

5181

SECRET

File No. _____

ISSUED BY

Property

Owner _____

Regn. No. _____

[illegible]

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: YOSHIHARA Nobuo

HOME ADDRESS: Ucluelet, B. C.

REGISTRATION NUMBER 02328 SEX: Male AGE: 27

OCCUPATION: Fisherman

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Ucluelet Fishing Co., Ucluelet, B. C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Teruko

ADDRESS OF WIFE OR HUSBAND: Celtic Cannery, Vancouver, B. C.

NAMES OF ANY LIVING CHILDREN: None

ADDRESS OF CHILDREN: ---

AGE OF CHILDREN: ---

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: Block 9, of Lot 795, CLAYQUOT DISTRICT
Plan 2971

2. BUILDINGS AND OTHER IMPROVEMENTS: 6 roomed 2 storeyed wooden frame dwelling.

3. INSURANCE (Give particulars; state where policies are) None

4. TAXES (Amount and where payable) \$21.90 p.a. 1942 paid for at Alberni & Clayoquot

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)
None

6. OCCUPANCY AND LEASES (If vacant so state) None vacant

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: In owner's possession
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None
9. IF FARM LAND STATE CROPS SOWN None

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: See page 1
2. LANDLORD'S NAME AND ADDRESS: _____
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: _____
4. STATE WHEREABOUTS OF LEASE: _____
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) _____
6. IF FARM LAND, PARTICULARS OF CROPS SOWN: _____

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS: _____

In HOUSE: 1-#125 Heater, 1-36x72 rubber matting, 2 box cod fish hooks,
1 ice shovel, 1 spool 5/64 Hazard Korodless stainless wire,
1 101 lbs. wedge hammer, 2-8lb wedges, 1 2" axe 1 nail hammer,
1 double blade axe, 2 Coleman gas stoves, 3 cords wood.

See 14/6/44

(1 Troller fishing boat in custody of Navy) # N.W. 2468

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS _____

None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

4. INSURANCE CARRIED ON ABOVE PROPERTY: None

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF
OTHERS: None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)
None

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
On \$50.00 Victory Bond (1941))
On e\$10.00 War Savings Certificate) In owner's possession.

8. BANK ACCOUNTS: Royal Bank of Canada, Hastings & Main, Vanc. \$200.00

9. LIFE INSURANCE: Sun Life Assurance Co. of Canada, Vancouver Br. #2227502
\$2000.00 Beneficiary, father, Shimetaro. Policy in owner's possession.

10. INTEREST IN ANY ESTATES OR TRUSTS: None

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None

2. TRADE DEBTS: None

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 19th day of April 1942

A. F. Wilkins
Witness

(Signature)

Kyoshihara

FOR DEPARTMENTAL USE _____

INFORMATION FROM R.C.M.P.

DATE July 24, 1943

File No. 5181

Full Name YOSHITARA, Nobuo
(Surname in Block Letters)

Registration No. 02328 Male - Female
(Check) Age Aug. 23, 1914

Former Address Ucluelet, B. C.
Celtic Cannery, City

Date Evacuated April 28, 1942 Naturalized - Canadian-Born - National
(Check)

Present Address c/o George Fredrick Hows, Barnwell, Alberta.
S/L - 21/1-1/46 - Barnwell, Alta.

Married - Single
(Check) nee

Name of Wife (SATO) Teruko #12735

Name of Husband -

Name of Mother Dec'd Name of Father Shimetaro #05847

Names of Children under 16 Akira Larry 18/4/43 (Dec'd)

Requested by LF Registered with Custodian
(Yes or No)

Additional Information (Fisherman) Troller
House & property - boat N.W. #2468

26th May 1942.

Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B. C.

Attention Mr. C. L. Drewry.

Dear Sir:

re: Nobuo Yoshihara. Registration No. 02328.
My File No. 92

In accordance with your instructions I have investigated and taken control of the property recorded on the above man's registration form, as follows:

Real Property:

"Block 9 of Lot 795, Clayoquot
District, Plan 2971.

6-roomed 2-storeyed wooden frame
dwelling."

Personal Property:

"In house:

- 1 No. 125 Heater
- 1 36 x 72 Rubber matting
- 2 box Cod fish hooks, large
- 1 Ice shovel
- 1 spool 5/64 Hazard corrodeless stainless wire
- 1 101-lb. wedge hammer
- 2 8-lb. Wedges
- 1 2" Axe
- 1 Nail hammer
- 1 Double blade axe
- 2 Coleman gas stoves
- 3 cords Wood."

In connection therewith I have to report as follows:

Location:

This property is located at Hakoda Bay about three miles from the public dock at Ucluelet on the other side of the Inlet close to the entrance, and is accessible only by boat. It is a small Japanese settlement of eleven houses on the waterfront.

Land and Buildings:

The declarant is the owner of 5.50 acres, the legal description being Block 9 of Lot 795, Clayoquot District, Plan 2971.

The assessed values are:	Land	\$ 100.00
	Improvements	\$ 600.00.

Taxes for 1942 are paid.

The building is a two-storey wooden frame dwelling of six rooms with Jap bath and outside privy. Water is piped to the kitchen and the Jap bath. The house is built on timber up-rights.

The approximate realizable value is \$1,000.00.

Lot 795 is approximately sixty acres of which about five have been cleared back of the settlement. The boundary on the water side embraces nearly the whole Bay which is very beautiful. The beach is of shingle and free from rocks. Across the Inlet at Spring Cove, the Air Force maintains a sound detection station.

I have not been able to ascertain the boundaries of the various Blocks. The Japanese apparently considered the ownership of Lot 795 as a community ownership. The waterfront Blocks would, of course, be more valuable, but whether this value would accrue to the benefit of the respective owners I cannot say.

The amount shown as estimated realizable value is based on the supposition that would-be purchasers are fishermen.

Personal Property:

The inventory as prepared by the declarant differed from what the house contained as follows:

On Inventory but not in House:

- 1 only 36 x 72 Rubber matting
- 2 box Cod fish hooks (large)
- 1 spool 5/64 Hazard Corrodeless stainless wire
- 1 only 10-lb. Wedge hammer
- 2 only 8-lb. Wedges
- 1 only 2-lb. Axe

These apparently had little value, if the remaining stuff is any criterion.

You will notice that there are several articles on my inventory as being in the house that were not on the declarant's

Personal Property: (continued)

inventory. These apparently belong to his brother--Motoichiro Yoshihara. (See declarant's "JP" Form).

Insurance:

No insurance is carried.

Liabilities:

None are recorded.

Recommendations:

As this is an isolated spot I recommend that endeavours be made to get white fishermen to take up residence here. This would afford protection to the properties and bring revenue to the owners. It is adjacent to the fishing grounds. I have made enquiries locally with a view to getting someone to act as caretaker and take one of the better houses rent free, but was not able to contact anyone. I have requested Mr. Ronald Matterson--the agent appointed by the Japanese--to continue looking for someone, and I have seen the Commanding Officer of the air base, who is giving instructions to the men on the guard boat which anchors off the Bay, to keep a watchful eye on the place. Constable Howell is also advised to keep it in mind.

I further recommend that if no one can be secured to act as caretaker and if the land is not sold, that the personal effects be removed to a place of safety. With the summer coming on and the danger of fire from visits of curious and careless people, there is a possibility of the settlement being wiped out. No insurance would seem possible under present conditions.

Yours faithfully,

H. G. Hinton

HGH:LMS

Enclosure:

NOBUO YOSHIHARA

CONTENTS INVENTORIED BY H. G. HINTON

- As Shown on Registration Form -

1 only No. 125 Heater (wood)
1 only Ice shovel
2 only Coleman gas stoves

- Not Shown on Registration Form -

1 only Oil lamp
1 only High-chair
1 only Window
 Small pieces of lumber,
 Stove pipe - 2 lengths and Tee
1 only Oil stove, 2 burner
1 only Wing pump
 Pots, pans, dishes, etc.
1 only Water tank
1 only Bed spring
2 only Mattresses
1 only Bureau

ARTICLES DECLARED BUT NOT ON PREMISES

1 only 36 x 72 Rubber matting
2 box Cod fish hooks (large)
1 spool 5/64 Hazard corrodless stainless wire
1 only 10-lb. Wedge hammer
2 only 8-lb. Wedges
1 only 2" Axe
3 cord wood (reported sold)
1 only Nail hammer
1 only Double blade axe

REAL PROPERTY SUMMARY

File No. 5181.

Cat. No. 523.

Name: Nobuo YOSHIHARA.

Reg. No. 02328.

Address: Hakoda Bay, Uelualet Inlet, B. C.

Legal Description: Block 9 of Lot 795, Clayoquot District, Plan 2971.

Classification: 6-room, 2-storey, frame Dwelling.

Registered in the name of: NOBUO YOSHIHARA.

State of Title (No. 112353-I): Clear.

Sold to: HIS MAJESTY THE KING, IN THE RIGHT OF THE DOMINION OF CANADA.

For: One of 11 properties (Cat. Nos. 517-527) sold collectively for \$4,750.00, this account's proportionate share being \$623.44.

As at: June 1st, 1946.

Title (No. 162245-I) merging all eleven properties, delivered to new Registered Owner on: September 30th, 1946.

Net proceeds (\$511.46) released to credit of Nobuo YOSHIHARA on: Aug. 1/46.

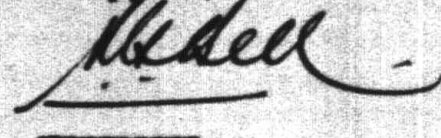
Chattels: Not involved.

Insurance: Transferred to Purchaser (May 11/46).

