

11703

REAL ESTATE

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 2003

11703 18

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

EXHIBIT NO.

Case 7-16

DATE

10 Dec 1947

FILED BY

J. G. Hambley

NAME Haruko Iwata

HOME ADDRESS: P. O. Box 263, Salmon Arm, B.C.

REGISTRATION NUMBER 02685

SEX: Female

AGE: 34

OCCUPATION: Housewife

(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:

MARRIED?

Yes

NAME OF WIFE OR HUSBAND:

KINICHI Iwata

ADDRESS OF WIFE OR HUSBAND: P.O. Box 263 Salmon Arm, B.C.

NAMES OF ANY LIVING CHILDREN: Sydney, Arthur, Robert, Louise,

Gordon, George, Lillian. (Seven children)

ADDRESS OF CHILDREN: Same with parents

AGE OF CHILDREN: 11, 9, 7, 7, 6, 4, 1.

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

1. LOCATION AND DESCRIPTION: 368 East Cordova St., Vancouver, B.C.

Lots ----Eleven(11) and Twelve(12) Block----Fifty Six (56)

District Lot---One hundred and ninety six (196)

Group 1 New Westminster District. Plan No. 196

2. BUILDINGS AND OTHER IMPROVEMENTS:

One three stories building and one two stories building.

3. INSURANCE (Give particulars; state where policies are)

Patriotic Ass. Co. \$1000.

Liverpool-Manitoba Ass. Co. \$2000.

\$600.

4. TAXES (Amount and where payable) \$145.34 (1942 Tax paid on July 3rd, 1942)

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)

nil

6. OCCUPANCY AND LEASES (If vacant so state)

Vacant

STATEMENT OF REAL PROPERTY OCCUPIED

7. STATE WHEREABOUTS OF TITLE DOCUMENTS. With me
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST. No.
9. IF FARM LAND STATE CROPS SOWN

1. LOCATION AND DESCRIPTION.

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.

Kitchen gas range, Hot water heating stove with tank,

Piano, Two gas heaters, Kitchen cabinet, Linoleum on every

rooms, one complete double bed, Two cutting tables, Three

Wall Cases, (These are left in the two buildings.)

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

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR

CLAIM ON ANY SUCH PROPERTY

4. INSURANCE CARRIED ON ABOVE PROPERTY: _____
5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: _____
6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom) _____
7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts) _____
8. BANK ACCOUNTS: _____
9. LIFE INSURANCE: _____
10. INTEREST IN ANY ESTATES OR TRUSTS: _____
11. SAFETY DEPOSIT BOX: _____

LIABILITIES:

1. PERSONAL DEBTS: _____
2. TRADE DEBTS: _____

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 13th day of October 1942.

Ernest A. T. T. T.
Witness

(Signature) Mrs. Haruko Iwata

FOR DEPARTMENTAL USE _____

P.D. 1/12/42
INFORMATION FROM R.C.M.P.

11703

Our File No. 11703

DATE August 20/43

Full Name IWATA (Haruko) Mrs. Kinichi
(Surname in Block Letters)

Registration No. 02685

Male - Female
(Check)

Age Oct. 27, 1907

Former Address 368 E. Cordova St., City

Date Evacuated 22/3/42

Naturalized - Canadian-Born - National
(Check)

Present Address P.O. Box 263, Salmon Arm, B. C.

Married - Single
(Check)

Name of Wife _____

Name of Husband IWATA, Kinichi - #00915

Name of Mother MATSUI, Tsuya (Japan)

Name of Father KUSAKA, Kiyokata - Japan

Names of Children under 16 see husband's sheet

Registered by CM

Registered with Custodian

(Yes or No)

Additional Information _____

PHONE PACIFIC 7806

K. I W A T A

"Milsom 9"
"1301 - onto Gibson"

Dress Manufacturer
Fashionable waists - Dresses - Lingerie
~~368 East Cordova Street~~
P.O. Box 263

Salmon Arm, B.C.
VANCOUVER, B.C. Dec. 7th, 1942...

Department of the Secretary of State
Office of the custodian
Japanese evacuation section
506 Royal Bank Building,
Vancouver, B.C.

Case 7 - 4
DATE 9 Dec. 1947
FILED BY
R.J. McMaster

Attention to Mr. G.D. Milsom.

File No. 13031 & 11703

Dear Sirs:-

In reply to your letter dated Dec. 4th, 1942,
I am willing to deduce the price of my property at
368 East Cordova ST., as you suggested in your letter,
to \$3000.00 all cash or
\$3500.00 half cash and balance on terms.

In the present circumstances I am very much
appreciated if you can sell it as soon as possible.
Thanking for all your troubles.

I remain,

Mrs. Haruko Iwata.
Reg. No. 02685

"Mrs. H. Iwata."

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

March 23, 1948

M. Iwata

11703

January 11, 1943

EXHIBIT No. Case 7 - 5
DATE 9 Dec. 1947
FILED BY R. J. McMaster

Mrs. Haruko IWATA,
Reg. No. 02685,
P. O. Box 263,
Salmon Arm, B. C.

Dear Madam:

Referring to your letter of December 7th, we have notified our agent that you are willing to accept \$3,000.00 all cash or \$3,500.00 half cash, balance on terms, in connection with your property at 368 East Cordova Street, but as yet no prospective buyer has been found.

While we appreciate that it is your wish that this property be sold, we would point out that we could probably obtain \$20.00 to \$30.00 per month rental for these premises and would appreciate your advising us if you do not think it advisable for us to procure a tenant.

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

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

March 23, 1948

M. Winstall

PHONE PACIFIC 6181

PLEASE REFER TO

FILE NO. 11703

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

508 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

URGENT

January 12, 1943

Mrs. Haruko IWATA,
Reg. No. 02685,
P. O. Box 263,
Salmon Arm, B. C.

Case 7 - 6
EXHIBIT No. 9 Dec. 1947
DATE
FILED BY R.J. McMaster

Dear Madam:

We have received from Messrs. Macaulay,
Nicolls, Maitland & Co. an offer of \$2,200.00 cash
for your property described as Lots 11 and 12,
Block 56, D. L. 196, known as 368 East Cordova
Street. Will you kindly advise us immediately
if this offer is acceptable to you.

Yours truly,

"G. D. Wilsom"

G. D. Wilsom
Administration Department

GDM/GH

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

March 23, 1948

M. A. Wilsom

Case 7 - 7
EXHIBIT No. _____
DATE 9 Dec. 1947
FILED BY R. J. McMaster

P.O. Box 263,
Salmon Arm, B.C.
Jan. 16, 1943

Dear Mr. J. W. Wilson:

I received the enclosed letter from Mr.
G. D. Wilson, Administration Dept. Custodian office
to-day.

Although I want to sell it as soon as possible,
their offer is very very low. So I want to ask you to
see Mr. Wilson and also Mr. Smith of Macaulay Nicolls Co.
and try to get \$2500. cash at least.

I am so sorry asking you all this trouble all
the times.

Thanking for your early reply.

