Name of Claimant HAYASHI, Hanyemon & " Gengi

Case 958

Custodian File

EN.1466 & XI 766

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		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	
1400 1600	150 25										175.00

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	

TOTAL RECOMMENDATION	175.00

CASE NO: 958.

JAPANESE PROPERTY CLAIMS COMMISSION

Fort William, Ontario,
April 21st, 1948.

IN THE MATTER OF THE CLAIM OF
GENGI HAYASHI.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 958.

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B EFO R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

Fort William, Ontario,

April 21st, 1948.

IN THE MATTER OF THE CLAIM OF

GENGI HAYASHI.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
S.M. CHERNIACK, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

MR. CHERNIACK: My lord, in this matter you will note that there are two properties, one on Powell Street, and one on Cotton Drive. Might I first say, my lord, that these properties are in the name of Hanyemon Hayashi. My learned friend has on his file, my lord, a notarial copy of the will of Hanyemon Hayashi and if I may summarize it, my lord, and my learned friend will either confirm it or point out any error I might make, Hanyemon Hayashi appointed three executors, or rather two executors, my lord, with instructions that the property be held in trust, the annual income therefrom to be paid to his widow, and after her death to be held for the benefit of the two sons. The will doesn't give the names of the two sons, my lord, and the claimant states that he is one of the sons. The other son went to Japan before the war and the claimant has been in possession of these two properties and has managed them and paid no rent. This is information, my lord, received from the Custodian's file.

GENGI HAYASHI, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHERNIACK:

THE COMMISSIONER: When did the death of the deceased occur?

MR. CHERNIACK: Q: Witness, when did your father die?

A I forget the date in English but I can say it in Japanese.

THE COMMISSIONER: Q: You say it in Japanese and it will

be interpreted for you.

THE INTERPRETER: A: 1927.

MR. CHERNIACK: A difficulty, my lord, has arisen with the records of birth of the claimant who was born in Vancouver, giving the name of the father as Genya Hayashi, and it is our submission or it is our problem that we will have to satisfy the Custodian as to the discrepancy in the given name of the father before the money is paid out.

THE COMMISSIONER: The mother is living?

MR. CHERNIACK: The mother is dead, my lord.

THE COMMISSIONER: She has died since?

MR. CHERNIACK: Yes, my lord. The Custodian's file does indicate that they have some evidence to show that this claimant is the son of the registered owner of the property and I am applying now, my lord, to have you hear this claim and should any moneys be paid as a result of your recommendations that they be paidinto an account which the Custodian has in the name of the registered owner, and since I feel it is not for your Lordship to be troubled with this decision, that I would then be in a position to satisfy the Custodian as to paying out the moneys.

THE COMMISSIONER: There is only one difficulty, as I see it, in proceeding in the way you suggest, and that is this, that assuming there is adequate proof of the claimant's right to an undivided half interest in these properties, he is only entitled to an undivided half interest, the other half interest being with a person who is now a resident of Japan

and that interest could not pass to the claimant.

MR. CHERNIACK: That is correct, sir. There is only this, that the will does not refer to any specific property. The claimant has only verbal evidence to give to the effect that he and his brother made arrangements that the brother should keep the properties in Japan and he would keep the properties here. However, I do agree, my lord, that his interest on the surface would appear to be only a half interest.

THE COMMISSIONER: Assuming there was such an arrangement between he and his brother, is that not a matter that must be proved before me? In other words, it would appear to me at the moment that I must pass upon the right of this claimant to share in any recommendations which I may make, and also pass upon the right of the brother in Japan. That would hardly be a matter for the Courts. Do you follow me?

MR. CHERNIACK: Yes, I do, my lord.

THE COMMISSIONER: Because I am charged with the duty of passing upon all claims of persons who were resident in Canada as of a certain date. I had better have the brother's name.

Q What is your brother's name who returned to Japan?

A George Hayashi.

THE COMMISSIONER: In the circumstances, I would have to now declare that George Hayashi is not entitled under the terms of reference to make any claim here. The only person entitled would be the claimant who is now before us.

MR. CHERNIACK: Yes, that is correct, sir. The will, unfortunately, is rather vague and gives the executors a great deal of authority in deciding who of the two sons was to get what property.

THE COMMISSIONER: Is the will available or a copy of it that can be agreed upon as a true copy?

MR. CHERNIACK: We will have to accept it as a notarial copy. The claimant has never seen the will itself.

MR. HUNTER: I don't think this is a notarial copy, is it?

MR. CHERNIACK: No. I noticed a certificate on your file by a Fort William lawyer.

THE COMMISSIONER: Q: When did your brother, George, leave for Japan?

A When he was 5, sir. When he was 5 years old.

Q Was he about the same age as yourself?

A He is 24 now, sir.

Q So he left 19 years ago? A: Yes.

MR. CHERNIACK: My lord, Mr. Shears is looking for that certificate. This, however, is a copy of the will.

THE COMMISSIONER: Q: I understand, Hayashi, that the trustees under your father's will never did realize on the estate, is that right? They did not sell the investments your father had at the time of his death and put the money in the bank, or anything of that kind? A: No, sir.

Q They did nothing, is that right?

A Yes.

Q So that the situation now is this; that these two pieces of real estate in respect of which you are

now, Mr. Hunter. It looks to me as if this will is going to create quite a problem both from the point of view of the Custodian's as well as the claimant's counsel.

MR. HUNTER: Yes, I think it is cogent to your investigation, because until you know definitely what it was this man is entitled to, it is impossible for you to make a recommendation.

THE COMMISSIONER: That is the point. I think what I shall do is reserve the question of who is entitled, giving leave to counsel to present such further evidence or argument as they may be instructed at a later date, and I will go on and hear the evidence with a view to determining whether or not any recommendation should be made.

MR. CHERNIACK: Does your Lordship refer to the both half interests, or to the one?

THE COMMISSIONER: I am referring to the whole. Assuming that I finally reach a conclusion after hearing the evidence adduced now that some recommendation should be made, then the question as to who is entitled will have to be determined. What I am proposing is that there should be no determination of that question now but that I should go on and hear the evidence and determine whether or not any recommendation should be made. If a recommendation is to be made, then there will still be left for determination the question of who is entitled. I cannot see any other solution to it at the moment. I would be pleased to have any suggestions from

counsel. Can you see any other answer to it, Mr. Hunter?