Administration: This property is one of the group constituting the ex Japanese Fishing Village known as Hakoda Bay. Owing to the inaccessible position of the Bay, at the entrance of Uelualet Inlet, Barkley Sound, all the properties remained vacant throughout the period of our administration, except for the house occupied by Custodian caretaker, due to whose presence the properties remained undamaged and made possible the collective sale of all to the Indian Affairs Branch of the Dept. of Mines & Resources. For complete statement of the distribution of total proceeds of this sale see statement in Property Section of this file.

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

2nd July, 1948.



RGB/P.

MEMORANDUM

Cat. No. 523.

File No. 5187.

TO: Mr. George Peters.

FROM: Mr. R. G. Bell.

January 22nd, 1946.

Re: Block 9 of Lot 795, Claycoot District, Plan 2971.

Attached Real Property Memorandum shows this property to be registered in the name of Nobuo YOSHIHARA.

There are no registered charges and there is no evidence of any unregistered charge.

This is one of the 11 properties collectively known as the Nakoda Bay Properties and now sold to the Dept. of Indian Affairs for an over-all price of \$4,750.00. Information is being sought that will facilitate the proper allocation of net proceeds.

None of the properties in this group are rented or leased.

[Handwritten signature]

RGB/P.
Attach.

Date.....January 22nd, 1946.

REAL PROPERTY MEMORANDUM

File No. 5181.

Name.....Nobuo YOSHIHARA.....Registration No. 02328

Re: Catalogue No. 523.

Address: Hakoda Bay, Ucluelet, B. C.

Legal Description: Blk. 9, Lot 795 (5 ac. m/1), Map 2971.
(Vacant land).

TITLE AND ENCUMBRANCES

✓ A. Certificate of Title No. 112353-I Whereabouts: Owner. Applied for Feb. 14.

✓ Registered owner: Nobuo YOSHIHARA Reg. No. 02328

✓ Property: Block 9 of Lot 795, Clayoquot District, Plan 2971.

✓ B. Charges.
Registered: None.

✓ Vesting: D.F. 50101 (Sept. 4/42).

✓ Unregistered: No evidence of any.

✓ Taxes: \$6.00 (1946) Paid. Certificate on file.

Water: —

Insurance: Included in Blanket Policy for \$5600.00, expiring July 24, 1948.

✓ Assessed Value: Land: \$100.00. Improvements: —

✓ Valuation by Appraiser: \$450.00.

✓ Amount of Bid: Part of over-all price of \$4,750.00 (for 11 properties).

✓ Approved by Advisory Committee: January 22nd, 1946.

✓ Paid as shown in attached letter: \$4,750.00 (for 11 properties) April 3/46.

✓ Name of transferee as attached letter: Dept. of Mines & Resources, Indian Affairs
Branch.

✓ ADMINISTRATION.

Tenancy: Monthly tenure (state consideration & whether including or excluding
furniture or equipment)

Leasehold: (State period, consideration & unusual clauses and whether
including or excluding furniture or equipment)

Chattels: Particulars of those stored on the premises.

Named Agent: R. Matterson, Ucluelet, B. C.

R. G. Bell.
R. G. Bell.

HAKODA BAY PROPERTIES

DISTRIBUTION OF PROCEEDS FROM SALE ON THE BASIS OF THE ASSESSED VALUES ON WHICH REGISTERED OWNERS PAID TAXES

Collective sale price (to Indian Affairs Branch of Department of Mines & Resources)	64,730.00
Final adjustment credits	<u>227.01</u>
Proceeds of sale available for distribution:	<u>65,007.01</u>

(For Key to Columns See Under)

- "A" = Assessed value of land (each \$100.00) and Buildings.
 "B" = Proportionate share of above proceeds.
 "C" = Proportionate share of: (1) total 1942/1946 Taxes (\$969.87); and
 (2) total 1942/1946 Fire Insurance premiums (\$319.29) = \$1,289.16.
 "D" = 1942/1946 Taxes and 1942/1946 Insurance premiums already charged.
 "E" = Credit accruing on above basis

Claim	Account	"A" Ass. Value	"B" Share of Sale Price	"C" & "D" Charges		"E" Transfer
				Possible	Paid	
758	Notochiro YOSHIMURA (Blk. 3)	\$ 1300.00	\$ 306.54	\$ 130.42	\$ 195.60	\$ 371.72
788	Tsunetaro OIK (Blk. 4)	\$ 900.00	\$ 350.68	\$ 90.29	\$ 142.44	\$ 402.83
1101	Naotsugu HAKODA, (Blk. 5)	\$ 1000.00	\$ 389.65	\$ 100.32	\$ 260.42	\$ 549.75
1108	Minoru SASU (Blk. 6)	\$ 1850.00	\$ 720.85	\$ 185.60	\$ 256.49	\$ 791.74
1365	Susumu TERASHITA (Blk. 7)	\$ 1600.00	\$ 623.44	\$ 160.52	\$ 117.36	\$ 580.18
1339	Tsuneharu MATSUNARI (Blk. 8)	\$ 1100.00	\$ 428.62	\$ 110.36	\$ 64.10	\$ 382.36
789	Reiko YOSHIMURA (Blk. 9)	\$ 1600.00	\$ 623.44	\$ 160.52	\$ 48.54	\$ 511.46
9	Seiichi MORI (Blk. 10)	\$ 700.00	\$ 272.76	\$ 70.23	\$ 49.10	\$ 251.63
6	Takumasa TAMAI (Blk. 11)	\$ 400.00	\$ 155.86	\$ 40.13	\$ 43.96	\$ 199.29
10	Chonosuke OTAKE (Blk. 12)	\$ 100.00	\$ 38.97	\$ 10.03	\$ 25.00	\$ 53.94
11	Kintaro NOCHITSUKI (Blk. 13)	\$ 1300.00	\$ 306.55	\$ 130.42	\$ 54.65	\$ 430.78
1343	Chonosuke MATSUNARI (Blk. -)	\$ 1000.00	\$ 389.65	\$ 100.32	\$ 32.00	\$ 321.11
		<u>\$12850.00</u>	<u>\$5007.01</u>	<u>\$1289.16</u>	<u>\$1289.16</u>	<u>\$5007.01</u>

VANCOUVER, B. C., 1st AUGUST, 1946.
 "R.O.B."

ROR/P.

2500 97611

5181

File Nos. 5232, 13766, 1478,
1452, 1988, 2294, 5181, 1532,
649, 13001 and 457.
Catalogue Nos. 517 to 527.

June 9th, 1946.

MEMORANDUM

TO: Mr. George Peters
FROM: Mr. D. A. Cramer

Katsuhiko YOSHINARA, Tamekazu OZE,
H. KANOMI, Minoru KANU, Summa
YOSHIMURA, Tamekazu WATANABE,
Kotaro YOSHINARA, Seizoh HORI,
Tadamasa KANAI, Otake CHOSUKE,
Sumitomo HOSHITAKI.
Lots 3 to 13 INCL., W. Lot 795,
Glennview District, Plan 2972.

With reference to the above property which was recorded in the
Victoria Land Registry Office, May 2nd, 1946, we attach herewith
the following documents in connection therewith.

1. Copy of application number 162244-I, dated April 29th,
1946, registering the above property in the name of the
Custodian (Transmission).
2. Copy of application number 162245-I, dated April 29th,
1946, registering the property in the name of HIS MAJESTY
THE KING, IN THE RIGHT OF THE DOMINION OF CANADA (Deed).
3. Duplicate of Transmissions (11), dated April 19th, 1946,
covering Lots 3 to 13 incl.
4. Duplicate of Deed dated April 19th, 1946 - Secretary of
State to HIS MAJESTY THE KING, IN THE RIGHT OF THE DOMINION
OF CANADA.
5. Certificate of Indefeasible Title number 162245-I, dated
May 8th, 1946, covering the above property in the name of
HIS MAJESTY THE KING in the Right of the Dominion of Canada.

DAC:JS
Atch.

D. A. Cramer

Catalog Nos. 517 to 527, inclusive
 File Nos. 457, 669, 1452, 1478, 1532,
 1588, 2294, 5181, 5232, 13001, 13766
 Hakoda Bay, Uluvalet Inlet, B. C.
 Lots 3-13, inclusive/795/2971

July 3, 1946

HIS MAJESTY THE KING, IN THE
 RIGHT OF THE DOMINION OF CANADA
 (purchaser)

In account with: The Custodian of Enemy Property

STATEMENT OF ADJUSTMENTS
 (As at June 1, 1946)

	DEBIT	CREDIT
Purchase Price		
Cheques received	\$4,750.00	
Registration fees on deed - \$4,750.00		\$4,750.00
Insurance premium - \$573746 (unexpired portion)	14.00	
Purchaser's proportion of 1946 taxes paid -	117.05	
$214/365 \times \$214.85$	125.96	
Balance owing by purchaser		257.01
	<u>\$5,007.01</u>	<u>\$5,007.01</u>

BALANCE OWING BY PURCHASER - \$257.01

STATEMENT RE SALE OF:

Name: Nobuo YOSHIHARA #02328.

Catalogue No: 523.

File No: 5181.

Street Address: Hakoda Bay, B. C.

Legal Description: Block 9, D.L. 795.

