

11357



1261 - 4

Nov 17 1948

K.A.Christie

BUREAU POWELL STREET  
OFFICE OF THE CUSTODIAN  
JAPANESE SECTION

NAME: SAKATA Mantoku  
HOME ADDRESS: Rooming house, Powell St., Van. Registration No. 08799  
former address: Chemainus, B. C.  
SEX: Male AGE: 58 MARRIED? Yes  
OCCUPATION AND EMPLOYER: Unemployed  
NAME OF WIFE OR HUSBAND: Kiyu ADDRESS Hastings Park  
NAMES OF LIVING CHILDREN Miyoko (F) 8 ADDRESS " "

I certify that the above information is true and complete and state that I have no property of any kind whatsoever in any protected area in British Columbia.

Dated this 13th day of July 1942

WITNESS: "D.M.Chope"

(Signature) Mantoku Sakata

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

March 28th 1949

M. Sakata



INFORMATION FROM R.C.M.P.

DATE Sept. 7/43

Our File No. 11357

Full Name SAKATA, Mantoku  
(Surname in Block Letters)

Registration No. 08799

Male - Female  
(Check)

Age May 1, 1884

Former Address Chemainus, B. C.

Date Evacuated March 17/42

Naturalized - Canadian-Born - National  
(Check)

Present Address Tashco, B. C.

To G. J. Fox, Port Burwell Ont.

Married - Single  
(Check)

nee

Name of Wife (MAEDA) Kiyu #08781 (Deceased 15/9/44)

Name of Husband

Name of Mother Yasu (In Japan)

Name of Father Shojiro (Dec'd)

Names of Children under 16 Miyako (F) May 19, 1933

Requested by B. McKie

Registered with Custodian yes  
(Yes or No)

Additional Information Owner of house & property



EXHIBIT NO. 1261-7

DATE NOV 17 1944

FILLED BY

R. A. Christie

REAL PROPERTY

Catalogue No. S.S.B.

File No. 11357.

Name: Mantoku SAKATA.

Reg. No. 08799.

Address: River Road, Chamainus, B. C.

Legal Description: Lot 1 of Section 16, Range 5, Chamainus District,  
Plan 4353, except that part thereof included in Plan 4656.

Classification: Dwelling.

---

Registered in the name of: MANTOKU SAKATA.

State of Title: Clear.

Sold to: THE DIRECTOR, SOLDIER SETTLEMENT & VETERANS' LAND ACT.

For: \$850.00 (Cash). As at: January 1st, 1944. Payment received: Dec. 19, 1944.

Title delivered to new Registered Owner on: December 19th, 1944.

Completed statement to Evacuee sent on: January 24th, 1945.


Chattels: Not involved.

Insurance: Cancelled July 3rd, 1944.

Administration: Original rental arrangements made by owner and remained effective from date of evacuation to November, 1942, the next tenant remaining in occupancy from April, 1943, to date of sale. No upkeep expense was called for in the interval.

The above summary is certified to be in accordance with the information on file.

12th October, 1945.



RGB/P.



DC-720-P

HC/780

Page 1

U.S. Form No. 43  
(Sheet 1) ✓

# Farm Appraisal Report

File No. JL-804

Land Description Lot 1, Sec.16, Rge.5, Map 4353.

(No house number) Containing 7.97 Acres

Owner's Name SAKATA, M. Post Office Address Chemainus, B.C.

Nearest Rail Point Chemainus, B.C. Distance 1/2 mile

Market Town Chemainus Distance 1/2 "

Church (give denomination) Chemainus-Baptist; C. of Eng. & R.C. Distance 1/2 "

Nearest School Chemainus Distance 1/2 "

State how property was identified: By map, roads, and local inquiry.

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

On River Road, gravel; fair.

In this district a good one? Not a good farming district.

Employment opportunity Work in Chemainus at sawmill of Victoria Lumber Company.

Predominating Nationality and religion: British; Protestant.

Describe Fencing and its condition: Some picket fencing on part of ppty. Value \$

Water supply: From spring on property piped into house. Value \$

## BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	26 x 32	Frame	9'	Shgl.	5	Concrete posts	Good	1000.00
	6 x 26							
	6 x 26							
awn shed	14 x 24	Frame	8'	"	5	on grd.	Fair	50.00
	x							
BARN	x							
	x							
GRANARY	x							
	x							
	x							
	x							

Electricity in the house.

Total present day value \$ 1050.00

Total Value Buildings add to farm \$ 800.00

Is dwelling habitable without repairs?

If not what is your approximate estimate of cost to make it

habitable? Habitable.

Describe the basement and chimneys: No basement; brick chimney from ground.

No. rooms downstairs? 5 Upstairs? 2 How finished Wood lined.

Are buildings painted? No. Condition of paint -

Distance from nearest town 100 yards.

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
1	Level	Clay & gray loam-6-12"	Clay & gravel	Garden & a few fruit trees - now dry.	50.00	50.00
Area which can be cultivated without cost other than for breaking.						
	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL		VALUE PER ACRE	
Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.						
	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE
3	Level & slop- ing.	Grav. loam	Gravel	Clearing of bush.	150.	2.50
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
3.92	Partly hilly, some wet land			Some cordwood.		2.50

Total value of Land \$ 67.42

Total added by buildings to value of farm \$ 800.00

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

Total value of farm \$ 867.42

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

Can hardly be classed as a farm as there is insufficient acreage. Now dry. ✓  
 Rented by F. Forsyth at \$15.00 per month.

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

Not suitable for agriculture. More of a residential property for industrial  
 worker.

Noxious weeds:

Not serious.

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

Taxes - \$30.80. Municipality of North Cowichan.

Date: August 23rd, 1942.  
 Place: Port Alberni, B.C.

I certify that the above report is based on a personal examination  
 of the whole farm made on the 20 day of August 19 42.

Inspector's Signature

"R.W. BROWN"

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



JL-804 - H. SAKATA

# Farm Appraisal Report

**Remarks:** Property is located on the river road about one half mile West of Chemainus.  
This is too small an acreage for a farming unit and would only be valuable as a home for someone working in the district.  
The house is in good condition and has electric light. Water is piped into house from a spring on the property.

