Name of Claimant OKADA, Kiwazo Case 608

Custodian File 5024

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	

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	
		247.50	2.75 58.16					60.91

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	

TOTAL RECOMMENDATION	60.91

CASE NO: 608.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,
August 25th, 1948.

IN THE MATTER OF THE CLAIM OF

KIWAZO OKADA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 608

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 L.H. STACK, SUB-COMMISSIONER)

Lethbridge, Alberta,

August 24th, 1948.

IN THE MATTER OF THE CLAIM OF

KIWAZO OKADA.

PROCEEDINGS AT HEARING.

APPEARANCES:

G.E.A. RICE, Esq.,K.C.,	appearing for the Dominion Government.
L.S. TURCOTTE, Esq.,	appearing for the Claimant.

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

THE SECRETARY: Case No. 608, Kiwazo Okada.

KIWAZO OKADA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. TURCOTTE:

Q I wonder, Mr. Okada, if you would sign that form (indicating), please.

A (Witness complies).

Q Now, Mr. Okada, you are claiming compensation as the result of a loss which you say arose over the sale of a fishing boat?

A Yes.

Q I am showing you a statement setting out the particulars of the boat, what you say it was worth, what condition it was in, and so forth?

A Yes.

Q Are the particulars contained in that true to the best of your information and belief?

A Yes.

MR. TURCOTTE: I will file that as Exhibit 1, your Honour.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. TURCOTTE: Q: What year did you buy this boat?

A About eight years before I was evacuated.

Q It might have been ten, might it? You show in your form that it was 1930?

A Yes, between eight to ten years.

Q What did you pay? A: The boat was new when I bought it and I paid $550.00 for it and the engine cost me $1000.00.

Q So that you paid altogether $1550.00?

A Yes, a total of $1550.00.

Q Did anything else cost you anything more?

A No.

Q Were there any anchors on the boat when you got it? A: Yes, those were bought afterwards.

Q Bought afterwards?

A Yes.

Q How much did you pay for them?

A The anchor cost me $5.00 and the stove cost $22.00.

Q I see. Well, I see you have put in a claim for $50.00 for the cost of finishing and putting on anchors. Now the words "cost of finishing", do they refer to the cost of finishing the boat or finishing the anchors? You see, you got the boat and you got the engine and you put them together, and you have got a fishing boat, and now there would be other work to finishing it off, wouldn't there, fitting it up?

A By finishing I mean painting and fixing the anchors.

Q Well that cost you some money, did it?

A It must have cost me about $15.00.

Q That is besides the stove and the anchor, is it?

A Yes.

Q Who did you pay the $550.00 for the boat, to whom did you pay that?

A I paid it to a carpenter named Sakamoto.

Q And to whom did you pay the money for the engine?

A I paid that money to Mr. Ben.

Q Is he a Japanese? A: I bought it from a man named Kurio, a Japanese who had bought it from Mr. Ben.

Q Well, who is this man, Miyazaki, that you have here? A: This Miyazaki bought it from Mr. Ben.

Q Yes. A: And I bought it in turn from Mr. Miyazaki.

Q Now who took the boat away from you?

A The Navy.

Q Now when the Navy took the boat, where was the anchor and the coat stove and the generator and the steering wheel?

A Well, I had them all on the boat.

Q Did you remove any or all of these articles, the anchor, the coal stove, the generator or the steering wheel?

A No, I had them all on the boat and the Navy took the whole thing over.

Q They were on the boat when the Navy took them?

A Yes.

Q What condition was the boat in when the Navy took it; what state was it in?

A It was in good condition.

Q You are saying it was worth at least $1000.00, are you? A: Yes.

Q Do you think you could have sold it for that under ordinary conditions?

A Yes.

Q I see, thanks.

MR. RICE: I am submitting, your Honour, that the boat and its fittings were sold at their fair cash value. I wish to tender as an exhibit a survey report of John Gould wherein he valued the boat at $275.00.

MR. TURCOTTE: What date?

MR. RICE: February, 1943.

MR. TURCOTTE: 1943?

MR. RICE: Yes.

(SURVEY REPORT MARKED EXHIBIT NO. 2).

MR. RICE: I also wish to submit as an exhibit an analysis of personal property claim attached to which is a summary taken from vessels records.

MR. TURCOTTE: I beg your pardon; what is the last?

MR. RICE: Summary taken from vessels records.

MR. TURCOTTE: What is the date of the summary?

MR. RICE: August 23rd, '44, and the analysis was made on May 5th, 1948.

(DOCUMENTS MARKED EXHIBIT NO. 3).

