Name of Claimant MORI, Masazo Case 432

Custodian File 1530

REAL PROPERTY

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 Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
		100.00									100.00

PERSONAL PROPERTY

Motor Vehicles		Boats and Boat Gear						
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS

Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price	

MISCELLANEOUS CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
			46%	30.00	13.80			13.80

TOTAL RECOMMENDATION	113.80

CASE NO: 432

JAPANESE PROPERTY CLAIMS COMMISSION

New Denver, B.C.

June 24, 1948

IN THE MATTER OF THE CLAIM OF

MASAZO MORI

PROCEEDINGS AT HEARING

Original

IN THE MATTER OF THE "INQUIRIES ACT."

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE H.W. COLGAN, SUB-COMMISSIONER)

New Denver, B.C.

June 24, 1948

IN THE MATTER OF THE CLAIM OF

MASAZO MORI

PROCEEDINGS AT HEARING

APPEARANCES:

DONALD MACDONALD, Esq.	appearing for the Dominion Government
A.E. COBUS, Esq.,	appearing for the Claimant.

W.J. STURGEON, Esq.,	Secretary to New Denver Sub-Commission
MRS. I.C. SMITH,	Official Interpreter
G. HAMBLETON, Esq.,	Official Reporter.

MR. COBUS: The claim, your honour, of Masazo Mori, No. 40 on the Secretary's list.

MASAZI MORI, the claimant herein, being first duly sworn, testified as follows:

MR. COBUS: I would ask leave, your honour, to amend the claim with respect to the real property by showing a value of land and buildings at $600.00 instead of $1130.00 shown.

THE COMMISSIONER: What are you doing?

MR. COBUS: We are amending the land and buildings claim under 4 (e) (i) and (ii) to read $600.00 for land and buildings in place of a total originally of $1130.00. We credit the Custodian with $100.00, leaving a net realty claim of $500.00.

With respect to the list under 5 (e), that is, the personal property claim, the items from 1 to 7 are abandoned with this reservation, that item 7 concerned a claim for a certain gas boat, and that is abandoned subject to the Terms of Reference being broadened. As to the claim for chattels, we show a total claim now of $60.00 only with a credit to the Custodian of $5.00, which was for the sale of a stove, leaving a personalty claim of $55.00; therefore, a total claim of $555.00.

The lists attached to the claim form are being replaced by lists which will form part of the chattels statement to be filed later.

MR. COBUS: This witness speaks English, your honour.

THE COMMISSIONER: Yes.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the real estate for which you have submitted a claim. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature?

A: Yes.

Q: Is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask leave to file the real estate statement, your honour.

THE COMMISSIONER: That is Exhibit 1.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: The statement, Exhibit 1, concerns a house and one acre more or less of land in the Japanese fishing village of Storm Bay, Tofino, B.C. The building was a three room house, consisting of a living room, kitchen and bedroom, and measured about 24 feet by 24 feet and was a one storey structure. The building was of shiplap with tarpaper and shingles on the exterior, built on posts. The inside was of shiplap, papered, the flooring of fir, and the roof shingled. It was purchased in 1923 at a cost price of $150.00. At that time it was vacant land. He describes the locality as being a Japanese fishing village of some 8 families.

He lists five improvements made on the land including clearing, $75.00, a house built in 1923 at a cost of $600.00, a woodshed erected in 1924 at a cost of $30.00, a bathhouse in 1930 at a cost of $30.00, and a chicken house in 1930 at a cost of $25.00. The claimant estimates the value of land and improvements at the date of sale to be $600.00.

With respect to the appraiser's report, he says that the roof was not leaking when he left, the doors and windows were intact when he was evacuated, and he boarded them up before leaving. He considers the valuation of $100.00 to be much below a fair value. He adds that the community in which he lived was just off the main highway to Ucluelet, and about 1 mile from Tofino post office. There were Occidentals in the neighbourhood engaged in fishing. He considers that when the property was sold by the Custodian in August of 1945 for $100.00 the property would be worth at least $600.00 at a fair market value.

Would my friend produce the appraisal on this property?

(Handed to Mr. Cobus)

MR. COBUS: I have had produced what appears to be an appraisal on the subject realty which bears the signature, H.G. Winters, and from my experience with Mr. Winters' appraisals, is anything but an excellent one. There is no date on it. How-

ever, apart from saying that the roof leaks badly, and valuing it at $100.00, there is not much in it. It is filed on behalf of the Crown.

(APPRAISAL MARKED EXHIBIT NO. 2)

MR. COBUS: It is to be noted in Exhibit 2 also, your honour, that there is no split of value, that is, he does not show a value for land and a value for improvements.