Date of Sale and Adjustments June 1st, 1946,

Sale Price

\$ 511.46

~~Real Estate Agents Commission~~

\$

Charge for Valuation

7.50

Charge for Advertising

4.00

Land Registry Office Transmission Fee

1.65

Encumbrances:

~~Mortgage~~~~Mortgage~~~~Interest on Loan~~~~Other Charges~~

Adjustments:

~~Fire Insurance~~~~Taxes~~~~Water~~13.15\$ 511.46

Net Proceeds credited to your account

\$ 498.31

Date:..... December 19th, 1946,

Compiled by:.... Mr. Geo. Peters,

NAME YOSHITAKA, NobuoREGISTRATION NO. 02328FILE NO. 5181

The following chattels were sold by public
 auction at Ueluelet, B.C. on July 25, 1944

Miscellaneous	2.25
Miscellaneous	1.75
Box of lead	2.00
Anchor	0.75
Tank	4.00
Tank	2.00
Gurdy	15.00
Sail	7.25
Peavy	1.25
Axe Handles	2.25
Springs	9.00
Floats	1.50
Anchor	3.50
Tools	27.75
Wood Heater	2.25
1 Ice shovel(not sold)	
2 Coleman stoves	2.50
1 Oil Lamp	0.25
1 High Chair	1.50
1 Window	0.75
1 Wing pump	3.50
Pots & pans	0.50
1 Water tank	1.50
1 Bureau	5.00
1 Floor plate	0.50

Total

\$ 98.50

Less Expenses: (Auctioneer's Fee: \$9.85
 (Advertising: - -
 (Moving: 13.63

\$ 23.48

Net Proceeds Credited:

\$ 75.02

Members of Custodian Staff Present.

Extracted from Auctioneering List No. Ueluelet 1.

Remarks. Held funds.

MEMORANDUM

File No.: 5181

June 5th, 1945.

To: FILE

From: Mr. Green

Re: Nobuo YOSHIHARA
House No. 2, Hakoda Bay, Ucluelet.

The inventory sent to the evacuee and returned by him signed on September 23rd, 1942, is incorrect as the last nine articles shown thereon were reported by our investigating agent (May 26th, 1942, on the Real Property Section of the file) as missing, probably having been stolen between date of evacuation and date of appointment of the caretakers, Mr. and Mrs. Wheadon. The report states that these items "apparently had little value if the remaining stuff is any criterion" and while the reasoning of this statement is clearly fallacious, since it is only valuable articles that are removed by thieves, the description of the missing items shows them not to have been of great moment.

The remaining items are fairly well accounted for by auction sale of July 25th, 1944, which also includes some extra equipment found by the writer.

Left in this house were some effects of the brother, Motoichiro Yoshihara, file 5232, sold under his name on his file.

Finally, the caretakers residing in House No. 5 hold a single burner gas stove and dresser taken from this house. Nobuo declared a bureau and one is shown sold on his auction sheet. The bureau declared by Motoichiro does not appear on his auction sheet and the dresser held by the Wheadons should, therefore, be credited to his account, if *when sold*

HFG:IF

File No: 5181

Name: Nobuo YOSHIHARA

Reg. No: 02328

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
OCT 11 1942

Bill

INVENTORY OF CHATTELS LEFT ON PROPERTY AT HAKODA BAY

- 1 only No. 125 Heater (wood) ✓ S ✓
- 1 only ice shovel (no lid) ✓
- 2 only Coleman gas stoves ✓ S ✓
- 1 only oil lamp ✓ S
- 1 only high chair ✓ S
- 1 only window ✓ S
- small pieces of lumber,
- stove pipe—2 lengths and tee
- × 1 only oil stove, 2 burner + (?)
- 1 only wing pump ✓ S
- pots, pans, dishes, etc. ✓ S
- 1 only water tank ✓ S
- 1 only bed spring ✓
- 2 only mattresses ✓ + ? see house # 4 ? brothers
- × 1 only bureau ✓ (one bed & one dot) ?
- 1 only 36 x 72 rubber matting
- box Cod fish hooks (large)
- spool 5/64 Hazard corrodless stainless wire
- 1 only 10-lb. wedge hammer
- 2 only 8-lb. wedges
- 1 only 2" axe
- 3 cord wood (reported sold)
- 1 only nail hammer
- 1 only double blade axe

These articles
reported missing
by Hinton, but probably
of little value

This represents all my chattels remaining in any protected area of British Columbia.

Confirmed:

DATE: Sept 23rd 1942 SIGNED: Nobuo Yoshihara

Please sign and return one copy to the Custodian.

S = sold by auction - 25/7/44 - included 1.
× Used by caretaker -

File No. 5181

CLAIMS DEPARTMENT

October 20th, 1943.

Mobuo YOSHIHARA - Reg. No. 02328

CREDITORS:-

- | | |
|------------------------------------|---------|
| 1. John Ostrom's Machine Shop..... | \$12.90 |
| 2. Ucluelat Engineering Works..... | 10.00 |

Paid 21.6.1944
Paid 20.6.1944
MS

✓
DR. Bal. ... \$19.30
20/10/43.
N.D.

/ND

File

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

RELEASE AND DISCHARGE

*Paid 5/5/45
Reg. #7111*

FISHING VESSEL: "RISING SUN"

CLAIM No.: 442-708

REG. or LIC. No.: NW. 2468

Owner at Time of Impounding:
Nobuo YOSHIHARA, #02328,
File 5181.

NAVAL No.: V.343-0

CLAIM PAYABLE TO:

Present Owner:

British Columbia Packers Ltd.

B. C. Packers Ltd.

This vessel was sold to British Columbia Packers Ltd. by Nobuo YOSHIHARA on June 9, 1942, and as a condition of such sale all interest in claim for the loss and/or damage referred to herein was assigned to the purchaser.

While in the custody of the Royal Canadian Navy, this vessel suffered loss and damage to the value of \$60.00, as assessed by the surveyor for Naval Service, which sum is approved by the undersigned and accepted as adequate compensation.

In consideration of the payment of the sum of SIXTY DOLLARS AND NO CENTS

(\$ 60.00)

(of lawful money of Canada) (the receipt of which is hereby acknowledged), we, the undersigned, being the owners and/or mortgagees, shipyard repairers and all others having any interest, claim or demand against the said motor vessel registered at the Port of New Westminster, B. C.

Official or License No. 2468 DO HEREBY RELEASE and forever discharge His Majesty the King, as represented by Royal Canadian Naval Service or any patrol or auxiliary service, acting through or under the authority of Royal Canadian Naval Service, and all boards, commissions or departments of His Majesty's Canadian Government of and from claims which we may now have or which hereafter may arise and which now could or at any time hereafter be made in consequence of damage sustained or any alleged damage sustained, to the above-named motor vessel while in custody of His Majesty's Royal Canadian Naval Service or any auxiliary patrols, commissions, boards or departments hereinbefore named.

AND FURTHER, we covenant that we are the owners and/or mortgagees, shipyard repairers and all others having any interest, claim or demand against the said vessel and are the only parties or persons having any interest, claim, lien, demand or charge over the above-named motor vessel, and should any claim hereafter be made by or through any parties whatsoever, we hereby agree to indemnify and save harmless His Majesty the King as represented by any of the naval services, boards, patrols, departments, or commissions hereinbefore referred to.

AND FURTHER, that this discharge and release endures to the benefit of and is binding upon all the parties hereto, their respective heirs, executors, administrators, assigns, successors and representatives.

DATED at Vancouver, British Columbia, this Second day of May 1942x5

WITNESS:

A. E. Lawson

BRITISH COLUMBIA PACKERS LIMITED.

[Signature]

Secretary-treasurer.

Agreement for Sale of Vessel

BETWEEN:

N. YOSHIHARA

(hereinafter called the "Vendor")

OF THE FIRST PART

AND

BRITISH COLUMBIA PACKERS LIMITED

(hereinafter called the "Purchaser")

OF THE SECOND PART

In consideration of the sum of \$1.00, the receipt of which is hereby acknowledged, we agree to the sale and purchase of the vessel hereunder described:

Name of Vessel: "RISING SUN"

Port of Registry: New Westminster, B. C.

Official Number: NW 2468

Length: 36'

Breadth: 9'

Depth: 4'6"

Propelling power: Vivian 16 H.P.

For the price or sum of \$ 1700.00

Payable as follows: CASH

FURTHER, ^I the said N. YOSHIHARA

for my heirs, covenant with the said BRITISH COLUMBIA PACKERS LTD. and THEIR assigns, that we have power to transfer in the manner aforesaid, the premises hereinbefore expressed to be transferred, and that the same are free from encumbrances, except as hereunder set out:

~~BY THE SELLER OF PARTIAL PRICE TO BE SECURED FOR THE VESSEL BY MORTGAGE ON THE VESSEL.~~

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 14th day of May A.D. 1942.

SIGNED, SEALED and DELIVERED
in the presence of:

N. Yoshihara
Per. I. D. Tulsingam
attorney

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

RECORD OF FISHING VESSELS

File No. 708

M. V. RISING SUN

NW 2468
Reg. or Lic. No.

700 3150
Naval No.

590
Survey No.

T roller
TYPE

OWNER AT TIME
OF IMPOUNDMENT N. Yoshihara

PURCHASER British Columbia Packers Limited

Date of Sale June 9th, 1942 Purchase Price \$ 1700.00

Amount paid in to J. F. V. D. C. - \$ 1700.00

Commission and Survey charges - \$ 22.00

Amount paid out by J. F. V. D. C. - \$ 1678.00

CLAIM RECORD No. _____ Date _____ Amount \$ _____

No. _____ Date _____ Amount \$ _____

CLAIM PAID

Date _____ Amount \$ _____

Date _____ Amount \$ _____

ADDITIONAL MEMORANDA

Released at New West. June 10-42.

Star Shipyard 'Mercer's' Ltd. bill for \$227.02 owing

to be paid

6/12 6000

SUMMARY TAKEN FROM VESSELS RECORDS

Date: June 16, 1944

Name: YOSHIHARA, Nobuo

Reg. No. 02328 File: 5181

Boat File No.: JFVDC 708

Name of Vessel: "Rising Sun" 36'x9'x4 $\frac{1}{2}$ ' (1938) Vivian 16 HP (1931)

Lic. or Reg. No.: New Westminster 2468

Naval No.: V.343-G

Owner's Valuation: \$2,800.00

JFVDC Valuation: 1,840.00 Survey #590

Custodian Valuation: None

Date of Sale: June 9, 1942

Purchaser: British Columbia Packers Ltd.