MR. HUNTER: No, I don't, my lord. If it were a straight half interest, it would be simple, but when you don't even know what his interest is, until the brother's evidence is produced, I don't see how you can make your recommendation. If you could assume it were a straight half interest, the recommendation could be made and it could be paid to the estate and that would take it out of your Lordship's hands and the Custodian could worry about it.

THE COMMISSIONER: But I am still faced with the problem of this brother who is in Japan, who, apparently, it is conceded, has a half interest.

MR. HUNTER: Yes, but, of course, my lord, he does not come within the terms of reference.

THE COMMISSIONER: Therefore, I could only deal with the half interest of the claimant.

MR. HUNTER: Yes. If it was a clear-cut half interest, I think you could deal with it in that manner by recommending that the estate receive it.

THE COMMISSIONER: Yes, that is so.

MR. HUNTER: But the will seems to leave such a discretion with the executors that even the half interest isn't clear.

THE COMMISSIONER: Are you content that I proceed to deal with it on the basis that I outlined, namely to hear evidence with a view to determining whether or not any recommendation should be made, and the amount of the recommendation, but before it is made

I will have to hear argument on the other problem.

MR. HUNTER: That is quite agreeable, my lord.

THE COMMISSIONER: Would that suit you, Mr. Cherniack?

MR. CHERNIACK: Yes, my lord.

THE COMMISSIONER: I cannot see any other solution to it. There are legal difficulties here, Hayashi, that we will perhaps have to deal with later, but I will go ahead and hear your claim now just as if you were entitled to the whole.

A Thank you, sir.

Q Then I am faced with the question of how much you are entitled to later on.

A Thank you, sir.

THE COMMISSIONER: I think that is the best we can do with it.

MR. CHERNIACK: Your Lordship will find there is a further difficulty, but I do not consider this a serious difficulty; of the two properties that are being claimed for, the claim was in both cases based on the assessed value. One property, that is the one on Powell Street, where the claim totals $5,850.00, it was sold by the Custodian for $1400.00.

THE COMMISSIONER: Wait a minute. The claim as presented to me is only for $3750.00 and $215.00, that would be $3,965.00.

MR. CHERNIACK: I am sorry, it isn't very clear.

THE COMMISSIONER: I follow it now.

MR. CHERNIACK: The first property for a total of $5,850.00 was sold by the Custodian for $1400.00.

The other property, my lord, showing a claim of $1415.00, was sold by the Custodian for $1600.00.

THE COMMISSIONER: You are going to make a refund, are you?

MR. CHERNIACK: I doubt it, my lord. The statements the claimant will make in regard to both properties is that he doesn't know of his own knowledge the actual value of these properties and he is asking for a review by your Lordship.

THE COMMISSIONER: Yes.

MR. CHERNIACK: So that, although he has shown a certain claim at that time, my lord, he didn't know the sale price and he just filed his claim in order to be on record. He is not actually setting a figure because on the present statements as to the value of the second parcel and as to the value of the first, he is showing only the assessed value. He is asking to leave the entire question to your Lordship.

THE COMMISSIONER: As to whether or not it was sold --

MR. CHERNIACK: At a fair market value.

THE COMMISSIONER: -- at a fair market price.

MR. CHERNIACK: Yes, my lord.

THE COMMISSIONER: Is there any objection to that approach to it?

MR. HUNTER: I am sorry, my lord, I didn't follow that.

THE COMMISSIONER: In effect, counsel is proposing that no claim should be presented but rather that it should be left to me to determine on the evidence whether the fair market value on each of these

parcels has been realized.

MR. HUNTER: That is quite in order, my lord.

MR. CHERNIACK: Thank you, my lord, and thank you, Mr. Hunter.

Q Witness, I show you two typewritten statements. Were these prepared in accordance with your instructions? A: Yes.

Q Are these your signatures? A: Yes.

Q Do you swear the contents to be true to the best of your knowledge and recollection?

A Yes.

MR. CHERNIACK: My lord, I will file as Exhibit 1 the real estate statement referring to 236 Powell Street, and as Exhibit 2 the real estate statement referring to 1810 Cotton Drive.

(STATEMENT MARKED EXHIBIT NO. 1)

(STATEMENT MARKED EXHIBIT NO. 2).

MR. CHERNIACK: Since it is only a matter of value, my lord, Exhibit 1 states that this property was purchased in 1912 by Hanyemon Hayashi for $5600.00. He doesn't set out the amount of improvements made but shows only the assessed value and states, "At the time I evacuated the rooms and store were all rented and the gross revenue was about $150.00 monthly. I believe it may have been possible to repair the premises to the building inspector's satisfaction so that the property would continue to be revenue bearing." May I point out to your Lordship the statement as to improvements shows a substantial part of them had to be demolished

after evacuation upon an order received by the Custodian from the building inspector. The claimant states further that he himself had never been troubled by building inspectors and believes that the land was valuable as it was well located in an important business district.

THE COMMISSIONER: Q: Near what cross street on Powell was it? A: It is near Main Street. Main and Powell.

Q I know Main and Powell, but what is the block just east of Main on Powell, that is the unit block?

A To the east? Half a block from Main.

Q That is, in the direction of the sugar refinery?

A Yes.

Q It is in the first block between Main and Gore Avenue, is it? A: Yes, between Main and Gore.

MR. CHERNIACK: Exhibit 1, my lord, finally states that he believes the appraisal and sale price were too low, and since he has no knowledge of value of real estate he is basing hisvaluation on the assessed values and is relying on your Lordship's judgment.

Exhibit 2, my lord, is in respect to 1810 Cotton Drive.

Q Witness, where is this house on Cotton Drive? Near what cross street? A: One block down from Commercial Drive on 1st Avenue.

Q Cotton Drive is parallel to Commercial Drive?

A Yes.

Q And it is near 1st Avenue? A: Yes.

THE COMMISSIONER: I know in a general way where it is.

MR. CHERNIACK: Exhibit 2, my lord, sets out that the property was purchased by the claimant's father in 1920. He doesn't know the cost price but states only that it was kept in good repair, and in 1933, he himself, that is the claimant, improved the property at the cost of some thousand dollars. He states, "This building, although old, was well constructed and is located in a district where homes are in great demand." He considers the appraisal too low and gives the explanation as to the original claim having been based onthe assessment.