Would my friend admit that the 1944 assessment on this property was, land $100.00, and improvements $250.00, a total of $350.00?

MR. MACDONALD: Yes, your honour. That is by the Corporation of the Village of Tofino.

MR. COBUS: The purchaser?

THE COMMISSIONER: No, that is the assessment.

MR. MACDONALD: That is the assessed value of the Corporation of the Village of Tofino.

MR. COBUS: Oh, yes; I am sorry.

Q: Witness, I produce to you a statement concerning the personal chattels for which you have submitted a claim in the amount of $60.00. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature?

A: Yes.

Q: Is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask leave to file the personal chattels statement, your honour.

(STATEMENT MARKED EXHIBIT NO. 3)

MR. COBUS: In Exhibit 3, your honour, the claimant has listed three items and has given full details with respect to each, including separate estimated values for each of the items listed. He says that the goods were left in his house at Storm Bay, Tofino, B.C. The additional comment he makes is that he cannot or does not remember whether he told the Custodian's agent to sell his kitchen stove, but that if he did, he certainly did not give him any authority to sell for what he describes as a "give away" price, $5.00. With respect to the bed and cabinet, he says these were well built by a qualified carpenter. Depreciation was allowed on the items claimed and the Custodian only sold his stove.

If my friend will produce the personal property analysis, I think it might be filed.

(Handed to Mr. Cobus)

MR. COBUS: I have had produced the Analysis of Personal Property Claim. Before filing it, your honour, I would point out that it is only the original which shows any details with respect to the final disposition of any of the claimed items. In ink now on the original produced, the large cookstove, the third item under "Details of Claim" was sold under "Tenders" for $5.00. The second item, a home made Cabinet, is shown as $15.00 under "No Account, theft." The first item, a home made bed, so described, is also shown as $15.00 under "No Account, theft."

The Analysis, your honour, is filed on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 4)

MR. COBUS: Your witness.

MR. MACDONALD: I submit that the real property was sold at its fair market value, and the personal property that was sold was sold at its fair market value, and that the personal property claimed is claimed at an exhorbitant value.

10

CROSS EXAMINATION BY MR. MACDONALD:

Q: Your property was how far from Tofino?

A: One mile.

Q: From where? A: From the post office.

Q: Was it Storm Creek? A: No, Storm Bay, it is.

Q: Storm Bay? A: Yes.

Q: That was where your place was, at Storm Bay?

A: Yes.

20 Q: And Storm Bay is, you say, a mile from Tofino?

A: Yes.

Q: Now, is that on the Island, Vancouver Island, or on the mainland? A: Vancouver Island.

Q: On the west coast or the east coast?

A: West coast.

Q: How far is that from any other --

THE COMMISSIONER: It is just outside Quatsino Sound. You come out of Quatsino Sound and Tofino is just around the corner.

30 Q: Is that where it is, just outside Quatsino Sound?

A: No, just inside Clayoquot Sound.

THE COMMISSIONER: Yes.

MR. MACDONALD: Q: Well, is there any town of any size near to it? How far away are you from a place of any size?

A: Zeballos is the closest place of any size.

Q: How far are you from Zeballos?

A: Pretty far.

Q: How far are you from Zeballos?

A: Zeballos is -- Nootka Sound is --

Q: You are north of Zeballos, are you?

A: No, south-east more. More on Victoria side.

Q: More to Victoria. How far are you from Victoria?

A: About 90 miles by CPR boat, you know, about 90 miles.

Q: Is that closer than Zeballos?

A: Yes. Berkley Sound first and next Clayoquot Sound and then next Zeballos -- or, no, Nootka Sound and inside of Nootka Sound is Zeballos.

Q: Yes. I understand from your statement there were eight families at Storm Bay.

A: Yes.

Q: Eight Japanese families? A: All fisherman.

Q: All fishermen? A: Yes.

Q: And that constituted the whole village, did it, your eight Japanese families?

A: Yes, but besides that there was a white man living there, Mr. Armitage.

Q: Mr. Armitage? A: Yes.

Q: That is evidently the clerk, Mr. Armitage.

A: Yes.

Q: He is the collector of the Village of Tofino.

A: Yes, long time.

Q: And is he the only English speaking man up there?

A: No, lots of people there.

Q: I beg your pardon?

A: In Storm Bay --

Q: Does Mr. Armitage live at Storm Bay?

A: Yes, same place, just beside, just one side my land; next, Mr. Armitage.

Q: Are there any other English speaking people up there? A: No. About four or five hundred people up there.

Q: Well, how many English speaking families would be up there?