Yours truly,

"Mrs. H. Iwata"

10.2
I hereby certify that the foregoing words are
a true copy of the original whereof they pur-
port to be a copy.

March 23, 1948

M. Wanstall

Exclusive Connection
with
WESTERN UNION
TELEGRAPH CO.
Cable Service
to all the World
Money Transferred
by Telegraph

CANADIAN NATIONAL TELEGRAPHS

Form 8108

CLASS of SERVICE DESIRED	
Full-Rate Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired. OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

D. E. GALLOWAY ASSISTANT VICE PRESIDENT, TORONTO, ONT.

RECEIVER'S No.

TIME FILED

CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to

EXHIBIT No. Case 7 - 8

January 22, 1943
Vancouver, B.C.

Mrs HARUKO IWATA
P O BOX 263
SALMON ARM B C

DATE 9 Dec. 1947
FILED BY R.J. McMaster

YOUR PRICE OF TWENTY FIVE HUNDRED CASH ACCEPTED FOR LOTS
ELEVEN AND TWELVE BLOCK FIFTY SIX DISTRICT LOT ONE HUNDRED
NINETY SIX INCLUDING ALL CHATTELS ON PREMISES STOP WIRE
CONFIRMATION

CUSTODIAN OFFICE
VANCOUVER

Charge Custodian Office
506 Royal Bank Bldg.,
PA 6131

I hereby certify that the foregoing words are a
true copy of the original whereof they purport
to be a copy.
March 23, 1948

In 4 install.

CLASS OF SERVICE	
Full Rate	
Day Letter	
Night Message	
Night Letter	
Evening and Sunday Messages	
Please mark an X opposite the class of service desired.	

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

CHARGE
TIME FILED

Send the following message, subject to the conditions on the back thereof, which are hereby agreed to.

JN V. 16.

SALMON ARM B C JAN 23RD 1055 AM.,
CUSTODIAN OFFICE
VANCOUVER B C

EVACUATION SECTION
Rec'd JAN 23 1943
File No. 11703
Ans. "LdM"
Referred "Milsom"

WIRE RECEIVED THIS IS CONFIRMATION FOR THE SALE OF OUR
PROPERTY AT TWENTY FIVE HUNDRED CASH

MRS HARUKO IWATA

1056AM.

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

March 23, 1948

M. W. Anstace

EXHIBIT No. Case 7 - 9
DATE 9 Dec. 1947
FILED BY
R. J. McMaster

11703

EXHIBIT Case 7 - 10

DATE 9 Dec. 1947

FILED BY

R. J. McMaster

January 23, 1943

Mrs. Haruko IWATA,
Reg. No. 02685,
P. O. Box 263, Salmon Arm, B. C.

Dear Madam:

Mr. J. W. Wilson brought your letter of the 16th inst. to him to this office and we got in touch with Messrs. Macaulay, Nicolls, Maitland & Co. and were able to obtain from them an offer of \$2,500.00 cash for your property known as Lots 11 and 12, Block 56, D. L. 196. This offer includes the list of chattels left on the premises. We accordingly wired you to this effect yesterday and would appreciate receiving your prompt reply.

As this property was sold by real estate agents, they are entitled to a 5% Commission, viz., \$125.00, which will be deducted from the amount received by us.

Yours truly,

G. D. Milson
Administration Department

GDM/GH

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

March 24, 1948

M. McMaster

11703

Case 7 - 11
EXHIBIT No. 9 Dec. 1947
DATE
FILED BY J. McMaster

January 28, 1943

Mrs. Haruko IWATA,
Reg. No. 02685,
Salmon Arm, B. C.

Dear Madam:

We are in receipt of your telegram of January 23rd confirming the sale of your property known as Lots 11 and 12, Block 56, D. L. 196 for the sum of \$2,500.00 cash. We would call your attention to our telegram in which this offer was to include the chattels which were left on the premises. Will you kindly confirm this to us.

Enclosed find deed from you to Lily Chang, which we would ask you to take before a Notary Public and in his presence sign your name opposite the seal, and have it signed by a witness who should give his full name, address and occupation to the left of the signature. It is also necessary that the acknowledgment at the bottom of the deed be signed by a Notary Public. Kindly return these documents, duly completed, to us which we will turn over to Mrs. Lily Chang's Solicitors on the payment of the \$2,500.00, plus adjustments as per the attached statement.

You will note that you will be responsible for the taxes from January 1st to February 1st, 1943, but there will be a credit coming to you for the unexpired portion of the fire insurance on the building.

The Custodian does not make any charge for his services, but as this property was sold by Messrs. Macaulay, Nicolls & Maitland, they will have to be paid a commission of 5%, viz., \$125.00.

Yours truly,

G. D. Milsom
Administration Department

GDM/GE

Enc. 3

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

March 24, 1948

M. Maitland

EXHIBIT Case 7 - 12

DATE 9 Dec 1947

FILED BY
R.J. McMaster

File # 11703

EVACUATION SECTION
Rec'd SEP 13 1945
File No.....
Ans.....
Referred Peters

P. O. Box 263,
Salmon Arm
Sept. 9, 1945

Dear Sir:

Thank you very much for the letter dated July 24th advising me that my property had been sold.

It is very fortunate that this property had been disposed because I need money very badly now.

This summer holidays my sons (three of them) had tonsils operation and one son had appendicitis operation in this hospital here.

I have to pay doctors, nurses and hospital bills so will you please send the total amount of sale to me.

I am very much appreciated if you forward this full amount as soon as possible.

Yours truly

"Mrs H. Iwata"

B.L.

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

March 24, 1948

M. Iwata

EVACUATION SECTION
Rec'd OCT 26 1946
File No. 11703
Ans.
Referred Dusenbury

Case 7 - 13
EXHIBIT No.
DATE 9 Dec 1947
FILED R. J. McMaster

P.O. Box 263,
Salmoh Arm,
B. C.

Dear Sir:-

Received cheque with thanks the total amount
of sold property and Radio sales, which we are satisfied
with your list.

Yours truly

"H. Iwata"

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

March 24, 1948

M. Iwata

Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.,
December 6, 1947.

Mrs. Haruko Iwata,
P. O. Box 263,
Salmon Arm, B. C.

Dear Madam:

I am acting for the Dominion Government in connection with the Japanese Property Claims Commission. Pursuant to the instructions of the Hon. Mr. Justice Henry I. Bird, Commissioner, I beg to advise you that the grounds upon which I am basing my reply to your claim, in so far as I am able to determine at the present time, will be the following contentions:

1. I shall maintain that the property was sold for its fair market value.
2. You consented to the sale of the East Cordova Street property at the price obtained.
3. That some of the articles now claimed were not set forth on the "J.P." form and, consequently, the Custodian had no knowledge of same nor did they ever come into his possession.

Yours truly,

John W. G. Hunter.

JWGH/AC

December 2, 1947

Haruko (Mrs. Kinichi) IWATA,
Reg. No. 02685

Re: East Cordova Street property

Mrs. IWATA claims for \$3500.00 for this Realty.

When sold as February 1st, 1943 the sale price for Realty, including all chattels on the premises was \$2500.00. This price was accepted by Mrs. IWATA prior to the sale as evidenced by our telegram of January 22/43 to Mrs. IWATA and her reply by telegram of January 23, 1943, on Claim file. As far as the record shows she had no ~~other~~ chattels here except those located at 368 East Cordova Street.

