post Office Address R.R. 1, New Westminster.

Nearest Rail Point New Westminster - C.P.R. - Kennedy Station - B.C. Electric Ry. Distance 3 1/2 miles

Market Town New Westminster Distance 3 "

Church (give denomination) New Westminster - all denominations Distance 3 "

Nearest School Kennedy School Distance 1 "

State how property was identified: Map location.

Roads: State whether property has access to main road, the kind of road and its condition.
Direct access to Horel Road - gravel, fair condition.

Is this district a good one? Reasonably good.

Employment opportunity City industries-3 miles; Timberland Mills-2 miles.

Predominating Nationality and religion: Japanese owners predominate in this area.

Describe Fencing and its condition: No fences. Value \$

Water supply: Domestic supply from 3 wells. Electric pressure pump. Value \$
Electricity-power available. Lights installed.

BUILDINGS ON FARM

8629-5191

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	22 x 24	Frame	1 1/2 st.	Shgl.	14	Conc.	Fair	600.00
Add'n	8 x 24	"	1 "	"	14	"	"	
Garage & shed	(12 x 16)	"	1 "	"	14	Wood	"	50.00
FARM Incubator house	(10 x 16)	"	1 "	"				
FARM house	24 x 40	"	2 "	"	3	Conc.	Good	800.00
GRANARY								
Poultry	20 x 108	"	1 "	"	12	Wood	Fair	
Add'n	20 x 46	"	2 "	"	1	Con. blks.	Good	600.00
Poultry	20 x 72	"	1 "	"	12	Wood	Fair	270.00
Poultry	20 x 130	"	1 "	"	12	"	"	480.00
Poultry	20 x 140	"	1 "	"	12	"	"	525.00

Total present day value \$ 3325.00

Total Value Buildings add to farm \$ 2000.00

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

Describe the basement and chimneys: Cement 1 1/2 feet; wood lined 4 1/2 feet. Brick chimney to ground.

No. rooms downstairs? 4 Upstairs? 2 How finished Wood lined

Are buildings painted? House, poultry hse. & Incubator hse. Condition of paint Poor to fair.

Distance from nearest bush No exposure.

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
4.82	Level	Sandy loam, 15" to 18"	Hardpan	Mixed small fruits	70.00	337.40
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
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 \$ 337.40

Total added by buildings to value of farm \$ 2000.00

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

Total value of farm \$ 2337.40

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

Property occupied by tenant. Growth indicates a good state of fertility. Land is in a fair state of cultivation.

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

Suitable for limited area-small fruits and poultry.

Noxious weeds:

None of consequence.

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

Corporation of Delta -

Assessed - Land - \$1265.00 - 1942 Tax - \$20.56.
Imp. - \$3000.00

Date: July 27th, 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 24 day of July 19 42

Inspector's Signature

"H.L. SINCLAIR"

JL-667 - K. SATO

Farm Appraisal Report

Remarks: This is a fair small holding situated on the bench land South of the Fraser River. The land lies in a slight depression or pocket and the soil is of a better texture than the general surrounding area. A fair state of fertility is indicated by crop growth. The property has been operated as a poultry farm with limited area in small fruits & vegetables. Buildings are generally of a fair type and construction and have been kept in fair repair. The incubator house is of comparatively new construction on cement foundation, painted, in good repair. Addition to poultry house No. 1 is of new construction, not completed, with foundation on cement blocks. The domestic water situation is uncertain in this area, and during dry seasons, water has to be conveyed to property.

~~(FOR ORCHARD LANDS ONLY)~~

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

The property is leased to G.J. Wiems, for duration of War at \$20. per month as from May 6th, 1942.

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

Nil

ORCHARDS, SMALL FRUITS, ETC.