## (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

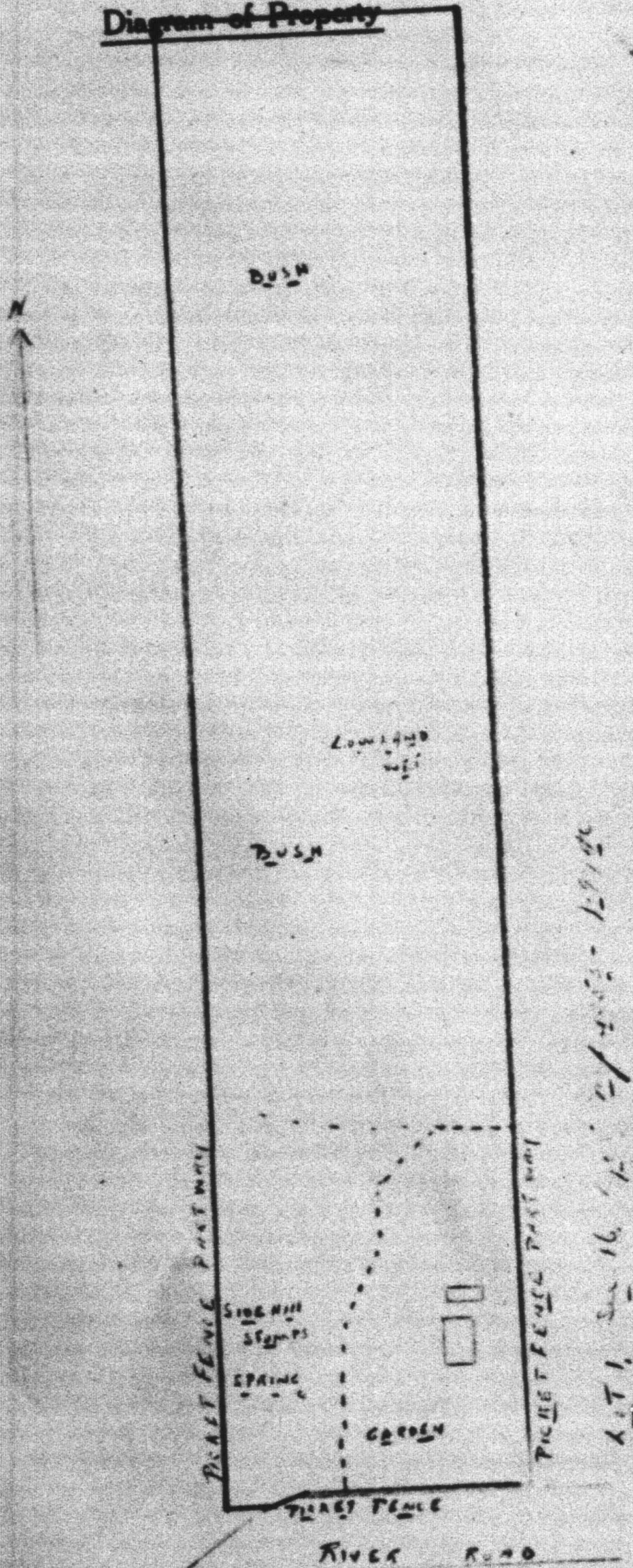
Few fruit trees of no commercial value.	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

Total \$

Amount fruit trees add to value of farm \$



Diagram of Property



M. SHARIN

1.1.1. 16. 1.1.1. 1.1.1. 1.1.1.

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

value is \$ 800.00

Date 25th August 19 42

"I.T. BARNET"  
District Superintendent.



SAKATA, *Montclair*  
File 11357/08799

SOLDIER SETTLEMENT and VETERANS' LAND ACT.

J.L.804  
File No. BC/720P

Vancouver, B.C.

December 19, 1944

A. G. Duncan Crux, Esq.,  
Randall Building,  
535 West Georgia St.,  
Vancouver, B. C.

Dear Sir:-

Re: Lot 1 of Section 16, Range 5, Chemainus District  
Plan 4353 ex. that part thereof included in plan  
4656, subject to an easement in favour of Victoria  
Lumber Company Ltd. registered as No. 1092080

*Transmitted by mail Camclan*

I beg to acknowledge receipt of Duplicate  
Certificate of Title No. 1476291 of the *Vietnam*  
Land Registry Office for the above parcel of land in the  
name of The Director, The Veterans' Land Act.

Herewith is Veterans' Land Act cheque  
for \$ 817.20, in favour of The Secretary of State,  
dated December 18, 1944, being the amount of the purchase  
price in full of the above land arrived at as follows:-

Purchase Price - \$ 850.00

Less arrears of taxes to  
January 1st, 1943, 1944 - \$ 32.80 *Key 7 Jan 32*

Amount paid to Secretary  
of State: - \$ 817.20

Will you kindly acknowledge receipt of the  
purchase price by signing the receipt on the duplicate hereof  
and return it to me.

Yours truly,

*T. Todrick*  
T. Todrick,  
DISTRICT SOLICITOR

RECEIVED Cheque covering the purchase price in  
full of the land above described.

*Dec 21/44*  
Date

Solicitor for The Secretary  
of State.



JAN 24 1945

J.L. No. 804

Canada

**DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN**

**JAPANESE EVACUATION SECTION**

File No. 11357 ✓  
Reg. No. 08799 ✓

506 Royal Bank Building,  
Vancouver, B. C.

Mr. Mantoku SAKATA, ✓  
Tashme, B. C.

Dear Sir:

Re: Municipality of Chemainus- Lot 1 of Section 16, Range 5, ✓  
Plan 4353, except that part thereof included in Plan 4656. ✓  
C. of T. 1121061. ✓

You have previously been advised that a sale of lands in rural districts was entered into between this Department and The Director, The Veterans' Land Act.

Due to the size of this transaction, the arrangements for same and the completion of the transfer have taken a considerable time. Negotiations were started in the early part of 1943 and were based upon valuations made by qualified appraisers and on the basis of a sale effective as at January 1st of that year. This means that the 1943 revenues from the property were for the benefit of the purchasers, but that taxes, fire insurance and other operating charges were assumed by them.

The following is a statement showing the sale price and adjustments:

Sale price of above described property	\$ 850.00
Add:	
Unexpired insurance premium as at January 1st, 1943	1.25
	<u>851.25</u>
Less:	
Tax arrears to December 31st, 1942	\$ 32.80
Registration fee	3.00
Encumbrance—Principal	
—Interest	
Net proceeds of sale	<u><u>815.45</u></u>

This amount has been placed to your credit and a statement of your account is endorsed hereon showing the present balance on our books. A small amount for legal fees in connection with the conveyance to the Veterans' land will be charged later.

Yours truly,  
F. G. SHEARS,  
Director.



Debit	Credit	Balance
26.00		
12.50		
12.50		
4.99		
1.00		
105.00		
1942		
June 13	Cheque to Mantoku SAKATA	
July 27	" " " "	
"	" " " "	
"	" " " "	
"	" " " "	
Nov. 16	Land Registry Office Certificate of Encumbrance	
	19 Rents Collected 7 Months @ \$15.00	
1943		
Jan. 16	T. Eaton Co. Acct. Paid	
Feb. 1	Fire Insurance Premium	
Oct. 6	Cheque to Mantoku SAKATA	
Nov. 6	Rents Collected	
1944		
Jan. 1	Cr. re Sale of Property	
Feb. 16	Balance of Rents to 31 Dec. 43	
July 8	Refund Insurance Premium re Policy Cancelled	
119.64		
6.50		
1,061.44		
947.80 Cr.		