Re: St. Denis Avenue property - North Vancouver

Mrs. IWATA claims for \$1200.00 for this Realty. It was sold for \$600.00 to Home Oil Distributors Limited. Prior to Sale the following procedure was taken:-

- 1- An appraisal of \$500.00 was obtained as per original letter on file.
- 2- It was advertised for sale as per ad. on file.
- 3- Three tenders were received for \$150.00 \$300.00 and \$600.00 as per original letters on file.
- 4- Acceptance of tender of \$600.00 is shown as per copy of Custodian letters by Mr. Shears and the sale was consummated.

The Administration and Liquidation of these properties showing the figures relating to same are shown in the General Statement and Sales Statement of St. Denis Avenue property. This General Statement can be broken down as follows:-

Receipts

From sale of East Cordova Street property and all chattels on these premises	\$2500.00
Sale of St. Denis Avenue property as sales statement	571.07
From Rentals of sign on St. Denis Avenue property-	30.00
" Sale of Radio - net	9.47
" Return premiums	28.53

(over)

December 2, 1947

(9)

DISBURSEMENTS:

To Commission on sale of East Cordova Realty and chattels therein	\$125.00	
To Land taxes on same property-	201.47	
" Repairs	10.00	
" Sundries	15.99	
Paid to Mrs. IWATA per cheques	2,786.61	
	<u>3,139.07</u>	<u>3,139.07</u>

B.R. Dusenbury
B.R. Dusenbury,
Office of the Custodian.

11733

April 20th, 1945.

The Home Oil Distributors Ltd.,
555 Burrard Street,
Vancouver, B.C.

Dear Sirs:-

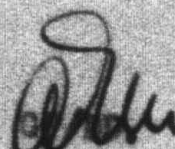
Re:- Special Ad. Feb. 17/45,
St. Denis Ave., North Vancouver,
19.20 & 21/27/204

This will acknowledge receipt of your letter of the 15th instant in which you enclose your certified cheque for \$540.00. We have now received \$600.00, the full amount of the purchase price for the above property. Attached is our official receipt for \$540.00.

You omitted to advise us of the full name in which you wish this property to be registered. If in the name of the corporation, kindly supply the exact wording of the corporate name together with the day, month and year, and place of incorporation. If not please advise us of the name of the registered owner, as per the attached form.

As previously advised, conveyance will be prepared and forwarded to Ottawa with our recommendation for acceptance, and if accepted, adjustments will be calculated as of the date of this letter.

Yours truly,


Enc. 2.

F.G. Sherris,
Director.

11703

54
April 7, 1945.

The Home Oil Distributors Ltd.,
555 Burrard Street,
Vancouver, B. C.

Dear Sirs:

Re: Special Ad. Feb. 17/45.
St. Denis Ave., North Vancouver
19, 20 & 21/27/294

We are in receipt of your letter of March 2nd enclosing cheque for \$60.00 and offer to purchase the above property for the sum of \$600.00, which is being considered.

This is to advise you that we are prepared to recommend the acceptance of this offer. Will you please forward to us a certified cheque for the balance of the purchase price, namely, \$540.00.

Kindly advise the full name in which you wish this property to be registered. If in the name of the Home Oil Limited, kindly supply the day, month, year and place of corporation.

The necessary documents will be prepared and forwarded to the Secretary of State at Ottawa, and if our recommendation is acted upon these documents will be signed and returned.

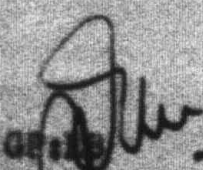
After the documents have been registered a statement of adjustments of taxes, etc. will be prepared, including registration fees, and forwarded to you.

We wish to call to your attention that the District of North Vancouver has advised us that they intend to take expropriation proceedings to obtain part of this property to make a new road. We attach hereto a copy of a sketch which the District has supplied us covering this work. The sale is subject to this expropriation.

There is also an outdoor advertising sign on this property rented to the Army and Navy Department Store Limited to May 31st, 1945.

Yours truly,

F. G. Shears,
Director.


F. G. Shears
Director

File No. 11708 Enclosed

DEPARTMENT OF
THE SECRETARY OF STATE
Office of the Custodian
REAL PROPERTY
FOR SALE BY TENDER

The Secretary of State of Canada, acting in his capacity as Custodian under or by virtue of the Revised Regulations Respecting Trading With The Enemy (1943) hereby offers for sale by public tender such interests as are vested in him in the following commercial, residential and unimproved properties.

CITY OF VANCOUVER

- Lot 23 Block 4, D.L. 735, Group 1, Plan 2934, New Westminster District, being a
 Vacant Lot in the 6800 Block Victoria Drive.
 Lot 11 Subdivision "C", Block 154, D.L. 264 A, Group 1, Plans 2142 and 1771, being
 a Vacant Lot in the 1500 Block East 5th Avenue.
 Lot 12 Block 1, North East Quarter of D.L. 336, Group 1, Map 2484, New Westminster
 District, being a Vacant Lot in the 3600 Block on East 45th Avenue.
 Lot 10 Block 5, D.L. 537, Group 1, Map 1182, New Westminster District, being a
 Vacant Lot in the 5100 Block Main Street.
 Lot 1 of Block 2 of Blocks 1-2-3-26-27-28, S½ of D.L. 706, Plan 3174, New West-
 minster District, being a Vacant Lot in the 4800 Block Beaufort Street.
 Lot 8 Block 5, D.L. 737, Group 1, New Westminster District, Plan 2432, being
 0 Vacant Lots on the S.W. Corner of 57th Avenue and Gladstone Street.
 Lot 23 Block 23, D.L. 328, Group 1, New Westminster District, Plan 2894, being a
 Vacant Lot on the South Side of 62nd Avenue in the first block east of Victoria

[illegible]

Macaulay, Nicolls, Maitland & Co. Ltd.
Insurance, Financial and Estate Agents

435 Howe Street
Vancouver, B.C.

CABLE ADDRESS "MACNIC"
PACIFIC 4111

IN REPLYING TO THIS LETTER
PLEASE REFER TO

PLEASE ADDRESS ALL CORRESPONDENCE TO
THE COMPANY AND NOT TO INDIVIDUALS

13031
11703

October 22nd, 1942.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
OCT 24 1942

Custodian of Enemy Property,
675 W. Hastings St.,
Vancouver, B.C.

Dear Sirs:

Attention Mr. F. G. Shears.

re: 368 Cordova E. (K. Iwata)

Kenichi (Haruko)

Complying with your request for information re
the above property we submit this following details as we
have found them:

Size of land - 50' x 120'

Buildings: 9 roomed house probably thirty-five to forty
years old, fair condition considering the age.
Toilet, but no bathtub, linoleum on floors, some odds and
ends of furniture left to be included in sale price of
\$4000.00 (half cash) or \$3500.00 all cash. Old player
piano, probably little value, and old gas stove, little
value, are the principal items. Some windows have been
broken and house entered but no damage so far. We advised
the lawyers, Sutherland & Sutherland, 615 W. Pender St.
Pacific 2030 re this and they asked us to have a carpenter
board up the windows. We are trying to get this done if
and when we can get a carpenter.

The factory at the rear of the lot is about
36' x 44' ground floor, and 24' x 44' upper floor, is in
fair condition, though of cheap construction. Low ceiling.
One toilet and basin.

The 1942 assessed value for buildings \$2400.00
and for land \$1700.00 - taxes \$145.00.

