

5232

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 Motoichiro

HOME ADDRESS: P.O. Box 18, Ucluelet, B. C.

REGISTRATION NUMBER 12110 . SEX: M AGE: 42

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: Hisayo

ADDRESS OF WIFE OR HUSBAND: P.O. Box 18, Ucluelet, B. C.

NAMES OF ANY LIVING CHILDREN: Seiichi (M) 13 Mary (F) Toshiye (F)

Kenji (M)

ADDRESS OF CHILDREN: same

AGE OF CHILDREN: 13, 8, 4, 1 yrs.

EXHIBIT No. 789-17
DATE October 13/45
FILED BY E. J. A. Rice

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

1. LOCATION AND DESCRIPTION: Block 3, of Dist. lot 795, CLAYOQUOT Dist.
Plan 2971. (In Ucluelet)

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

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

4. TAXES (Amount and where payable) \$13.32 1942 paid 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: P.O. Box 18, Ucluelet, B. C. 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 declarant's house: 500 ft. of #2 shiplap, 150 ft. 1x10 #1 clear edgers, 10pcs. 2x4, 120 ft. 1x6 window & door frame, 300 ft. 1x3 flooring, #2, 50' 1x4 Nol flooring, 200' 1x6 #1 sizing, 300' 2x12 #1 clear fir, 150' 2x12 #1 cedar, 5 cords wood.

In brother's house, (Nobue) 1 Coleman gas stove, 1 bureau, 2 boat mattress 1 baby carriage, 1 baby walker, 1 box cod fish hook, 1 box pilchards hooks, 1 box #9/0 Harrison hooks, 1 box #8/0 Harrison hooks, 1 #30 Nickel HD swivels, 1 wing pump, 2 pcs. rubber mats, 1 wedge hammer, 1 hatchet 1 axe, 4 coal oil lamps, (1 Troller in custody of Navy) (Bowman Storage, 1 box baby toys, 1 bed & 2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS. spring.)

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)
One \$50.00 Victory Bond, \$20.00 War Savings Certificates, in owners possession.

8. BANK ACCOUNTS: Royal Bank of Canada, Hastings & Main Vancouver \$500.00
(Joint Bank account with wife.)

9. LIFE INSURANCE: Sun Life Assurance Co., Vancouver, B.C. \$2000.00
#828595 Beneficiary, wife, Hisayo. 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.

(Signature)

M. Yoshikawa

Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE November 4/43

No. 5232

YOSHIHARA, Motoichiro
(Surname in Block Letters)

ration No. 12110

Male - Female
(Check)

Age May 5, 1900

er Address P.O. Box 18, Ucluelet, B. C.

ate Evacuated Apr. 28/42

Naturalized - Canadian-Born - National
(Check)

Present Address Box 245, Lethbridge, Alta.

*Mar 7/46 - c/o W.S. Johnson, Carmichael
Alta*

☒ - Single
(Check)

Relative
Name of Wife Hisayo #12159

Name of Husband _____

^{nee}
Name of Mother (KASAHARA) Tsune (Japan) Name of Father Tamakichi (Dec'd)

Names of Children under 16 See over.

Requested by GM

Registered with Custodian
(Yes or No)

Additional Information Fisherman. Owner of boat "Mary Y"

21st May 1942.

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

4. 3 7 Hours
BANK WELL
RECEIVED

Attention Mr. C. L. Brewry.

Dear Sir:

re: Motoichiro Yoshihara. Registration No. 12110.
My File No. 91.

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 3 of District Lot 795, Clayoquot
District, Plan 2971.

6-roomed 2 storeyed wooden frame dwelling
house."

Personal Property:

"In declarant's house:

500 ft. of #2 shiplap
150 ft. 1 x 10 #1 clear edgers
10 pcs. 2 x 4
120 ft. 1 x 5 window and door frame
300 ft. 1 x 3 flooring, No. 2
50 ft. 1 x 4 flooring, No. 1
200 ft. 1 x 6 sizing, No. 1
300 ft. 2 x 12 No. 1 clear fir
150 ft. 2 x 12 No. 1 cedar
5 cords wood.

In brother's house (Nobue):

✓ 1 Coleman gas stove
✓ 1 Bureau
✓ 2 Boat mattresses
✓ 1 Baby carriage
✓ 1 Baby walker
✓ 1 box Cod fish hooks
✓ 1 box Pilchard's hooks
✓ 1 box #9/0 Harrison hooks
✓ 1 box #8/0 Harrison hooks
✓ 1 No. 30 Nickel HD swivels
✓ 1 Wing pump
✓ 2 pcs. Rubber mats
✓ 1 Wedge hammer
✓ 1 Hatchet
✓ 1 Axe
✓ 4 Coal oil lamps."

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 Ueluelet on the other side of the Inlet close to the entrance, and is accessible only by boat. This is a small Japanese settlement of eleven houses on the waterfront.

Land and Buildings:

The declarant is the owner of 5.20 acres, the legal description being Block 3 of Lot 795, Clayoquot District, Plan 2971.

The assessed values are: Land \$ 100.00
Improvements \$ 225.00.

Taxes for 1942 are paid.

The building is an incompleated two-storey frame dwelling house of six rooms. No water is piped to the house and no bath or toilet are yet built. The house is not painted.

The approximate realizable value of the house is \$500.00.

Personal Property:

The lumber mentioned in the "JP" Form is in the house, and other articles are in his brother's house as follows:

1 only Coleman gas stove ✓
1 only Bureau ✓
2 only Boat mattresses ✓
1 only Baby carriage ✓
1 only Baby walker ✓
1 box Cod fish hooks ✓
1 box Pilchard hooks ✓
1 box #9/0 Harrison hooks ✓
1 box #8/0 Harrison hooks ✓
1 box #30 Nickel HD swivels ✓
1 only 1" wing pump ✓
2 pcs. 36 x 72 Rubber mats ✓
1 only Ice shovel ✓
100 lbs. 2", 3", 4" and 6" common wire nails * }
1 only 10-lb. wedge hammer ✓
1 only Hatchet ✓
1 only Axe ✓
4 only Coal oil lamps ✓

There are some minor differences between what is on hand and what was declared.

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,

Agginton

HGH:LMS

✓

REAL PROPERTY SUMMARY

File No. 5232.

Cat. No. 517.

Name: Motoichiro YOSHIHARA.

Reg. No. 12110.

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

Legal Description: Block 3 of Lot 795, Clayoquot District, Plan 2971.

Classification: 6-room Dwelling (unfinished).

Registered in the name of: MOTOCHIRO YOSHIHARA.

State of Title (No. 74679-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 \$506.54.

As at: June 1st, 1946.

Title (No. 162245-I) merging all 11 properties, delivered to new Registered owner on: September 30th, 1946.

Net proceeds (\$571.72) released to credit of Motoichiro YOSHIHARA on: Aug. 1/46.

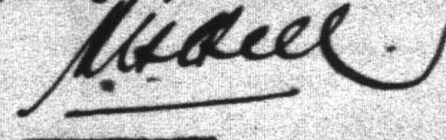
Chattels: Not involved.

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 Ucluelet 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.

14th August, 1947.



RGB/P.

Date...January 22nd, 1946.

REAL PROPERTY MEMORANDUM

File No. 5232.

Name.....Motoichiro YOSHIHARA.....Registration No.....12110

Re: Catalogue No. 517.

Address: Hakoda Bay, Ucluelet, B. C.

Legal Description: Blk. 3, Lot 795 (5 ac. m/l), Map 2971.
Dwelling (unfinished).

✓ TITLE AND ENCUMBRANCES

✓ A. Certificate of Title No. 74679-I Whereabouts: Owner. Applied for Feb. 12.

✓ Registered owner: Motochiro YOSHIHARA Reg. No. 12110

✓ Property: Block 3 of Lot 795, Clayoquot District, Plan 2971.

✓ B. Charges.

Registered: None.

✓ Vesting: D.F. 50101 (Sept. 4/42).

Unregistered: No evidence of any.

✓ Taxes: \$36.50 (1946). Paid and Certificate on file.

Water: ———

Insurance: Included in Blanket Policy for \$5600.00, expiring July 24/48.

✓ Assessed Value: Land: \$100.00. Improvements: \$2400.00.

✓ Valuation by Appraiser: \$500.00.

✓ Amount of Bid: Part of \$4750.00 for 11 properties.

✓ Approved by Advisory Committee: 22nd January, 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. Ball.
R. G. Ball.

5232
File Nos. 5232, 13766, 1478,
1452, 1588, 2294, 5181, 1532,
669, 13001 and 457.
Catalogue Nos. 517 to 527.

June 5th, 1946.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cramer

Motochiro YOSHIMURA, Tsunetro OYE,
H. HAKODA, Minoru NASU, Susumu
TERASHITA, Tsuneharu WATANABE,
Nobuo YOSHIMURA, Seichi MORI,
Tokumatsu YAMAI, Otake CHOSUKE,
Kunitaro MOCHITSUKI.

Lots 3 to 13 incl., of Lot 795,
Clayoquot District, Plan 2971.

With reference to the above property which was recorded in the
Victoria Land Registry Office, May 3rd, 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 15th, 1946,
covering Lots 3 to 13 incl.
4. Duplicate of Deed dated April 15th, 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 No. 517 to 527, inclusive
File Nos. 457, 669, 1452, 1478, 1532,
1588, 2294, 5181, 5232, 13001, 1376
Hakoda Bay, Ucluelet Inlet, B. C.
Lots 3 to 13, incl./795/2971

Control of the above described property is by us hereby
acknowledged and we agree that all adjustments and incidents
in connection with the sale to us of this property have been
settled.

Receipt is acknowledged of London Guarantee and Accident
Company Limited, policy No. 573746, which has been assigned
to us.

Dated at O t t a w a this 23 day of September, 1946.

A handwritten signature in dark ink, appearing to be 'R. A. May', written over a horizontal line.

RETURN TO CUSTODIAN

THE UNDERSIGNED ACKNOWLEDGES THAT THE REGISTERED ARTICLE DESCRIBED ON THE
Le soussigné déclare que l'envoi mentionné d'autre part

OTHER SIDE WAS DULY DELIVERED ON THE
a été dûment livré le

5th october 1946

Date stamp of office of destination
Timbre du bureau destinataire



SIGNATURE OF THE ADDRESSEE
Signature du destinataire

(1) Secretary
A Smith

OF ADDRESSEE'S REPRESENTATIVE
du représentant du destinataire

(2) J. Bourgeois

OF THE POSTMASTER OF THE OFFICE OF DESTINATION
du bureau destinataire

per EYD

- (1) This card should be signed by the addressee or if the regulations of the country of destination so provide, by the Postmaster of the Delivery Office and returned by first mail to the address shown on the other side. Cet avis doit être signé par le destinataire, ou, si les règlements du pays de destination le comportent, par l'agent du bureau destinataire, et être renvoyé à l'expéditeur, dont l'adresse figure sur l'autre côté de cette carte.
- (2) When delivery is made to an authorized representative of the addressee, both addressee's name and representative's signature must appear on the receipt. Lorsque la livraison est faite à un représentant autorisé du destinataire, le nom du destinataire et la signature du représentant doivent figurer sur le reçu.