The chattelclaim, my lord, is being withdrawn. Thank you, sir.

MR. HUNTER: It is submitted, my lord, that these two pieces of real property were sold for their fair market values. I would file the appraisal of Johnson, Reeve & Watson, dated the 23rd of May, 1944, covering 236 Powell Street. They end up by saying, "We are of the opinion that the market value of the property is not more than $1000.00". This, as your Lordship may recall, is the same property that was dealt with in the previous claim where the wife was claiming for chattels at 236 Powell Street.

THE COMMISSIONER: I remember some Powell Street claims.

MR. CHERNIACK: Where the chattels were sold for $15.00.

MR. HUNTER: The claim just preceding this one. This is the same property. This man is her husband.

(APPRAISAL MARKED EXHIBIT NO. 3).

MR. HUNTER: I would file an appraisal dated the 19th of

February, 1944, by Johnson, Reeve & Watson on 1810 Cotton Drive, in which they say, "In more normal times the selling value of houses like this would be about $1200.00, and the tenant states that in 1937 the Japanese owner offered to sell it on easy terms for $1000.00.

"On the present market we believe that the price should be set not lower than $1400.00 and if possession can be given to a purchaser fairly soon, you may be able to obtain $1600.00 or $1700.00."

(APPRAISAL MARKED EXHIBIT NO. 4).

MR. HUNTER: 236 Powell Street, as your Lordship probably has seen, was sold as of September 15th, 1944, for $1400.00. It was sold to a Chinese, I presume, by the name of Joe Gon. I believe my learned friend will be pleased to realize it was not purchased by Peter Hem.

1810 Cotton Drive was sold as of March 1st, 1944, for $1600.00 to Mrs. Vera Bateman.

CROSS-EXAMINATION BY MR. HUNTER:

Q Is that a photograph of 236 Powell Street?

A Yes, sir.

Q And is that a photograph of 1810 Cotton Drive?

A Yes, sir.

MR. HUNTER: If your Lordship permits, I will put these in as one exhibit. The dates that they were taken are shown on them, my lord, and I would tender, my lord, a copy of an advertisement in the "Vancouver Daily Province" on August 28th, 1943, which includes

these two parcels.

(ADVERTISEMENT MARKED EXHIBIT NO. 5).

(PHOTOGRAPHS MARKED EXHIBIT NO. 6).

MR. HUNTER: As a result of that advertisement, my lord, 236 Powell Street was eventually sold. I might say there was an earlier valuation on 1810 Cotton Drive by the Pemberton Realty dated August 20th, 1943. It is a rather sketchy one, my lord, and their valuation at that time was $2100.00. I put that in as the next exhibit.

(VALUATION MARKED EXHIBIT NO. 7).

MR. HUNTER: As a result of that valuation, my lord, not sufficient tenders were received in that amount and a further advertisement was placed in the papers, in the Vancouver newspapers, on January 22nd, 24th, and 25th, 1944, and the further valuations which we mentioned of Johnson, Reeve & Watson was obtained, and a sufficient offer having been received of $1600.00, it was accepted. I would tender the next advertisement.

(ADVERTISEMENT MARKED EXHIBIT NO. 8).

THE COMMISSIONER: For your information, Mr. Cherniack, Douglas Reeve, who made the two valuations, Exhibits 3 and 4, is one of the recognized real estate appraisers and valuators in Vancouver. Moore's name is not known to me, though that does not necessarily mean very much. However, I think if he was at all outstanding, I would know of him. The Pemberton firm, of course, is very well known.

MR. HUNTER: Am I to assume that the personal property

claim in this case isbeing dropped?

MR. CHERNIACK: I stated so.

MR. HUNTER: I am sorry, I didn't hear you. I have the correspondence with the city, my lord. My learned friend has already spoken of it, and as a result of it the Custodian was ordered to demolish the rear part of the buildings there, and unless my learned friend is going to dispute it --the reason I mention it is in the claimant's written statement he indicates that he feels that possibly repairs were in order.

THE COMMISSIONER: I think it is desirable that the correspondence should be filed.

MR. HUNTER: Very well, my lord. The first letter is dated December 16th, 1942, It is from the city electrician's office which says, "Re 236-238 Powell Street. With reference to the premises at the above address, which at the present time are vacant, it will be necessary for us to make an inspection of the electrical wiring before reconnection of the meter is made.

"The power company has been notified not to reconnect this meter until a permit has been received from this department."

The next is a copy of a letter, although a true copy, signed by the building inspector, dated the 5th of February, 1943, from the building department re 236 Powell Street.

"With reference to your inquiry re the condition of the above building.

"In my opinion this building is not fit for habitation but consideration may be given to the front portion.

"An order is to be issued for the demolition of the centre and rear sections."

THE COMMISSIONER: That is signed by whom?

MR. HUNTER: It is signed by Haggard -- Andrew Haggard. The next letter is from the same department, signed by the same person, dated the 25th of February, 1943, re 236 Powell Street, Lot 25, Block 5, D.L. 196.

"I am of the opinion that the centre and rear portion of the building at the above location are by reason of their defective structural condition a source of danger. Notice is therefore given you that you are required under the provisions of Section 22 of the Building By-law to pull down and demolish such buildings on or before the 25th day of March, 1943.

"In the event of your neglecting or refusing to comply with this notice according to the terms thereof I may cause such buildings to be pulled down or demolished and the cost of pulling down or demolishing the same may be recoverable by the City by summary process at law in any Court of competent jurisdiction and shall also be a lien upon such buildings and the materials thereof, and upon the lot or parcel of land upon which the same are erected, and the said cost when certified by me, if not before collected, shall be entered by the City Tax Collector on the Collector's roll next

prepared after the receipt of such certificate, and collected in the same manner as ordinary municipal rates of the City.

"Dated at this 25th day of February, 1943."

While Mr. Haggard signs the letter, it looks as if it had been written by the city solicitor. I would suggest those three letters go in as one exhibit.

(LETTERS MARKED EXHIBIT NO. 9).

THE COMMISSIONER: Do you know what was done? Did the city carry out the demolition orders?