We have shown the property numerous times but
have not been successful in getting an offer.

Trusting this is the information you require,

we are

Yours very truly,

GWS:Mc

MACAULAY, NICOLLS, MAITLAND & CO. LTD.

G. W. Smith

DECLARATION AS TO LOSS OF RADIO RECEIPT

CANADA

PROVINCE OF BRITISH COLUMBIA

TO WIT:

IN THE MATTER OF lost Radio Receipt
of radio owned by Haruko IWATA, formerly
of 368 East Cordova St. Vancouver, B.C.

I, Haruko IWATA wife of Kinichi IWATA of Salmon Arm, B.C. do
solemnly declare:

1. That I owned a Marconi Radio, Model 36, Serial #36-6625 and have personal
knowledge of the facts herein declared.

2. That I had in my possession and control at 368 East Cordova Street, Vancouver,
B.C. the said radio.

3. That said radio was handed by me to Shigeo Hagami at 300 Powell Street,
Vancouver, B.C. for repair and that he took same to the R.C.M.P. when the order was
issued to surrender all radios, receiving receipt in my name for said radio; That
Hagami has since died and his family having gone East I have no way of finding same.

4. That I have not in any way dealt with the said receipt or papers relating
to the radio and have not pledged or hypothecated the same or lodged the receipt
with any person, firm or corporation as security.

5. That the reason for the non production of the receipt is as stated in
paragraph 3 hereof.

6. That I have been informed that my radio has been sold for the sum of
\$9.47 net.

7. That I, Haruko IWATA, the owner, am therefore now entitled to the proceeds
of such sale amounting to \$9.47 net.

AND I make this solemn declaration, conscientiously believing it to be
true and knowing that it is of the same force and effect as if made under oath and
by virtue of the Canada Evidence Act.

DECLARED before me at the City

of Salmon Arm in the

Province of British Columbia this

27 day of September A.D. 1946

H. W. Scales

A Commissioner for taking Affidavits
within British Columbia

A NOTARY PUBLIC IN AND FOR THE
PROVINCE OF BRITISH COLUMBIA

Haruko Iwata

Reg. No. 02685

C
O
P
Y

NORTH VANCOUVER REALTY (E.N. COPPING) LTD.,

22nd Febr: 1944.

F.G. Shears Esq.,
506 Royal Bank Bldg.,
Hastings & Granville,
Vancouver, B.C.

Dear Sir:

I have your letter of 18th February, and have made an inspection of Lots 19, 20 and 21, Block 27, D.L. 204.

The three lots have a total frontage on the Harbour Board railway right-of-way of 82.7 feet, a flankage of 159.3 feet on St. Denis Avenue, the main road from 2nd Narrows Bridge to North Vancouver, and a frontage on an unopened road on the north side of only 25 feet. The narrow frontage on the north end and its consequent wedge shape might be said to detract from the usefulness of the property.

On the other hand, rumours of considerable development in this neighbourhood in the near future, and the fact that recently all tax sale properties in the vicinity have been placed on the reserve list might give this property a potential value which would not exist under ordinary conditions.

Property on the opposite (east) side of St. Denis Avenue, comprising four similar lots and buildings consisting of a lunch counter, dwelling, etc., I am told has just sold for \$7000.00.

These lots, 19, 20 and 21 of Block 27, have a total assessment of \$575.00. There is considerable vacant, tax sale land in the vicinity. In the past, values have been governed by the fact that these tax sale lots could be purchased at half their assessed values. This would give the property we are considering, a market value of \$288.00. But in view of its location, and of the above information, I would consider \$500.00 a fairer valuation.

Yours truly,

(signed) E. N. Copping.

ROYAL CANADIAN MOUNTED POLICE

Form 346A

407

EXHIBIT REPORT

No.

HEADQUARTERS File No.

SUB-DIV'N and File No. **Vancouver**

DIVISION and File No.

DETACHMENT and File No. **G.I.B.**

(J.R. **02065**)

DATE **June 17th. 1944**

Re:

H. INATA - 368 Cordova St. Vancouver, B.C.

On **March 10th. 1942**

(Name of File)

D.E. McLaren. Cst.

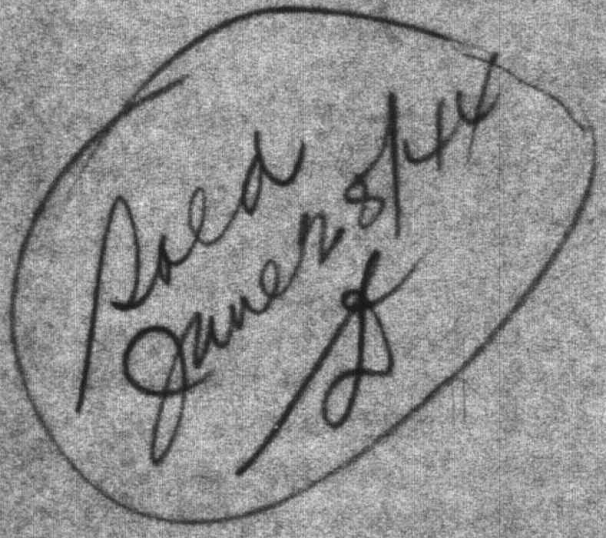
(Date)

(Member's Name)

Came into possession of the following described goods by

Handed over by owner.

(State Authority from whom seized and place of seizure)

No. OF EXHIBIT	No. OF PACKAGES	CAPACITY OR SIZE	DESCRIPTION OF EXHIBITS
	1.		MARCONI radio. Model 36. Serial #36-6623.
			14 70 27 

REMARKS: **Handed over to the Custodian of Alien Property.**

DATE

JUN 20 1944

(State briefly disposition)

For Custodian.

(Signature of Recipient or Witness)

CERTIFIED CORRECT

P.E. McLaren. Cst. #10559.

(Signature of Member)

K. IWATA

DRESS MANUFACTURER

FASHIONABLE WAISTS - DRESSES - LINGERIE

P.O. Box 363

800 EAST BROADWAY STREET

Salmon Arm

VANCOUVER, B. C.

EVACUATION SECTION	
Rec'd	APR 4 1944
File No.	11703
Ans.	30m
Referred	Milcom

Cuth Milcom

April 2 / 44

Dear Mr. J. D. Milcom:

Thank you very much for your kind letter dated March 24th advising me that Army and Navy Stores using my premises for their outdoor advertising space.

I am very surprised to hear that some one is using my property without getting my permission. We didn't make any contract with them.

We had been using that ^{part of} space for Mode-O-Day Dresses Ltd. sign (which used to be my store)

So will you kindly get in touch with Army & Navy Stores and ask them to take it out or will you arrange with them to pay me reasonable rent for the space, and also I am sure there should be still Mode-O-Day sign standing on that property so kindly try find ~~one more~~ ^{another} party to rent that sign and space too.

Yours truly
Mrs H. Iwata.

File # 11703.

MOOSE JAW

EDMONTON

VANCOUVER

NEW WESTMINSTER

ARMY & NAVY DEPARTMENT STORE LTD.

CANADA'S BIG LOW PRICE MAIL ORDER HOUSE

WHOLESALE, RETAIL AND MAIL ORDER

HEAD OFFICE:
1156 TO 1176 OSLER STREET
REGINA, SASK.