MR. RICE: I would point out, your Honour, that the boat sold for 10% less than its appraised value, but the Custodian in selling it for 10% less took into consideration the expense that he would be put to to have the boat moved from where it was and to have it repainted for sale.

THE SUB-COMMISSIONER: Well wouldn't the Navy have taken the boat over before it was sold?

MR. TURCOTTE: I beg your pardon, sir?

THE SUB-COMMISSIONER: Wouldn't the Navy have taken the boat over before it was sold?

MR. TURCOTTE: Do you mean that it was used?

THE SUB-COMMISSIONER: Yes. The information says here that the boat was taken over by the Navy.

MR. TURCOTTE: Yes.

MR. RICE: The Navy commandeered all boats and then this boat came into the Custodian's possession afterwards.

THE SUB-COMMISSIONER: While it was in use by the Navy, wasn't it?

MR. RICE: Apparently the Navy hadn't taken delivery of it.

THE SUB-COMMISSIONER: Well I am merely asking those questions to try and clear it up.

MR. RICE: Well, I don't want to be too free in making a statement like that. I don't know just why it was taken over by the Navy and then taken over by the Custodian. The file that I have here gives no record of that, your Honour.

THE SUB-COMMISSIONER: I see. Thank you.

CROSS-EXAMINATION BY MR. RICE:

Q When was this boat built?

A About eight years before my evacuation.

Q And did you buy it new or second hand?

A It was built for me.

Q It was built for you? A: Yes.

Q The engine was second-hand, was it not?

A Yes.

Q You bought the engine second hand?

A Yes.

Q All right.

RE-DIRECT EXAMINATION BY MR. TURCOTTE:

Q Now according to the information that you gave me, Mr. Okada, which might have been wrong or I might have misunderstood you, but we have on the form here that the engine was new. Which is correct? Was the engine new or secondhand?

A It was secondhand.

Q Secondhand? A: Yes.

MR. TURCOTTE: May I look at the summary, please? (Summary to Mr. Turcotte).

I would like to point out, your Honour, that this summary is dated August 23rd, 1944, and the owner's valuation shown in that summary which is four years ago is $1000.00. I mean he hasn't thought up this figure but that was the figure he gavethen. I just merely wish to point out that he hasn't thought up this figure just lately as according to this summary that was the value that he put on it at that time. I would also like to point out that the date of sale was February 13th, 1943.

Q When were you evacuated? Do you remember what month in 1942?

A In May.

Q You were evacuated in 1942?

A Yes.

Q In May?

A Yes.

Q Yes, and you will notice, your Honour, that the sale of the boat took place the following February.

THE SUB-COMMISSIONER: Yes.

MR. TURCOTTE: That is all, Mr. Okada.

THE SUB-COMMISSIONER: Anything else, Mr. Rice?

MR. RICE: No.

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

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"S.R. HOWARD"
Official Reporter.

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

SUB-COMMISSIONER.

NOV 26 1947

Case No. 608

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

3024

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

(1) NAME OKADA KIWAZO (RCMP) Reg. No. 04893
(Print) Surname Given Name

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

(3) Present Address BOX 302, RAYMOND, ALBERTA

(4) REAL ESTATE

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

(b) Legal description (lot number, block number, section number, etc.) _____

(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.) _____

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

(i) Land - - - - - - - - - - - - - - - - $ _____

(ii) Buildings - - - - - - - - - - - - - - - $ _____

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $ _____

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ _____

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

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

(5) PERSONAL PROPERTY

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

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
NAVAL DISPOSAL DEPOT

(c) How stored or packed at time of evacuation _____

(over)

Custodian Sale

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

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

1.		Estimated Value $
2.	FISHING VESSEL	Estimated Value $
3.	LENGTH: 31' BEAM: 7' DEPTH: 3'	Estimated Value $
4.	"ACADIAN" engine 8-10	Estimated Value $
5.		Estimated Value $
6.	Cost: 1000.00for ~~boat~~engine	Estimated Value $
7.	500.00 for boat	Estimated Value $
8.	LESS 500.00 depreciation	Estimated Value $ 1000.00
9.	~~Custodian's Selling Price~~	Estimated Value $ 250.00
10.		Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 750.00

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) - $ 750.00

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

(b) Do you require the services of an interpreter at the hearing? Yes or no 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 ALBERTA,
TO WIT:

I, KIWAZO OKADA of the TOWN
of RAYMOND in the PROVINCE OF ALBERTA
DO SOLEMNLY DECLARE THAT:

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

DECLARED before me at the CITY
of LETHBRIDGE
in the Province of Alberta
this 22 day of November
A.D. 1947. W H Newvale A Commissioner &c.

K Okada

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.