MR. HUNTER: No, the Custodian did it. He called for tenders. Perhaps I shouldn't say that he called for tenders, but he asked for certain tenders from certain people, and he received the bid from one firm which was accepted to demolish the rear and the person demolishing would take the material and pay the Custodian fifty dollars for the material. Perhaps it might be as well to file that, my lord.

THE COMMISSIONER: The net result is it was done at no cost to the claimant, but actually he made a small recovery.

MR. HUNTER: That is correct.

THE COMMISSIONER: Mr. Cherniack, apropos of this demolition, if the Custodian is going to be put to the trouble of calling all these witnesses to justify the demolition, it is going to take some little time and involve some expense. In the circumstances I would like you to discuss the situation with the claimant with a view to your being instructed to make a declaration as to what your

stand will be. In other words, will the Claimant accept the reports that are put in before me, or will the Custodian be required to call evidence to verify those reports? I do not want you to do so right now.

MR. CHERNIACK: I understand, my lord.

THE COMMISSIONER: I will hear from you after lunch.

MR. CHERNIACK: May I ask for the exhibits and any other information my learned friend has on file so I can discuss it with the claimant?

THE COMMISSIONER: Yes, that will all be available to you. What I have in mind is these City Hall departmental officials are all busy men. On the face of it, they are not going to destroy a building unless they consider it imperative in terms of their duty to the city. After discussing it with the claimant, you might be instructed to accept the situation. However, I do not want to force your hand at all, but you will appreciate my purpose in having you discuss it with him.

MR. CHERNIACK: I do, your Lordship. In doing that what you are suggesting is that we might be willing to admit that those letters were written and that the building inspector's statements shall be accepted as in the letters. You are not, I gather, at the same time suggesting that we should admit that the Custodian did all he needed to do in connection with his own inspection of the building? What I have in mind there is I don't know whether I would be prepared to recommend to the claimant that he

should waive an opportunity to cross-examine the Custodian as to any attempts he made to obtain estimates as to the cost of putting the buildings in a proper state of repair, or anything of that nature.

THE COMMISSIONER: Perhaps that is a matter you might discuss with your friend for the Government in the meantime. I know nothing more of it than I have heard this morning.

MR. CHERNIACK: Yes, I will discuss it with both of them, my lord.

MR. HUNTER: As a result of this demolition, my lord, the improvements, or the assessment, insofar as the improvements and land are concerned, gradually came down in 1942. The land assessment was $3750.00, in 1943 it came down to $3500.00, and in 1944 it came down to $3125.00. Similarly with the improvements. They were not reduced in 1943, they were still $2100.00, but in 1944, the improvements as assessedwere reduced to $800.00. I mention now, my lord, possibly it will come out later in Vancouver, that, generally speaking, assessors prefer to reduce the assessment gradually rather than in one fell swoop.

THE COMMISSIONER: In Vancouver they are not permitted to reduce by more than 10% a year, as I recall it; that is,by Statute.

MR. HUNTER: I see. I don't think there are any questions, my lord.

THE COMMISSIONER: Anything further, Mr. Cherniack?

MR. CHERNIACK: May I ask, my lord, that that short appraisal by Pemberton be read into the record? I wasn't given a copy.

THE COMMISSIONER: It was marked as an exhibit, and I think it was read into the record.

MR. HUNTER: Now, my lord, for my learned friend's information I think it might be desirable for me to mention now that in many places, and I am sure it is the same in Vancouver, if the amount of the cost to repair a building goes over a certain percentage of the value of the building, it is an economic question to be considered. Possibly he might take that into consideration in consulting with his client.

THE COMMISSIONER: Well I think it is a reasonable assumption to make that no City Building Inspector is going to order a building demolished if it is practicable to repair it or attempt to restore it. However, you can give some thought to that and discuss it with the claimant in the meantime.

MR. CHERNIACK: I think the first step is usually to demolish and then they start doing business. It is in Winnipeg, anyway.

THE COMMISSIONER: They do not all operate on the same basis.

(ADJOURNED SINE DIE)

April 22nd, 1948.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. CHERNIACK: My lord, yesterday we heard Case No. 5, Gengi Hayashi. My learned friend had filed certain letters from the building inspector of Vancouver,

and your Lordship suggested that the claimant might consider whether he will accept them and waive his right to have the building inspector called as a witness subsequently. That is agreeable to the claimants

THE COMMISSIONER: Very good. That is clear, Mr. Hunter? There is no need for you to call the building inspector to supplement the evidence given, or the material, rather. That is Gengi Hayashi, No. 958. All right, that is cleared up.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

T. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

case 958

NOV 26 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED 11/766

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

(1) NAME HAYASHI (Print) Surname GENGI Given Name (RCMP) Reg. No. 04056

(2) Pre-Evacuation Address 236 POWELL ST VANCOUVER, B.C.

(3) Present Address P.O. BOX 195 GERALDTON, ONT

(4) REAL ESTATE 236 POWELL ST VANCOUVER B.C.

(a) Street Address (if any) 1810 COTTON DRIVE VANCOUVER B.C.
City or Municipality, Province

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

236 POWELL ST. LOT 25 BLK. 5, D.L. 196
1810 COTTON DR. LOT B/½ BLK. 73, D.L. 264A

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

(i) ~~Farm~~
(ii) Residence Type of business ROOMING HOUSE AND STORE
(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 OF 236 POWELL ST AND LOOKING AFTER 1810 COTTON DR. FOR BROTHER.

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

(i) Land - - - - - - - - - - - - - - - - $ 3750.00 & 210.00

(ii) Buildings - - - - - - - - - - - - - - $ 2100.00 & 1200.00

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $ Sold 1400- 1600~

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 7265.00

(v) Amount at which Custodian sold property and credited your account - - $ 3000.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 4265.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation 236 POWELL ST VANCOUVER B.C.