25-27 HASTINGS ST., W.

VANCOUVER, B.C.

April 1st, 1944

EVACUATION SECTION

Rec'd APR 4 1944

File No. 11703

Ans. *from*

Referred

Mr. G. D. Milson,
Administration Department,
Office of the Custodian,
506 Royal Bank Bldg.,
Hastings & Granville,
Vancouver, B.C.

Dear Sir:

File No. 11703

/02685

1 WATH

Mrs. Hancock

Pursuant to our telephone conversation, we are enclosing herewith form contracts relating to the sign space in question; also our cheque in the amount of \$20.00 to cover rental to May 31st, 1944.

Kindly complete one copy of the contract and return to us by early mail.

Yours very truly,

ARMY & NAVY DEPARTMENT STORE, LTD.

Per:

Rosenberg

NS/ID

CANADA'S FASTEST GROWING DEPARTMENT STORE

MOOSE JAW

EDMONTON

VANCOUVER

NEW WESTMINSTER

ARMY & NAVY DEPARTMENT STORE LTD.

CANADA'S BIG LOW PRICE MAIL ORDER HOUSE

WHOLESALE, RETAIL AND MAIL ORDERHEAD OFFICE:
1156 TO 1176 OSLER STREET
REGINA, SASK.

25-27 HASTINGS ST., W.

VANCOUVER, B.C.

April 1st, 1944

For and in consideration of \$20.00, receipt of which is hereby acknowledged, we hereby rent, for a period of two years from June 1st, 1942 to May 31st, 1944, to the ARMY & NAVY DEPARTMENT STORE, LIMITED, for display advertising purposes, with the option to renew at the same rate for a similar period, the sign space on the premises known and described as follows to wit:

A portion of Lots 19, 20 and 21, Block 27, D. L. 204 on St. Denis Avenue, Main Road and Second Narrows Bridge to North Vancouver.

It is further understood that if the above sign location becomes unavailable through sale or development of the property as described above, or loses its advertising value through obstructions, this contract to be terminated and the unexpired portion of the rental to be refunded to the ARMY & NAVY DEPARTMENT STORE, LIMITED.

We represent that we have control of the said location for advertising purposes and have the right to rent same to you.

ACCEPTED

WITNESS:

SIGNED

Department of the Secretary
of State - Office of the
Custodian.
Japanese Evacuation Section

File No. 11703

CANADA'S FASTEST GROWING DEPARTMENT STORE

MOOSE JAW

EDMONTON

VANCOUVER

NEW WESTMINSTER

ARMY & NAVY DEPARTMENT STORE LTD.

CANADA'S BIG LOW PRICE MAIL ORDER HOUSE

WHOLESALE, RETAIL AND MAIL ORDER

HEAD OFFICE:
186 TO 178 OSLER STREET
REGINA, SASK.

25-27 HASTINGS ST., W.

VANCOUVER, B.C.

April 1st, 1944

For and in consideration of \$20.00, receipt of which is hereby acknowledged, we hereby rent, for a period of two years from June 1st, 1942 to May 31st, 1944, to the ARMY & NAVY DEPARTMENT STORE, LIMITED, for display advertising purposes, with the option to renew at the same rate for a similar period, the sign space on the premises known and described as follows to wit:

A portion of Lots 19, 20 and 21, Block 27, D. L. 204 on St. Denis Avenue, Main Road and Second Narrows Bridge to North Vancouver.

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We represent that we have control of the said location for advertising purposes and have the right to rent same to you.

ACCEPTED

W. S. S. S.

WITNESS:

SIGNED

Department of the Secretary
of State - Office of the
Custodian.
Japanese Evacuation Section

File No. 11703

CANADA'S FASTEST GROWING DEPARTMENT STORE

11703

April 6th, 1944

The Army & Navy Department
Store, Ltd.,
25-27 West Hastings St.,
Vancouver, B. C.

Dear Sirs:

We are in receipt of your letter of
April 1st enclosing cheque for \$20.00 in pay-
ment of rent for the sign on Lots 19, 20 & 21,
Block 27, D. L. 204 to May 31st, 1944.

As this property is in the process of
being sold, we are not prepared to execute a
contract for future rentals.

Yours truly,

G. D. Milsom
Administration Department

GDM/GH
Enc.

14745 & 11703

August 19, 1943.

Attention Mr. John Sutherland

Messrs. Sutherland & Sutherland,
Barristers and Solicitors,
615 West Pender Street,
Vancouver, B. C.

Dear Sirs:

Re: Haruko IWATA and
her father, Kiyokata KUSAKA

Further to our letter dated August 16th in reply to your communication dated August 17th, we find, after having searched title to the properties listed in your letter, that Lot 24, Block 32, D. L. 204, Group 1, New Westminster District and also Lot 32, Block 11, D. L. 204, Group 1, New Westminster District, were both sold for taxes on September 9, 1940 and that title to both properties is now in the name of the Corporation of the District of North Vancouver. Mrs. Haruko Iwata, therefore, has no interest in either of the two properties mentioned above.

Insofar as the property known as Lots 19, 20 and 21, Block 27, D. L. 204, District of New Westminster, are concerned, title to the properties is, as you know, still in the name of Kiyokata Kusaka.

A letter we have now received from Mrs. Haruko Iwata states that "regarding the property of my father, will you please get in touch with Mr. John Sutherland. He is going to fix that property title into my name. It should be mine since 1936. My father signed the deed on December 16, 1936 to transfer to me."

The Custodian has filed a Vesting Certificate covering Lots 19, 20 and 21. We would appreciate your advising us whether or not you are now prepared on behalf of Mrs. Haruko Iwata to arrange not only for registration of relative conveyancing fee but also to transmit title to the land to the name of Mrs. Haruko Iwata.

It is our understanding that taxes due on the three lots in question amount to \$149.96 consisting of \$36.67 delinquent taxes for 1940, \$36.67 delinquent taxes for 1941, \$36.67 taxes in arrears for 1942 and \$39.95 which was due on July 14th for taxes for 1943, to all of which must be added interest at 6% on all arrears and delinquent taxes from January 1st following the year taxes became due and up to date of payment and insofar as 1943 taxes are concerned, there must be added the penalty of 5% plus an additional 5% becoming due from October 15, 1943.

Mrs. Latta states that "I will pay taxes after it has been completely fixed in my mind" but the Custodian is prepared to effect payment of the taxes now from funds at present standing to the credit of Mrs. Latta with the Custodian subject to your being willing to carry out on behalf of Mrs. Latta the matter of compliance and the Custodian is prepared at the time of registration to vacate Custodian's Voting Certificate for the purpose of enabling registration.

We are forwarding a copy of this letter to your clients, Mrs. Latta Latta of Nelson Ave., B. C., and look forward to hearing from you in this connection in the very near future.

Yours truly,

H. P. Alexander,
Manager.

Very truly,
Mrs. Latta Latta

File # 14745-117

EVACUATION SECTION

P.O. Box 263

Rec'd AUG 26 1943

File No.

Ans.

Referred

Almond Arm

Ans. Aug 23. 1943

Referred Alexander

Dear Mr. Alexander:

Received your letter dated Aug. 19 which addressed to Mrs. John Sutherland.