08799		NAME SAKATA, Mantoku		FILE NO. 11357 ✓		
(See also File 7978)						
COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
National Fire Insurance Co.	128110	11500.	Nov.	21	1945	River Road Cheminus, B. C.

CANCELLED - July 3rd, 1944.

The above summary is certified to be in accordance  
with the information on file.

12th October, 1945.

*[Signature]*

RGB/P.



LIABILITIES SUMMARY

File 11397.

Montoku SAKATA.

Reg. No. 08799.

\$62.49 H. Furuya Company, Vancouver. Statement, dated May 30/42. Confirmed by Debtor Sept. 29/42, and paid in full by this office on Aug. 19/47.

\$67.65 Y. Satou Company. Letter, dated Aug. 5/42, on son's File 7996, as claim is against son, Mitsuyuki. Confirmed by father, who requested payment from his account (Sept. 29/42), and paid by this office on Jan. 16/43.

There are no other claims recorded on this file.

The above summary is certified to be in accordance with the information on file.

20th August, 1947.



108/7.



PERSONAL PROPERTY SUMMARY

File 11357.

Mantoku SAKATA

Reg. No. 08799.

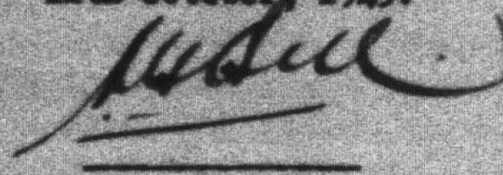
Under date of July 13th, 1942, this Evacuee signed a Custodian "no property" card.

Chattels left in the family home at Chemainus are dealt with in the son's file (7998).

There is no evidence of any other personal property interest in this file.

The above summary is certified to be in accordance with the information on file.

12th October, 1945.



RGB/P.



I, Mrs. Kiyo Skata wife Mantoku Sakata owner of house and property situated on River Road, Chemainus B.C. Section 1, Range 5 Map 4353 Municipality of North Cowichan, Vancouver Island, Province of British Columbia, will rent the said house and property to Mr. Francis Malcolm Forsyth of Chemainus B.C., on the following conditions:

1. The monthly rent shall be (15.00) fifteen dollars payable to the Authorized Deputy of Custodian, 1404 Royal Bank Building, Vancouver B.C., or an authorized Custodian appointed here in Chemainus B.C. for that purpose.
2. The rent is payable in advance on the 22nd day of each month, commencing April 22nd. 1942.
3. The tenant shall look after the House and grounds to the best of his ability.
4. In event of the said tenant vacating this property, thirty days notice shall be given to the Authorized Deputy of the Custodian or an Authorized Custodian appointed here in Chemainus B.C. and on vacating the property it will be his duty to nail up boards on the outside of each window exposed. After these responsibilities are carried out he then shall hand over the keys of the buildings to the proper Authorities.
5. The above said contract shall be for the duration of the war or shall be extended by the consent of the Deputy Custodian of Enemy Aliens Property or by consent of the owner.

the owner  
Signature of wife of Property : *Kiyo Sakata*

Signature of the Tenant of Property: *F. M. Forsyth*

Witness to Signatures: *B. F. Forsyth*

Signed and dated this 17th day of April 1942, at Chemainus in the Province of British Columbia.



*Make File*

Chemainus B.C.  
April 17th.1942.

Custodian of Enemy Alien Property  
1404 Royal Bank Bldg.  
Vancouver B.C.

OFFICE OF THE CUSTODIAN  
JAPANESE SECTION  
**RECEIVED**  
APR 20 1942

Dear Sir:

I am writing you in reference to the renting of our house at Chemainus of which my husband is the owner, prior to his leaving for Vancouver B.C. he instructed me to rent this property if possible, and as I have now found a tenant in the person of Francis Malcolm Forveth of Chemainus B.C., I have taken the liberty of drawing up and agreement for rental of the house for the duration of the war, monthly rental being \$15.00 per month payable in advance.

This property is situated about half a mile from Chemainus Village on the River Road, and it would be well looked after by the tenant, should it be left vacant it might be molested by ~~transients~~ transients etc.

Hoping this will meet with your approval

Yours truly

*Hiyo Sasaki*



6577

May 12, 1942.

Mr. Francis H. Forsyth,  
Chenainus, B. C.

Dear Sir:

We thank you for sending us money order for \$15. with your letter of April 19th covering rental of the house and property owned by Mrs. Kiyo Sakata, wife of Mr. Mantoku Sakata.

We would appreciate your sending us more complete particulars of the property in question, together with a copy of the Rental Agreement you have made with Mrs. Sakata in order that our records may be complete. Also we would appreciate your forwarding us the exact date of your occupancy of this property.

If, in addition, you would be good enough to inform us of the present whereabouts of Mr. & Mrs. Sakata, it would be very much appreciated.

Yours truly,

R. P. Alexander,  
Assistant Manager.

RPA/PAH



Shears

OFFICE OF THE CUSTODIAN  
JAPANESE SECTION

RECEIVED

P.O. Box 103.

MAY 26 1942

Cheminus B.C.

23rd May 1942.

The Custodians Office.

Dept of the Secretary of State ( Japanese Section ).  
Royal Bank Building.  
Vancouver.

Dear Sir,

no 7998 Nishiyama

Your file No 6577. re M SAKATA Regd No 08550.

Mr Forsyth the tenant of property Registered as above has called on me in reference to yours to him of May 12th. The property is Lot 1 of Sectn 16 Range 5 Cheminus District and so far as I know Sakata left for Vancouver. The Local Constable Mr McKay informs me that he sent you a copy of the rental agreement.

By the way Forsythe wants to pay his rent to me and it is immaterial as I can deposit any monies received in the Bank here but if you wish me to take the rent please inform me as to what date his next payment is due from and I take it all rents are payable in advance. Should you wish any further information on this property or arrangement and will advise me I will visit the tenant; it is only about two miles out of Town.

Yours very truly.

Alfred W. Smith



9830

May 27th, 1942.

Mrs. Francis M. Forsyth  
P.O. Box 175,  
Cheminus, B.C.

Dear Madam:-

re Sakata, Mrs. Kivo

We thank you for your postal money order  
081-02283 for \$15.00, representing rent for the  
period of May 22nd to June 22nd.