Signature on Sales Papers: Copy unsigned

Selling Price: \$1,700.00

Paid to JFVDC of ~~XXXXXX~~: 1,700.00

Supervision Costs: 22.00

Balance due Owner: 1,678.00

Paid to: June 12, 1942, H. Fukuyama, Att'y for N. Yoshihara

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.:

Repairs: Star Shipyard #131- \$227.02 (Paid)

Inventory Claim 442-B. C. Packers Ltd. \$60.00 (Paid) 5/5/45

Gurdies supplied from store at New Westminster

Additional Information:

J. Macdonald

File 5181.

COPY of survey report of Mr. O. W. Phillipson, Appraiser for Japanese Fishing Vessels Disposal Committee. Original is in bound book in Vessel Record Cabinet. Survey No. 590.

Troller - "Rising Sun"

License: N.W. 2468.

3 years.

Condition: Good.

Damage: Nil.

Boat Engine: 2nd hand. V16 10 years.

Value 1942: \$1600.

Engine older than hull.

.....

The valuation of \$1,840.00 referred to in Vessel Summary is the Suggested Negotiating Price placed on the vessel by the Japanese Fishing Vessels Disposal Committee. This valuation represents the appraised value placed on the boat by Mr. Phillipson, plus a 15 per cent mark-up.

Handwritten signature

Copy

UCLUELET FISHERMEN'S CO-OPERATIVE
ASSOCIATION

NOTICE OF SPECIAL GENERAL MEETING

Notice is hereby given that a Special General Meeting of Ucluelet Fishermen's Co-Operative Association will be held at the Orange Hall, Lot 7, Block 14, District Lot 292, in the City of Slocan, in the Province of British Columbia, on Thursday, the 21st day of January, 1943, at the hour of two o'clock in the afternoon, for the purpose of considering the following Resolutions which will be submitted as Extraordinary Resolution for consideration, and if deemed advisable, that the same may be passed, with or without modifications:

1. That the Fish Packers, Loyal No. 1 and Loyal No. 2, belonging to Ucluelet Fishermen's Co-Operative Association be sold, assigned and transferred absolutely by the Association to the Department of Munitions and Supply of the Government of the Dominion of Canada, or such other Department of the said Government as may desire to purchase the same, at and for the price of \$10,900.00 for the said Loyal No. 1, and at and for the price of \$13,800.00 for the said Loyal No. 2, and that all Bills of Sale, Transfer Agreements and Assignments or other documents necessary or incidental for such purpose be executed by the Association by affixing the seal of the Association in the presence of the President and Vice-President, and that the same be adopted as the act and deed of the Association.

2. That the monies to be received from the sale of the Fish Packers, Loyal No. 1 and Loyal No. 2, as aforesaid, shall be paid as follows:

(a) To the Custodian of Enemy Property, 675 West Hastings Street, Vancouver, British Columbia, one fifty-first (1/51st) portion thereof for each and every member of the Association who is at the date of payment by the said Department of Government of the Dominion of Canada, interned under Regulations or Orders-in-Council of the Dominion of Canada respecting Trading with the Enemy and/or Alien Enemies, but not including those members who are not interned but are living outside protected areas pursuant to Regulations and Orders-in-Council of the Government of the Dominion of Canada respecting the evacuation of persons of Japanese origin from such protected or restricted areas;

(b) The balance of such monies shall be paid to the Association for its sole use and benefit to be used and applied by the Association as hereinafter resolved.

3. That the portion of the sale price of the Fish Packers, Loyal No. 1 and Loyal No. 2, to be received by the Association from such Department of Government of the Dominion of Canada, shall be deposited in a Chartered Bank of the Dominion of Canada in an account in the name of the Association.

4. That Kyuroku Shimizu, Resuke Hamade and Shinkichi Sakai, members of the Association, all presently of Slocan, in the Province of British Columbia, be, and they are hereby appointed a Committee to receive requests for loans or advances to members of the Association who are not interned as aforesaid, and if the majority of such Committee so determine and advise the signing officers in writing, then the signing officers of the Association be, and they are hereby authorized to pay monies of the Association to such member or members by way of loan up to the amount of, but not exceeding, \$480.00 to each such member, with or without security as the said Committee shall determine.

5. That in the event of any vacancy or vacancies occurring from time to time in the aforesaid Committee, the then remaining member or members of such Committee shall be at liberty to appoint another member or members of the Association (as the case may be) to maintain at all times a Committee of three members for the purposes aforesaid.

6. That any member of the Association who is not interned under any Regulation or Order-in-Council of the Government of Canada respecting Trading with the Enemy and/or Alien Enemies may request from the aforesaid Committee authority to borrow from the Association a sum of money up to but not exceeding \$480.00.

AND FOR THE PURPOSE of considering the following Resolutions which will be submitted as Ordinary Resolutions for consideration, and if deemed advisable, that the same may be passed with or without modifications:

1. That the signing officers of the Association shall be Tomizo Yamanaka and Naotsugu Hakoda, and the usual Banking Resolution be passed in respect of such officers.

2. That J. Arthur MacLennan, of the Legal Firm of Messrs. Morris & MacLennan, 311 - 602 West Hastings Street, Vancouver, British Columbia, be appointed Solicitor of the Association for the ensuing year without remuneration, save and except his proper charges for legal services rendered on behalf of the Association.

3. That the acts and deeds of the Directors of this Association since the date of incorporation be ratified, confirmed and approved in every respect.

AND FOR THE PURPOSE of election of Officers, Directors and Auditors of the Association for the ensuing year, and any other matters of business which may be brought before the Meeting.

VOTING MAY BE IN PERSON OR BY PROXY IN
RESPECT ONLY OF ELECTION OF DIRECTORS

Appointment of a proxy should be in writing in the form attached and to be valid must be deposited at the Registered Office of the Association not later than forty-eight hours before the time for holding the Meeting.

The Registered Office of the Association is c/o Messrs. Morris & MacLennan, Barristers and Solicitors, Suite 311 - 602 West Hastings Street, Vancouver, British Columbia.

BY ORDER OF THE BOARD.

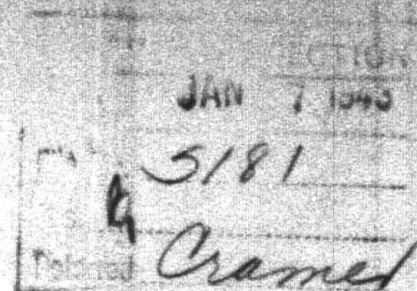
Per: J. Arthur MacLennan.
Solicitor for the Association.

OUR FILE.....

YOUR FILE 5181

ADDRESS YOUR REPLY

TO.....



Alberni, B. C.

January 3rd 1943.

D. A. Cramer Esq.,
Office of the Official Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Sir,

Re: Nobuo Yoshihara

Replying to your letter of the 29th ult., I beg to advise you that while the above named taxpayer is the owner of Block 9 of Sub. Div. of Lot 795, Plan 2971 Clayoquot District, there are no improvements on the property, although he is the owner of a house situate on Block 3 and the land is owned by Motochiro Yoshihara. In connection with the latter I might say that the value of Nobuo Yoshihara's house was found, upon recent inspection having been made, to be valued at \$1,500 and formerly assessed for \$600 in which case he has been given credit for the value previously assessed, leaving a net assessable value of \$900, and this appears in our July Supplementary Roll Folio #72.

I should like to state that we are busily engaged in the preparation of our 1943 Assessment Roll and Notices of Assessment will be duly mailed on January 15th in which case all Assessments applicable to Japanese owned properties will be mailed to your Office in Duplicate. It is asked therefore, that you kindly await the arrival of Notices of Assessment and you will be able to determine the indebtedness of Taxes on all Japanese owned properties.

Yours truly,

A handwritten signature in dark ink, appearing to read "W. Harry Boothroyd".

W. Harry Boothroyd,
Provincial Assessor

RS/WAA

1/4 statement

COPY

5181,
Yoshihara.

BRITISH COLUMBIA SECURITY COMMISSION

Lethbridge,
ALBERTA.

April 14, 1943.

Mr. M. L. Brown,
Office Manager,
Vancouver, B. C.

Re: S. YOSHIHARA, #05847.

We attach a carbon copy of a statement in regard to Ueluellet Fishermen's Co-Operative Association, and would ask you to ascertain from the official Custodian where the transfer of interests in the assets of above-named Association was duly effected, and if the share of such assets belonging to Japanese shareholder members, who were evacuated, has been credited to their account with the Custodian. Specifically we ask if a record can be shown of assets held by the Custodian from this source for above-named and/or for his son Nobuo #02328.

We are asked also to request that the Custodian should forward to above-named the sum of \$100.00 per month until further notice, and advice is also requested as to whether the property owned by above-named is yielding income.

Will you please return the enclosed notice of Special General Meeting when it has served its purpose.

"A. E. RUSSELL."

AER/B.
Encl.

6022 & 5181

June 3, 1943

Mr. M. L. Brown,
Office Manager,
British Columbia Security Commission,
Marine Building,
Vancouver, B. C.

Dear Sir:

Re: Shimotaro YOSHIMURA, Reg. No. 05847

With reference to the letter of Mr. A. E. Russell, dated April 14th, in regard to the above-named man and the Ucluelet Fishermen's Co-operative Association, I wish to advise as follows:

The Ucluelet Fishermen's Co-Operative Association was organized in October, 1941, for the purpose of accepting the assets of the Ucluelet Fishing Company Ltd. in consideration of the allotment of 357 fully paid shares in the capital stock of the Co-Operative Association. These 357 shares were to be allotted to the members of the Company set out in the Annual Report sent to the Registrar of Companies up to 7th of October, 1941. A list of the members of the Co-Operative, who number fifty-one, is attached.