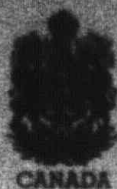
Regarding to the North Vancouver property, will you please arrange to pay the arrear taxes of Lots 19, 20, 21 from my credit of Custodian account.

I wrote and asked to Mr. John Sutherland to fix that property title to my name and also to register the property.

Will you kindly add that property to my file in your office.

Yours truly
Mrs. H. Iwata

OFFICE OF
THE INSPECTOR OF INCOME TAX
VANCOUVER

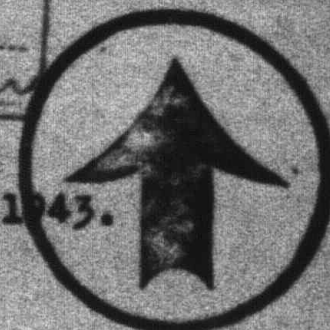


DEPARTMENT OF NATIONAL REVENUE
INCOME TAX DIVISION

EVACUATION SECTION
Rec'd JUL 26 1943
File No. 1170 3-13031
Ans. *JA*
Referred *Alexander*
739 HASTINGS ST. W.,
VANCOUVER, B.C.
July 24th, 1943.

IN REPLY
PLEASE REFER TO

J.S.B.



Dept. of the Secretary of State,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Bldg.,
Vancouver, B. C.

Attention R. P. Alexander

Dear Sir:

Re: Mode-O-Day Dress Ltd.
Mrs. Haruko IWATA, No. 02685
Mr. Kinichi IWATA, No. 00915
Nancy Watts

Since receiving your letter dated June 21st, 1943 the corporation file has been further investigated and this is to advise you that there will be no further tax payable from that source. However, the examination of the individual return has not as yet been completed. This work is being expedited and I will advise you of any further claim for taxes that may be raised as a result thereof.

Yours faithfully,

M. J. Lewis
INSPECTOR OF INCOME TAX
JSB

JSB/EB

11703, 13031,
13106
Your Reference RAB A

June 21, 1943.

Norman Lee, Esq.,
Inspector of Income Tax,
Department of National Revenue,
739 West Hastings Street,
Vancouver, B. C.

Dear Sir:

Re: Mode-O-Day Dress Limited,
Mrs. Haruko IWATA, No. 02685
Mr. Kinichi IWATA, No. 00915
Nancy Watts

Thank you very much for your letter dated June 18th indicating that the Mode-O-Day Dress Ltd. is indebted to you to the extent of \$2,157.17 for unpaid income taxes for 1941.

In reviewing our file in connection with the Mode-O-Day Dress Ltd. we find that we were advised on January 19, 1942, by Clarence Darling, K.C., 56-57 Commerce Building, 640 West Hastings Street, Vancouver, that his client, Mr. Sidney Liverant, of 650 Granville Street, Vancouver, was purchasing the stock-in-trade and business of Mode-O-Day Dress Ltd., of 413 West Hastings Street, Vancouver, together with the unexpired term of the lease of the premises. Mr. Clarence Darling also indicated that Mr. John Sutherland was solicitor for the vendor.

In reply, Mr. G. W. McPherson, Authorized Deputy of the Secretary of State and/or Custodian, advised Mr. Clarence Darling on January 19, 1942 that the Custodian voiced no objection to the sale mentioned above.

Mr. Kinichi Iwata, Police Registration No. 00915 declared to us on December 7, 1942 that his address was P. O. Box 263 Salmon Arm, B. C. and that his previous occupation was that of a dress manufacturer. Mr. Iwata also indicated that he had left in storage with Messrs. Bowman's Storage Ltd., 827 Powell Street, Vancouver, certain pleating, sponging and pressing machinery together with a buckle machine, 2 button machines and some cases of button and buckle molds, all of which he had insured for a total of \$3,000.00 against loss by fire.

Our records also indicate that on October 2, 1942 Mr. Jon Mizuhara telephoned this office and stated that Mr. Kinichi Iwata had moved certain garment manufacturing equipment to Salmon Arm.

Insofar as Mrs. Haruko Iwata, Police Registration No. 02665 also as Henry Watts who was described by Mr. Clarence Darling to us as the holder of 998 shares in the company known as the Hodo-O-Day Press Ltd. is separate and distinct from this question our records indicate that Haruko Iwata was the owner of real estate known as Lots 11 and 12, Block 56, D. L. 196. Mrs. Iwata negotiated through the Wilson Insurance Agencies, Ltd., 325 Howe Street, Vancouver, for the sale of the real estate mentioned above and later through the assistance of Messrs. Macaulay, Nicolls, Wattland & Company Ltd. The real estate was sold for \$2,500.00 cash subject to certain adjustments. The property, which was also known as 368 East Cordova Street, was sold to Lily Chung who was represented by Mr. J. Brown Pratt, Solicitor, 602 West Hastings Street. The Custodian credited Haruko Iwata's account with the Custodian accordingly and payments made subsequently by this office to Haruko Iwata have reduced her credit balance with the Custodian to the present balance of a little over \$600.00.

In view of the circumstances detailed above, we would appreciate your advising us as to the nature of any action you may desire the Custodian to take on your behalf in connection with your claim against the Hodo-O-Day Press Ltd.

Our records indicate that Mr. and Mrs. Iwata may be reached by mail sent to them at P. O. Box 263, Salmon Arm, B. C.

Yours truly,

H. P. Alexander,
Manager.

HPA:MA

DEPARTMENT OF NATIONAL REVENUE
ADDRESS ONLY TO
DIRECTOR OF INCOME TAX
VANCOUVER

INCOME TAX DIVISION

Queens Tax Reference

100 HASTINGS ST. W.
VANCOUVER, B.C.

June 18th, 1943.

11703

RAB 4

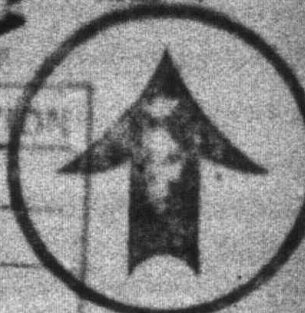
See letter July 1/43
70
The Custodian of Enemy Affairs,
Japanese Section,
506 Royal Bank Bldg.,
Vancouver, B.C.

EVACUATION SECTION

Rec'd JUN 19 1943

File No.

Referred



Dear Sir:

Re. Mode-O-Day Dresses Limited
414, 615 W. Pender St.
Vancouver, B.C.

The above is indebted to this office for unpaid Income Taxes for 1941 amounting to \$2,157.17. I am informed that you are holding \$663.00 to the credit of the above and also that an amount of \$1500.00 was paid out to the former owners. Apparently this was done without obtaining a clearance for Income Taxes from this office. I must request that the amount you have on hand be held on account of the said Income Tax and also that the \$1500.00 be reimbursed by the former owner to whom it was sent, as taxes were a first charge against the assets of the company. Kindly advise me in due course.

RAB/EN.

Yours faithfully,

Wm. Lee
INSPECTOR OF INCOME TAX.

STAMPS COVERING EXCISE MUST BE AFFIXED TO CHEQUES
TIMBRES POUR TAXE D'ACCISE DOIVENT ETRE AFFICHES AUX CHEQUES

11703

4th March, 1943.