In our letter of May 12th we asked you for  
a copy of your rental agreement. We apologise for  
asking for this as we now have the agreement referred  
to on our files. We would appreciate it, however,  
if you would advise us if Mrs. Sakata is still in  
your district, or if you can give us her present ad-  
dress. With reference to future payments being made  
to Mr. Stubbs. Unless we advised you previously we  
would be glad if you would send your next payment  
direct to us and you might then again refer to the  
matter of sending future payments to Mr. Stubbs, as  
by that time our policy in connection with this matter  
may have been formed. In your reply please refer to  
file No. 9830.

Yours truly,

FOS:EB.

R.P. Alexander  
Assistant Manager



9830

June 3rd, 1942.

Mr. Alfred Stubbs,  
Box No. 103,  
Chemainus, B. C.

Dear Sir:

Re: SAKATA, Mrs. Kivo.

Referring to your letter of the 23rd ultimo, we would advise that we now have on file a copy of the rental agreement relating to this property.

Regarding the payment of rent, it will be quite in order from now onwards for Mr. Forsyth to pay you and you to remit to us in the usual manner. Forsyth's rent is due on the 22nd of each month - he pays monthly in advance and the next payment is due on June 22nd to cover the period up to the 22nd of July.

We are not quite sure if you have had a copy of the enclosed circular letter to agents acting on our behalf so enclose herewith a copy for your records. In this instance we are not attaching a list outlining the properties you are handling on our behalf as you are already familiar with these.

Yours truly,

R. P. Alexander,  
Assistant Manager.

PD:Mc.  
Encls. 1.



I am the registered owner of Lot 1 of Section 16, Range 5, Chemsinus District, Plan 4353, except part comprised in Plan 4656.

This property was declared by my son who registered with the Custodian on May 7th 1942.

It is my wish that revenues from the rental of this property be remitted from time to time to my wife and this will be your authority to do so.

*Montoku Sakata*



To Mr. F. G. Shears,  
The Office of the Custodian,  
506. Royal Bank Building,  
Granville and Hastings St.



7996

September 15, 1942.

Mr. Mantoku Sakata,  
Japanese Registration No. 38799,  
Tashiro,  
Hope, B. C.

Dear Sir:

With reference to the \$12.50 each month we have been sending to Mrs. Sakata at your request from the rent received from your property at Chemainus, B. C., we see from our file that there is a debt registered against M. Sakata as follows:

M. Furuya Company.....\$ 62.49

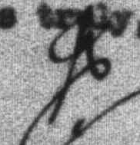
*Admitted*

Before making any further remittance, will you please advise us if this debt concerns you or your son, Mr. Mitsuyuki G. Sakata.

Further, the T. Eaton Company advises they have an account against your son, amount \$47.65, being the balance due on the purchase of a bed-room suite. As we understand your son is joining you at Hope, will you please bring this matter to his notice and request him to write us by return if he admits this claim, or tell us what is the present position regarding same. An extra copy of this letter is attached, that you may hand same to your son if you consider it necessary.

*Admitted*

Yours truly,



P. Doust,  
Administration Department.

PD:BT



7998

Bruce

P.O. Box 103.

Chenaimus B.C.

18th Septbr 1942.

The Custodian.

Dept of The Secretary of State.

Japanese Evacuation Section

Vancouver B.C.

OFFICE OF THE CUSTODIAN  
JAPANESE EVACUATION

RECEIVED  
SEP 22 1942

Wf

Dear Sir,

re H Sakata No O 8550.

Mr Forsyth the tenant of the property on River Road owned by the above named asked me to go up and see what prospects there are of getting a garage and what arrangements could be made as there is no place there for a car and the winter is fast approaching.

I am of the opinion if we wish to keep a tenant in the house something along these lines is requisite but nothing very costly need be erected ; my suggestion is that Forsyth be allowed to deduct say \$5. 00 per month from the rent against a lumber bill say not exceeding \$30. 00 the labour to be done by the Tenant at his own expense. As to the lumber bill I would have a check on the actual amount, the bill for same going through my hands in the office.

Will you please advise me what you decide or please submit some other scheme.

Is it possible that Sakata would sell the property ? if so, at what figure and would a down payment with stated monthly payments be acceptable ? as to value no doubt you have received reports on all the properties from the Surveyors who were round about a month ago and you could be guided by their figures.

Forsyth will be calling to pay the rent in a day or two and I would like some proposal to put before him also to know how long it might take to find out whether or not the property might be sold ?

Yours very truly.

Alfred E.P. Stubbs.



7998

September 22, 1942.

Mr. Mantoku Sakata,  
Japanese Registration No. 08799,  
Tashme,  
Hope, B. C.

Dear Sir:

With reference to your property at Chemainus, which is rented for \$15.00 a month, the tenant, Mr. Forsyth, wishes to know what prospects there are of getting a garage for his car, as winter is approaching. Our agent who is handling this property thinks that for about \$30.00 sufficient lumber could be purchased to erect a rough garage, and the labor would be provided by the tenant.

Our agent is of the opinion that to keep the tenant, it will be necessary to provide a garage of some sort, and we shall be glad to know if you are agreeable to this expense. \$5.00 per month could be deducted from the rent to pay for this expense. If possible, we would, of course, endeavor to get a slightly higher rent in view of the garage being provided.

Our agent asked if you are willing to sell your property. If so, will you please give us some idea of the price you would require. It will be necessary for you to advise us what down payment you would want and what the monthly payments should be. We would like to make it clear that this is not a request for you to sell your property, but merely passing on to you an inquiry received from our agent.

Will you please reply to this letter by return---  
a stamped and addressed envelope is attached.

Yours truly,

P. Doust,  
Administration Department.

PD:BT



7998

September 22, 1942.

Mr. Alfred P. Stubbs,  
P. O. Box 103,  
Cheminus, B. C.

Dear Sir:

Re: Mantoku SAKATA

We are in receipt of your letter of the 18th instant, and would advise that it is necessary for us to communicate with the above before we can agree to the expense incurred in putting up the garage you mention. At the same time we will ask Sakata if he is interested in disposing of his property and what is his idea of price.

You can advise Mr. Forsyth of the above when he calls in to pay his rent. We will communicate with you again just as soon as we hear from Sakata.

We would like to point out that this house was rented for \$15.00 per month without any question of a garage being installed, and we are not at all sure that a slightly higher rent should not be charged with a garage.

As in other cases, you have mentioned, we have no knowledge at all of a report by the "Surveyors" you ~~mention~~ *refer to*.

Yours truly,

P. Douet,  
Administration Department.

PD:BT



FILE NO. 11357

OFFICE OF THE CUSTODIAN

OCT 3 1942

Mr. P. Daub.  
Administer Dept.  
Office of the Custodian  
506 Royal Bank Bldg.  
Vancouver, B.C.