Catalog Nos. 517 to 527, inclusive
File Nos. 457, 669, 1452, 1478, 1532, 1588
2294, 5181, 8232, 13001, 13766
Hakoda Bay, Uluksu Inlet, B. C.
Lots 3 to 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	\$4,750.00	
Cheques received		\$4,750.00
Registration fees on deed - \$4,750.00	14.00	
Insurance premium - \$573746 (unexpired portion)	117.05	
Purchaser's proportion of 1946 taxes paid - 214/365 x \$214.85	125.96	
Balance owing by purchaser		257.01
	\$5,007.01	\$5,007.01

BALANCE OWING BY PURCHASER - \$257.01

STATEMENT RE SALE OF:

Name: YOSHIHARA, Motoichiro #12110

Catalogue No: 517

File No: 5232

Street Address: Hakoda Bay, H. C.

Legal Description: Blk. 3, D.L. 795.

Date of Sale and Adjustments June 1st, 1946.

Sale Price

\$ 571.72

~~Sub-estate Agents Commission~~

\$

Charge for Valuation

7.50

Charge for Advertising

4.00

Land Registry Office Transmission Fee

1.65

Encumbrances:

~~Sub-estate Agents Commission~~~~Sub-estate Agents Commission~~~~Sub-estate Agents Commission~~~~Sub-estate Agents Commission~~

Adjustments:

~~Sub-estate Agents Commission~~~~Sub-estate Agents Commission~~~~Sub-estate Agents Commission~~13.15\$ 571.72

Net Proceeds credited to your account

\$ 558.57

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

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

MINERAL RAIL PROJECT

DISTRIBUTION OF PROCEEDS FROM SALE OF THE MINES OF THE ABOVE NAMES IN THIS DISTRIBUTION UNDER PAYE TAXES

Collective sale price (to Indian Affairs Branch of Department of Mines & Resources)	\$4,750.00
Final adjustment credits	\$ 207.00
Proceeds of sale available for distribution	\$4,543.00

(Per Key to Columns See Below)

788-11
DATE October 1964
FILED BY 990-11

- *A* = Assessed value of land (and \$100.00) and buildings.
- *B* = Proportional share of above proceeds.
- *C* = Proportional share of: (1) total 1942/1944 Taxes (\$900.00); and
(2) total 1942/1944 Fire Insurance premiums (\$219.79) = \$1,119.79.
- *D* = 1942/1944 Taxes and 1942/1944 Insurance premiums already charged.
- *E* = Credit appearing on above basis.

NAME	*A* Ass. Value	*B* Share	*C* Share	*D* Share	*E* Share
Industrie YAMAGUCHI, File 3022, Cat. 307 (M.R. 3, D.L. 795)	\$ 1300.00	\$ 504.51	\$ 130.42	\$ 195.00	\$ 971.79
Industrie IRI, File 13704, Cat. 316 (M.R. 4, D.L. 795)	\$ 700.00	\$ 290.08	\$ 95.29	\$ 142.45	\$ 462.34
Industrie SHIMIZU, File 1474, Cat. 319 (M.R. 5, D.L. 795)	\$ 1000.00	\$ 389.45	\$ 100.38	\$ 250.42	\$ 538.75
Industrie IRI, File 1453, Cat. 320 (M.R. 6, D.L. 795)	\$ 1850.00	\$ 720.83	\$ 225.00	\$ 350.45	\$ 795.38
Industrie YAMAGUCHI, File 1500, Cat. 321 (M.R. 7, D.L. 795)	\$ 1200.00	\$ 473.44	\$ 160.52	\$ 187.45	\$ 525.43
Industrie YAMAGUCHI, File 1524, Cat. 322 (M.R. 8, D.L. 795)	\$ 1100.00	\$ 420.02	\$ 110.36	\$ 64.10	\$ 445.54
Industrie YAMAGUCHI, File 1541, Cat. 323 (M.R. 9, D.L. 795)	\$ 1000.00	\$ 383.44	\$ 160.52	\$ 48.54	\$ 511.48
Industrie IRI, File 1550, Cat. 324 (M.R. 10, D.L. 795)	\$ 700.00	\$ 272.76	\$ 90.23	\$ 49.30	\$ 333.23
Industrie YAMAGUCHI, File 1569, Cat. 325 (M.R. 11, D.L. 795)	\$ 400.00	\$ 155.86	\$ 40.13	\$ 40.70	\$ 164.93
Industrie STAKE, File 15001, Cat. 326 (M.R. 12, D.L. 795)	\$ 100.00	\$ 38.97	\$ 10.03	\$ 25.00	\$ 23.94
Industrie YAMAGUCHI, File 1577, Cat. 327 (M.R. 13, D.L. 795)	\$ 1300.00	\$ 504.55	\$ 130.42	\$ 94.65	\$ 469.48
Industrie YAMAGUCHI, File 1580, Cat. 328 (M.R. 14, D.L. 795)	\$ 1000.00	\$ 383.44	\$ 160.52	\$ 10.00	\$ 509.96
	\$10000.00	\$3907.02	\$1209.14	\$1209.14	\$2369.70

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I

Name MOTOICHIRO YOSHIMURA

Address VICTORIA, B. C.

Occupation FISHERMAN

do hereby make, nominate, constitute and appoint

Name HIDEO FUKUYAMA

Address 1808 VENABLE STREET, VANCOUVER, B. C.

Occupation SALES MANAGER

my true and lawful attorney for me and in my name, place and stead and for my sole use and benefit, to sign and execute all bills of sale, mortgages or releases of mortgage, all discharges and releases and all chattel mortgages or releases of chattel mortgages, AND IN PARTICULAR to execute all documents of any nature whatsoever which may be required by the Japanese Fishing Vessels Disposal Committee relative to the transfer of the vessel to owners who are not of Japanese origin, and/or to execute all documents of any nature whatsoever in connection with the sale, transfer, release or discharge of the vessel

Name of vessel "MARY T"

Port of registry or license NEW WESTMINSTER, B. C.

Official number or license 1804 N.W.

and for all and every of the purposes aforesaid do hereby give and grant unto

HIDEO FUKUYAMA, said attorney, full and absolute power and authority to do and execute all acts, deeds, matters and things necessary to be done in and about the premises, and also to commence, institute and prosecute all actions, suits and other proceedings which may be necessary or expedient in and about the premises as fully and effectually to all intents and purposes as I could do if personally present and acting therein, and also with full power and authority for

HIDEO FUKUYAMA, said attorney, to appoint a substitute or substitutes, and such substitution at pleasure to revoke I hereby ratifying and confirming, and agreeing to ratify, confirm and allow all and whatsoever my said attorney or such substitute or substitutes shall lawfully do or cause to be done in the premises by virtue hereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal the 30th day of March A.D. 1942, at Vancouver in the Province of British Columbia.

SIGNED, SEALED AND DELIVERED
in the presence of:

K. Kimura } M. Yoshimura
817 Dunlop Avenue,
Vancouver, B. C.

EXHIBIT NO. 788-14
DATE October 13/48
FILED BY G. H. H. H.

Acknowledgement of Witness

TO WIT: }

PROVINCE OF BRITISH COLUMBIA }

I, Kishio Kimura of the City of Vancouver
in the Province of British Columbia, make oath and say:

1. I was personally present and did see the within instrument duly signed and executed by Motoichiro Yoshihara the party thereto, for the purposes named therein.
2. The said instrument was executed at Vancouver, B. C.
3. I know the said party, and that he is of the full age of twenty-one years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

SWORN BEFORE ME at the City of

Vancouver

in the Province of British Columbia, this

9th day of April

A.D. 1942

K. Kimura
A Commissioner for taking affidavits within
British Columbia.
A Notary Public in and for the Province of
British Columbia.

K. Kimura

NAME YOSHIHARA, Motochiro

REGISTRATION NO. 12110

FILE NO. 1232

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

- Coleman gas stove	\$ 1.00 ✓
- 2 Mattresses	1.00 ✓
- 1 Baby walker	2.25 ✓
- Hooks	1.25 ✓
- Swivels	0.50 ✓
- 1 Ring pump	3.25 ✓
- 2 piece rubber mat	0.25 ✓
- 1 Wedge & 2 axes	0.50 ✓
- 4 Coal Oil Lamps	0.50 ✓

Total

\$ 12.50

Less Expenses: (Auctioneer's Fee: \$1.25
(Advertising: - - -
(Moving: 1.73)

\$ 2.98

Net Proceeds Credited:

\$ 9.52

Members of Custodian Staff Present.

Extracted from Auctioneering List No. Ueluelet 1.

Remarks. Sold funds.

*Original mailed to Yoshihara
on Aug. 15/47.*

CHATELAIN SCHEDULE

File 5232.

Motoichiro YOSHIHARA.

Reg. No. 12110.

(*JP* Form: April 19th, 1942).

(Evacuated: April 28th, 1942).

	Disclosed	Shipped	Sold	Stored	Remarks
(1) Coleman Gas Stove				25/7/44	
(2) Bureau				25/7/44	
(3) Best Mattresses (2)				25/7/44	
(4) Baby Carriage					
(5) Baby Walker					
(6) Cat Fish Hooks (1 box)				25/7/44	
(7) Filchard Hooks (1 box)					
(8) Harrison Hooks (1 box 2/0)					
(9) Harrison Hooks (1 box 8/0)					
(10) HD No. 30 Seivals				25/7/44	
(11) Wing Pump				25/7/44	
(12) Rubber Mats (2)				25/7/44	
(13) Wedge hammer				25/7/44	
(14) Hatchet				25/7/44	
(15) Axe					
(16) Oil lamps (4)					
(17) Toys (1 box)					
(18) Bed and Mattress					
(19) Nails (100 lbs.)					

In use by Caretaker.

} Bowman conf. holding 4
pkgs. (18/1/1943).

N.B. List of lumber stored in House, for finishing incomplete interior, treated as part of the house.

E. & O. E.
12th February, 1946.

[Handwritten signature]

RUB/P.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
OCT 1 1942

Bu

File No: 5232

September 17, 1942

Name: Motoichiro YOSHIMURA

Reg. No: 12110

INVENTORY OF CHATELS LEFT AT P.O. BOX 18, UCLUELET, B. C.

In Declarant's House

500 ft. of 2" shiplap
150 ft. 1 x 10 1" clear edgers
10 pcs. 2 x 4
120 ft. 1 x 5 window and door frame
300 ft. 1 x 3 flooring, No. 2
50 ft. 1 x 4 flooring, No. 1
200 ft. 1 x 6 siding, No. 1
300 ft. 2 x 12 No. 1 clear fir
150 ft. 2 x 12 No. 1 cedar
5 cords wood

left in property.