Mrs. Haruko Iwata,
Registration #02685,
P. O. Box 263,
Salmon Arm, B.C.

Dear Madam:

Mr. Wilson has spoken to me over the telephone and forwarded us your letter addressed to him dated March 1st.

It is the general policy of this office where money is available to make monthly remittances to those entitled to receive the funds so as to provide a source of maintenance for as long as possible.

However, we have reviewed your file and are prepared to send you a further sum of \$1,000.00, cheque for which is enclosed herein. This will enable you to carry on the farm operations to which you refer in your letter and provide for the present support of your family.

At a later date we will be pleased to give consideration to the release of a further amount of the sum at present remaining to your credit.

Yours truly,

F. G. Shears,
Acting Director.

FCS/PMM

encl.

MEMORANDUM

File #11703

1st March, 1943.

TO: Mr. Wilson

FROM: Mr. Gibson

Re: Sale of Property - 368 E. Cordova St., -
Mrs. Haruko IWATA to Lily CHANG

As requested in your letter of February 25th I have checked the Statement of Adjustments as of February 1st, 1943 and find in connection with the three policies listed that the unearned premium charged to Lily Chang is materially correct.

There is also another policy, being Patriotic Assurance #1349777 written December 27, 1942 for 12 months, expiring December 27, 1943. Total premium - \$9.60. Unearned pro rata premium as at February 1/43 - \$8.65.

I telephoned Mr. F. Drewe Pratt this afternoon and told him about this other policy and suggested that if his client wishes to pay \$8.65 that we will have it transferred to the name of the new owner, Lily Chang. If the new owner does not wish to pay that premium or if she does not require the coverage, then we will have the policy cancelled and the short rate cancellation will be credited to the account of Mrs. Haruko IWATA. Mr. Pratt has written his client and will advise us regarding same in a few days' time.

P.S. - Since dictating this memorandum, Mr. Pratt has telephoned to say that his client wishes to have Patriotic Policy #1349777 transferred to her name and will send us a cheque for \$8.65 to cover the balance of the term as from February 1, 1943 to December 27, 1943. -1000-

Policies referred to above will be delivered to Mr. F. Drewe Pratt for his client, after checking to see that we have received the unearned premium, and after endorsements have been delivered by Wilson Insurance Agencies.

[Signature]

SM:FM

J. Dreine Pratt
BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

CABLE ADDRESS "MAGNOR"
VANCOUVER, CANADA
TELEPHONE: PACIFIC 5254

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS ST. WEST

VANCOUVER, B.C.

February 12th

EVACUATION SECTION

Rec'd FEB 13 1943

File No. 12831-1170

Ans.

Referred Milson

Custodian of Enemy Property,
506 Royal Bank Bldg.,
C I T Y.

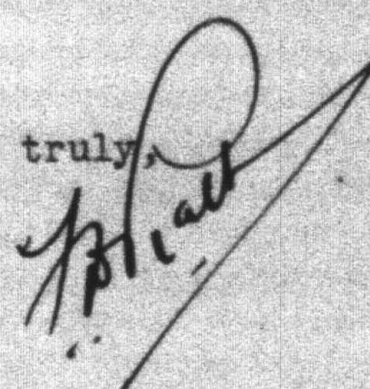
Dear Sir:

Attention: Mr. Milson.

In re: SALE - HARUKO IWATA to
LILY CHANG.
Your file #12831. 11703

Upon applying today to register the Conveyance from Haruko Iwata to Mrs. Lily Chang, we find that the Certificate of Title No. 86120-K covering this property is not in the Land Registry Office, the same having been taken out by Haruko Iwata on December 15th, 1936. Will you kindly arrange to have Haruko Iwata produce this document in order that registration may be completed. In the meantime, it is understood that the consideration of \$2500.00 which you now hold is not to be disbursed until the Title is forthcoming and registration has been completed.

I am,
Yours truly,



FDP/T

6/

J. Brewe Pratt
BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS ST. WEST

VANCOUVER, B.C.

February 12th, 1943

ent to Milson
11703
CABLE ADDRESS "MACDON"
VANCOUVER, CANADA
TELEPHONE: PACIFIC 5554

EVACUATION SECTION

Rec'd FEB 11 1943

File No. 11703

Ans. *Am*

Referred *Milson*

Custodian of Enemy Property,
506 Royal Bank Bldg.,
C I T Y.

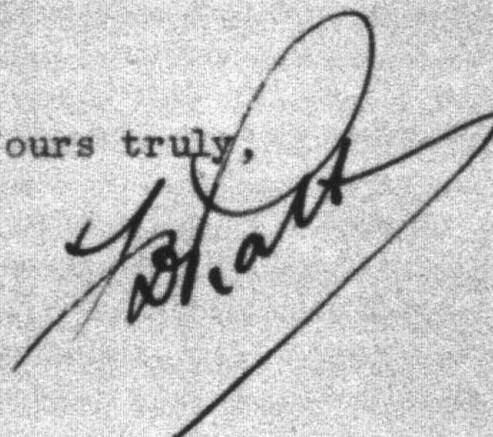
Dear Sir:

Attention: Mr. Milson.

In re: SALE - HARUKO IWATA to
LILY CHANG.
Your file #13031. *11703*
13031

I hand you herewith my cheque in the amount of \$2406.75 being balance of purchase price herein in accordance with Statement of Adjustments furnished you with your letter of January 25th last. In accordance with our previous arrangements, will you kindly withhold disbursing these monies until I receive advice from the Land Registry Office at Vancouver, that the Conveyance has been accepted for registration. I will make this application to register at once.

I am,
Yours truly,



FDP/T
Encl.1.

J. P. NICOLLS
J. D. MAITLAND

W. D. GRANT
T. W. WARRMAN

A. W. HUGHES
D. S. MANSELL

Milson
out to Gibson

13031

11703

IN REPLY TO THIS LETTER
PLEASE REFER TO
OFFICE OF THE
JAPANESE SECTION
RECEIVED
DEC 3 1942

Macaulay, Nicolls, Maitland & Co. Ltd.
Insurance, Financial and Estate Agents
435 Howe Street
Vancouver, B.C.

CABLE ADDRESS "MACNIC"
PACIFIC 4111

December 1st, 1942.

Custodian of Alien Enemy Property
675 W. Hastings St.
Vancouver, B.C.

Dear Sirs:

Attention Mr. Milton
re 368 E. Cordova St.

We would like to submit our experience in endeavouring to sell the above property.

We have been quoting \$4000.00 with half cash or \$3500.00 all cash, but all buyers have objected to the price saying it was far too much for a property in this district and also one requiring from \$500.00 to \$1000.00 expenditure for repairs and betterments to meet the requirements of the City authorities.

They will not permit the retention of the steam bath but will require a bath tub to be installed; the hot air furnace must be replaced or rebuilt; the sawdust hopper has burned off at the base; the roof on the house leaks in several places and probably will require reshingling.

The house needs decorating inside and painting outside. Altogether an expenditure of \$800.00 to \$1000.00 would be necessary to make the house suitable for habitation and most of this would be required by the City Departments.

The factory is in fair condition for such a building. The roof looks to be in good condition. However, owing to War Trade Board restrictions the demand for small factory buildings of this kind is limited and the cost of conversion for living accommodations would be considerable even if no restrictions on materials existed.