C Daub  
108 4th Ave.,  
Vancouver,  
B.C.  
Sept. 29, 1942

wrote  
has to  
be altered

East with  
6/10

Dear Mr. Daub.  
With reference to your letter of  
Sept. 22nd regarding my tenant  
Mr. Fowyth who wishes to build a  
garage in my property. I have no  
objection in erecting garage for the  
tenant and also I agree with your  
idea of deducting the sum of \$5.00 per  
month from the monthly rent for  
this purpose.

And also reference to your  
letter of Sept. 15th stating the debts  
to J. Eaton Co. the sum of \$47.65 and  
the against my son Mitunishi Saketo  
and the sum of \$62.49 to M. Furuya  
& Co. against myself.

Quid 14-10-42  
4-27-42



In regards to the above matter  
I would like you to make the following  
arrangement for me if possible. The  
total sum of monthly rent to be  
paid to J. Baton Co. through you  
and if that payment is completed  
fully I wish you to notify me, for  
I may be able to pay the debt to  
M. Gureya Co. for I have some  
credits for myself which is sufficient  
to pay for it if I collect them.

Although I did not registered  
the above credits with you.

And regarding my property  
at Chencamus, B.C. & at present  
I have no intension of selling it,  
but the circumstances prompt me to  
sell the place I may do so and  
at that occasion come I will be  
glad to consult you.

In the future if anything  
there is anything that you would like to  
consult me please write to me or to  
my son who is staying with me.

Yours truly,  
Mantoku Sakata.



7998

October 6th, 1942.

Mr. Alfred P. Stubbs,  
P. O. Box 103,  
Cheminus, B. C.

Dear Sir:

Re: Mantoku SAKATA

With further reference to your letter of the 18th of September, we have now heard from the above, who agrees to your suggestion respecting a garage, and that Mr. Forsyth be allowed to erect this and deduct \$5.00 per month from the rent against a lumber bill not exceeding \$30.00, the labour to be done by the tenant at his own expense. It will of course be necessary for you to make it clear to Mr. Forsyth that when he vacates the premises, the garage must be left intact. We take it that in the special circumstances, no additional rent will be charged as hinted by us in our letter of the 22nd of September.

Mr. Sakata advises that at present he has no intention of selling his property, but if at a later date he changes his mind, he will not fail to communicate with us.

Yours truly,

P. Douet,  
Administration Department.

PD:BT



7998

October 6th, 1942.

Mr. Mantoku Sakata,  
108 4th Avenue,  
Tashiro,  
Hobe, B. C.

Dear Sir:

We thank you for your letter of the 29th of September, agreeing with the suggestion of erecting a garage on your property at Chemainus, and have instructed our agent to inform Mr. Forsyth accordingly.

We note that at present you have no intention of selling your property, but should you decide to do so later on, we shall be glad to hear from you.

Respecting the matter of the debts you mention, this is being handled by our Claims Department, and you will be doubtless written regarding same at an early opportunity.

Yours truly,

P. Doust,  
Administration Department.

PD:BT



7998

October 14, 1942.

Mr. Mantoku Sakata,  
108 4th Ave.,  
Tashme,  
Hope, B. C.

Dear Sir:

With reference to yours of the 29th September dealing with the accounts of T. Eaton Co. and M. Furuya Co.

We note that you wish us to set aside all rent coming to you so that we can pay the T. Eaton Company.

We also note that you are going to remit sufficient money to take care of the M. Furuya Co. account.

We have written to the T. Eaton Co. asking them if this arrangement will be satisfactory to them. When we get their reply we will write you again.

Please note that the money due to the T. Eaton Co. has to be paid through this office. Any cheques should be made out to G. W. McPherson, Deputy Custodian.

Yours truly,

A. McAlister,  
Claims Department.

AMCA:ND







11357  
7998

January 18th, 1943.

Mr. Mantoku SAKATA,  
Registration No. 08799,  
Tosima, B.C.

Dear Sir:

As requested in yours of the 29th of Sept. 1942, we have pleasure in advising you that we have made a settlement of the claim by Messrs. T. Eaton Company, Limited amounting to \$47.65 against your son, Mitsuyuki SAKATA.

The only other claim recorded against you in this office is the W. Furuya Company one, amounting to \$62.49.

As there is only a balance of \$10.34 left after paying the Eaton account, we propose to hold your rentals until this can be paid, unless you send us a cheque to put us in funds to take care of it.

Yours truly,

AMcA:DE

A. McAlister,  
Claims Department.



11357  
7998

29th January, 1943.

Mr. Mantoku SAKATA,  
Registration No. 08799,  
TASHME, B.C.

Dear Sir:-

Re: National Policy #128110

We have placed fire insurance under the above numbered policy to cover for \$1500.00 on your Dwelling located on River Road, Chemainus, B.C.

The premium of \$15.00 has been paid from this office to the Insurance Company. We trust that this arrangement is satisfactory to you.

If you would prefer not to have fire insurance and have no protection on your property, kindly advise and we will have the policy cancelled.

I might remind you that you formerly carried \$1500.00 with the British Empire under Policy No. 40496 which policy expired November 21, 1942 and the above policy in the National is a renewal of this coverage.

Yours very truly,

S.M. Gibson,  
Insurance Department

SMG:PM



MEMORANDUM

File Nos.: 7998  
11357

April 1st, 1943

To: FILES

From: Mr. Green

Re: SAKATA, Mitsuyuki  
SAKATA, Mantoku

The father, Mantoku Sakata, did not declare any property to the Custodian, but the son, Mitsuyuki Sakata, did declare items as set out in our letter of January 8th. The house is now vacant and Mr. Stubbs has been asked to see that if and when a new tenant is found, he will sign for the articles mentioned in our letter of January 8th referred to above.

HPG:IP



11357.

June 2nd, 1944.

Mr. Mantoku SAKATA,  
Registration No. 08799,  
Tashme, B. C.

Dear Sir:

Re: Lot 1 of Sec. 16, Range 5, Chemainus District,  
Plan 4353. ex. that pt. thereof incl. in P.4656.

The Custodian has recently accepted an offer received from The Director, The Veterans' Land Act, to purchase a large number of Japanese-owned rural properties.

We are writing to advise you that the above property which you own, is included in this deal.

The sale was made effective as at January 1st, 1944, and adjustments will be made as at that date and rentals received in the current year will accrue to the Director of the Veterans' Land Act.

As this is a transaction of considerable size it will take some time to make all the necessary adjustments and receive payment. In due course, however, we will supply you with full details as it concerns your own particular property, showing the adjustments which have been made and the amount which will be placed to your credit.

We would suggest that further correspondence from you in regard to this matter should be delayed until we are in a position to supply complete information and make the proceeds of sale available to you, subject to the adjustments mentioned above, and to any legitimate claims filed with the Custodian.

In due course, therefore, you may expect to hear from us further in regard to this matter.

Yours truly,

F. G. Shears,  
Director.

RGB/P.