In Brother's House (Nobue):

1 Coleman gas stove - s ✓
1 bureau
2 boat mattresses - s ✓
1 baby carriage
1 baby walker ✓
1 box Cod fish hooks - s
1 box Pilehard's hooks - s
1 box #9/0 Harrison hooks - s
1 box #8/0 Harrison hooks - s
1 lb. 30 Wicket HD swivels - s
1 wing pump - s
2 pcs. Rubber mats - s
1 wedge hammer - s
1 hatchet - s
1 axe - s
4 coal oil lamps - s

*Swivels
Kodas
1 lb.*

*N.B. Also:- Ice Shovel
100 lbs lbs 2", 3", 4", 6" nails
found but not declared*

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

Confirmed:

DATE:

27th Sept

SIGNED:

M. Yoshimura

Please sign and return one copy to the Custodian.

15th

*S. sold by Auction 25/7/42
Ucluelet 1.*

EXHIBIT NO. 788-8

DATE October 13/48

GENERAL SUMMARY

FILED BY J. J. O. Rice

Motoichiro YOSHIMURA

Reg. No. 12110.

File 5232.

This 42-year old Fisherman from Uclualet, B. C., signed a Custodian "JF" declaration form on April 19th, 1942. He was evacuated on April 28th, 1942.

His wife, Hisayo (File 6025) signed a Custodian "No Property" card on the 19th April, 1942, and her file carries no evidence of any assets. She was evacuated on the 19th April, 1942.

The following is a summary of the contents of this file as disclosed by a review made today.

Real Property: See Real Property Summary for particulars of Hakoda Bay property (Oct. 5/47) which was included in the collective sale of all (11) Hakoda Bay properties for \$4,750.00, of which this owner's share was \$558.57, as per statement of transaction enclosed with our letter of the 20th December, 1946. Statement of Analysis of sale and distribution is filed in property section of this file.

Personal Property: See Chattels Schedule for particulars of Chattels, which have been reasonably well accounted for.

Specified Articles: See Fishing Vessel Summary for particulars of F.V. "Mary I." requisitioned by the Dept. of Munitions and Supply for Army, who later (Oct. 3/42) purchased the vessel for \$1,700.00 (its appraised value), net proceeds (\$1,678.00) being credited to this account Nov. 5/43.

Two Cameras turned in to the Royal Canadian Mounted Police were returned to owner through the B. C. Security Commission Nov. 16/43 (see Oct. 16/44).

Bills Receivable: Transportation expenses in connection with delivery of above Fishing Vessel were collected in the sum of \$12.25, and credited to this account on Apr. 10/45.

Bonds, Shares, etc.: Victory Bond (\$50.00) and War Savings Certificates (\$20.00) declared to be in owner's possession, did not come under our administration.

Bank Accounts: A balance of \$500.00 declared to be in a Joint Account with his wife in Royal Bank of Canada, Main & Hastings Sts., Vancouver, was not disturbed.

Life Insurance: A policy for \$2,000.00 with the Sun Life remained in owner's possession, this office paying premiums as requested. On the 10th March, 1947, at the Company's request this office passed on their cheque for \$2,015.54, "in settlement of all claims" under their policy.

Liabilities: There are no claims recorded in this file.

Funds: There is a balance of \$619.39 standing at the credit of this account at this date, as per statement mailed with our letter of the 20th December, 1946. This balance is being remitted to evacuee and account closed.

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

RMB/P.

14th April 1948

MEMORANDUM

File No.: 5232

June 5th, 1945.

To: FILE

From: Mr. Green

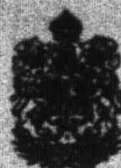
Re: Motoichiro YOSHIHARA
House No. 4, Hakoda Bay, Ucluelet

This house was unfinished and only contained lumber which has been left on the property as naturally to be included in this sale should it eventually be disposed of. This man's effects were left in the house of his brother Nobuo, file 5181. A list was confirmed as correct and returned by him on September 27th, 1942, and has since been disposed of at auction on July 25th, 1944.

It will be seen that a bureau is unaccounted for and this is perhaps explained by the fact that a dresser removed from this house is held by the caretakers, Mr. and Mrs. Wheadon at No. 5. Nobuo also declared a bureau but one appears on his auction sheet so that held by the Wheadons is probably Motoichiro's.

k

HFG:IF



CANADA

REFER TO FILE NUMBER

9015-M 37

DEPARTMENT OF TRANSPORT

EXECUTIVE OFFICE
DIRECTOR OF MARINE SERVICES

OTTAWA, September 17, 1942.

Dear Sir,-

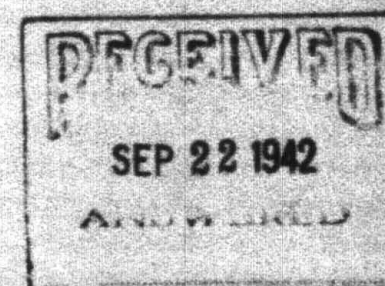
This will confirm day letter of September 16,
1942, as follows:

"BY AUTHORITY OF POWER DELEGATED TO ME BY MINISTER OF
NATIONAL DEFENCE UNDER DEFENCE OF CANADA REGULATIONS
VESSEL MARY Y IS HEREBY REQUISITIONED FOR MILITARY
SERVICE TO BE DELIVERED FORTHWITH TO GENERAL OFFICER
COMMANDING IN CHIEF PACIFIC COMMAND VANCOUVER BC STOP
CANCEL ALL MARINE INSURANCE POLICIES FROM TIME VESSEL
HANDLED OVER TO GENERAL OFFICER COMMANDING IN CHIEF
PACIFIC COMMAND VANCOUVER STOP UNDERSIGNED INFORMED
ARRANGEMENTS FOR PURCHASE WILL BE MADE THROUGH DEPART-
MENT OF MUNITIONS AND SUPPLY AS SOON AS POSSIBLE
STOP PLEASE CONFIRM YOUR UNDERSTANDING THESE INSTRU-
CTIONS AND INFORM UNDERSIGNED DATE AND HOUR VESSEL HAND-
ED OVER AT VANCOUVER"

Yours very truly,

(J. G. Macphail)
Director of Marine Services.

Mr. Motoichiro Yoshihara,
c/o Japanese Fishing Vessels
Disposal Committee,
VANCOUVER, B.C.



COPY

c/o G. Howells,
Barnwell, Alta.
Nov. 11, 1942.

Mr. Edgar T. Read,
General Manager Custodian Office,
Vancouver, B. C.

Dear Sir:

In regard to my boat Mary Y. which you
wired me sometime in September in connection with a sale
for seventeen hundred dollar (\$1700) to the Department of
Munition, I wired you immediately for acceptance.

So far since, I have not received any words
from your office nor from the Department of Munition for
the above.

I would like to know whether my vessel been
sold or unsuitable for their use.

Thanking for your request.

Yours truly,

"M. Yoshihara"

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
FILE NO.

912 Royal Bank Building,
Vancouver, B.C.,
November 26, 1942.

EXHIBIT NO. 788-18
DATE October 13/48
FILED BY A. M. Virtue

Mr. Motoichiro Yoshihara,
c/o G. Howells,
Barnwell, Alberta.

Dear Sir:

I have your letter of November 21st and wish to advise that your boat "Mary Y" has been purchased by the Department of Munitions for the sum of \$1,700.00.

Mr. Kimura advised me over the telephone to-day that the papers had been prepared in accordance with the power of attorney furnished by you to Mr. Fukuyama and have been forwarded to Ottawa; payment is, therefore, expected any day and you will be advised when same has been received.

Yours truly,

F. Carroll

Miss F. Carroll
For, Authorized Deputy of the Secretary
of State and/or Custodian

FC/IG

COPY.

Lloyd's Register of Shipping

Port Vancouver, B. C.

July 24th, 1942.

No. C-1113

This is to Certify that

ROBERT BENKIE

the undersigned Surveyor to this Society did at the request of the Director of Marine Services, Ottawa, examine the Single Screw Wood Troller Fishing Vessel "MARY Y", Licence No. 1504 of New Westminster, B. C., also marked "MY 3149", owned by Motoichiro Yoshihara, with a view to ascertaining her present value.

This troller was reported to have been built in 1934; dimensions, length 35'.0, breadth 8'.0, depth 3'.0, and is propelled by a 20 B.H.P. Vivian gasoline engine built about 1930 and installed in 1934.

The undersigned examined the vessel afloat at New Westminster, B. C., on the 22nd July, 1942. The engine was not opened out for inspection.

The general condition of the hull, engine and equipment is satisfactory for this class of vessel except for some signs of rot in stern planking and deck.

After making due allowance for age and condition, I have fixed the value of the "MARY Y" at the present time at ONE THOUSAND SEVEN HUNDRED DOLLARS (\$1,700.00).

No appreciation due to the emergency of war is included in this appraisal which is subject to adjustment should a further

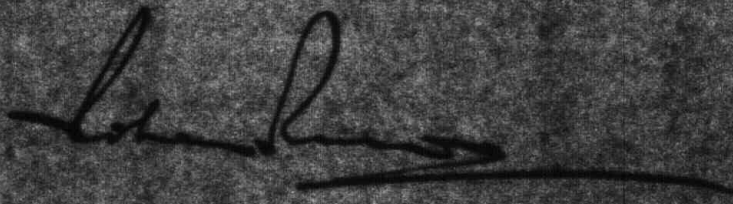
This Certificate is issued upon the terms of the Rules and Regulations of the Society, which provide that:

"While the Committees of the Society use their best endeavours to ensure that the functions of the Society are properly executed, it is to be understood that neither the Society nor any Member of any of its Committees is under any circumstances whatever to be held responsible for any inaccuracy in any report or certificate issued by the Society or its Surveyors, or in any entry in the Register Book or other publication of the Society, or for any error of judgment, default or negligence of any of its Committees or any Member thereof, or the Surveyors, or other Officers or Agents of the Society."

- 2 -

"BAILY"

examination be made of the vessel on dry dock and engine
be opened out for survey.



SURVEYOR TO LLOYD'S REGISTER.

Case No. 788 - Motoichiro YOSHIHARA, Reg. No. 12110, File 5232

Boat Claim: "Mary Y" - purchased in 1934 - used - at price of \$1,200.00
Repairs since purchase 1,250.00
2,450.00

Gross Claim: \$2,200.00

Sale: This boat was among those turned over to the Custodian at New Westminster. The boat was requisitioned and was sold through the Japanese Fishing Vessels Disposal Committee. Sales papers were signed by Hideo Fukuyama, Attorney for Motoichiro Yoshihara. Agreement for Sale is dated October 1, 1942. Net proceeds of sale were paid to the Custodian in behalf of Yoshihara.

Sale Price - \$1,700.00
JFVDC Charges 22.00 (1% of sale price, plus \$5.00)
Net - 1,678.00

Valuation: Lloyd's Register of Shipping - \$1,700.00 (report will be placed on file when received from Lloyd's)

JFVDC
"catalogue
sheet"
Age of
Boat.