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

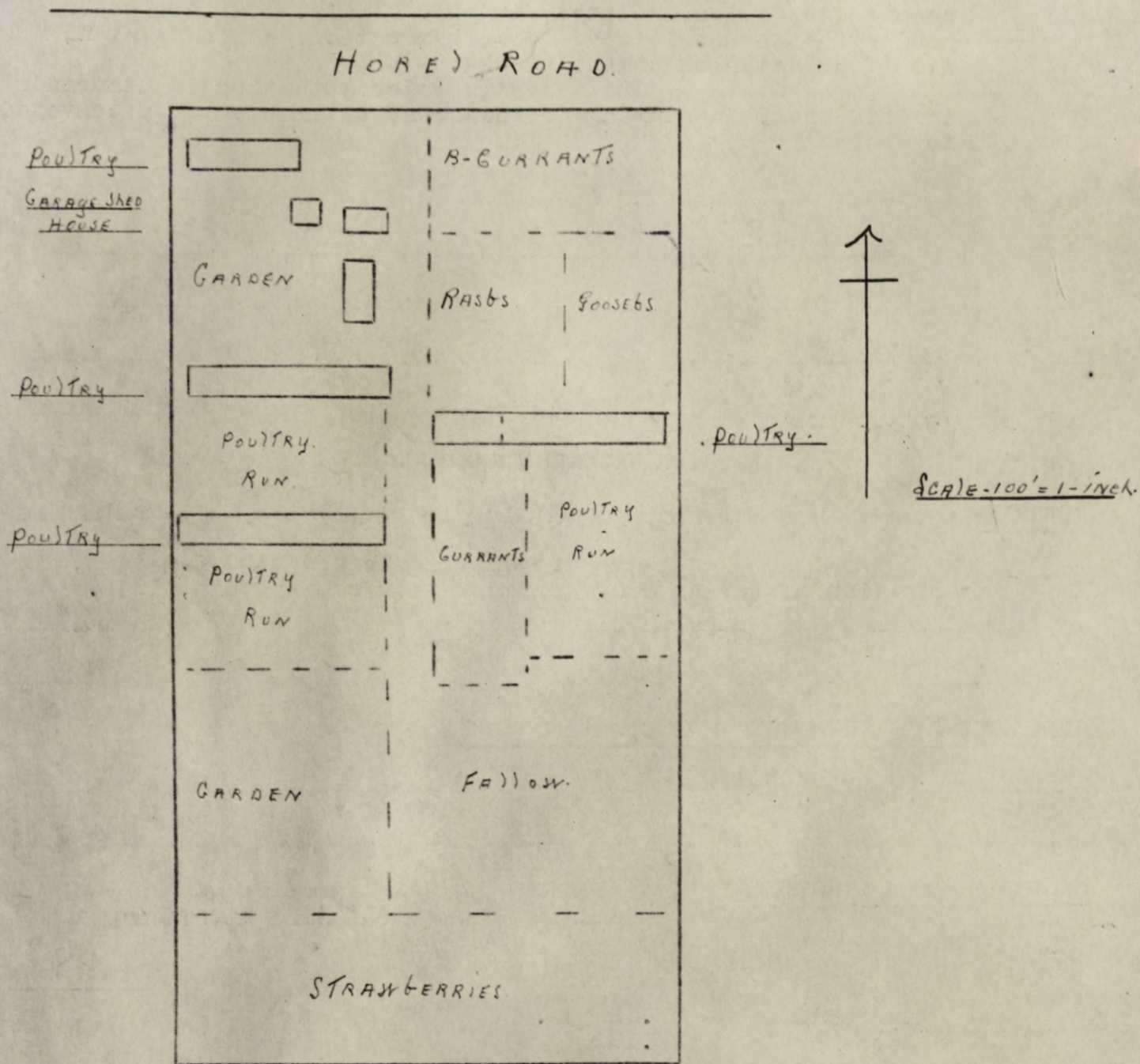
Present Value

Currants	-	.52	acs.	\$
Gooseberries	-	.19	"	\$
Raspberries	-	.26	"	\$
Fallow	-	.70	"	\$
Strawberries	-	.76	"	\$
Garden	-	.51	"	\$
Buildings &				\$
P. Runs	-	1.88	"	\$
		<u>4.82</u>	"	\$

Total \$ _____

Amount fruit trees add to value of farm \$ _____

Diagram of Property



LOT-96- of S.E. 1/4 of Sect. 36 - Twp-4 - MAP-1133. - 4.82. AC'S

KAMAME - SATO.

Following careful review of this appraisal report, it is my opinion that the present value is \$ 2500.

Date 29th July 1942
[Signature]
District Superintendent.

THIS INDENTURE

Made the Sixth day of May in the year of Our Lord one thousand nine hundred and forty-two.

IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT"
BETWEEN

KANAME SATO (Farmer) of Rural Route #1, New Westminster,
in the Province of British Columbia.

hereinafter called the Lessor of the FIRST PART; and

GERHARD JACOB WIENS (Farmer) of Rural Route #1,
Abbotsford, in the Province of British Columbia.

hereinafter called the Lessee of the SECOND PART;

WITNESSETH that in consideration of the yearly Rents, Covenants and conditions hereinafter respectively reserved and contained, the said Lessor doth demise and lease unto the said Lessee

Executors, Administrators and Assigns, ALL AND SINGULAR:
that certain parcel or tract of land and premises, situate, lying and being in the Municipality of Delta, New Westminster District, Province of British Columbia, and more particularly known and described as Lot NINETY/SIX (96) of the South-East Quarter Section THIRTY-SIX (36), Township FOUR (4).

In addition to the lands and premises above-described, the said Lessee agrees to purchase from the Lessor the household equipment named herein for the price or sum of ONE HUNDRED & SEVENTY DOLLARS (\$170)

Electric Washer (Beatty)	\$ 75.00	125. -
Electric Brooder (Grand View)	25.00	50. -
4 Beds, 9 Chairs, 1 Table	25.00	50. -
1 Stove (Heater)	5.00	8. -
Electric Heater	5.00	8. -
Kitchen Cook Stove (Coal & Wood)	35.00	80. -
	<u>\$170.00</u>	80. -

It is also understood and agreed between the Lessee and the Lessor that the household equipment above-named is to be returned to the said Lessor at the end of the War, in the same condition and at the same price as originally paid; viz., ONE HUNDRED AND SEVENTY DOLLARS (\$170.00)

From the Sixth day of May one thousand nine hundred and forty-two.