The members of the Co-Operative approved the sale of the fishing vessels "Loyal I" and "Loyal II" to the Canadian Government on condition that the monies received would be kept in the control of the Association, with the privilege of lending to members who needed monies up to the amount of \$480.00 each in proper cases.

The Custodian decided to make no objection to the execution of the Bills of Sale by the association and collection of the proceeds of the sale by the association, subject to the payment to the Custodian of 12/51's of the monies received, to cover the interests of the interned members. In accordance with this, the Custodian forwarded to Messrs. Norris & MacLennan, solicitors for the Ucluelet Fishermen's Co-Operative Association, on May 28th, a cheque in the amount of \$16,223.53, payable to the Ucluelet Fishermen's Co-Operative Association.

Yours very truly,

K. W. Wright,
Counsel to the Custodian

FM/ Enclosure

Custodian Files Nos.
224(Legal)
8022 & 5181

EVACUATION SECTION

Rec'd JUL 15 1943

File to

Ans.

Referred

BRITISH COLUMBIA SECURITY COMMISSION

Lethbridge Alberta.

July 12, 1943.

Mr. M. L. Brown, Office Manager, Vancouver, B.C.

Re Shimotaro Yoshihara #05847
Nobuo Yoshihara #02328

We duly received copy of letter from Mr Wright, Counsel for the Official Custodian, to you, dated June 3rd, setting forth the distribution of assets of the Ucluelet Fishing Co. Ltd., which letter included list of the members of the Ucluelet Fishermen's Co-operative Association, who took over the assets of the aforementioned Ucluelet Fishing Co. Ltd.,

This list shows that Nobuo Yoshihara #02328, is a member of the Association, and would therefore appear to be entitled to be credited with 1/51 share of proceeds, which appears to amount to the sum of \$467.27.

We are unable to find that Mr Shimotaro Yoshihara #05847 has any direct claim, insofar as he is not included in the list supplied by the Custodian.

May we be advised if credit has, in fact, been made to Nobuo Yoshihara's account in the amount stated, as the Custodian's letter of May 24th stated at that time, that no credit had been given to either this man or his father, for any proceeds from the sale of the assets of the Ucluelet Fishing Co. Ltd.

"A. E. Russell"

Encl July 13

5181
Legal Department

912 Royal Bank Building,
Vancouver, B.C.
July 16, 1943

Mr. M. L. Brown,
The B. C. Security Commission,
316 Homer Street,
Vancouver, B. C.

Re: Nobuo YOSHIHARA
and Shimataro YOSHIHARA

Dear Sir:

With reference to your letter of the fourteenth instant enclosing a copy of a letter, dated the twelfth instant, to you from Mr. A. E. Russell, your Alberta Representative, we beg to advise you that according to our records Nobuo Yoshihara is a member of the Ucluelet Fishermen's Co-Operative Association. Shimataro Yoshihara's name does not appear on the list of members in our files.

With regard to Mr. Russell's statement that Nobuo Yoshihara should be credited with one-fifty-first (1/51st) of the proceeds of the sale of the boats owned by the Ucluelet Fishermen's Co-Operative Association, we would refer you to our letter of June 3rd in which we stated that a cheque in favour of the Ucluelet Fishermen's Co-Operative Association for \$18,223.53 covering the net sale price of the boat less the proportion payable to Interned members of the Association was sent to Messrs. Norris & MacLennan on May 28th last. As the Association has controlled these funds, distribution, if any, will be made by the Association.

With regard to Mr. Nobuo Yoshihara obtaining funds from the Association, we would refer you to our letter of June 3rd, the third paragraph of which reads as follows:

"The members of the Co-Operative approved the sale of the fishing vessels "Loyal 1" and "Loyal 11" to the Canadian Govern-

5181
Legal Department

July 16, 1943

-2-

Mr. M. L. Brown,

ment on condition that the monies received would be kept in the control of the Association, with the privilege of lending to members who needed monies up to the amount of \$480.00 each in proper cases."

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

OWP/JT

5181.
Cat. No. 523.

February 14th, 1946.

Mr. Nobuo YOSHIHARA,
Registration No. 02328,
c/o Mr. George Frederick Haws,
Barnwell, Alta..

Dear Sir:

Re: Block 9 of Lot 795, Clayoquot Dist., Plan 2971.

In conformity with the Dominion Government's policy of liquidation the above property was included in a Catalogue of such properties and widely advertised for sale in the Spring of 1944.

In spite of this publicity and the efforts of real estate agents no acceptable offer was received but an over-all offer has now been received for all the properties at Hakoda Bay and this is being accepted. As soon as the adjustments incidental to all such sales have been made, a complete statement of the transaction will be sent you showing the net proceeds transferred to the credit of your account.

In the meantime it would be appreciated if you would send in your Certificate of Title (No. 112353-I) and we enclose a stamped addressed envelope for your convenience in doing so.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.
Encl.

5181.
Cat. No. 523.

December 21st, 1946.

Mr. Nobuo YOSHIHARA,
Registration No. 02328,
Barnwell, Alta.

Dear Sir:

Re: Block 9 of Lot 795, Cleveport District, Plan 2971.

Final adjustments connected with the collective sale of all Hakoda Bay properties having been completed, we enclose herewith a statement of the transaction showing the amount accruing to your account to be as follows:

Your proportionate share of total proceeds - 1600/12850ths of \$5,007.01	\$623.44
Less: Difference between total insurance charges and taxes calculated on the same basis, and those already charged to your account	<u>\$111.98</u>
Your share of total proceeds as per sales statement	\$511.46
Less: Disbursements directly connected with sale, as per attached sales statement	<u>\$ 13.15</u>
Net proceeds credited to your account as per attached statement of account	\$498.31

Our Accounting Department's statement of your account, including the above item, shows a balance of \$536.24 standing at your credit at the present time.

In our letter of the 14th February, 1946, advising you of the above sale, we asked you to send in your Certificate of Title (No. 112353-1) but we cannot trace having received any acknowledgment of our letter, nor the document asked for, and would be obliged if you would give this request your attention.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGE/P.
Encl. 2.

c.c. to Dept. of Labour, Japanese Division.

VIRTUE & RUSSELL

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

A GLADSTONE VIRTUE, M.C.K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.

12th April, 1948

PLEASE REFER TO FILE NO 3212 - 188

EVACUATION SECTION	
Rec'd	APR 14 1948
File No.	5181
Ans.	19/4/48. RSR
Referred	Bill

OFFICE OF THE CUSTODIAN,
Japanese Evacuation Section,
506 Royal Bank Building,
Hastings and Granville,
VANCOUVER, B.C.

Dear Sirs: RE: NOBUO YOSHIHARA
Registration No. 02328
Your Ref. 5181 Cat.No.523

We are acting as solicitors for Nobuo Yoshihara, and also for his brother.

We have before us your original letter of December 21st, 1946, with the statements attached.

We are unable, at present, to unravel your statement, and shall be glad if you will kindly give us the following information:

1. Re Collective Sale of all Hakoda Bay properties, please give us;
 - (a) Total sale price;
 - (b) How it was arrived at;
 - (c) Total deductions.
2. You show Mr. Yoshihara's proportionate share as 1600/12850ths of \$5,007.01. How do you arrive at the fraction?
3. How do you arrive at the figure \$111.98? This seems a very large amount of taxes and fire insurance premiums chargeable to such a small sale price.

As we are acting for a number of the people who own property in Hakoda Bay your general statement showing how this property was dealt with will be much appreciated.

Yours truly,
VIRTUE & RUSSELL,
Per *am*

V/L

160.52 - 1907/1948
2. + 3.
48.12 charged
111.98

April 19th, 1948.

Messrs. Virtue & Russell,
Barristers & Solicitors,
McFarland Building,
Lethbridge, Alta.

Dear Sirs:

Re: Nobuo YOSHIHARA - Reg. #02328.
Your File No. 3212 - 188.

We are in receipt of your letter of the 12th instant on the subject of the above evacuee's property at Hakoda Bay on the West Coast of Vancouver Island.

This property was one of the eleven which constituted the Japanese Fishing Village known as Hakoda Bay. The land consisted of a parcel of 60-acres divided into 11 lots, of approximately 5 acres each. On this land there were 11 houses clustered together on the foreshore without reference to lot boundaries. These properties were included in Custodian Catalogue published in the Spring of 1944 and widely advertised for sale.

In spite of this advertising and the efforts of Real Estate Agents no tenders were received. This lack of interest was due to the isolated position of Hakoda Bay and it was not until the Department of Indian Affairs became interested that prospects of finding a purchaser improved. The total appraised value of the properties was \$3,625.00 but an effort was made to secure half the assessed value, \$12,850.00, or \$6,425.00. The Department would not pay this price, however, and negotiations led to a sale on the basis of \$4,750.00, to which Final Adjustment credits added \$257.01, making a total of \$5,007.01.

Distribution was effected by pooling these proceeds (\$5,007.01) and all disbursements for Taxes (\$969.87) and Fire Insurance (\$319.29) appearing in individual accounts, which were then credited with their share on the basis that the assessed value of their property, on which they had been paying taxes, bore to the total assessed value--in this case 1600/12850ths of \$5,007.01 (\$623.44) less share of disbursements (\$160.52) on same basis, less already charged to this account (\$48.54), a net debit of \$111.98 as mentioned in your letter.

We trust these particulars supply the information you desire.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGN/P.

C
O
P
Y

Canada
DEPARTMENT
of
MINES AND RESOURCES

Ottawa, Ontario.
January 30, 1946.