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

(c) How stored or packed at time of evacuation LOCKED THE BUILDING AND LEFT THE KEYS TO CUSTODIAN

(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") CUSTODIAN

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

1.	TOYS 3 BOX	Estimated Value $ 50 00
2.	CARPENTER Tools	Estimated Value $ 25 00
3.	Books	Estimated Value $ 20 00
4.	STORE EQUIPMENT	Estimated Value $ 300 00
5.	HOUSE HOLD BELONGING	Estimated Value $ 100 00
6.		Estimated Value $
7.		Estimated Value $
8.		Estimated Value $
9.		Estimated Value $
10.		Estimated Value $

Withdrawn

TOTAL CLAIM FOR PROPERTY LOSS $ 495 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) - $ 4760 00

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

(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 ONTARIO)
TO WIT:)

I, GENGI HAYASHI of the Town
of Geraldton in the District of Thunder Bay,

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 Town)
of Geraldton)
in the District of Thunder Bay,)
this 15th day of November,)
A.D. 1947.)

G. Hayashi.

A Commissioner &c.
Notary Public, Ontario.

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.

G. HAYASHI
(Claimant's Name)

REAL ESTATE
(Other than farm)

04056
Reg. No.

236 Powell St. Vancouver, B. C.

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
Store and rooming house	2 story frame building 22 x 40, concrete foundation		Store and rooms rented	25 x 122	1912 by father Hanyemon Hayashi	

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
Oriental business section	$5600.00	Father did considerable work on premises. I am advised that since evacuation a substantial part of the building was demolished.	Based on Assessment Land $3125.00 Improvement's 800.00 $3925.00

Comments re upkeep of premises:

EXHIBIT No. 958-1
DATE 21 apl 1948
FILED BY
D. M. Thomas

Comments re Appraiser's report not covered above: At the time I evacuated the rooms and store were all rented and the gross revenue was about $150.00 monthly. I believe it may have been possible to repair the premises to the Building Inspector's satisfaction so that the property would continue to be revenue bearing. I myself was never bothered by Building Inspectors. I believe also that the lot was valuable since it is well located in an important business district.

I believe the appraisal and sale price was much too low and since I have no knowledge of value of Real Estate, I have based my valuation on the assessed value and am relying on the judgment of the Commissioner with such assistance as Counsel may give.

G. Hayashi
Signature

G. HAYASHI
(Claimant's Name)

REAL ESTATE
(Other than farm)

04056
Reg. No.

1810 Cotton Drive Vancouver, B.C.

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	7 rooms and full basement	Frame on cement foundation, shingled walls and roof, paper on plaster inside.	Residence	33 x 122	About 1920 by father Hanyemon Hayashi	

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
Residential near shopping centre	I do not know	My father kept it in good repair. I myself put on new shingles, new furnace and concrete basement in 1933 at a cost of over $1000.00	

Comments re upkeep of premises:

Always kept in proper state of repairs

EXHIBIT No. 958-2
DATE 21 apl 1948
FILED BY
R. M. Thermiack

Comments re Appraiser's report not covered above: This building, although old, was well constructed and is located in a district where homes are in great demand. I consider the appraisal and sale price much too low. In my original claim I estimated the value on the basis of the assessment at hand - $215.00 and improvements at $1200.00, making a total of $1415.00. I believe however, that this is a very low figure but since I know nothing of Real Estate values, I must rely on the judgment of the Commissioner with assistance as Counsel may give to him.

G. Wayashi
Signature

Telephone Marine 8264

JOHNSON, REEVE and WATSON
Estate Agents
Valuations, Arbitrations, Insurance, Real Estate, Mortgages

Bank of Nova Scotia Building,
602 West Hastings Street,
Vancouver, B. C.

23rd May, 1942.

The Custodian's Office,
509 Royal Bank Building,
VANCOUVER, B. C.

958 - 3
EXHIBIT No.
DATE 21 Apr., 1948.
FILED BY J.W. G. Hunter

File No. 766
Legal Department

Attention of Mr. K.W. Wright

Dear Sir: re Lot 25 Block 5 D.L. 196
236 Powell Street, Vancouver.

In accordance with your instructions we have inspected this property and beg to report as follows:-

Land The dimensions of the lot are 25 feet by 122 feet.

Building. This is a two storey wood frame structure which is only a portion of the original building of which the rear portion has been condemned by the City and demolished. There is no staircase or other means of access to the upper storey so that in effect this can only be regarded as a one storey building, 22 ft. by 40 ft. The roof is in bad condition and the framework, where visible, is badly deteriorated. There is a small concrete footing wall foundation and a concrete floor. The interior is lined with v-joint and the electric wiring is old and will probably be condemned. The sink and W.C. fixtures have been removed. The shop front has plate glass on one side and a 4-light window on the other side of which one light is broken. The premises are very dirty and the interior fittings in bad condition.

The building is so old and dilapidated that it would not be worth while to spend much money on restoration. To prolong the life of the building by substantial repairs would probably cost more than would be allowed by the City, because it is within the No. 1 Fire limit where new wood construction is prohibited. The building is not habitable in its present condition.

The City Assessment on the building has been reduced to $800. The value is probably only set down on the basis that as long as the building is allowed to remain, some value must be shown on the assessment roll. The land value has been reduced to $3,125 as a first step towards adjusting the value downwards to its actual value. The Assessor is averse to making the full reduction required, in a single year, and will no doubt make further reductions. $3,125 is very much in excess of the market value under present conditions.

The taxes for the current year are $179.26.

The only remaining value of the property is in the land. What little salvage could be obtained in removing the building would be more than offset by the cost of demolition. The foundations and floor would not be suitable for a new brick building.

There is considerable difficulty in obtaining building materials, and not sufficient demand for premises in this location at rentals which would justify new construction at present day costs. There are many

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Estate Agents
Valuations, Arbitrations, Insurance, Real Estate, Mortgages.

Bank of Nova Scotia Building,
602 West Hastings Street,
Vancouver, B. C.

23rd May, 1944.

The Custodian's Office,
VANCOUVER, B. C.

existing buildings in the neighbourhood in competition at lower rentals.

Regarding the property as vacant land, the necessity of paying taxes makes it advisable to sell as soon as possible to avoid loss. The prospect of improvement in land value is too remote to justify a speculative holding for the future.

In view of the circumstances described above, we are of the opinion that the market value of the property is not more than One thousand dollars ($1,000).

Yours faithfullu,

JOHNSON, REEVE & WATSON

per ".D.W. Reeve"

DWR

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

Date: June 15, 1948.