Information given to the JFVDC was that hull was 12 years old at the beginning of 1942, and that the Vivian 20 HP engine was 9 years old at that time.
Licence New Westminster 1504 was carried by this boat. This licence number belongs to the series of licence numbers issued in the year 1926. The number was reissued to Yoshihara when he had the boat licensed in his name on May 28, 1934.

Transcript
Page 15

"Who was Hideo Fukuyama?" -
Hideo Fukuyama was not a member of the Japanese Fishing Vessels Disposal Committee, nor was he a member of the staff of the Committee.
Hideo Fukuyama was in the JFVDC office practically daily representing the interests of Japanese fisherman - mainly those from the West Coast of Vancouver Island. Many of these fishermen appointed Mr. Fukuyama their Attorney to act in connection with the sale of their boats.
Hideo Fukuyama is now deceased.

/FM

14/12/48

TO
DEPARTMENT OF MUNITIONS AND SUPPLY

- in account with -

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE
1522 Marine Bldg. Vancouver, B. C.

PURCHASE PRICE of Japanese Fishing Vessel "MARY Y"

LICENSED NO. H. V. 1504

DESCRIPTION - TROLLER

LENGTH 35'

BEAM 8'

DEPTH 3'

ENGINE - Vivian 30 H.P.

OWNER - MOTOICHIRO YOSHIMURA

PURCHASE PRICE - as per Agreement for Sale attached \$1,700.00

Price in accordance with survey made by
Surveyors of Lloyd's Register of Shipping.

REFERENCES:
(ARMY)

Vancouver, B. C.
October 2nd. 1942

Acceptance of Invoice - Oct 4/42
L22-11-15/FE 8925
Serial No 2 L-0036

Certified Correct

I hereby certify that the work has been
performed, the goods have been received,
and the prices are fair and just.

APPROVED

K. Kimura

SUMMARY TAKEN FROM VESSELS RECORDS

Date: July 17, 1944

Name: YOSHIHARA, Motoichiro

Reg. No. 12110

File: 5232

Boat File No.: JFVDC 911

Name of Vessel: "Mary Y." M 35'x8'x3' (1930) Vivian 20 HP (1931)

Lic. or Reg. No.: New Westminster 1504

Naval No.: None

Owner's Valuation: \$2,500.00

JFVDC Valuation: None

LLOYD'S VALUATION: \$1,700.00

Custodian Valuation: \$800.00

Date of Sale: Requisitioned- Invoiced Oct. 3, 1942

Purchaser: Dept. of Munitions & Supply (Army)

Signature on Sales Papers: Motoichiro YOSHIHARA, per Hideo Fukuyama, Att'y.

Selling Price: \$1,700.00

Paid to JFVDC ~~or Custodian~~: 1,700.00

Supervision Costs: 22.00

Balance due Owner: 1,678.00

Paid to: Paid to Custodian on behalf of Motoichiro YOSHIHARA

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None

EXHIBIT No. 768-16

DATE October 13/45

FILED BY Y.R.O. [Signature]

Additional Information:

J. M. Matheson
August 14, 1947

Duplicate

Agreement for Sale of Vessel

BETWEEN:

Motoichiro Yoshihara,
Barnwell, Alberta,
(hereinafter called the "Vendor")



OF THE FIRST PART

AND

His Majesty The King as represented by the Minister
of Munitions and Supply, Ottawa, Ontario, Canada,
(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: **"Mary T"**

Port of Registry: **New Westminster, B.C.**

Official Number: **1504 NW.**

Length: **35'**

Breadth: **8'**

Depth: **3'**

Propelling power: **Vivian 20 H.P.**

Registered at the Port of New Westminster, B.C.

For the price or sum of \$ **1,700.00**

Payable as follows: **Cash**

this *1st* Day of *October* 19*42* A.M.
LICENSE
Register No. *1504* File No. *Sal. as stated herein*

A. G. Anderson Registrar of Shipping

FURTHER, we the said **Motoichiro Yoshihara**

for my heirs, covenant with the said **His Majesty The King** and **His** 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:

EXHIBIT NO. *788-15*
DATE *October 13/42*
FILED BY *G. S. A. Price*

~~ALL OTHERS OF WHATEVER NATURE TO BE SECURED FOR THE VENDOR BY THE PURCHASER ON THE VESSEL~~

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this **1st**
day of **October**, A.D. 1942.

SIGNED, SEALED and DELIVERED
in the presence of:

K. K. K. K.
217 Dunlop Ave.,
Vancouver, B.C.

MOTOICHIRO YOSHIHARA,

12120 Xubing
Attorney

MEMORANDUM

September 25, 1943.

TO: File No. 5232

FROM: Specified Articles Department.

Re: YOSHIHARA Motoichiro, Reg. No. 12110

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
CAMERA	Box type Kodak #120 Rainbow Hawkeye No. 2 Model C Camera Folding type, Marble Make Serial #30191	

Released to BC Sec. Commission, Nov 16/43

42E/269

113

12110

NAME

YOSHIMURA, Motoichiro

FILE
NO.

5232

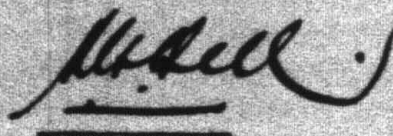
COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
London Guarantee & Accident Co. Ltd.	<i>Renewed under Pol. No. 5726/4</i> 561428	\$450.00 (T. \$5400)	July	24	1945	Lot 795, Clayquot District Plan 2971, Hakoda Bay, B.C.
London Guarantee & Accident Co. Ltd.	<i>572746</i> 572624 <i>Transferred to Purchaser 4/5/46</i>	\$900.00 (T. \$5400)	July	24	1945	Dwelling at Hakoda Bay, B. C. (Block 3 of Lot 795, Clayquot District, Plan 2971).

Note: This is a blanket Policy covering
11 Japanese Houses
This is House #4.

TRANSFERRED TO PURCHASER (May 11/46).

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

14th August, 1947.



RGE/P.

LIABILITIES SUMMARY

File 5232.

Motoichiro YOSHIMURA.

Reg. No. 12110.

THERE ARE NO CLAIMS RECORDED IN THIS FILE.

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

12th February, 1946.

W. H. Bell

RMB/P.

(Information supplied by Ins. Co.)

LIFE INSURANCE

Name YOSHIHARA, Mr. Motoichiro
Barnett, Alberta

File No. 5232

Reg. No. *121121*

Company Sun Life

Agency Vancouver

Policy No. 828595

Premium - \$ 101.80

Payable: ^x Annually, Semi-annually or monthly

Month March Day 1st

REMARKS:

*37
Letter sent 12/18/43*

5232

October 13, 1944.

Commanding Officer,
Royal Canadian Mounted Police,
"E" Division,
Vancouver, B. C.

Dear Sir:

Cameras

Motoichiro YOSHIHARA, JR #12110

According to our records, this man was the owner of
the following:

One Camera, Box Type Kodak, #120 Rainbow Hawkeye #2,
Model C

" " , Folding Type, Marble Make, Made in Japan,
Serial #30191.

These cameras were listed under RCMP Victoria Detachment File
No. 42E/269.

While a request for shipment was received from the
owner and passed on the the British Columbia Security Commission
in October, 1943, we do not appear to have any record that ship-
ment was made. We would be pleased if you would let us know if
these cameras were released to the Security Commission.

Yours very truly,

F. Matheson,
Specified Articles Department.

5232.
Cat. No. 517.

December 20th, 1946.

Mr. Motoichiro YOSHIMURA,
Registration No. 12110,
c/o Mr. W. S. Johnson,
Barnwell, Alta.

Dear Sir:

Re: Block 3 of Lot 795, Clavequot 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 - 1300/12850ths of \$5,007.01	\$506.54
Plus: Difference between total insurance charges and taxes calculated on the same basis, and those already charged to your account	<u>\$ 65.18</u>
Your share of total proceeds as per sales statement	\$571.72
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	<u>\$558.57</u>

Our Accounting Department's statement of your account, including
the above item, shows a balance of \$619.39 standing at your credit at the present
time. This balance is available to you.

In our letter of the 12th February, 1946, advising you of the
above sale, we asked you to send in your Certificate of Title (No. 74679-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,

RGB/P.
Encl. 2.

R. G. Bell,
Office of the Custodian.

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

5232

August 28, 1942

Mr. Metropolitan ~~Journalist~~
Reg. No. 12110,
c/o G. V. Howe,
Barnwell, Alta.

Dear Sir:

August 28, 1942

Mr. Motoichiro Yoshihara,
Reg. No. 12110,
c/o G. F. Haws,
Barnwell, Alta.

Dear Sir:

Referring to your letter of August 23, a Tax Notice has been received from the Provincial Collector at Alberni and is called the July Supplementary Tax Notice; it covers improvements on Block 3, Sub. Div. of Lot 795, Plan 2971, which is registered in your name.

The tax covering this assessment on improvements of \$2,175.00 at a rate of 1%, being \$21.75 tax and the school tax of \$12.00, amounts to a total sum of \$33.76.

In your letter you state that you have never paid over \$13.32 and this amount was paid for 1942. This tax was probably on the land alone and did not cover the new house which you have built during the past year.

Yours truly,

F. G. Shears
Assistant Manager

GDM/GH


5232

August 28, 1942

Mr. Motoichiro Yoshihara,
Reg. No. 12110,
c/o G. F. Haws,
Barnwell, Alta.

Dear Sir:

Referring to your letter of August 23, a Tax Notice has been received from the Provincial Collector at Alberni and is called the July Supplementary Tax Notice; it covers improvements on Block 3, Sub. Div. of Lot 795, Plan 2971, which is registered in your name.

The tax covering this assessment on improvements of \$2,175.00 at a rate of 1%, being \$21.75 tax and the school tax of \$12.00, amounts to a total sum of \$33.76.

In your letter you state that you have never paid over \$13.32 and this amount was paid for 1942. This tax was probably on the land alone and did not cover the new house which you have built during the past year.

Yours truly,

F. G. Shears
Assistant Manager

GDM/GH

[Handwritten signature]

W. G. Starnes
Barrow, Alaska.
Sept 13, 1942

C. G. Shears,
Dept of Ling of State,
Vancouver B.C.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
SEP 10 1942

Dear sir -

In reference to your letter of Aug. 28th I acknowledge the increase of twenty one dollars and seventy five cents (\$21.75) as the tax covering the improvement on Block 5, Sub Div of Lot 795, Plan 2971, but I would like you to fully understand that the house is but partially finished and not nearly ready for occupation.

May I inquire if it is necessary for me to pay an additional thirty three dollars and seventy six cents (\$33.76) on a land whose improvement of which is only a unfinished house that can be of no benefit to me or to anyone else.

Please do not misinterpret my intentions for if absolutely necessary I do not refuse to oblige you, but would like to understand more clearly the definite details and if you will kindly

RECEIVED

UNORGANIZED TERRITORY

Extract from report of Const. D. H. Howell, in charge Ucluelet Detachment, B. C. Police, dated 23rd March, 1942, respecting Japanese at Ucluelet, Frasers Bay, Maitland Island, Spring Cove, Port Albion, Leeches Bay and Tofino.