Kiwazo Okada
(Claimant's Name)

PERSONAL PROPERTY
(Fishing Vessels, gear and equipment)

04893
Reg. No.

NETS:

Type	Size	Mesh	Fathoms	Age at Evacuation	Original Value	Estimated value at Evacuation

VESSELS SOLD BY CUSTODIAN

NAME	Reg. No.	Type	Date Purchased	New or Used	Price Paid	Maintenance Work	Condition When Evacuated	With whom Left	Estimated Value
K.O. 1108	NW1904	Gas Fishing Boat	1930	New New	$550.00 Boat 1000.00 Engine	Every Year	Good	Navy	$1000.00
			Cost of Finishing and putting on anchors		50.00				

Improvements to Vessel since date of purchase:

Type	Date	Cost

When the Navy took over the boat the anchor, one coal stove, generator and steering wheel were on the boat. I did not remove any of these articles. There was also a rope 30 fathoms long.

OTHER GEAR:

Description	Date Purchased	New or Used	Price Paid	Condition when Evacuated	Estimated value at date of evacuation

EXHIBIT No. 608-1
DATE Aug 24/48
FILED BY L. I. Turcotte

Arrangements made for storage when evacuated:

Boat taken over by Navy but sold by Custodian. Boat built by a man named Sakamoto on my order and I paid him $550.00. I bought engine from Miyazaki at Steveston and paid him $1000.00.

Additional Comments, if any: We only fished in summer time. Boat was in good shape.

K. Okada

Signature

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EXHIBIT No.
DATE Aug 24/48
FILED BY G.E.A.Rice

JOHN GOULD
Marine Surveyor and Appraiser
VANCOUVER, B.C.

No.19 N.
"K. 0.1108"

SURVEY REPORT

To whom it may concern:

Name	"K.0.1108"
Official No.	N.W. 1904
Owner.	Kiwazo Okada.
Dimensions.	L. 32 ft. B. 7.6 ft. D. 3.6 Ft.
Engines.	Gasoline
Name & H.P.	Acadia 8 H.P.
Fuel.	Gasoline
Tank Capacity.	1 Tank 25 Gals.
Pumps	1 on Deck.
Lighting.	Electric. Generator. None.
Anchors.	None.
Chain.	None. Rope. None.
Compass.	None.
Stoves.	None.
Fire Extinguishers.	None.
Valuation	Two Hundred seventy five ($275.00) dollars.
Remarks.	Hull in good condition. Cyl head fractured. Steering wheel missing.

"John Gould"

February 1943. Marine Surveyor.

Vancouver. B. C.

(Sealed)

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

Sept. 29/48 M. M-Scorby

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FILED BY Aug. 24/48

G.E.A. Rice

SUMMARY TAKEN FROM VESSELS RECORDS

Date: August 23, 1944

Name: OKADA, Kiwazo Reg. No. 04893 File: 5024

Boat File No.: CUSTODIAN 5024

Name of Vessel: "K.O." 32' x 7'6" x 3'6" (1930) Arcadian 8 HP

Lic. or Reg. No.: New Westminster 1904

Naval No.: NW.003-F

Owner's Valuation: $1000.00

JFVDC Valuation: 403.00 Survey #61 NW

Custodian Valuation: ~~247x50~~ 275.00

Date of Sale: February 13, 1943.

Purchaser: Nelson Bros. Fisheries Ltd.

Signature on Sales Papers: Custodian

Selling Price: $247.50 ($275.00 - 10%)

Paid to ~~XXXXXXXX~~ Custodian: 247.50

Supervision Costs: 33.61

Balance due Owner: 213.89

Paid to: Cr. Account of Kiwazo OKADA

Location of Boat at Sale: Nelson's Wharf (ex New Westminster)

Claims Against Canadian Govt.:

None

Additional Information:

"F.M."

Ihereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.
Date: Sept. 29, 1948.

C. M. M. Taylor

EXHIBIT No. 608

ANALYSIS OF PERSONAL PROPERTY CLAIM

CLAIMANT: Kiwazo OKADA, Reg. No. 04893 File No. 5024.

SUBJECT of CLAIM: FISHING VESSEL "K.O."

CLAIM:

Cost of Engine	-$1,000.00	
Cost of Boat	- 500.00	
	$1,500.00	
Less $500.00 Depreciation	- 500.00	
	$1,000.00	
Less amount at which Claimant states vessel sold by Custodian	250.00	(Actual selling price $247.50)
Loss Claimed	$ 750.00	

APPRAISAL: $275.00 - J. Gould, Marine Surveyor, February 1943.

SOLD : To Nelson Bros. Fisheries Ltd. for $247.50.

/ER
May 5, 1948. "E. Robertson"

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

Sept. 29/48 M. M. Sealy.