E.M. M. Scoley

Telephone Marine 8264

JOHNSON, REEVE and WATSON
Estate Agents
Valuations, Arbitrations, Insurance, Real Estate, Mortgages

Bank of Nova Scotia Building,
602 West Hastings Street,
Vancouver, B. C.

19th February, 1944.

The Custodian's Office,
Room 509,
Royal Bank Building,
VANCOUVER, B. C.

958 - 4
EXHIBIT No.
DATE 21 Apr., 1948.
FILED BY J.W.G. Hunter.

File No. 554/766

Legal Department

Attention of Mr. K.W. Wright

Dear Sir: re 1810 Cotton Drive
Parcle B of Lots 1 and 2 Block 73 D.L. 264A

We have inspected this property as requested and beg to report as follows.

Neighbourhood. The property is conveniently situated, near transportation, shops, local theatre and school. The district has been built up for many years and most of the houses are from 25 to 30 years old.

Land Lots 1 and 2 are 66'x122' fronting on 2nd Avenue and were subdivided into 4 parcels A.B.C. and D each measuring 30.5' x 66'. Four houses of similar design and plan are built on these, probably during the year 1912.

The small size of the lots makes for congestion and while the houses would rent fairly readily, they would not be attractive to purchasers for homes, except at a moderate price.

Building. The house has a floor area of a little over 600 feet on each floor. It is a two storey frame building with shingled walls and roof in fair condition but in need of paint. The front verandah and the deck over need repairs, the railing of the deck being rotten and dangerous and the balusters being loose.

The foundation is of concrete and there is a concrete floor in the basement, also a lined garage. There is a hot air furnace (old) and laundry tubs.

There are six rooms, pantry and bathroom on two floors. There is a fireplace in the dining room. The plumbing is old and the sink worn out. We are informed that the floors are in poor condition but these have been covered with linoleum by the tenant, who has also papered the ceiling and walls.

Occupancy The tenant, A. Wilmot, has lived in the house for ten years and keeps it in good clean condition. He says he is negotiating for a house elsewhere, and if he should vacate soon, it may be possible to get a better price with vacant possession.

We understand that the rent is $20. per month.

Assessment and Taxes The City assesses the property at $1,415 of which $1,200 is for the house. The taxes last year were $40.75 net which is low enough to assist in attracting a buyer.

JOHNSON, REEVE and WATSON
Estate Agents
Valuations, Arbitrations, Insurance, Real Estate, Mortgages

Bank of Nova Scotia Building,
602 West Hastings Street,
Vancouver, B. C.

19th February, 1944.

The Custodian's Office,
VANCOUVER, B. C.

Appraisal In more normal times the selling value of houses like this would be about $1,200 and the tenant states that in 1937 the Japanese owner offered to sell it on easy terms for $1,000.

On the present market we believe that the price should be set not lower than $1,400 and if possession can be given to a purchaser fairly soon, you may be able to obtain $1,600 or $1,700.

We have taken into account the repairs and painting required to put the house into fairly good condition.

Yours faithfully,

JOHNSON, REEVE & WATSON

per "D.W. Reeve"

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

Date: June 15th, 1948.

W. M. Scobie

EXHIBIT No. 958-5
DATE 21 apl 1948
FILED
J. W. G. Brunker

File No. 766

Advertisement in the Vancouver Daily Province, August 28, 1943.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA

OFFICE OF THE CUSTODIAN

REAL PROPERTY FOR SALE BY TENDER

THE Secretary of State of Canada, acting in his capacity as Custodian of Enemy Property, hereby offers for sale by public tender such interests as are vested in him in the following properties situate in the **CITY OF VANCOUVER:**

Lot "A" of Lots 7 and 8, Block 13, D.L. 302, Group 1, New Westminster District, plan 5832, known as **306-316-320 WEST FIFTH AVENUE,** being a one and one-half storey, five-room frame dwelling and a two storey frame store with living quarters above;

Lot "B" of Lots 7 and 8, Block 13, D.L. 302, Group 1, New Westminster District, Plan 5832, known as **2109 ALBERTA STREET,** being a one and one-half storey, six-room frame dwelling;

Lot 30, Block 53, D.L. 196, Group 1, New Westminster District, Plan 196, known as **513 EAST CORDOVA STREET,** being a two-storey, seven-room frame dwelling at front, and one and one-half storey, four-room frame dwelling at rear;

Lot 8, Block 58, D.L. 196, Group 1, New Westminster District, known as **536 EAST CORDOVA STREET,** being a one and one-half storey, five-room frame dwelling at front, and small three-room frame dwelling at rear;

Lot 25, Block 5, D.L. 196, Group 1, New Westminster District, known as **236 POWELL STREET,** being a two-storey frame store building with rooms above;

Parcel "B" of Lots 1 and 2 (reference Plan 35), Block 73, D.L. 264 "A," Group 1, N.W.D., Plans 391 and 1881, known as **1810 COTTON DRIVE,** being a two-storey, seven-room frame dwelling;

Westerly ¾ of Subdivision 22 of Lot 35, Town of Hastings, Suburban Lands, Plan 364, Group 1, New Westminster District, known as **2565 PANDORA STREET,** being a five-room frame bungalow and garage;

East ½ of Lot 2, Block 36, D.L. 200 "A," Group 1, New Westminster District, known as **18 EAST 6th AVENUE,** being a two-storey, six-room frame dwelling;

Lot 5, Block 4, D.L. 196, Group 1, New Westminster District, Plan 184, known as **116-118 MAIN STREET,** being a two-storey frame store building;

Lots 6 and 7, Block "R," D.L. 139, Group 1, New Westminster District, Plan 5532, known as **2993 WEST 23rd AVENUE,** being a one and one-half storey, six-room frame dwelling;

AND

The Following Properties Situate in the Municipality of Richmond at STEVESTON:

Lot 9, Block 5, Section 10, Block 3, North, Range 7, West, Map 249, save and except the West 19 feet thereof, in the District of New Westminster, known as **58 MONCTON STREET,** being a one-storey frame store building;

Lot 8, Block 6, Section 10, Block 3, North, Range 7 West, Map 249, in the District of New Westminster, known as **26 MONCTON STREET,** being a one-storey frame store building with living quarters at rear;

Lot 7, Block 6, Section 10, Block 3 North, Range 7 West, Map 249, in the District of New Westminster, being a **VACANT LOT** on Moncton Street;

Lot 1, of the West part of Block 8, Section 10, Block 3 North, Range 7 West, Map 6392, in the District of New Westminster, known as **58 CHATHAM STREET,** being a two-room frame dwelling and two-room frame store building.