REPORT

re: JAPANESE PROPERTY - Disposal of, Ucluelet and Tofino.

UCLUELET

Hakoda Bay - 60 acres situated on Section 295, Plan 2971, Clayoquot Land District, Alberni Assessment District:

5232 Motoichiro, Yoshihara	5 1/2	acres and house	-	value	\$1,500.
Watanabe, Tsuneharu	5 1/2	"	"	"	1,200.
Mochitsuki, Kiutaro	5 1/2	"	"	"	1,500
Oye, Tsunetaro (dec'd)	5 1/2	"	"	"	900.
Tamai, Tokomatsu	5 1/2	"	"	"	900.
Nasu, Minoru	5 1/2	"	"	"	1,500.
Mori, Seichi	5 1/2	"	"	"	700.
Yoshiharu, Nobue	5 1/2	"	"	"	1,500.
Hakado, Naotsugu	5 1/2	"	"	"	1,200.
Terashita, Susumu	5 1/2	"	"	"	1,500.
Matsubara, Chinosuke	5 1/2	"	"	"	1,000.

Above houses at present vacant, due to being accessible only by boat. All locked and windows boarded. Very little property or furnishings left; inventories on file at this office. Ronald Matterson, Ucluelet, by arrangement with the owners will act as Agent should anyone wish to rent their property.

NOV 13 1942

Barnwell Alta.,
Jan. 4th 1943.

Dept. of the Secretary of State,
The Custodian's Office,
912 Royal Bank Bldg.,
Vancouver, B.C.

Dear Sir:

In regard to your letter of Nov. 26, I have
understand that my boat "Mary Y." has been purchased
by the Dept. of Munitions for the sum of \$1,700.00

With Mr. Shibayama as my power of attorney,
I have learned that Bill of Sale had been forwarded to
Ottawa so payment is therefore expected any day. Five
weeks has already past, since I received your notice
but I have not yet received the payment or any letter
concerning for the above.

I would be very much appreciated if you
would kindly take a further investigation for the
above matter.

2000.15
1678.00

Thanking you, I remain,
Yours very truly,
M. Yashihara
Revenue File No.

5232:

Regt 12110.

45

ESTABLISHED 1887

Pemberton Realty Corporation Limited

TELEPHONE PACIFIC 5241

418 HOWE STREET
VANCOUVER, CANADA

January 16, 1943

EVACUATION SECTION

Rec'd JAN 18 1943

File No.

Ans.

Referred *Milson*

out to appeal

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

Re: File 635 - Ishimatsu KEATA

Income
Dear Sirs:

Regarding this assessment, it is too late to lodge an appeal for a reduction in this assessment. However, the value for sale purposes is a different thing from the value for assessment. The City value buildings largely by their physical value, where a purchaser of old frame buildings of this type will have to figure on the risk of heavy cost of up-keep or even demolition by the City authorities in cases of this type.

If you so wish, we will endeavor to take this matter up with the assessors in the next couple of months to see if a reduction could be made in the assessment for the next year.

Yours very truly,

PEMBERTON REALTY CORPORATION LIMITED,

J. G. Walks

Rental Department, Manager.

5232

January 20, 1943

The B. C. Security Commission,
Lethbridge, Alberta.

Attention Mr. A. E. Russell

Dear Sir:

Re: YOSHIHARA, Motoichiro #12110

Referring to your letter of January 13, the construction of M. Yoshihara's house has never been completed and therefore the place is not revenue producing. There are taxes amounting to \$24.44 due on this property and it was necessary for us to protect the building by placing \$450.00 fire insurance, and the premium for this is \$10.35. As M. Yoshihara has funds with us, we would appreciate your asking him to instruct us to pay these amounts, and if he should be in need of funds to write us.

Yours truly,

G. D. Milson
Administration Department

GDM/GH

Box 242,
Lethbridge, Alta.,
Oct. 22 1943.

Custodian of Enemy Alien Property,
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	OCT 25 1943
File No.	5232
Ans.	FM
Referred	Matheson

Dear Sir:

I have advice from Mr. R. C. Bowen,
R.C.M.P. Comdg. Vancouver Island Section,
that two of my cameras surrendered on March
19th 1942 by D.H. Howell B.C. Police at Melville
B.C. have been turned over to the above office.

Receipts stating description read as follows:
One box camera, Red Kodak, #20. Rec'd from
Motoichiro Yoshihara

One camera and brown leather case Marble Make,
Made in Japan. Lense 5.6 Rec'd from ~~Moto~~ Yoshihara
Surname typed on the receipt had been misspelled.
As for correction, it should be Yoshihara.

I would be very much appreciated
if you would kindly return the above described
cameras.

Yours very truly,
Motoichiro Yoshihara
5232

5232

October 28, 1943

Mr. M. L. Brown,
British Columbia Security Commission,
Dick Building,
Vancouver, B. C.

Dear Sir:

Re: Motoichiro YOSHIHARA, Reg. #5232
Box 245, Lethbridge, Alberta

The above-indicated man has written us as follows:

"I have advice from Mr. R. C. Bowen, R.C.M.P. Commanding Vancouver Island Section, that two of my cameras surrendered on March 19, 1942 by D.H. Howell, B. C. Police at Ucluelet, B. C. have been turned over to the above office. Receipts stating descriptions read as follows:

One Box Camera, Red Kodak, #120, rec'd from
Motoichiro Yoshihara.

One Camera and brown leather case, Marble
Make, Made in Japan. Lense 5.6, rec'd from
Nobuo Yoshihara.

I would be very much appreciated if you would kindly return
the above described cameras."

The cameras in question are held by the Royal Canadian
Mounted Police under RCMP #42E/269.

We are passing this request on to you for attention.

Yours very truly,

F. Matheson,
Specified Articles Department.

5232.
Cat. No. 517.

February 12th, 1946.

Mr. Motoichiro YOSHIHARA,
Registration No. 12110,
P. O. Box 245,
Lethbridge, Alta.

Dear Sir:

Re: Block 3 of Lot 795, Claveau 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. 74679-I) and we enclose a stamped addressed envelope for your convenience in doing so.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.
Encl. 1.

J. W. J. Johnson
Barnwell, Alta.
March 7th 1946.

Dept. of the Secretary of State.
Office of Custodian,
Washington, D.C.
Dear Sir:

EVACUATION SECTION	
Date	MAR 11 1946
File No.	5232
Ans.	WJ
Referred	WJ

I am in receipt of "Premium Due" notice from the
Sun Life Assurance Co., on policy 828595, for the sum of
\$101.80 less dividend of \$13.12, leaving balance payable of \$88.68

Please be kind as to make payment of \$88.68 to the
Sun Life Assurance Co., from my account with you,
File no 5232, and forward receipt to me.

A letter authorizing the Sun Life to receive
payment from you has already been sent.
Thanking you for services, I remain

Yours truly,
Mitsuhiko Yokohama

P.S. Make note of new change in
address.

5232.

March 13th, 1946.

Mr. Motoichiro YOSHIMURA,
Registration No. 12110,
c/o Mr. W. S. Johnson,
Barnwell, Alta.

Dear Sir:

Re: Sun Life policy No. 828595.

We are in receipt of your letter of the 7th instant requesting us to pay the premium (\$101.80 less \$13.12 = \$88.68) now overdue on the above policy.

In compliance with a request received through the Department of Labour, Japanese Division, we remitted you the bulk of your funds (\$950.00) on the 13th ultimo and until the balance of your account is augmented by proceeds from sale of your Hakoda Bay property we hold insufficient funds to make this payment.

We regret that there has been some delay in the despatch of the above remittance but it should reach you, together with our covering letter of the 13th February, about the same time that this letter reaches you, and you will then be in a position to effect payment of the above premium direct to the Company—for which purpose we enclose their notice of premium due.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.
Encl.

c.c. to The Sun Life Co. of Canada.

5232

File Nos. 5232, 13766, 1478, 1452,
1588, 2294, 5181, 1532, 669, 13001
and 457.

Catalogue Nos. 517 to 527.

April 26th, 1946.

REGISTERED MAIL

The Registrar,
Land Registry Office,
Victoria, B. C.

Dear Sir:

Lots 3 to 13 inclusive of Lot 795,
Clayoquot District, Plan 2971.

Enclosed herewith please find 11 Transmissions and
1 Deed from the Honourable the Secretary of State acting in
his capacity as Custodian to His Majesty the King, in the
Right of the Dominion of Canada.

We are also enclosing registration applications in
duplicate for the Transmissions and Deed. The registration
fees amount to \$16.50 are included in our cheque No. 732
which is also enclosed.

Will you please be good enough to stamp the duplicate
applications, showing the numbers on both the Transmission
and Deed, and return same.

As soon as the title has been issued, please forward
it to the applicant at this office.

Thanking you for your co-operation.

Yours truly,


D. A. Cramer
(Conveyancer)

DAC:JS
15 Encls.

5232.
Cat. No. 517.

December 20th, 1946.

Mr. Motoichiro YOSHIHARA,
Registration No. 12110,
c/o Mr. W. S. Johnson,
Barnwell, Alta.

Dear Sir:

Re: Block 3 of Lot 795, Clavogot Dist., 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 - 1300/12850ths of \$5,007.01	\$506.54
Plus: Difference between total insurance charges and taxes calculated on the same basis, and those already charged to your account	\$ 65.18
Your share of total proceeds as per sales statement	\$571.72
Less: Disbursements directly connected with sale, as per attached sales statement	\$ 13.15
Net proceeds credited to your account as per attached statement of account	\$558.57

Our Accounting Department's statement of your account, including the above item, shows a balance of \$619.39 standing at your credit at the present time. This balance is available to you.

In our letter of the 12th February, 1946, advising you of the above sale, we asked you to send in your Certificate of Title (No. 74679-1) 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.

RGB/P.
Encl. 2.
c.c. to Dept. of Labour, Japanese Div.

Mailed 18/8/47

August 15th, 1947.

REGISTERED MAIL.

Mr. Motoichiro YOSHIHARA,
Registration No. 12110,
c/o Mr. W. S. Johnson,
Barnwell, Alta.

Dear Sir:

Your file is up for review and we take advantage of this opportunity to give you a brief resume of our administration of your affairs.

As you know, the policies in regard to the management and subsequent liquidation of your property were decided upon by the Government of Canada, and while the problem was a difficult one for all concerned, we can assure you that it has been the aim of this office to carry out these policies in as careful and fair a manner as possible.

Real Property: Your Nakoda Bay property (Cat. 517) was one of the 11 properties included in the collective sale (June 1/46) referred to in our letter of the 12th February, 1946. A statement of the transaction was included in our letter of the 20th December, 1946, the net proceeds accruing to your account being \$558.57.

Personal Property: The lumber left in your house was included in the sale of the Real Property. All other chattels on the premises having any sale value were removed to Uclualet and included in the large Auction Sale held there on the 25th July, 1944, as per auction sheet enclosed herewith. Everything of too little value to justify the expense of handling was necessarily discarded.