Dear Mr. Shears:

We have for acknowledgment your letter of January 17th with reference to the purchase of the Hakoda Bay property.

Under date of January 18th by P.C. 147 authority was given by His Excellency the Governor in Council to purchase this property on behalf of the Toquaht Indians. We are, therefore, enabled to issue our cheque for \$4,750.00 which, on instructions from Mr. A. H. Mathieu, M.B.E., Assistant Deputy Custodian, is being forwarded to you. It would be appreciated if you would have the conveyance prepared and delivered to Major D. M. MacKay, Indian Commissioner for B. C., Vancouver.

In further reply to your inquiry, the title should be issued in the name of His Majesty the King, in the right of Canada.

We assume that the cheque which will go forward to you will be held until you are in a position to deliver the conveyance clear of all encumbrances to Major MacKay as herein directed.

Yours truly,

"D. J. Allan"

D. J. Allan,
Superintendent,
Reserves & Trusts.

F. G. Shears, Esq.,
Director, Office of the Custodian,
Department of the Secretary of State,
506 Royal Bank Building,
Vancouver, B. C.

5181.
Est. No. 523.

December 21st, 1946.

Mr. Nobuo YOSHIMURA,
Registration No. 02328,
Barnwell, Alta.

Dear Sirs

Re: Block 9 of Lot 795, Claveauet District, Plan 2971.

Final adjustments connected with the collective sale of all Hakoda Bay properties having been completed, we enclose herewith a statement of the transaction showing the amount accruing to your account to be as follows:

Your proportionate share of total proceeds - 1600/12850ths of \$5,007.01	\$623.44
Less: Difference between total insurance charges and taxes calculated on the same basis, and those already charged to your account	<u>\$111.98</u>
Your share of total proceeds as per sales statement	\$511.46
Less: Disbursements directly connected with sale, as per attached sales statement	<u>\$ 13.15</u>
Net proceeds credited to your account as per attached statement of account	\$498.31

Our Accounting Department's statement of your account, including the above item, shows a balance of \$536.24 standing at your credit at the present time.

In our letter of the 14th February, 1946, advising you of the above sale, we asked you to send in your Certificate of Title (No. 112353-I) but we cannot trace having received any acknowledgment of our letter, nor the document asked for, and would be obliged if you would give this request your attention.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGB/P.
Encl. 2.

c.c. to Dept. of Labour, Japanese Division.

5181.

April 19th, 1948.

Messrs. Virtue & Russell,
Barristers & Solicitors,
McFarland Building,
Lethbridge, Alta.

Dear Sirs:

Re: Nobuo YOSHIHARA - Reg. #02328.
Your File No. 3212 - 188.

We are in receipt of your letter of the 12th instant on the subject of the above evacuee's property at Hakoda Bay on the West Coast of Vancouver Island.

This property was one of the eleven which constituted the Japanese Fishing Village known as Hakoda Bay. The land consisted of a parcel of 60-acres divided into 11 lots, of approximately 5 acres each. On this land there were 11 houses clustered together on the foreshore without reference to lot boundaries. These properties were included in Custodian Catalogue published in the Spring of 1944 and widely advertised for sale.

In spite of this advertising and the efforts of Real Estate Agents no tenders were received. This lack of interest was due to the isolated position of Hakoda Bay and it was not until the Department of Indian Affairs became interested that prospects of finding a purchaser improved. The total appraised value of the properties was \$3,625.00 but an effort was made to secure half the assessed value, \$12,850.00, or \$6,425.00. The Department would not pay this price, however, and negotiations led to a sale on the basis of \$4,750.00, to which Final Adjustment credits added \$257.01, making a total of \$5,007.01.

Distribution was effected by pooling these proceeds (\$5,007.01) and all disbursements for Taxes (\$969.87) and Fire Insurance (\$319.29) appearing in individual accounts, which were then credited with their share on the basis that the assessed value of their property, on which they had been paying taxes, bore to the total assessed value—in this case 1600/12850ths of \$5,007.01 (\$623.44) less share of disbursements (\$160.52) on same basis, less already charged to this account (\$48.54), a net debit of \$111.98 as mentioned in your letter.

We trust these particulars supply the information you desire.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGB/P.

Name of Claimant

YOSHIMURA, Nobuo

Case

757

Custodian File

5182

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 Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total	
		623.44				Spec. by Comm.			501.72
			62.34	12.50					74.84
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 & 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 CHATELS									
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									74.84

STATE OF REAL AND PERSONAL PROPERTY

File 5181.

Claimant: Nobuo YOSHIMURA.

Amount	On	Ass. Valuation	Ass. Value	Aver. Value	Sold for	Remarks
(1) \$ 700.00	Parcel of 5 acres w/1 of land, Hakoda Bay, V.I.	\$ 700.00	\$ 100.00	\$ 450.00	\$ 623.44	(1) This property (Cat. 523) was one of the eleven constituting the Japanese Fishing Village of Hakoda Bay. The assessed value of each of these lots was \$100.00. The lots were undeveloped except on the foreshore where all the dwellings were clustered together.
(2) \$1,500.00	Dwelling on above lot	\$1,500.00	\$1,500.00			(2) All buildings at Hakoda Bay were apparently erected without reference to property lines, claimant's house being assessed to him, @ \$1500.00, on another lot. The appraised value of land and buildings was \$450.00, proportionate share of total proceeds from all eleven properties (\$5,007.01) being \$623.44.
\$2,200.00	Real Property total (gross)					
\$ 623.44	Acknowledged Custodian Credit					
\$1,576.56	Amount of Real Property Claims					
(3) \$2,500.00	Fishing Vessel	\$2,500.00		\$1,600.00	\$1,700.00	(3) The P.F. "Fishing Boat" (36' x 9' x 4 1/2') powered with a 15 H.P. Vivian engine, was sold by its owner, through the Japanese Fishing Vessels Disposal Committee, for \$1,700.00.
\$1,700.00	Acknowledged Custodian Credit					
\$ 800.00	Amount of Personal Property Claims					
\$2,376.56	Total amount of Claims					

Witnessed, B. G., June 30/48.

non/2.

EXHIBIT NO. 787-10
DATE 22 Feb 1948
FILED BY E. R. O. H. C.

Defence Brief

Nobuo YOSHIHARA

File No. 5181

Case No. 787

LETHBRIDGE
13 Oct. 48

REAL PROPERTY CLAIM

Claim 1

(All claims shown are Gross)

Land - Block 9 of Lot 795 Plan 2971.

Dwelling - Block 3 of Lot 795 Plan 2971 Clayoquot District.

Claim reduced from \$2200. to

\$1600.

Appraised at

\$450.

Sale Price

\$623.44

(Trans. Page 8)

Witness: Appraiser, H.G. Winter.

Claimant built his house on Lot 3, which land was owned by his brother, which he was allowed to keep for ever and live rent free.

This property was one of eleven which constitutes the Japanese Fishing Village known as Hakoda Bay, which was divided into eleven lots of 5 acres each. These properties were advertised for sale by the Custodian but no tenders were received, probably owing to the isolated position of Hakoda Bay, and it was not until the Department of Indian Affairs became interested that prospects of finding a purchaser improved.

An effort was made to secure \$6,425.00, half the assessed value of the whole of the property, but they would not pay that price and negotiations led to a sale to them for \$5,007.01.

Claimant received, after expenses had been deducted, the sum of \$511.46.

Claimant stated that the materials for building his house cost \$1000. and for labour \$800. but he had no figures to substantiate these amounts.

It is submitted that the real estate was sold for its fair market value.

Claim 2 Boat

\$2500. - This claim was abandoned, the boat having been sold by the owner for \$1700. (Trans. Page 8).

Nobuo YOSHIHARA
Case No. 787

-2-

Summary of Defence Witnesses

Where required

H. G. Winter

1

Appraiser

NOTE: Mr. H.G. Winter's appraisal marked Block 9 evidently refers to Block 3 as Block 9 had no house on it.

The sum of \$5,007.01 received for the sale of the real estate included the sum of \$257.01, adjustment for taxes and insurance up to the end of the year 1946.

BMP/mw

CASE NO. 787.

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 92.

JAPANESE PROPERTY CLAIMS COMMISSION.

BEFORE

(HIS HONOUR JUDGE R. M. EDMANSON, SUB-COMMISSIONER).

10

Lethbridge, Alberta.

October 15th, 1948.

IN THE MATTER OF THE CLAIM OF
HOMUO YOSHIMURA.

PROCEEDINGS AT HEARING.

20

APPEARANCES:

G.E.A. RICE, Esq., K.C.,

appearing for the
Dominion Government.

A.G. VIRTUE, Esq., K.C.,

appearing for the
Claimant.

MISS LILLIE THOMAS,

Secretary.

MRS. LUCIE HANDFORD,

Official Interpreter.

S.R. HOWARD, Esq.,

Official Reporter.

30

N. Yoshihara,
In Chief.

THE SECRETARY: Case No. 787, Nobuo Yoshihara.

NOBUO YOSHIHARA, the claimant herein,
being first duly sworn, testified
as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

10 Q Mr. Yoshihara, I show you a form which we call
a summary of evidence form. It contains a state-
ment of the property owned by you, and the
purchase price, and then a little later on it
contains a statement of the building owned by
you, which was on a different lot, and then
the value and so on. Was this prepared by you
with the help of an interpreter in my office?
I say, was this form prepared by you with the help
of an interpreter in the office?

A Yes.

Q Is this your signature (indicating)?

A Yes.

20 MR. VIRTUE: I will offer this as an exhibit.

(SUMMARY MARKED EXHIBIT NO. 1)

MR. VIRTUE: Q: Now, I understand the lot which you
claim was at a place called Hakoda Bay on
Vancouver Island, about, roughly, forty miles
north of Port Alberni? A: That is right.