Tenders for the purchase of such property interest vested in the Custodian will be received subject to the following terms and conditions:

1. Each tender must be for one of the parcels described, but a separate tender may be filed for each of several parcels.
2. A tender offering for parcels in the alternative will be considered an offer only for the parcel first named.
3. A certified cheque payable to the order of "The Custodian" for ten percent (10%) of the amount offered must accompany each tender.
4. Each tender must be in a separate sealed envelope addressed to "The Custodian," 912 Royal Bank Building, 675 West Hastings Street, Vancouver, B.C., and each envelope must be marked on the outside "Tender for Real Estate."
5. Tender must be for purchase for cash.
6. All adjustments will be made at the date of conveyance.
7. Properties will be sold subject to existing leases and encumbrances, if any.
8. The Custodian reserves the right to cancel every accepted tender and to refund the deposit at any time prior to delivery by him of the conveyance.
9. The properties are offered for sale without any warranty whatsoever by the Custodian of location or condition of buildings or improvements.

Cheques in respect of unaccepted bids will be returned in due course.

Neither the highest nor any tender will necessarily be accepted.

Tenders will be received by the undersigned up to Noon Daylight Saving Time on the Fifteenth Day of September, 1943. Further particulars may be obtained during office hours any day up to Noon on the Fourteenth Day of September, 1943, and arrangements made with the undersigned to inspect the said premises.

Similar arrangements will be made by Mr. C. C. Robinson, Steveston, to inspect properties situate in Steveston.

DATED at Vancouver, British Columbia, this 28th day of August, 1943.

The Custodian of Enemy Property,
912 Royal Bank Building,
Vancouver, B.C.

INTERNEE FILE 766

Genji HAYASHI

236 Powell St.

26th Feb. 1943



EXHIBIT No. 958-6

DATE 21 apl 1948

FILED

J. W. G. Hunter

INTERNEE FILE 766

Genji HAYASHI

236 Powell St.

26th Feb. 1943

Internee File #766

Genji HAYASHI
236 Powell St.

26th Feb. 1943.

EXHIBIT No. 958-6
DATE 21 apl 1948
FILED
J. W. G. Hunter.

INTERNEE FILE 766

Genji HAYASHI

1810 Cotton Drive.

26th Feb. 1943



INTERNEE FILE 766

Genji HAYASHI

1810 Cotton Drive.

26th Feb. 1943

Internee File #766

Genji HAYASHI
1810 Cotton Drve.

26th Feb. 1943.

EXHIBIT No. 958-8
DATE 21 April 1948
FILED BY J. W. G. Hunter

File No. 766

Advertisment appearing in Vancouver Newspapers
on January 22, 24 and 25, 1944

Department of the Secretary of State of Canada—Office of the Custodian

REAL PROPERTY FOR SALE BY TENDER

The Secretary of State of Canada, acting in his capacity as Custodian, hereby offers for sale by public tender such interests as are vested in him in the following commercial, residential and unimproved properties situate in the City of VANCOUVER:

Lot 5, Block 43, D.L. 196, Group 1, New Westminster District, Plan 196, known as **620 Alexander Street,** being an 11-room frame dwelling with store adjoining.

Lot 38, Block 51, D.L. 181, Group 1, New Westminster District, Plan 196, known as **705 East Cordova Street,** being a 7-room, 2-storey house and garage.

North Half of Lot 1, Block 69, District Lot 185, Group 1, New Westminster District, Plan 92, known as **1001 Denman Street** and **1808 Nelson Street,** being house with store in front at 1001 Denman Street and house only at 1808 Nelson Street.

Lots 6 and 7, Block "R," District Lot 139, Group 1, New Westminster District, Plan 5532, known as **2993 West 23rd Avenue,** being a 6-room one and one-half storey frame dwelling.

Lot 198, Town of Hastings, except the South 8 feet, City of Vancouver, known as **2798 Yale Street,** being a 7-room, 2-storey dwelling.

Lot 21, Block 60, D.L. 264A, Group 1, New Westminster District, Plan 383 and 1771, known as **1323 East First Avenue,** being a 6-room, 2-storey house.

Lots 11 and 12, Block 23, Town of Hastings Suburban Lands, Group 1, New Westminster District, Plan 309A, known as **23 Renfrew Street,** being a 6-room, 2-storey dwelling.

Parcel "B" of Lots 1 and 2 (reference plan 35), Block 73, D.L. 264A, Group 1, New Westminster District, Plans 391 and 1881, known as **1810 Cotton Drive,** being a two-storey, seven-room frame dwelling.

Lot 20, Block 53, District Lot 196, Group 1, New Westminster District, Plan 196, known as **561 East Cordova Street,** being a 2-storey, 8-room frame dwelling.

Lot "A" of Lots 7 and 8, Block 13, D.L. 302, Group 1, New Westminster District, Plan 5832, known as **306-316-320 West Fifth Avenue,** being a one and one-half-storey, 5-room frame dwelling and a 2-storey frame store with living quarters above.

Lot "B" of Lots 7 and 8, Block 13, D.L. 302, Group 1, New Westminster District, Plan 5832, known as **2109 Alberta Street,** being a one and one-half storey, 6-room frame dwelling.

Lot 3, Block 44, D.L. 181, Group 1, New Westminster District, Plan 196, known as **710 Alexander Street,** being a two-storey frame dwelling used as a rooming-house.

Lot 5, Block 4, D.L. 196, Group 1, New Westminster District, Plan 184, known as **116-118 Main Street,** being a 2-storey frame store building.

Lots 12 and 13, Block 55, D.L. 196, Group 1, New Westminster District, Plan 196, known as 356-358-360-362 **Powell** Street, being a 3-storey frame building with stores on ground floor and rooms above.

Lot 13, Block 4, District Lot 196, Group 1, New Westminster District, known as **237-237½ Powell Street,** being a 2-storey frame building with store front. On ground floor at rear there is a large tile bath house. Living quarters on second floor.