Specified Articles: Your Fishing Vessel, the "Mary I." was taken over by the Government at its appraised value (\$1,700.00), net proceeds (\$1,678.00) being credited to your account on the 5th November, 1943.

Two cameras turned in by you were returned to you through the Department of Labour on Nov. 16/43.

Bills Receivable: Transportation expenses connected with the delivery of the above vessel were recovered from the Government and credited to this account in the sum of \$12.25.

Bonds, Shares, etc.: A Victory Bond (\$50.00) and War Savings Certificates (\$20.00) declared by you, remained in your possession and did not come under the administration of this office.

(Over)

Mr. Motoichiro YOSHIHARA.

Page 2.

August 15th, 1947.

Bank Accounts: A Bank balance declared by you did not come under our administration.

Life Insurance: The Sun Life policy for \$2,000.00, declared by you, did not come under our administration but on the 10th March, 1947, at the Company's request we passed on to you their cheque in your favour for \$2,015.54 in settlement of all claims under this policy.

Funds: There is a balance of \$619.39 standing at the credit of this account, as per statement enclosed with our letter of the 20th December, 1946, and to enable us to close the account, which has become inactive, we enclose herewith our cheque in your favour for \$619.39.

This would appear to account for all property of every kind left by you in the protected area which vested in the Custodian, and in order that you may confirm this, we enclose a stamped addressed envelope for your convenience.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGB/P.
Encl.

7156

April 19th, 1948.

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

Dear Sirs:

Re: Motoichiro YOSHIMURA - Reg. #12110.
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 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—in this case 1300/12850ths of \$5,007.01 (\$506.54) less share of disbursements (\$130.42) on same basis, less already charged to this account (\$195.60), resulting in a transfer to this account of \$571.72, as shown in our letter of the 20th December, 1946. Disbursements directly connected with sale, amounting to \$13.15, were, as usual, treated separately.

We trust these particulars supply the information you desire.

Yours truly,

RGR/P.

R. G. Bell,
Office of the Custodian.

12th April, 1948

3212 - 188

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

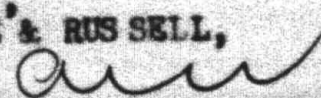
We are acting as solicitors for Nobuo Yoshihara, and also for his brother.

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 

V/L

April 19th, 1948.

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

Dear Sirs:

Re: Motoichiro YOSHIHARA - Reg. #12110.
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 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--in this case 1300/12850ths of \$5,007.01 (\$506.54) less share of disbursements (\$130.42) on same basis, less already charged to this account (\$195.60), resulting in a transfer to this account of \$571.72, as shown in our letter of the 20th December, 1946. Disbursements directly connected with sale, amounting to \$13.15, were, as usual, treated separately.

We trust these particulars supply the information you desire.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGH/P.

VIRTUE, RUSSELL & MORGAN

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.
FREDERICK JOHN MORGAN, B.A., LL.B.

22nd June, 1949

PLEASE REFER TO FILE NO. 3212 - 189

D.T. BRAIDWOOD, ESQ.,
c/o Messrs. Sutton, Braidwood & Morris,
Barristers and Solicitors,
506 Royal Bank Building,
VANCOUVER, B.C.

Dear Mr. Braidwood: RE: SETTLEMENT AWARDS
Motoichiro Yoshihara, Case No. 788
Custodian File No. 5232

REAL ESTATE:

This was one of the "Hakoda Bay" properties. Mr. Justice Bird agreed to treat these properties as special cases, and to deal with them specially.

BOATS:

The boat in question, the "Mary Y." was valued at \$2,200.00 and sold by the Custodian for \$1,700.00 on 26th November, 1942. We claim therefore an increase in value of 28.5% or \$384.50.

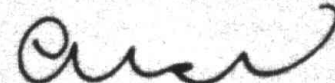
MISCELLANEOUS CHATTELS:

The claim was so small that we will approve this item.

Yours truly,

VIRTUE, RUSSELL & MORGAN,

Per



V/L

MEMORANDUM

TO: Mr. B. Good
FROM: Mr. J. Cuming

July 14, 1949.

Re: Case No. 788 - Motoichiro YOSHIHARA,
and Mr. Virtue's letter of June 22, 1949.

REAL ESTATE:

No Comment.

BOATS:

This boat never came under the custody, control or management of the Custodian. It was chartered by the D.N.D. from J.F.V.D.C. and subsequently requisitioned by the Department of Munitions and Supply by invoice dated October 3, 1942.

Claimant prior to evacuation gave Hideo FUKUYAMA power of attorney in re the boat on March 30, 1942 and Fukuyama signed the Agreement for Sale in his name on October 1, 1942.

This vessel was disposed of by the J.F.V.D.C. and is outside the terms of reference of the Commission.

MISCELLANEOUS CHATTELS:

Virtue approves.

Handwritten signature of J. Cuming in cursive, followed by a circular stamp containing a stylized letter 'A'.

JC/ER

CLAIM ON REAL and PERSONAL PROPERTY

File 5232.

Claimant: Motochiro YOSHIMURA.

<u>Amount</u>	<u>On</u>	<u>Jap. Valuation</u>	<u>Ass. Value</u>	<u>Appr. Value</u>	<u>Sold for</u>	<u>Remarks</u>
(1) \$ 325.00	Parcel of land (5 acres m/l), Hakoda Bay, V.I.	\$ 325.00	\$ 100.00	\$ 500.00	\$ 506.54	(1) This property (Custodian Cat. 517) was one of the 11 constituting the Japanese Fishing Village of Hakoda Bay. The assessed value of each of these 5-acre lots was \$100.00.
(2) \$1,200.00	Buildings on above land	\$1,200.00	\$1,200.00			(2) The buildings of the village were clustered on the foreshore, apparently erected without reference to boundary lines, this claimant's building being assessed to him on another lot, @ \$1200.00. The appraised value of this property was \$500.00, its proportionate share of total proceeds accruing from collective sale of the eleven properties, was \$506.54.
\$1,525.00	Real Property total (gross)					
\$ 506.54	Acknowledged Custodian Credit					
\$1,018.46	<u>Amount of Real Property Claim</u>					
(3) \$ 522.00	F.V. "Mary I."	\$2,200.00	\$2,700.00	\$1,700.00	\$1,700.00	(3) The price realized for the Fishing Vessel "Mary I." was the value placed on it by Lloyd's Surveyor (\$1700.00).
(4) \$ 44.48	Chattels	\$ 54.00	—	—	\$ 9.52	(4) This item (\$44.48) represents the difference between claimant's valuation and prices realized at auction.
\$ 566.48	<u>Amount of Personal Property Claim</u>					
\$1,584.94	<u>Total amount of Claim</u>					

Vancouver, B. C., July 5/48.

RGB/P.

EXHIBIT No. 788-12.
DATE October 13/48
FILED BY G. R. A. Rice

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1. REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION.

BEFORE

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

10

Lethbridge, Alberta,
October 18th, 1948.

IN THE MATTER OF THE CLAIM OF
MOTOICHIRO 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

2
M. Yoshihara,
In Chief.

THE SECRETARY: Case No. 788, Motoichiro Yoshihara.

MOTOICHIRO YOSHIHARA, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

Q Do you speak some English? You don't speak any?

All right. I show you a form called a summary of
evidence. Do you want to put on your glasses?

It contains a statement of your lot at Hakoda Bay.

Now, that shows your land at Hakoda Bay, and you got
your land at a tax sale, did you?

A Yes.

Q And you just paid \$35.00 for it, but you value
that land at \$100.00 because that was the assessed
value?

A: My father
originally bought this at \$100.00.

Q And then he lost it for taxes and the son bought
it for \$35.00?

A: Well, we been
paying taxes but due to a misunderstanding it was
put up for tax sale so that I bought it.

Q So that really it cost your father \$100.00?

A Yes.

Q And you considered when you were evacuated it
was worth \$100.00?

A: Yes, I considered
that.

Q Now, I believe your brother Nobuo, who just gave
evidence, had his house built on your lot, did he?

A Yes.

Q And your house was built on Block 4?

A Yes.

M. Yoshihara,
In Chief.

Q Now, when did you build your house, what year?

A '41.

Q 1941?

A: Yes.

Q All of the fishermen who lived in Hakoda Bay built their houses in 1941? Well, if they didn't, never mind. I just thought perhaps that the whole village sprang up in 1941.

A Others had started building before we did.

Q And your building was 26 x 32?

10 A Yes.

Q And the material, the lumber and nails and all that sort of thing cost you \$800.00, is that right?

A Yes.

Q And you put in the labour at \$400.00?

A Yes.

Q And that made \$1200.00. Now, you know the way that this property was sold, don't you? That is, that the whole village was sold by the Custodian to the Department of Indian Affairs?

20 A Yes, I know about that.

Q And the share you got came to \$506.54?

A Yes.

MR. RICE: According to my statement, he got \$571.72.

MR. VIRTUE: Well, there may have been some deduction.

Q Now, what have you to say about that price that the Custodian gave you for your lot and your building?

A: I think it was

too cheap.

Q You think it is too cheap? A: Yes.

30 Q Now, you also had a boat named the "Mary Y"?

4
M. Yoshihara,
In Chief.

A Yes.

Q Did you buy that boat in 1934?

A Yes.

Q What did she cost you then? A: \$1200.00.

Q Was the boat in good shape when you bought it or did it need a lot of rebuilding and repairs?

A Well, it wasn't in very good condition, that is why I got it cheaply and I had to make repairs.

10 Q Now, we have a list here of all the repairs you put on the boat, coming to \$1250.00?

A Yes.

Q Did you put repairs and improvements on your boat after you bought it to that amount?

A I bought it in 1935 and from 1940 on I started repairing the boat.

Q As shown by this statement (indicating)?

A Yes, as shown by this statement and the amounts that I paid.

20 Q At the time you turned your boat over to the Navy just before you were evacuated, you say she was worth \$2200.00, do you? A: Yes, I think it was fully worth that.

Q But the Custodian sold her for \$1700.00?

A Yes.

Q Was that a fair price? A: No, I don't think it is a fair price.

Q Now, you also had some personal property that you left behind, and here is a list, not very much, it comes to \$54.00 altogether?

30 A Yes.

M. Yoshihara,
In Chief.

Q Did you leave that behind? A: It was all left in my brother's house.

Q But it belonged to you, did it?

A Yes.

Q Was that a fair price? Never mind going over it little by little; was \$84.00 a fair price for all of that?

A: Yes.

Q Did you sign that at the time?

A Yes.

10 Q And the interpreter helped you to prepare it?

A Yes.

Q And the statements there are true statements?

A Yes.

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

(SUMMARY MARKED EXHIBIT NO. 1).

MR. VIRTUE: Q: I show you a little plan (indicating); is that a fairly accurate plan of the Hakoda Bay village?

A: Yes.

20 Q The way it was laid out?

A: Yes, this is the Bay.

Q And this shows how the lots were laid out?

A Yes.