11357  
9599  
7998  
5201

July 3, 1944.

Messrs. Rithet Consolidated Limited,  
1117 Wharf Street,  
VICTORIA, B. C.

Dear Sirs:

Re: National Fire Pol. #128109-  
Chozo NISHIMURA  
National Fire Pol. #128110-  
Mitsuyuki & Mantoku SAKATA  
National Fire Pol. #128125-  
Chiyoki YOSHIDA

We are returning herewith the above numbered policies for cancellation.

These policies covered on property taken over by the Director, Veterans' Land Act; but owing to a change in their policy, the policies were finally sent back to us.

The Director, Veterans' Land Act placed insurance on these properties according to their requirements as from December 31st last; and the above policies should have been sent for cancellation at that time; but it was held in abeyance until the matter concerning this coverage was cleaned up as between ourselves and the Director, Veterans' Land Act.

We apologize for the delay in forwarding these policies for cancellation; but would ask you to date the cancellation back as far as possible--to December 31st if that could be done. We will be pleased to receive your cheque covering the return premium at your early convenience.

Yours truly,

S. M. Gibson,  
Insurance Department

SMG:JS











1137.

October 12th, 1945.

Mr. Mantoku SAKATA,  
Registration No. 08799,  
c/o Mr. A. G. Fox,  
R. R. No. 2,  
Port Burwell, Ontario.

Dear Sir:

We are in receipt of your letter of the 20th ultimo requesting the remittance of \$900.00 from your account, which shows a credit balance of \$926.80 at the present time.

It is the practice of this office to make a complete review of a file before making final distribution of assets on hand and in doing this we find that a claim amounting to \$62.49 was filed against you by M. Furuya Company on the 30th May, 1942, and acknowledged by you on the 29th September, 1942. This debt appears to be still outstanding and we are therefore unable to remit the amount requested.

To avoid further delay in meeting your urgent need for funds we are enclosing our cheque in your favour for \$800.00, and carry forward a balance of \$126.80.

When acknowledging this remittance if you will advise us of the present position of the above mentioned debt, and authorize us to pay it on your behalf if still unpaid, we shall be glad to complete our review of your file and make the net balance of your funds available to you.

Yours truly

R. G. Bell,  
Administration Department.

RGE/P.  
Encl. 1.



11377.

*mailed Aug 22/47.*

August 20th, 1947.

REGISTERED MAIL.

Mr. Mantoku SAKATA,  
Registration No. 08799,  
c/o Mr. A. G. Fox,  
R. R. No. 2,  
Port Burwell, Ontario.

Dear Sir:

It is desired to close inactive accounts in our books and your file is up for review in this connection.

The balance standing at the credit of your account, \$126.80, has remained as advised you on the 12th October, 1945. The only outstanding liability recorded against you is the claim of \$62.49 filed by H. Furuya Company. This debt has been acknowledged by you and we are therefore paying it, as per attached copy of covering letter, and enclose herewith our cheque in your favour for the net balance of \$64.31.

We enclose a stamped addressed envelope for your convenience and would appreciate receiving your acknowledgment of this remittance for our records.

Yours truly,

R. G. Bell,  
Office of the Custodian.

RGB/P.  
Encl. 3.



457 Kenilworth Ave. N.  
Hamilton, Ont.  
Sept. 20, 1947.

Mr. R. G. Bell.  
Dept. of the Secretary of State.  
Office of the Comptroller.  
506 Royal Bank Bldg.  
Hastings & Lansdowne.  
Ottawa, P.C.

EVACUATION SECTION	
Rec'd	SEP 25 1947
File No.	11957
Ans.	
Referred	Bell

Dear Mr. Bell.

I have acknowledged the receipt of my cheque for sixty-four dollars and thirty-one cents (\$64.31) some days ago. But, according to the statement you have sent me on Jan. 24, 1945 the total credit in my favour was \$941.80.

Later in the year I have asked you to send me the sum of \$900.00, but you have sent me just \$800.00 in cheque. According to this the balance credit should be \$ 141.80. which does not agree with the amount of credit you have given me dated Aug. 20, 1947.



Therefore, I am very regret to  
bother you again, but could you  
kindly send me the full  
statement regarding the credit and  
debit on my account. I would  
like to know where this difference of  
\$15.00 have gone to.

Hoping to hear from you soon  
earliest convenience.

Yours truly,

Mantoku Sakata



11377.

24th September, 1947.

Mr. Mantoku SAKATA,  
Registration No. 08799,  
457 Kenilworth Ave, N.,  
HAMILTON. ONT.

Dear Sir,

Re: Accounts:

In reply to your letter of the 20th instant we have to advise that your ledger account shows the difference of \$15.00 to which you refer represents your share of the legal fee referred to in the last paragraph of our letter of advice J.L. No. 804, mailed to you on January 24th, 1945.

The statement of your account enclosed with that letter did not show this entry, which is dated April 23rd, 1945, and reduced your ledger balance to \$926.80, as indicated in our letter of the 12th October, 1945, when we remitted you \$800.00. Out of the balance remaining (\$126.80), the sum of \$62.49 was used to pay your account with M. Furuya Co. (as per copy of our covering letter dated Aug. 20th, 1947), \$64.31 being remitted to you on the same date and your account closed.

Yours truly,

R. G. Bell,  
Office of the Custodian.

B.



Name of Claimant **SAKATA, Mantoku**Case **1261**Custodian File **11867**

<u>REAL PROPERTY</u>										Total
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 % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
					850.	680.00				116.00 680.00
<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 & Not Found & 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										736.00



11397

October 11th, 1950

Mr. Mantoku SAKATA,  
571 Burlington St. E.,  
Hamilton, Ontario.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 1261

We have received from the Co-Operative Committee  
on Japanese Canadians, our form of Release which has been  
executed by yourself covering the award recommended under  
the above Claims Commission for the sum of ... \$ 796.00.

Cheque in your favour is enclosed for \$ 771.46  
and we have paid the Co-Operative Committee .. \$ 24.54  
for legal fees as authorized by you.

Yours truly,

F.G. Shears  
Director

FCS:BN  
Encl.



DEFENCE BRIEF

Toronto, Ontario.  
November 17, 1948.  
V.L.A. A-45.

Mantoku SAKATA

File No. 11357

Case No. 1261

REAL PROPERTY CLAIM  
(All claims shown are Gross)

Lot 1 of Sec. 16, Range 5,  
Cheminus Dist., Plan 4353  
except that part thereof  
included in Plan 4656.

\$3,000.00

Appraised at  
\$867.42

Sold for  
\$850.00

Witness: R. W. Brown, Appraiser.

References:

Transcript P.4, lines 6-15:- Discrepancy  
in acreage of property between Appraisal,  
Exhibit 2 and Survey, Exhibit 3.