A: Oh, I think four or five hundred people there altogether.

Q: Four or five hundred people?

A: Yes, besides, you know the main highway to Ucluelet; many houses besides there, besides that road.

Q: Well, now, I understand that there were only eight Japanese families in this village of Storm Bay.

A: That is a small bay. Fishermen want to be close to the sea, you know.

Q: And were there any English speaking people living at Storm Bay besides Mr. Armitage who you say has land next to yours? Were there other English speaking people at Storm Bay?

A: It is just a small Bay, no more other white men

there.

Q: No others? A: No.

Q: And all these Japanese families were evacuated from there, were they not; there are no Japanese up there now, are there?

A: No, no Japanese up there.

Q: And it is quite an out of the way place, isn't it? It is isolated from every other place up there on the west coast of the island?

THE COMMISSIONER: Well, the highway runs right by it, you see. There is a highway which runs right by there.

MR. MACDONALD: There is a highway there?

THE COMMISSIONER: Yes, the highway runs to Storm Bay.

THE WITNESS: Up to Ucluelet; about fifty miles.

MR. MACDONALD: Your honour certainly has the advantage of me there; I have never been up that far north.

Q: When you left there, where did you leave your goods? I see here that you left them in your house. A: Yes.

Q: Did you lock the place? A: Yes. And I boarded up the doors and windows.

Q: Did you give the key to anybody?

A: No. I have the key yet.

Q: You still have the key?

A: Yes.

Q: When did you build this little house?

A: 1923 to '4.

MR. MACDONALD: I wish to draw to your honour's attention that, from Exhibit 2, the appraisal, "Prac-

tically all doors and windows gone. Roof leaked badly." That is from the appraisal of H.G. Winters The property was in an isolated place.

That is all, your honour.

THE COMMISSIONER: That is all, Mr. Mori.

MR. COBUS: I just want to ask one question, your honour.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, your house, you know, was sold in 1945; do you know that? A: Yes.

Q: Would you describe the community at Storm Bay in 1945 as being a Japanese village then? How many Japanese were living at Storm Bay in 1945?

A: Nobody there.

Q: No Japanese, at any rate. A: No Japanese.

MR. MACDONALD: That is all right. He doesn't know who they were. He knows there were no Japanese there. We know that ourselves.

MR. COBUS: Yes.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton

G. Hambleton
Official Reporter

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

H.W. Colgan
Sub-Commissioner

New Denver
Nelson

4332

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

File 1530

40

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

(1) NAME MORI (Print) Surname Masazo Given Name (RCMP) Reg. No. 11971

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

(3) Present Address New Denver, B.C.

(4) REAL ESTATE

(a) Street Address (if any) _____ City or Municipality, _____ Province

(b) Legal description (lot number, block number, section number, etc.)
Clayoquot District Lot One hundred fifteen (115) Block A. - Map 3590

(c) Type of Real Property (cross out words which do not apply):

(i) ~~Farm~~
(ii) Residence Type of business Fishing
(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 - - - - - - - - - - - - - - - - - $ 150.00
(ii) Buildings - - - - - - - - - - - - - - - $ 980.00 } $1100
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - -Fishing Boat & Household goods $ 1633.00 Ont 500 on. 100
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 2763.00
(v) Amount at which Custodian sold property and credited your account - - $ 742.83
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 2020.17

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
Left at Tofino, B.C.

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

(c) How stored or packed at time of evacuation
Left on premises

(over)

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

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

1.	Residence - 1 storey - 3 room	Estimated Value $ 850.00
2.	Land - 1.03 acres	Estimated Value $ 150.00
3.	Chicken house - 10 x 12	Estimated Value $ 25.00
4.	Wood Shed - 16 x 20	Estimated Value $ 75.00
5.	Bath House & Tub	Estimated Value $ 30.00 $60
6.	Household goods	Estimated Value $ 83.00
7.	Gas Boat (Fishing) Troller	Estimated Value $ 1550.00
8.		Estimated Value $
9.		Estimated Value $
10.		Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 2763.00

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) - $ 2,020.17 $535.=

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

Nelson or New Denver

(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)
of)
TO WIT:)

I, Masazo Mori of the Village
of New Denver in the Province of British Columbia

DO SOLEMNLY DECLARE THAT:

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

DECLARED before me at the Village)
of New Denver)
in the Province of B.C.)
this 20th day of November)
A.D. 1947. Hank Broughton) A Commissioner &c.

Masazo Mori

Commissioner for Taking Affidavits
Province of British Columbia

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.