MR. VIRTUE: I will put that in as the next exhibit. It is the same plan or a copy of the same plan but it might be useful to have it on the record.

MR. RICE: A plan of Hakoda Bay?

MR. VIRTUE: Yes.

(PLAN MARKED EXHIBIT NO. 3).

30 MR. VIRTUE: Q: Now, in the case that was heard just a minute ago, the case of your brother Nobuo,

6
M. Yoshihara,
In Chief.

No. 787, this is Exhibit 2, and is that a
photograph of Hakoda Bay? A: Yes.

Q Can you pick out your house there?

A This is my old house, but this one I broke up
and put a new one there.

Q He indicates, sir, the fourth house from the
left, and he says that is where his house was
built, but he had torn that house down and built
a new one.

10 THE SUB-COMMISSIONER: What exhibit is that?

MR. VIRTUE: This is Exhibit 2, sir, in Case No. 787.

THE SUB-COMMISSIONER: Yes.

MR. VIRTUE: Q: This is a picture of your brother's
house (indicating)? A: Yes.

Q Exhibit 3 in the other case. How did your house
compare with your brother's house? Was it built
about the same time? A: Mine was built
the year after.

Q Yours was built the year after?

20 A Yes.

Q Was it smaller or bigger than your brother's?

A My house is two feet deeper and six feet wider.

Q And is your house a storey and a half house or
just a single house? A: Well, it had
an upstairs.

Q It had an upstairs?

A: Yes.

Q How nearly was your house to being finished when
you were evacuated?

A: Well...

Q ...How near?

30 A: It wasn't quite
finished. With two people working on it, it should

7
M. Yoshihara,
In Chief.

have been finished in about a month or two.

Q But it was a brand new house?

A Oh, yes.

Q Now, I show you another photograph (indicating); will you look at that, please?

A Yes, that is my boat.

Q That is your boat?

A: Yes.

Q The "Mary I"?

A: "I".

Q "I" is it?

A: "Mary I".

10

Q "Mary I". Do you know what year that boat was taken in, that photograph was taken in, about what year?

A: This was taken in '38 or '9, but this was before I made the repairs on it.

Q Before you make the repairs on it?

A Yes.

Q So that your boat was in better shape when you were evacuated than is shown in this picture?

A Yes, it certainly was.

20

Q You were using your boat right along up to the time that you turned it over to the Navy?

A Yes.

(PHOTOGRAPH MARKED EXHIBIT NO. 3)

Q Hakoda Bay faces right out on the open Pacific, does it not?

A: Yes.

Q And you used your boat right out in the open ocean for fishing?

A: Yes.

MR. VIRTUE: I am going to put in, sir, a letter dated September 19th, 1942, from the Executive Assistant of the Japanese Fishing Vessels Disposal

30

8
M. Yoshihara,
In Chief.

Committee with reference to this boat.

It merely says that they were endeavouring then to sell it, although at that time we consider they were functus officio, and also a telegram which also can go in as one exhibit, which we have of September 16th. The telegram reads,

10 "by authority of power delegated to me by Minister of National Defence under Defence of Canada Regulations Vessel 'Mary X' is hereby requisitioned for military service to be delivered forthwith to General Officer Commanding"

and so on. This is addressed to the claimant and signed "Director of Marine Services."

I am merely putting this in to show that the boat had not been sold up to that time.

(DOCUMENTS MARKED EXHIBIT NO. 4).

MR. VIRTUE: Also a letter dated November 18th, 1942, to the claimant advising him that this boat has been released to the Navy.

20 THE SUB-COMMISSIONER: What year was that, Mr. Virtue?

MR. VIRTUE: November 18th, 1942.

MR. REE: Is that from the Japanese Fishing Disposal Committee?

MR. VIRTUE: No, that is from the Deputy of the Secretary of State and/or Custodian; in other words, it is from the Custodian.

(LETTER MARKED EXHIBIT NO. 5).

MR. VIRTUE: I would ask my learned friend to show me a letter from the Custodian's file, or a report,

9
M. Yoshihara,
In Chief.

dated July 17th, 1944. While my learned friend is looking for that I want to ask him another question.

Q When you were evacuated did you leave a bunch of lumber in your house that hadn't been put into the house?

A: Yes, I did.

Q Was there enough lumber left there to finish the house completely? A: Yes. It was lumber we used on my brother's and my house, which was left behind.

10

THE SUB-COMMISSIONER: Mr. Virtue, he added to that last answer that the lumber was to be used in his house and his brother's house. You got that, did you?

MR. VIRTUE: Yes. Apparently there was enough to finish the two. That is all, thanks. I do want to put this in before I sit down, sir.

Q I believe your house was built on the lot owned by Mrs. Kamano Oye?

A: Yes.

20

Q And is this a certificate to the effect and a certificate by Mrs. Oye that she allowed you to put your house on her lot and that she wouldn't charge you any rent for it and that you could leave it there as long as you liked?

A Yes, that is correct, as long as we wanted to stay there.

MR. VIRTUE: I will put that in, sir; it is in Japanese, but there is a translation there.

(DOCUMENTS MARKED EXHIBIT NO. 6).

30

MR. VIRTUE: All right, thank you.

M. Yoshihara,
Cross Exam.

MR. RICE: I am submitting, your Honour, that the vessel claim by this claimant is not within the terms of reference and, if it is, the same was sold for its fair market value. I am submitting the real estate or any part of the real estate that was sold or disposed of by the Custodian was sold for its fair market value.

I am submitting that the chattels sold or disposed of by the Custodian were sold for their fair market value, and if there are any chattels that the Custodian can in any way be held responsible for that the claim made to the same is exorbitant.

I wish to tender as exhibits the following documents: A real property summary.

(SUMMARY MARKED EXHIBIT NO. 7).

MR. RICE: A general summary and memorandum regarding the unfinished house.

(DOCUMENTS MARKED EXHIBIT NO. 8).

MR. RICE: A tax notice showing the assessed value of Hakoda's property and M. Yoshihara's property, and these two were assessed at \$2400.00, and the land was assessed at \$100.00. And the \$2400.00 is divided into \$900.00 for Hakoda's property and \$1500.00 for M. Yoshihara's property.

THE SUB-COMMISSIONER: What year?

MR. RICE: 1948.

THE SUB-COMMISSIONER: 1948?

MR. RICE: Yes, your Honour.

(ASSESSMENT MARKED EXHIBIT NO. 9).

M. Yoshihara,
Cross Exam.

MR. RICE: An appraisal of the house by H. G. Winter,
appraised at \$300.00.

(APPRAISAL MARKED EXHIBIT NO. 10).

MR. RICE: Another schedule of the Hakoda Bay properties,
setting out the distribution to those who were
interested in that land, and valuing the claimant's
share at \$571.72.

(SCHEDULE MARKED EXHIBIT NO. 11).

10 MR. RICE: I would point out, your Honour, that on
Exhibit 7 there is a statement that this property
was sold collectively for \$4750.00 and the pro-
portionate share of this claimant was \$506.54, and
then lower down, "Net proceeds, \$571.72, released
to credit of" claimant. Well, now, I presume that
it must be his share plus some credit that he has
had coming.

THE SUB-COMMISSIONER: Yes, some rebate possibly.

MR. RICE: Yes. And I will tender a statement of the
claim on real and personal property.

20 (STATEMENT MARKED EXHIBIT NO. 12).

MR. RICE: An analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 13).

CROSS EXAMINATION BY MR. RICE:

Q I show you a Power of Attorney (indicating); does
that document bear your signature and was it
completed by you? A: Yes, that is
my signature.

30 MR. RICE: I tender as an exhibit a Power of Attorney
completed by the claimant authorizing Hideo

M. Yoshihara,
Cross Exam.

Fukuyama to complete the sale of the vessel.

(POWER OF ATTORNEY MARKED EXHIBIT NO. 14).

MR. RICE: An agreement for sale of the vessel dated the 1st of October, 1942, from the claimant to His Majesty the King as represented by the Minister of Munitions and Supply.

(AGREEMENT MARKED EXHIBIT NO. 15).

MR. RICE: And a summary taken from vessels records showing that the owner valued this vessel at \$2500.00, the Custodian's valuation at \$200.00, and Lloyd's valuation at \$1700.00, and that the vessel was sold for \$1700.00.

(DOCUMENT MARKED EXHIBIT NO. 16).

MR. RICE: Q: I show you a J.P. form dated the 19th of April, 1942 (indicating); was that document completed and signed by you? A: Yes, that is my signature.

MR. RICE: I tender that as an exhibit.

(J.P. FORM MARKED EXHIBIT NO. 17).

MR. RICE: Q: \$25.00 is all you paid out for the property known as Block 3 in the Hakoda Bay District? A: When I bought it it was at that price.

Q: And you now want \$100.00 for it?

A: Yes.

Q: Did you keep an accurate statement, or any statement, of the material that went into the house that you built on Block 3? I mean Block 4?

A: I did have some papers, but I haven't got them any more.

M. Yoshikawa,
Cross Exam.

Q Well, this item of \$800.00 then for material that you paid out is an estimate, is it, on your part?

A: I remember the figures I had at the time, but the papers I received from the places I bought them I lost those.

Q And it was \$800.00 exactly? A: It is no less and no more than \$800.00.

Q No less and no more than \$800.00. And who did you pay the \$400.00 to for the labour?

10 A I paid my two brothers \$200.00 each. No, no; I paid one brother \$100.00 and the other one \$150.00 and I got the balance for myself.

Q And that cost \$400.00, no more, no less, for labour?

A No, it is quite accurate; it is an accurate figure.

Q It is an accurate figure? A: Yes.

Q And when you insured you insured for just about the amount of labour you put in, \$450.00?

A I didn't insure the place myself, the Custodian did that. He paid the premium from the amount he got from the sale of my boat.

20 Q Why didn't you think it was worth insuring?

A I didn't expect to have any fires or anything around there because there weren't very many people around there anyway. There was no one there at the time.

Q All right.

Mr. VIRTUE: I want to put in something that I overlooked before. This is a letter written by the Custodian, dated November 26th, 1942, to this man.

"I have your letter of November 21st and

M. Yoshihara,
Re Direct.

wish to advise that your boat 'Mary Y' has been purchased by the Department of Munitions for the sum of \$1700.00.

"Mr. Kimura advised me over the telephone today that the papers had been prepared in accordance with the power of attorney furnished by you to Mr. Fukuyama and have been forwarded to Ottawa" and so on.

(LETTER MARKED EXHIBIT NO. 18).

Now, I wonder if the Clerk would let me see Exhibit 14, the Power of Attorney.

(Exhibit 14 to Mr. Virtue)

RE DIRECT EXAMINATION BY MR. VIRTUE:

Q Here is a Power of Attorney on a printed form, which you signed on the 30th of March, 1942?

A Yes.

Q And when were you evacuated? A: I arrived in Lethbridge, I think, on the 29th of April; I think so.

Q So that you were evacuated in April, 1942, sometime in April?

THE SUB-COMMISSIONER: The J.P. form was the 19th of April.