Transcript P.10, lines 20-30:-

"I note in the survey, your honour, that  
while it has under 1 "9.96 acres" there is  
a part on the east lot "A" which has 1.99  
acres. That may account for the difference  
between the acreage of the farm appraisal  
report and the claimant. Deducting the  
1.99 from 9.96 would give the 7.97 in the  
appraisal report. There is some confusion  
here as to where the boundaries of the lots  
are and I doubt if we could interpret it  
here. It is not quite clear to me.  
The Sub-Commissioner: They will have to  
determine it in Vancouver."

Transcript P.5:- Claimant states in his  
claim that the fruit trees on the average  
were about six years old in 1942 and had  
considerable value.

Exhibit 2:- Appraiser states: "few fruit  
trees of no commercial value".

Transcript P.6:- Claimant states upper  
level of property was inclined to be a  
little dry but in the lower part it was  
inclined to be swampy and for that pur-  
pose I made drains.

Submission:

Transcript P.11, lines 5 and 6:

"I submit that the property was sold at  
its fair market value."

Summary of Defence  
Witnesses

R. W. Brown

Where Required

Summary of Documents  
to be filed

Witness  
Proving same.

/js



IN THE MATTER OF THE "INDIAN ACT"  
PART I. REVISED STATUTES OF CANADA, 1927. CHAPTER 53.

JARVIS PROPERTY CLAIMS COMMISSION

REPORT

HIS HONOUR, JUDGE J.A. McLEOD, SENIOR COMMISSIONER

Toronto, Ontario,

December 17, 1948.

IN THE MATTER OF THE CLAIM OF

ANTHONY SANTA

RECOMMENDED BY HEARING

APPEARANCES:

H.A. GUNTER, Esq., B.C.,

appearing for the  
Dominion Government,

H.A. ROSE, Esq.,

appearing for the  
Claimant.

A. SMITH, Esq.,

Secretary,

A.G. VERON, Esq.,

Official Reporter,

C.H.R. DUTTON, Esq.,

Official Interpreter.



M. Salvo,  
Dir. 22.

ANTHONY BARTO, the claimant herein, being  
first duly sworn, testified  
through the interpreter as  
follows:

DIRECT EXAMINATION BY MR. BERT:

Q. Is that your signature (indicating)?

A. Yes.

Q. And was that form prepared upon your instructions?  
A. Yes.

Q. And you swear the contents are true?

A. Yes.

MR. BERT: I am filing as Exhibit 1 the Real  
Estate Farm Land form.

(PARTICULARS OF REAL ESTATE, FARM LAND,  
MARKED EXHIBIT NO. 1)

Q. I understand that you had a 10-acre farm  
near Chamisso, B.C.?

A. Yes.

Q. That is on the island, on Vancouver Island?

A. Yes, sir.

Q. You had purchased that property from the  
Victoria Lumber Company in 1934 for \$200.?

A. Yes.

Q. At that time it was just bush?

A. Yes.

Q. Now, who did this clearing and cultivating  
between 1930 and 1932? A. I did it.

Q. Did you have any assistance from your sons?

A. Yes.

Q. I see; but you did not pay any outside help?

A. No.



W. Sakata,  
Hr. ex.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

MR. CHRISTIE: I tender as Exhibit 8 the Farm  
Appraisal Report.

(FARM APPRAISAL REPORT, MARKED EXHIBIT NO. 8)

MR. HUNT: Q. With respect to this ditching,  
was that open ditching or covered?

A. It was open.

Q. I see. Apparently you built this house when  
you purchased the property?

A. Yes.

Q. Well, now, who worked on it? I notice you  
have not charged anything there for outside labour.  
Was it done all by members of your family?

A. I called in outside help to construct the  
house. I called in outside help to construct the  
house.

Q. Did you pay the outside help?

A. Yes.

Q. That would be included in the \$600.?

A. Yes.

Q. In respect of this back porch and the front  
porch, they were apparently added the following year.

A. That was not done at once, but it was done  
from year to year by degrees.

Q. I see. Thank you.

What do you mean by this entry?

"Garage built by lessee in 1943, \$500. paid  
by claimant to lessee."

You were evicted in 1943, were you not?

A. I think this was paid by the Custodian.



1 this 1930.

2 Q. I think it must, obviously, have been paid by  
3 the Commission.

4 A. I am not perfectly certain in regard to that  
5 situation. My son understands it.

6 Q. Thank you. According to your claim there is  
7 9.35 acres in this property but the appraisal which  
8 has just been filed as Exhibit 3 shows two acres less -  
9 7.37 - to be exact. Was that survey of your property  
10 made for you on your behalf? A. Yes. This was  
11 made for me by a surveyor.

12 MR. BENT: I am filing this survey as Exhibit 3.  
13 It is a survey made by H.M. Ansell, dated June 27, 1930,  
14 of the claimant's property, showing the acreage as  
15 9.35.

16 (SURVEY, JUNE 27, 1930, MARKED EXHIBIT NO. 3)

17 MR. CHRISTIE: Your honour, I am quite willing  
18 that my friend should file this. I would point out for  
19 the record that I am going to have no opportunity of  
20 cross-examining the surveyor who has made this report.  
21 He can file it for whatever weight it may have.

22 MR. BENT: Of course, that goes for a great deal  
23 of the evidence and the documents which have been  
24 filed before the Commission. It is proved under The  
25 Land Registry Act.

26 THE SUB-COMMISSIONER: What is the date?

27 MR. BENT: June 27, 1930.

28 THE SUB-COMMISSIONER: Subject to Mr. Christie's  
29 objection.

30 MR. BENT: The initials S.M.C. appear after Mr.  
Ansell's name, whatever they stand for.



M. Sakata,  
Mr. Sakata.

Q. Now, Mr. Sakata, apparently you had one  
acre of this 3.3 acres cleared only. Is that right?

A. Yes.

Q. And, what occupied that acre?

A. There was nothing there at all. There were  
fruit trees and my house.

Q. This approximately 200 fruit trees, I take  
it, would be on that acre?

A. There were 20 trees over and above the 200.  
There were 220, altogether.

Q. And were they all either pear, apple or plum  
trees?

A. Yes.

Q. You have said in your claim here that the  
fruit trees on the average were about six years old in  
1943 and had considerable value. As against that the  
appraiser says the fruit trees had no commercial value.  
Can you tell us of the 220 trees how many would be six  
years old or more?

THE SUB-COMMISSIONER: I do not think he can  
answer that. The son may be able to answer that.

MR. BENT: If you do not know, just tell us and  
your son may know.

A. There were about 20 trees of six years and  
the balance about two or three years old.

Q. He seems to be short one appraisal form,  
your honor, unfortunately.

Did you have any difficulty with this property  
drying out? Was it too dry at any time to farm?