_____

_____

_____

_____

RE: MASAZO MORI - REG. #11971

Household Goods:

Home-made Bed	$ 15.00
Home-made Cabinet	15.00
Large Cook Range	45.00
Coleman Stove - Gas	8.00
	$83.00

1 Gas Boat (Fishing) Troller - Columbia type - 35' long

Cost in 1935 (new)	$ 2,471.00
Present value	$ 1,550.00

Masuo Mori
(Claimant's Name)

EXHIBIT No. 432-1
DATE June 24/48
FILED BY Cobus

REAL ESTATE
(Other than farm)

1971
Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
House and 1 ac ± of land in Japanese Fishing Village of Storm Bay, Tofino, BC size about 24 x 24 - one storey	3 rooms (living room, kitchen + bedroom)	walls - ship lap, tar paper & shingled - built on posts - ship lap inside (papered) - fir flooring - shingle roof	residence	just over 1 acre with water frontage	1923	——

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Jap Fishing village of some 8 families	$150.00 vacant land.	① cleared about 1/4 acre ably buying in 1923 — own labour — est value 75.00 ② Erected house (see details above) after buying land in 1923 - hired carpenter and bought materials: — cost about — 600.00 ③ Erected woodshed in 1924 — 16 x 20 - frame - shake roof - labour + material 50.00 ④ Erected salt house - 10 x 12 - 1930 + labour + material - frame - Bamber roof — 30.00 ⑤ Chicken house 10 x 12 - 1930 - frame - shingle roof - labour + material 25.00	$ 600.00 (land and improvements)	

Comments re upkeep of premises:
Repairs were done as required

Comments re Appraiser's report not covered above:
Roof was not leaking when I left - the doors and windows were intact when I was evacuated and I boarded them up before leaving I consider the valuation of 100.00 value much below a fair value —

Comment: This community was just off the main highway to Ucluelet and about 1 mile from Tofino. P.O. - There were also accidentals in the neighborhood engaged in fishing. — I consider that when sold by the Custodian in Aug 1945 for 100.00 & 600.00 at a fair this property would be worth at least market value —

M Mori
SIGNATURE

EXHIBIT No. 432 - 2

DATE June 24/48

FILED BY Crown

Corporation of the Village of Tofino.

Catalogue No. 881

Lot A D. L. 115

House 24' x 24'

Practically all Doors and Windows gone.

Roof Leaks badly.

Value $100.00.

"H. G. Winter"

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

Sept.23/48. W. J. Spratt

Masuo Mori

(Claimant's Name)

EXHIBIT NO. 432-3
DATE June 24/48
FILED BY Tobus

PERSONAL CHATTELS

11971

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
1 wooden bed (varnished)	1937	new (built by carpenter)	25-00	good	15 00
1 cabinet (with doors)	1937	"	25-00	"	15 00
1 Kitchen range	1937	new	60 00	"	30 00
				Total -	60 00

Description of Storage of Goods: Kept in my house at Storm Bay, Tofino, BC.

General Statement as to Chattels not Described above:

all chattels claimed are noted above.

Additional Comments, if any: I do not remember whether I told the Custodian's agent to sell my kitchen stove, but if I did, I certainly did not give him any authority to sell the bed & cabinet were well-built by a qualified carpenter. Depreciation has been allowed on items claimed. The Custodian sold only my stove.

M Mori

Signature

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 1530 EXHIBIT No.

NAME Masazo MORI. REG. No. 11971

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DE N FO
				AUCTION	TENDER &c		
DECLARATION 20/3/42	TAKEN BY None.						
EVACUATION 5/9/42	DATE —						
Stove		Home-made Bed	$15.00				
Bed		Home-made Cabinet	15.00				
Cabinet		Large Cook Range	45.00		5.—		
Gas Boat "M.M." ($1,000.00)		Coleman Stove (gas)	8.00				
Fishing Equip. ($150.00)		Gas Boat (35' long)	1550.00				
Can. Army Rifle (old)			$1633.00				
		Ack. Custodian Credits:					
		F.V. "M.M." $650.00					
		Chattels $ 5.75	$ 655.75				
		Pers. Prop. Claim	$ 977.25				

EXHIBIT No. 432-1
DATE FILED 24/4/48
BY Crown

Vancouver, B. C., 3rd February, 1948.

RGB/P.

Glass Bottles (1½ doz) —.75
F.V. "M.M." (paid to owner by J.F.V.D.C.): 650.—
Total credits (Pers. Prop): 655.75

No. 1530 EXHIBIT No. CASE No.

No. 11971 VENUE NELSON.

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO. RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD		REMARKS
CTION	TENDER &c								
						15.-			
	5.-			8.-		15.-			
	-.75								
	650.-								
	655.75								

Office copy