For the Duration of the War.

for the term of next ensuing monthly

YIELDING AND PAYING, therefor, to the Lessor, his heirs or assigns the clear yearly rent or sum of TWENTYXX/100 Dollars of lawful money of Canada, payable on the following days and times, that is to say:

On the SIXTH day of Each and Every month, the first of such payments to be made on the SIXTH day of MAY, 1942.

AND the said Lessee his Executors, Administrators, COVENANT with the said Lessor to pay rent ~~and to pay taxes~~ and to repair (reasonable wear and tear and damage by fire and tempest excepted); AND that the said Lessor may enter and view state of repair; AND that the said Lessee will repair according to notice (reasonable wear and tear and damage by fire and tempest excepted); AND will not assign or sub-let without leave; And will not carry on any business that shall be deemed a nuisance on the said premises; AND that the said Lessor will leave the premises in good repair (reasonable wear and tear and damage by fire and tempest excepted);

Section "AFFIDAVIT OF WITNESS" (not completed.)

Dated May 6th 1942

NAMES

KANAME SATO

-TO-

GERHARD J. WIENS.

HOUSE LEASE

DATES

-TO-

A. N. MacINTOSH, LTD.
28 Lorne St.
New Westminster, B. C.

FOR MAKER OF A DEED

I HEREBY CERTIFY that, on the Sixth day of May, 1942, at New Westminster, in the Province of British Columbia, KANAME SATO whose identity has been proved by the evidence on oath of who is personally known to me, appeared before me and acknowledged to me that he is the person mentioned in the annexed instrument as the maker thereof, and whose name is subscribed thereto as party, that he knows the contents thereof, and that he executed the same voluntarily, and is of the full age of twenty-one years.

IN TESTIMONEY whereof I have hereto set my hand and Seal of Office at New Westminster, B. C. this sixth day of May in the year of Our Lord one thousand nine hundred and forty-two.

"K. K. Chapman"

A Notary Public in and for the Province of British Columbia
~~A Commissioner for taking affidavits within British Columbia~~

SEAL

File 8269

April 24th, 1945.

Re: Kaname SATO, 1386 Horel Road

In accordance with instructions received from the Custodian's office, Vancouver, B. C., we have appraised and sold to Mr. G. J. Wiens the following goods at the prices indicated below:

2 Electric brooders	\$40.00
Wheel	1.00
Sprayer	8.00
Small scale	3.00
Pails	2.00
Chick troughs	<u>6.00</u>
	\$60.00
Less 10% appraisal fee	<u>6.00</u>
<u>NET PROCEEDS</u>	<u>\$54.00</u>

I certify that the foregoing is a true and fair appraisal.

TRAPP MOTORS LTD.

SIGNED: "C. D. Phipps"
TRAPP MOTORS LTD. "I.M."

WITNESS: "W. J. Iverson"
Custodian representative

SUBMITTED TO THE RURAL ADVISORY COMMITTEE ON _____

I hereby certify the foregoing words to be a true copy of the original whereof they purport to be a copy.
Jan. 21/49 J. May

This Agreement made the 16th day of May, 1942.

Kaname Sato

R. A. No. 1, New Westminster, B. C.

I hereby make agreement between Gerhard Jacob Wiens for renting my Farming Material and he promised to take the responsibility himself for the duration of the War.

The Materials are;-

3 Grandview Electric Brooders
 3 Charter Incubators
 1 Beatty Electric Pump with 80 Gallon tank
 1 Bedroom drawer glass mirror
 1 Premier Electric Vacuum Cleaner
 2 rolls Linoleum
 3 pcs 20 ft long $\frac{3}{4}$ in. galvanized water pipe
 1 pc. 10 ft $\frac{1}{2}$ in. galvanized water pipe
 4 7 foot Wood Cross-cut Saw
 10 Galvanized water pails
 600 Board feet 2x4 (Lumber)
 600 Board feet 2x3 "
 400 Board feet 1x6 "
 200 Board Feet 2x6 "
 20 8" x 10" 4-lite Sash
 180 pounds No. 11 Galvanized Wire
 1 Wheelbarrow
 1 Green food Cutter
 1 Kitchen pantry
 1 No. 152 House Jack
 1 egg scale
 2 5 gal. oil tank
 8 egg cases
 2 10 ft gutter pipe
 1 Yamato Spray pump
 1 Gurney Scale

"Kaname Sato"

"Gerh. J. Wiens"

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

Jan. 21/49

J. May
 60

HOWARD SMITH

MEMORANDUM

TO: File 8629
FROM: Specified Articles Department

June 23, 1943.

Re: SATO, Kaname - Neg. 12435

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
CAR	1929 Chevrolet Sedan No. C-4 License No. (41) 52495	\$25.00

Sold to Campbell Motors

August 21, 1942.

Selling Price \$35.00

"K. C."

Administrative Expenses: \$26.98
Balance credited: \$ 8.02

"W. E. Anderson"
Aug 28/43

I hereby certify the foregoing words to
be a true copy of the original whereof
they purport to be a copy.
Jan. 21/49 J. May
b.h.