A. Too dry?



M. Sakata,  
DET. CH.

THE SUB-COMMISSIONER: Yes.

MR. HEST: Q. Was it too dry to farm?  
Did you ever have any difficulty there?

A. The upper level was inclined to be a little  
dry but in the lower part it was inclined to be swampy  
for that purpose I made drains.

Q. All right, thank you.  
I will call the man.

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. I am showing you a J.P. Card, dated July 15,  
1942. Is that your signature?

A. Yes.

MR. CHRISTIE: I file this J.P. Card, which does  
not seem to be a J.P. Form, as Exhibit 4. It is a  
No Property J.P. Card. I guess that does not have any  
significance. It is dated July 15, 1942.

(J.P. CARD, MARKED EXHIBIT NO. 4)

Q. Who was your neighbor on the east of you?

A. The Victoria Lumber Company were there.

Q. And did you own any other property besides

Lot 17

A. No.

MR. CHRISTIE: You are going to call the man?

MR. HEST: Yes.

MR. CHRISTIE: Q. Of what kind of material was  
this house constructed?

A. Fir and cedar.

Q. And how was it heated?

A. By a stove.



W. Sakata,  
Sr.,  
H. Sakata,  
Dir.

Q. And did you earn your living off of this farm?

A. I was working at the Victoria Lumber Company.

Q. Did you work throughout the year there?

A. Yes.

Q. That is all, thank you.

HIROYUKI SAKATA, being first duly sworn,  
testified as follows:

DIRECT EXAMINATION BY MR. BENT:

Q. You are a son of the previous witness?

A. Yes.

Q. And did you live on this property at  
Champlain, D.C.? A. Yes.

Q. How far, first of all, from the mill of the  
Victoria Lumber Company was this property?

A. I think it is approximately a mile.

Q. About a mile?

A. Yes.

Q. And according to the appraisal it is just  
about half a mile from the town?

A. Yes.

Q. The mill is on the other side of the town?

A. Yes; right on the way.

Q. Do you know anything about the business of  
this garage being built by the lessee after evacuation  
and the Custodian paying \$60. to him on your father's  
behalf?

A. Yes. I am able to explain that.  
When we evacuated that property at that time we made  
agreement with the lessee that he was going to  
pay us rent of \$15. a month through the Custodian.



M. Galt,  
127-50A

1 The following year, 1943, I believe it was, we had a  
2 lease from the Custodian, I think, that the lessee wanted  
3 to build a garage on it. The lessee wanted us to pay  
4 for the garage. Of course, the lessee told us that he  
5 will pay for the labour. He said he will bear it himself  
6 and he wanted us to pay for the material, and that  
7 cost him about \$40. So, we agreed on that. As I said  
8 before, he was paying us \$15. a month for the rent and  
9 we agreed that he was to pay \$15.50 a month thereafter  
10 until this \$40. was paid.

11 Q. And that situation prevailed and the \$40.  
12 was deducted from your father's account with the  
13 Custodian?

14 A. That is right.

15 Q. Even what your father has told us apparently  
16 part of this property is higher than the other. Is there  
17 a hill on the property?

18 A. Yes; that is right.

19 Q. A very high hill?

20 A. Yes. It was a very high hill. It was a  
21 slope on one side.

22 Q. Did it slope down to the road?

23 A. No; right down to the property, not towards  
24 the road.

25 Q. It sloped away from the road?

26 A. Yes.

27 Q. What do you say about the dryness of the  
28 soil?

29 A. Well, to my opinion I think it is - I think -  
30 although the land was good for any kind of garden



1 marketing, in fact that sloping place is excellent  
2 for strawberry growing, I think.

3 Q. Apparently, according to the appraisal  
4 there is clay and loam is the type of soil there?

5 A. Yes, mostly black loam.

6 Q. Is any part of the property too wet to use  
7 for cultivation?

8 A. Well, there may be some but if you would  
9 dig a ditch through it for drainage purposes I do not  
10 think it is too good for any purpose at all. You can  
11 use it for anything.

12 Q. Your father told us he did some ditching in  
13 1941 at a cost of \$200. I take it that is in the low  
14 part of the property?

15 A. That is right.

16 Q. Was this on the main road out of the town?

17 A. Yes. They call it Champlain River Road.  
18 This road leads in to the Champlain River. It is a  
19 side road, not on the highway.

20 Q. A gravel road, according to the appraisal?

21 A. Yes.

22 Q. Is that correct?

A. That is correct.

23 Q. All right, thank you.

24  
25 CROSS-EXAMINATION BY MR. CHRISTEN:

26 Q. Do you know how many acres your father had?

27 A. Well, I only know by the blueprint which we  
28 had, that it was 2.96 acres.

29 Q. You have not got a deed here or a description  
30



H. Schute,  
Gr. 22.

of the property? Have you a deed or any document?

A. Yes, we have had a deed.

Q. Have you got any with you?

A. You will have to ask about it.

Q. All right, thank you.

MR. SHER: That is all, thank you, witness.

MR. CHRISTIE: I will file as Exhibit 5 the Assessment Notice for the year 1944. The total assessment is \$1,900., made up of improved land \$100., and improvements \$1,800.

(ASSESSMENT NOTICE, 1944, MARKED EXHIBIT NO. 5)

I will file a copy of the certificate of encumbrance as Exhibit 6.

(COPY OF CERTIFICATE OF ENCUMBRANCE,  
MARKED EXHIBIT NO. 6)

I will file as Exhibit 7 the Real Property Summary.

(REAL PROPERTY SUMMARY, MARKED EXHIBIT NO. 7)

I note in the survey, your honour, that while it has under 1 "0.00 acres" there is a part on the east lot "2" which has 1.00 acres. That may account for the difference between the acreage of the farm appraisal report and the claimant. Subtracting the 1.00 from 2.00 would give the 1.00 in the appraisal report. There is some confusion here as to where the boundaries of the lots are and I doubt if we could interpret it here. It is not quite clear to me.

THE SUB-COMMISSIONER: They will have to determine it in themselves.



M. Sakata claim.

MR. CHRISTIE: Yes, they will have to determine it in Vancouver.

The appraiser deducted the 1.85 from 3.85. That is how he arrived at it.

I submit that the property was sold at its fair market value.

That concludes the defence, your honour.

THE SUB-COMMISSIONER: Very well, if there is nothing further.

(PROCEEDINGS ADJOURNED SINCE DEE)

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

*A.S. Veitch*

A.S. Veitch,  
Official Reporter.

I, John A. McElbreen, Deputy Commissioner, appointed to hear a Commission to investigate claims of Japanese Canadians for property loss, do certify the foregoing is a true copy of the evidence heard on the within claim.

*John A. McElbreen*  
John A. McElbreen,  
Deputy Commissioner.