Lot 22, Block 41, District Lot 196, Group 1, New Westminster District, Plan 196, known as **453 Powell Street,** being a 2-storey frame building.

Lot 12, Block 14, District Lot 264A, Group 1, New Westminster District, Plan 5104, known as **2290 Adanac Street,** being a 4-room frame dwelling.

AND

West Half of Lot 1, Block 11 of South Half of Lot 116, Group 1, Map 2223, New Westminster District, known as 3906 **Union Street,** Burnaby, being a single-storey frame dwelling.

Lot 10, Block 7 of Section 10, Block 3 North, Range 7 West, Map 249, Municipality of Richmond, in the District of New Westminster, known as **70 Chatham Street, Steveston,** being a one-storey frame dwelling.

Lot 4B, Block 15 of Section 10, Block 3 North, Range 7 West, Map 249, District of New Westminster, known as **7th Avenue and Dyke Road, Steveston,** being a 4-room wooden frame bungalow.

0.572 of an acre more or less of Lot 7, Block E of Section 11, Block 3 North, Range 7 West, Map 4550, as shown outlined red on Sketch No. 7873, Municipality of Richmond, in the District of New Westminster, known as **No. 1 Road and Moncton Street, Steveston,** being a 2-storey, 8-room dwelling.

Tenders for the purchase of such property interest vested in the Custodian will be received subject to the following terms and conditions:

1. Each tender must be for one of the parcels described, but a separate tender may be filed for each of several parcels.
2. A tender offering for parcels in the alternative will be considered an offer only for the parcel first named.
3. A certified cheque payable to the order of "The Custodian" for ten per cent. (10%) of the amount offered must accompany each tender.
4. Each tender must be in a separate sealed envelope addressed to "The Custodian," 509-10 Royal Bank Building, 675 West Hastings Street, Vancouver, B.C., and each envelope must be marked on the outside "Tender for Real Estate."
5. Tender must be for purchase for cash.
6. All adjustments will be made at the date of conveyance.
7. Properties will be sold subject to existing leases and encumbrances, if any.
8. The Custodian reserves the right to cancel every accepted tender and to refund the deposit at any time prior to delivery by him of the conveyance.
9. The properties are offered for sale without any warranty whatsoever by the Custodian of location or condition of buildings or improvements.

Cheques in respect of unaccepted bids will be returned in due course. Neither the highest nor any tender will necessarily be accepted.

Tenders will be received by the undersigned up to Noon, Daylight Saving Time, on the Twelfth Day of February, 1944. Further particulars may be obtained during office hours any day up to Noon on the eleventh day of February, 1944, and arrangements made with the undersigned to inspect the said premises.

DATED at Vancouver, British Columbia, this 22nd day of January, 1944.

THE CUSTODIAN,
509-10 Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

PEMBERTON REALTY CORPORATION LIMITED
Telephone Pacific 8241
418 Howe Street Vancouver, Canada

August 20, 1943.

958 - 7
EXHIBIT No.
21 Apr., 1948.
DATE
FILED BY J.W.G. Hunter.

File #766--Parcel B of Lots land 2, Blk. 73, D.L. 264A

1810 Cotton Drive.

The lot is 30 x 66 with no lane. This is a 6 roomed house with a good tenant who has kept it very well decorated. The outside is in a run-down condition.

Price -- $2100.

PEMBERTON REALTY CORPORATION LIMITED.

"W.G. Moore"

W.G. Moore.

WGM/JM

CITY ELECTRICIAN'S OFFICE
T. Martin
City Electrician

CITY OF VANCOUVER

Vancouver, B. C.

December 16, 1942.

SURVEY NO. 1411

Mr. H. Hayashi,
c/o Japanese Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Dear Sir:-

Re:- 236-238 Powell Street.

With reference to the premises at the above address, which at the present time are vacant, it will be necessary for us to make an inspection of the electrical wiring before reconnection of the meter is made.

The power Company has been notified not to reconnect this meter until a permit has been received drom this Department.

Yours truly,

"T. Martin"
CITY ELECTRICIAN.

/MA

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

Date: June 15th, 1948.

W. M. Scobey

958 - 9

EXHIBIT No.

DATE 21 Apr., 1948.

FILED BY J.W. G. Hunter.

BUILDING DEPARTMENT
(Including Plumbing)

Andrew Haggart
Building Inspector

CITY OF VANCOUVER

Vancouver, B. C.

25th February, 1943.

Mr. Hanyoeman Hayashi,
c/o Custodian Enemy Property,
675 West Hastings Street,
Vancouver, B. C.

Re 236 Powell Street,
Lot 25; Blk. 5; D.L. 196

I am of the opinion that the centre and rear portion of the building at the above location are by reason of their defective structural condition a source of danger. Notice is therefore given you that you are required under the provisions of Section 22 of the Building By-law to pull down and demolish such buildings on or before the 25th day of March, 1943.

In the event of your neglecting or refusing to comply with this notice according to the terms thereof I may cause such buildings to be pulled down or demolished and the cost of pulling down or demolishing the same may be recoverable by the City by summary process at law in any Court of competent jurisdiction and shall also be a lien upon such buildings and the material thereof, and upon the lot or parcel of land upon which the same are erected, and the said cost when certified by me, if not before collected, shall be entered by the City Tax Collector on the Collector's roll next prepared after the receipt of such certificate, and collected in the same manner as ordinary municipal rates of the City.

Dated this 25th day of February, 1943.

"A. Haggart"
BUILDING INSPECTOR

AH/KM.

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

Date: June 15th, 1948.

E. M. J. Scoley

BUILDING DEPARTMENT
(Including Plumbing)

CITY OF VANCOUVER

Andrew Haggart
Building Inspector.

Vancouver, B. C.

5th February, 1943.

Mr. E.J. Baron,
547 Howe Street,
Vancouver, B. C.

Dear Sir: Re 236 Powell Street.

With reference to your enquiry re the condition of the above building.

In my opinion this building is not fit for habitation but consideration my be given to the front portion.

An order is to be issued for the demolition of the centre and rear sections.

Yours truly,

"A. Haggart"
BUILDING INSPECTOR.

AH/KM.

c.c. Custodian Enemy Property,
675 West Hastings St.

" Mr. Messenger,
C/O Custodian's Office.

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

Date: June 15th, 1948.

C. M. Scoles