Q That is on the west Coast of Vancouver Island?

A Yes.

Q Hakoda Bay was a Japanese fishing village?

A That is right.

30 Q All the people there were fishermen. Is this

H. Yoshihara,
In Chief.

a photograph of the bay itself?

A That is right.

Q And I believe the tallest house there, or the tallest house on the shore is the house for which you are claiming? A: That is right.

MR. VIRTUE: I will offer that as the next exhibit.

(PHOTOGRAPH MARKED EXHIBIT NO. 2).

MR. VIRTUE: Q: Now, I show you another photograph, and can you tell me when that was taken?

10 A That is 1940.

Q In 1940? A: Yes.

Q And is that the house for which you are claiming?

A Yes, that is right.

Q And this shows the house in an unfinished condition; but how near to being finished was the house when you were being evacuated? A: That is right.

Q I say, How near to being finished was the house when you were evacuated? A: Oh, it would be another two months anyway to finish.

20 Q Well, what I am getting at is this: At the time you were evacuated, how much of the house was finished, and what would have been required to completely finish it? Tell the Judge the details of it?

A: I had better get the interpreter.

Q You had better get the interpreter. All right. At the time you were evacuated in 1942, how complete or near to being finished was this house?

30 A There would have to be cement filled in under the house right there where the posts are.

4
N. Yoshihara,
In Chief.

Q Yes. Was the downstairs part all finished,
the lower floor?

A: We intended
to put plywood inside of the house.

Q That is, when you were evacuated you had not put
plywood inside of the house?

A We had double shiplap in, but we were going to
put plywood there as well.

Q How about the upstairs of the house when you were
evacuated, how near to being finished was it?

10 A One room was finished and two under construction,
but hadn't been quite finished.

Q Well, this photograph that I am showing you now
was taken in August, 1940? A: Yes.

Q And you kept on working on the house, did you,
until you were evacuated in 1942?

A That is right.

MR. VIRTUE: All right, I will put that in as the next
exhibit.

(PHOTOGRAPH MARKED EXHIBIT NO. 54.)

20 MR. VIRTUE: Q: Now, up to the time you were evacuated,
how much had you spent on this house for labour
and materials?

A: About \$1800.00.

Q \$1800.00?

A: Yes.

Q You began the house, I believe, in the year 1940,
did you?

A: That is right.

Q And you finished it, well, you were nearly finished
with it when you were evacuated in 1942?

A Yes.

Q So that it was a brand new house?

30 A A brand new house.

H. Yoshihara,
In Chief.

Q Now, the lot, I understand that you paid \$150.00 for it?

A: That is right.

Q And you got the title in 1938?

A That is right.

Q My learned friend and I are on common ground on this, so that he won't mind my going on with this. I understand that your house, which you have shown us here in the photograph, was not built on your own lot?

A: No.

10 Q It was a common understanding in that village that one man would own the lot, but maybe another would build the house?

A: Yes, that is right.

Q And you valued the whole property at the time you were evacuated at \$1500.00? A: That is right.

Q Was that a moderate valuation for that property? Do you know what I mean by "moderate"? Was it fair and reasonable? A: Yes, it was a fair valuation.

20 Q Now, I show a plan; is that a plan of the house you had built there? A: Yes.

Q And the dimensions you give here (indicating), the sizes of the rooms, those are the correct dimensions as the house was built?

A Yes; that is right.

MR. VIRTUE: I will put that in as an exhibit.

(PLAN MARKED EXHIBIT NO. 4).

THE SUB-COMMISSIONER: Did I understand that he bought the lot afterwards?

30 MR. VIRTUE: No, sir. He bought the lot -- well, we had better just ask him about that. He had bought

6
N. Yoshihara,
In Chief.

the lot in '35 and paid for it in '38, and then
he built the house in 1940-41.

THE SUB-COMMISSIONER: '40 and '41?

MR. VIRTUE: Yes. He began it then and finished it
later.

THE SUB-COMMISSIONER: Your Parcel 1 shows Lot 9 bought
at \$130.00, and the house is built on Lot 3, is it?

MR. VIRTUE: Yes, sir.

THE SUB-COMMISSIONER: Did he ever get title to Lot 3?

10 MR. VIRTUE: No, but I am going to put in evidence, and
this applies to all the claims on that Bay, and
apparently nobody built on their own lots.

Q Now, you have a brother named Notoichiro Yoshihara?

A Yes.

Q And your building was put on his lot?

A Yes.

Q And is this a certificate you signed in connection
with that (indicating)? A: Yes.

Q That is your signature and his signature?

20 A Yes.

MR. VIRTUE: Your Honour, this is a certificate that
I am going to put in, and it shows that this
building was built on Lot 3, and he didn't
have title to Lot 3, they call it Block 3, but
that his brother held title, and he was allowed
to build his residence there and live in it
and keep it there forever without paying rent.
I will put that in.

(CERTIFICATE MARKED EXHIBIT NO. 5).

30 MR. VIRTUE: Q: I show you a rough plan or drawing

N. Yoshihara,
In Chief.

of the Hakoda Bay properties as a whole?

A Yes.

Q And your house, I understand, was built, as shown by the photograph fairly close to the shore?

A: That is right.

MR. VIRTUE: I will put that in as the next exhibit, Miss Thomas, please.

(PLAN MARKED EXHIBIT NO. 6).

10

MR. VIRTUE: Now, you understand that the whole property, that is the whole Hakoda Bay fishing village, was sold in a block or in bulk in one sale, you know that?

A: Yes.

Q It was sold to the government, The Department of Indian Affairs?

A: That is right.

Q And then the Custodian divided up the money among all of the people who owned property and houses in the village, the Hakoda Bay village?

A Yes, that is right.

20

Q You got from the Custodian as your share about \$623.44?

A: That is right.

Q What do you say as to that? Was that a fair allowance for the house and lot that you left there? Was that reasonable? A: No.

Q What was it? What have you to say about it? Was it a big price or a little price or a fair price?

A: That was a low price.

Q It was a low price?

A: Yes.

Q All right, thank you.

30

MR. RICE: I am submitting, your Honour, that the real

8
N. Yoshihara,
Cross Exam.

estate was sold at its fair market value.

THE SUB-COMMISSIONER: Well, the total claim then, Mr. Virtue, is \$976.56?

MR. VIRTUE: Yes.

THE SUB-COMMISSIONER: You see, on this original list there is \$2200.00 for real property and \$300.00 for personalty.

MR. VIRTUE: You are speaking of the original proof of claim?

10 THE SUB-COMMISSIONER: On this list here (indicating).

MR. VIRTUE: It is the Nobue one you are speaking of?

MR. RICE: The claim that was filed was \$2200.00.

MR. VIRTUE: There was originally a claim for a boat, but he can't succeed in that.

THE SUB-COMMISSIONER: Oh, I see.

MR. RICE: Outside of the boat, there is a claim of \$700.00 on the land and \$1500.00 on the building.

MR. VIRTUE: He has divided it up on account of the building not being on his own land.

20 THE SUB-COMMISSIONER: And the claim for the boat is abandoned now?

MR. VIRTUE: Yes. There is only one claim now, and that is \$130.00 for the lot and \$1800.00 for the building which brought it to \$1930.00, and then he reduced that to \$1600.00, and he got \$623.44, leaving \$976.56.

MR. RICE: Your claim today is \$1600.00, less what the Custodian has paid him.

MR. VIRTUE: That is right.

30 MR. RICE: And the original claim was \$2200.00.

9
N. Yoshihara,
Cross Exam.

THE SUB-COMMISSIONER: Yes, I see that.

MR. RICE: If I may quote from a letter written from the Custodian's office to my learned friend's firm, under date of April 19th, 1948, it may explain the transaction somewhat.

MR. VIRTUE: I have no objection to my learned friend quoting in the usual way, that is, for the purpose of information, although there are certain statements that will not be of evidentiary value.

10 MR. RICE: I will read from a part of the letter.

"We are in receipt of your letter of the 12th instant on the subject of the above evacuee's property at Hakoda Bay on the West Coast of Vancouver Island.

20 "This property was one of the eleven which constituted the Japanese fishing village known as Hakoda Bay. The land consisted of a parcel of 60 acres divided into 11 lots, of approximately 5 acres each. On this land there were 11 houses clustered together on the foreshore without reference to lot boundaries. These properties were included in the Custodian catalogue published in the spring of 1944 and widely advertised for sale.

30 "In spite of this advertising and the efforts of the real estate agents no tenders were received. This lack of interest was due to the isolated position of Hakoda Bay and it was not until the Department of Indian Affairs became interested that prospects of finding a purchaser improved.

N. Yoshihara,
Cross Exam.

The total appraised value of the properties was \$3625.00 but an effort was made to secure the assessed value, \$12850.00, or \$6425.00. The Department would not pay this price, however, and negotiations led to a sale on the basis of \$4750.00, to which final adjustment credits added \$257.01, making a total of \$5007.01.

"Distribution was effected by pooling these proceeds, \$5007.01, and all disbursements for 1942-1946 taxes, \$969.87, and fire insurance, \$319.29, appearing in individual accounts, which were then credited with their share on the basis that the assessed value of their property, on which they had been paying taxes, bore to the total assessed value."

Now, in this case I wish to file as an exhibit a distribution sheet showing the assessed value in the first column, the claimant's share in the second column, the charges, that is, for taxes and insurance premiums, in the third and fourth columns, and the credit accruing to the claimant in the fifth column. This claimant's share amounted to \$511.46.

(SHEET MARKED EXHIBIT NO. 7).

MR. VIRTUE: I wonder if my learned friend has got a copy of that?

MR. RICE: I haven't, I am sorry. I have only the one. I believe you have got a copy on your file; was not a copy sent you?