MR. VIRTUE: Q: You signed your J.P. form, as His Honour points out, on the 19th of April, so that you were evacuated between that time and the end of April, were you?

A: I think it was the 29th.

Q Now, this Power of Attorney is made out in favour of Hideo Fukuyama; you know that?

M. Yoshihara,
Re Direct.

A Yes, I know that.

Q Hideo Fukuyama, who was Hideo Fukuyama?

A I think he was the representative of the Japanese Fishing Boat Sales Committee.

Q Was Fukuyama a member of the Japanese Fishing Vessels Disposal Committee? A: Well, I understood that is what he was, and I signed the papers accordingly.

10 Q You understood that is what he was and you signed the papers accordingly. And that is the only reason that Fukuyama held a Power of Attorney from you was because he was a member of that committee?

A Yes.

Q And if Fukuyama signed the bill of sale of your boat it was because he was a member of that committee?

MR. RICE: I object to a leading question like that. I don't know why the man can't answer. He signed it under a power of attorney, and the natural observation would be that he signed it as his attorney, not because he was a member of that committee.

MR. VIRTUE: Perhaps it is a matter of argument.

THE SUB-COMMISSIONER: Yes, possibly.

MR. VIRTUE: But we will take the position that after the 1st of August Fukuyama's authority died with the Japanese Fishing Vessels Disposal Committee, and we want to make our position clear.

THE SUB-COMMISSIONER: Yes. Is that all?

MR. VIRTUE: That is all, thank you, sir.

(PROCEEDINGS ADJOURNED SINE DIE) (Witness aside)

I hereby certify the transcript accurate:
"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.

DEFENCE BRIEF

Motoichiro YOSHIHARA, Reg. No. 12110.
File 5232.
Case 788.

REAL AND PERSONAL PROPERTY CLAIMS
(All claims shown are gross)

	<u>Sold for</u>
(1) <u>Real Property</u> (Cat. 517--Hakoda Bay: Block 3 of Lot 795, Clayoquot District, Plan 2971). 5.2 acres.	
\$ 100.00 Land (5.2 acres)	
<u>\$1,200.00</u> Buildings	
\$1,300.00 as per amended claim (Exhibit 788-1).	\$ 506.54
Net amount of Real Property Claim	\$ 793.46

Evidence: Original claim, filed
Nov. 15/47, listed Land @ \$325.00.
Transcript (p.2) shows father of claimant
as having originally paid \$100.00 for it,
but as a result of a "misunderstanding"
it went to tax sale, claimant purchasing
it for \$35.00.

Page 3 of Transcript shows Dwelling
as having been erected in 1941, cost of
materials being put at \$800.00 and labour
at \$400.00.

Due to the inaccessible position of
Hakoda Bay, at the entrance of Ucluelet
Inlet on Barkley Sound, on the West Coast
of Vancouver Island, it was found
impossible to interest anyone in any of
the eleven properties which constituted
the Japanese fishing village known as
Hakoda Bay, until the Indian Affairs
Branch of the Department of Mines &
Resources became interested. Negotiations
culminated in the collective sale (June 1/46)
of all the properties to the Department at
the highest price they would pay, the lump-
sum price of \$4,750.00, to which final
adjustment credits added \$257.01, making a
total of \$5,007.01 for distribution.
Distribution of proceeds was effected in
the ratio that the assessed value of this
property (\$1300.00) bore to the total
assessed value of all 11 properties
(\$12,850.00), i.e.
 $1300/12850 \text{ths of } \$5,007.01 = \$506.54$, as
per statement (Exhibit 788-11).

All buildings at Hakoda Bay were
erected on the waterfront without regard
to boundary lines. However, an equitable
distribution was not affected as the assessed
value of all lots was the same (\$100.00), and
owners were assessed on the houses they owned
and occupied. The dwelling owned by Claimant
was appraised by Custodian appraiser H. G.
Winter at \$500.00.

(Over)

DEFENCE BRIEF.....Page 2.

The properties were in good condition at time of sale, the absence of vandalism being directly due to the maintenance, at Custodian expense, of a conscientious watchman throughout the period of Custodian administration.

Sold for

Witnesses: F. G. Shears.
H. G. Winter (Appraiser).

- (2) Fishing Vessel (Troller "Mary Y." - 35' x 8' x 3',
powered with 1931 model Vivian 20 H.P.
engine.

\$2,200.00	as per amended claim (Exhibit 788-1, p.7)		\$1,700.00
	Net amount of Fishing Vessel Claim	\$ 500.00	

Evidence: This vessel was at first requisitioned by the Department of Munitions & Supply (Army) and later (Oct. 1/42) purchased by them under an Agreement for Sale (Exhibit 788-15) signed by Hideo FUKUYAMA under a Power of Attorney (Exhibit 788-14) from claimant. The validity of this Power of Attorney was questioned by claimant's counsel at Lethbridge hearing (Transcript p.15). The price realized (\$1700.00) was the value placed on the vessel by Lloyd's (see Dec. 14/48, to which reply is awaited at this date). See Index "C" under (33).

Witnesses: A. E. McMaster (JFVDC).
Miss F. Matheson (Staff).

- (3) Personal Property (Fishing Gear & Household Chattels).

\$ 54.00	as per amended claim (Exhibit 788-1, pp. 8 & 9).		\$ 12.50
	Net amount Personal Property Claim	\$ 41.50	

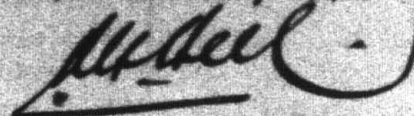
Evidence: Custodian Personal Property Claim Analysis (Exhibit 788-13) shows chattels listed in claim @:

\$32.00 Auctioned for \$12.50.
\$15.00 Not Accounted for, etc.
\$ 7.00 No record at anytime.

Witness: H. F. Green (Staff).

<u>\$3,554.00</u>	Gross Total.	Net amount of Claim:	<u>\$1,334.96</u>	<u>\$2,219.04</u>
-------------------	--------------	----------------------	-------------------	-------------------

VANCOUVER, B. C.
14th DECEMBER, 1948.



DEFENCE BRIEF.....Page 3.

<u>Summary of Witnesses</u>	<u>Where Required</u>	<u>Index to Defence Brief Documents</u>
F. G. Shears.	(1)	(A) DEFENCE BRIEF.
H. G. Winter (Appraiser).	(1)	(B) TRANSCRIPT.
A. E. McMaster (JFVDC).	(2)	(C) EXHIBITS:
Miss F. Matheson (Staff).	(2)	(1) Exh. 788-1 (Amended RP & PP Claim).
H. F. Green (Staff).	(3)	(2) Exh. 788-2 (RP Plan 2971).
		(3) Exh. 788-3 (Photo of Boat).
		(4) Exh. 788-4 (JFVDC let. 19/9/42 to M.Y.).
		(5) Exh. 788-5 (Let. 18/11/42 to Claimant re Boat).
		(6) Exh. 788-6 (Certificate written in Japanese re use of RP).
		(7) Exh. 788-7 (RP Summary - Cat. 517).
		(8) Exh. 788-8 (General Summary).
		(9) Exh. 788-9 (1945 Tax Notice).
		(10) Exh. 788-10 (Winter's Appraisal).
		(11) Exh. 788-11 (Distribution table of sale proceeds).
		(12) Exh. 788-12 (Cust. RP & PP Cl Analysis).
		(13) Exh. 788-13 (Cust. PP Claim Analysis).
		(14) Exh. 788-14 (Power of Attorney).
		(15) Exh. 788-15 (Agr/Sale of Vessel).
		(16) Exh. 788-16 (Cust. FV Summary 17/7/44).
		(17) Exh. 788-17 (Cust. "JP" Form 19/4/42).
		(18) Exh. 788-18 (Cust. let. 26/11/42 to Claimant re Boat).
		SUPPLEMENTARY DEFENCE BRIEF DOCUMENTS:
		(19) Original Claim, dated Nov. 15/47.
		(20) Cert/Encumbrance (Mar. 3/44).
		(21) Let. (19/4/48) to Claimant's Counsel re Real Property.
		(22) Let. (20/12/46) to Claimant with:
		(23) Statement of Sale of RP. and:
		(24) Statement of Account.
		(25) Let. (17/9/42) from Director of Marine Services re F.V.
		(26) Let. (19/9/42) to Claimant re above let.
		(27) JFVDC Statement of Acct. to Dept. of Munitions & Supply for sale price of F.V.
		(28) Let. (11/11/42) from M. Yoshihara accepting offer for F.V.
		(29) Office Memo (14/12/48) re F.V.
		(30) Let. (14/12/48) to Lloyd's re FV.
		(31) Auction Sheet (25/7/44).
		(32) Rough Index of Exhibits.
		(33) Let. (15/12/48) from Lloyd's Register of Shipping enclosing their Surveyor's Appraisal.

Name of Claimant

YOSHIMURA, Matsushiro

Case

700

Custodian File

5232

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	
		506.54				<i>Spec by 60mm</i>			405.31 69.15
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 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		
22.00	12.50		39.06%	15.00					
		3.75			5.06				9.61
TOTAL RECOMMENDATION									72.76

CLAIMS RELATING TO REAL PROPERTY AT HAKODA BAY, S.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, S.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
22 5181	737	YOSHIMURA N.	7 room unfinished	\$1800.00	\$ 623.44
5232	788	YOSHIMURA M.	6 room new	1300.00	506.54
13766/2198	888	OYE, Tsunetaro	5 room built 1924	900.00	359.68
1478/458	1101	HAKODA, 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	MATSUMURA G.		1000.00	389.35
1588	1368	TERASHITA S.	8 room built 1927 Add'ns. 1936, 1941.	1600.00	623.44
				<u>\$10350.00</u>	<u>\$4032.87</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. 1946 Cap.332, Sect.30, showing an aggregate assessment for 1946 on the 8 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 M.	\$1200.00	\$ 74.84	\$501.72
788	YOSHIHARA M.	975.00	63.15	405.31
888	OYE T.	675.00	47.56	278.76
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	341.02
1343	MATSUBARA G.	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. Bird

H. I. BIRD

Commissioner.

April 4th 1950.

79
82
55

CLAIM NO. 788 - YOSHIHARA Motoichiro

CLAIM NO. 732 - SAKAI Kazuichi

The claimants present this claim in respect of a fishing vessel, on the basis that the vessel had been vested in the Custodian prior to the date when the sale, later mentioned, was completed.

It appears that this vessel was appraised on instructions of the Japanese Fishing Vessel Disposal Committee by a Lloyd's Surveyor, and subsequently was requisitioned for purchase by a Department of Government at the appraised price. The Bill of Sale was later executed by an Attorney appointed by the claimant. It is not shown that the Custodian participated in any respect in this transaction, the sale having been in my opinion consummated by the Japanese Fishing Vessels Disposal Committee. In these circumstances I consider that the claim does not fall within the terms of reference, and therefore reject it.

H. I. BIRD

Commissioner.

March 2nd 1950.

732
788

161