MR. VIRTUE: No. We can work it out; it isn't material.

H. Yoshikawa,
Cross Exam.

MR. RICE: And then I have a copy for the case that follows this one.

I have an assessment notice for the year 1946. I think that deals with the other parcel of land. The assessment is \$100.00, nothing for improvements.

(ASSESSMENT MARKED EXHIBIT NO. 8).

MR. RICE: I tender a real property summary.

(SUMMARY MARKED EXHIBIT NO. 9).

10 MR. RICE: And a claim on real and personal property.

(DOCUMENT MARKED EXHIBIT NO. 10).

MR. RICE: And then this is, apparently, a copy of an Alberni Assessment District statement of the house alone, valuing it at \$450.00.

(STATEMENT MARKED EXHIBIT NO. 11).

MR. RICE: It has been stated on the record, your Honour, has it not, that the claim to the fishing vessel has been abandoned?

20 THE SUB-COMMISSIONER: Yes.

CROSS EXAMINATION BY MR. RICE:

Q These figures that you have given as to the cost of labour and the cost of material for the construction of the house totalling \$1800.00 are just estimates on your part, are they?

The statement shows here that the material cost \$1000.00 and the labour cost \$800.00, total cost \$1800.00; I say, that is an estimate on your part, is it not?

30 A: No, it is just what it did actually cost me.

M. Yoshihara,
Cross Exam.

Q Oh, that is what it actually cost you?

A Yes, it is for the house and the bathroom and everything.

Q Well, the bathroom wasn't in the house? You didn't complete the bathroom?

A: It wasn't installed in the house, but we had the bath-house outside around the back.

Q And the cost of the material came out to \$1000.00 exactly?

A: Yes. Well, it is just about \$1000.00.

Q How do you know it is just about \$1000.00; have you got the figures or a statement on you?

A I have no actual figures, but it cost me that much. We also had the house painted.

THE SUB-COMMISSIONER: What was that again, Mrs. Handford?

A I have not the actual figures, but it cost me actually that much.

MR. RICE: Q: And did you pay exactly \$300.00 to someone for building the house?

A: I paid my brother.

Q You paid your brother?

A: Yes.

Q And you paid him \$300.00 exactly, did you?

A I paid him \$200.00.

Q You paid him \$200.00; who else did you pay?

A The balance is for my labour.

Q You did \$300.00 worth of labour, is that it?

A That is right.

Q How much a day? How much an hour?

A It works out at about 40¢ an hour.

Q 40¢ an hour?

A: Yes, about that.

Q Is that what you paid your brother?

N. Yoshihara,
Cross Exam.

A Yes, about that.

Q And have you got any statement of the hours put in by you and the hours put in by your brother?

A No, I haven't any statements.

Q That is all, thanks.

MR. VIRTUE: That is all, thank you.

10 I just want to call attention to two things, sir. I think probably you have noted one already, and that is the statement in this letter, "an effort was made to secure half the assessed value, \$12850.00," that is for the entire property, "the Department would not pay this price," and then it was sold for \$4750.00, that is, the entire property, which had an assessed value of \$12850.00.

MR. RICE: After being advertised; advertised first.

MR. VIRTUE: It was sold for \$4750.00. The other thing I want to call attention to for the sake of the record is this, that while they are not here, the Minutes of the Advisory Committee are of record and available. They were put in when Mr. Shears was giving his evidence at the Coast and they are pertinent to this matter and I, therefore, would like a note made on the record of the Minutes of the Advisory Committee, Volume 2, the 29th Meeting, on the 9th of January, 1946. Now, that won't mean anything to your Honour, but when the time comes to review this file, it will mean something, because it shows that practically no value was placed on the buildings at all at that time.

30

M. Yoshikawa,
Discussion.

And I also call attention to the fact that this was a sale by one department of the government to another department of the government.

That is all I have to say, thank you, sir, in this case.

THE SUB-COMMISSIONER: All right, that is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

10

I hereby certify the foregoing transcript is a true and accurate record of the proceedings herein.

ppp
"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.

20

30

CLAIMS RELATING TO REAL PROPERTY AT HAKODA BAY, B.C.

A claim was filed by each of the following persons in respect of a dwelling situate on a 5 acre parcel of land on the shore of Hakoda Bay, near Ueluelet, B.C., particulars of which, with assessed values, and the price realized on sale by the Custodian, are as follows:

	CLAIM NO.	CLAIMANT	DWELLING	1946 Ass'd. Val.	SALE PRICE
82 5181	787	YOSHIMURA N.	7 room unfinished	\$1800.00	\$ 823.44
5232	788	YOSHIMURA M.	6 room new	1300.00	506.54
13766/2198	888	OYE, Tsunetaro	5 room built 1924	900.00	350.68
1478/458	1101	BAKODA, Yutaka	6 room built 1923	1000.00	389.65
1452	1108	NASU, Minoru	7 room built 1941 \$1800.	1850.00	720.85
2294	1339	WATANABE T.	6 room built 1924	1100.00	423.62
822	1343	KATSUMURA G.		1000.00	389.65
1588	1368	TERASHITA S.	8 room built 1927 Add'ns. 1936, 1941.	1600.00	623.44
				<u>\$10350.00</u>	<u>\$4038.87</u>

These claims had been classified as rural real property at the end of the first year of the Inquiry, and recommendations were proposed to be made in respect thereof on the over-all basis applied to rural real property, i.e. 10% of selling price, plus selling expense charged to the claimants' account by the Custodian. Consequently there was credited to each of these claimants in Appendix I to the General Report the sums to which each claimant had been found entitled on the over-all basis.

After Appendix I had been completed, Counsel for these claimants submitted that these claims should be classified as special cases, in which submission I concurred for the reasons later mentioned.

It follows therefore that the sums credited in Appendix I, shown opposite the claimant's name above, must be deducted from the recommendations now made. I have therefore set out in the concluding paragraph of this report, opposite each claimant's name, the sum so credited in Appendix I, as well as the balance to which he is entitled on the basis of the recommendation now proposed.

The claimants prior to evacuation were fishermen, residents of a remote and isolated fishing community situate on the west coast of Vancouver Island, occupied only by persons of the Japanese race. The dwellings, with the exception of those to which claims Nos. 787 and 788 relate, were built prior to 1930, and were not entirely finished but nevertheless were habitable. The older dwellings appear to have been adequately maintained up to the claimants' evacuation.

The Custodian was unable either to rent or sell these dwellings in the three years following the evacuation of the owners, during which period the settlement was unoccupied.

In October 1945, the entire settlement comprising 60 acres of land on which stood 11 dwellings was sold en bloc to the Department of Indian Affairs for the sum of \$4750.00, the price having been based on appraisals made by two valuers employed by the Custodian and another appraisal made by Soldier Settlement Board valuers.

It is abundantly clear that no market existed in the period under review for any property in this remote settlement. I have no doubt that the Custodian was fortunate to find a purchaser in the Department of Indian Affairs even at a price more than 100% lower than the

aggregate assessed value. However, the price paid on a sale made in these circumstances I think will have been substantially lower than the fair market value of such properties had the settlement then existed as an inhabited community.

In these circumstances the task of determining fair market value as at the date of sale in 1946 presents peculiar difficulties, since the dwellings and land when sold comprised the majority of the habitations in a deserted community, a condition which arose in consequence of the evacuation policy.

The appraisals furnished to the Custodian I find of little value, since it is not possible to determine with any degree of certainty to which dwelling a particular estimate relates. The S.S.B. appraisal on twelve 5 acre parcels and 7 dwellings thereon is shown by Exhibit 127 to have been \$3625.00, but no details of the appraisals were furnished, nor is there any identification of the dwellings appraised. The most reliable estimates of value available to me are those of the Provincial Government assessors made for taxation purposes, pursuant to R.S.B.C. 1943 Cap.332, Sect.30, showing an aggregate assessment for 1946 on the 6 parcels and dwellings now under consideration at \$10,350.00, the distribution between the parcels being set out above.

I have therefore approached the problem on the assumption that at the date of sale Hakoda Bay was an inhabited settlement, of which the claimants' properties constituted the major part. On this basis, and not otherwise in my opinion, is it possible to envisage "a purchaser willing but not obliged to buy" property from "an owner willing but not obliged to sell" (vide Appendix III, or to determine the sum which "a prudent man

"in the position of the owner would pay rather than
"to be ejected from the property" - Diggon-Hibben v. Regan,
1949 S.C.R. 712.

Therefore I consider that fair market value of these
properties may fairly be estimated at 75% of the 1946
assessed value as shown above. The assessed values are
depreciated to the extent of 25% since I assume that the
assessor's inspection of the premises in this remote
district will have been some years before the time of
sale. I therefore find that the fair market value of the
respective properties is as follows:

No.	Owner	Fair market value	Credit given Appendix I	Recommendation now made.
No. 787	YOSHIHARA N.	\$1200.00	74.84	\$501.72
798	YOSHIHARA M.	975.00	63.15	405.31
888	OYE T.	675.00	47.56	275.76
1101	NAKODA Y.	750.00	51.46	308.99
1108	NASU M.	1397.50	84.59	582.07
1339	WATANABE T.	925.00	55.36	341.08
1343	MATSUMURA C.	750.00	51.46	308.99
1368	TERASHITA S.	1200.00	74.84	501.72

I THEREFORE RECOMMEND payment to the respective
claimants of the difference between the market value so
ascertained, less credits given in Appendix I, and the sum
realized on sale by the Custodian. In arriving at this
estimate, I have taken into account the fact that on the
sale made by the Custodian there was deducted from the sum
to which the claimant was entitled the equivalent of
3 years taxes on his property, which had accrued subsequent
to the claimant's evacuation.

H. I. Bind

H. I. BIND

Commissioner.

April 4th 1950.