We would therefore respectfully request that you take up the question of price with K. Iwata and see if he would consent to a reduction of \$500.00 in price, say to \$3500.00 on terms and \$3000.00 cash, both figures being subject to our 5% commission.

Thanking you for your kind co-operation in the matter,
we are

Yours truly,
MACAULAY, NICOLLS, MAITLAND & CO. LTD.

Per

G. W. Smith

GWS:Mc

Rec. Ad. Feb. 17/45
File No. 11703
St. Denis Ave, North Vancouver
19,20,21/27/204
Certificate of Title No. 124235-L

Control of property covered by Certificate of Title No. 124235-L is hereby acknowledged and it is agreed that all adjustments and incidents connected with the sale of this property have been settled.

Receipt is also acknowledged of cheque for \$3.57 representing closing adjustments on sale of the above property.

Dated at VANCOUVER B. C., this 28 day of MAY 1945.

HOME OIL DISTRIBUTORS LTD.

Signed

W. H. Hamlin
Controller

Return to the Custodian

POST OFFICE DEPARTMENT
ADMINISTRATION DES POSTES
CANADA

This side to be filled in by office of origin
Le verso est à remplir par le bureau d'origine

REGISTERED ARTICLE
Envoi recommandé

ENTERED AT THE OFFICE OF
Enregistré au bureau de poste de

DATE _____ UNDER NO _____
sous le

ADDRESSED TO Home Office
Adressé à Distributeurs

AT 555 Burrard Street
VANCOUVER, B. C.

SEE-300 000-10-4-44

ACKNOWLEDGMENT OF
AVIS DE RÉCEPTION

Date et
Lieu

To be filled in by sender who will
indicate below his full address

A remplir par l'expéditeur qui doit
indiquer ci-dessous son adresse
complète.



RETURN TO Custodian Office
Retourner à

506 Royal Bank Building

Vancouver, B. C.

11703

STREET AND NUMBER
Rue et numéro

(1) VANCOUVER, B. C.

PLACE OF ORIGIN OF REGISTERED ARTICLE
Lieu d'origine de l'objet recommandé

(1) IN PRINTED CHARACTERS
En lettres moullées

CANADA

11703

REGISTERED A/R

June 25, 1945.

The Home Oil Distributors Ltd.,
555 Burrard Street,
VANCOUVER, B. C.

Dear Sirs:

Re: 19,20,21/27/204
St. Denis Avenue
North Vancouver, B. C.

Receipt is acknowledged with thanks of control receipt duly signed covering sale of the above described property.

Attached please find Certificate of Title No. 124235-L registered in the name of Home Oil Distributors Limited and covering said property.

Yours truly,

George Peters,
Administration Department.

GP:MA
Enc.

2nd May, 1945.

REAL PROPERTY MEMORANDUM

FILE NO: 11703
NAME: Haruko Iwata
CATALOGUE NO: Special Advertisement Feb. 17th, 1945.
Re: St. Denis Avenue, on main road from 2nd Narrows
Bridge to North Vancouver, vacant land.

CERTIFICATE OF ENCUMBRANCE:

Description of Property: Municipality of North Vancouver,
Lots 19, 20, and 21, Block 27,
District Lot 204, Group 1, New
Westminster District, Plan 1340.

Encumbrances: Nil

Taxes: 1944 taxes paid - no arrears or
consolidated.

Vested: 39416

VALUATION BY APPRAISER: \$500.00

AMOUNT OF BID: \$600.00

APPROVED BY ADVISORY COMMITTEE: April 6, 1945.

AMOUNT RECEIVED BY CUSTODIAN: \$600.00

NAME OF PURCHASER: Home Oil Distributors Limited.

KWW/DG
Attachs

K.W. WRIGHT

Copy for Mr. Peters

11703

April 7, 1945.

The Home Oil Distributors Ltd.,
555 Burrard Street,
Vancouver, B. C.

Dear Sirs:

Re: Special Ad. Feb. 17/45.
St. Denis Ave., North Vancouver
19, 20 & 21/27/204

We are in receipt of your letter of March 2nd enclosing cheque for \$60.00 and offer to purchase the above property for the sum of \$600.00, which is being considered.

This is to advise you that we are prepared to recommend the acceptance of this offer. Will you please forward to us a certified cheque for the balance of the purchase price, namely, \$540.00.

Kindly advise the full name in which you wish this property to be registered. If in the name of the Home Oil Limited, kindly supply the day, month, year and place of corporation.

The necessary documents will be prepared and forwarded to the Secretary of State at Ottawa, and if our recommendation is acted upon these documents will be signed and returned.

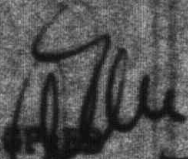
After the documents have been registered a statement of adjustments of taxes, etc. will be prepared, including registration fees, and forwarded to you.

We wish to call to your attention that the District of North Vancouver has advised us that they intend to take expropriation proceedings to obtain part of this property to make a new road. We attach hereto a copy of a sketch which the District has supplied us covering this work. The sale is subject to this expropriation.

There is also an outdoor advertising sign on this property rented to the Army and Navy Department Store Limited to May 31st, 1945.

Yours truly,

F. G. Shears,
Director.


F. G. Shears,
Director.

This Indenture

Made the.....18th.....day of.....December.....in the year of our
Lord one thousand nine hundred and ~~forty~~ thirty-six.

In Pursuance of the "Short form of Deeds Act"

Between

KIYOKATA KUSAKA, of 307 Shinkita-cho,
Asahi-Ku, Osaka, Japan, Physician and
Surgeon,

Insert full Name
Street Address and
Occupation of
Grantor and of
Grantee.

(hereinafter called the "Grantor")

AND

HARUKO IWATA, Married woman, wife of
Kinichi IWATA of 368 Cordova Street,
East, in the City of Vancouver, Pro-
vince of British Columbia.

(hereinafter called the "Grantee")

Witnesseth, that, in consideration of Natural Love and Affection.....

~~Dollars of the lawful money of Canada now paid~~ by the said Grantee to the said Grantor
(the receipt whereof is hereby by him acknowledged) he, the said Grantor, **Doth Grant**
unto the said Grantee, his heirs and assigns FOREVER :

All and Singular that certain parcel or tract of land and premises situate, lying and being
in the Municipality of North Vancouver, and Province of British Columbia, and more
particularly known and described as:-

Lots Nineteen (19), Twenty (20) and Twenty-one (21), Block Twenty-seven (27), District
Lot Two Hundred and Four (204), Group One (1), New Westminster District, Plan No. 1340,
and
Lot Thirty-two (32), Block Eleven (11), Lot Twenty-four (24), Block Thirty-two (32),
District Lot Two Hundred and Four (204), Group One (1), New Westminster District,
Plan No. 1340.

x Sold for \$14,000 9 Sept. 1940.

Together with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto; and the estate, right, title, interest, property, claim and demand of him, the said Grantor, in, to, or upon the said premises.

To have and to hold unto the said Grantee, his heirs and assigns, to and for his and their sole and only use forever; ~~Subject nevertheless~~ to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown, and subject to all taxes rates and local improvement assessments, whether already or hereafter assessed.

The said Grantor Covenants with the said Grantee that he has the right to convey the said lands to the said Grantee, notwithstanding any act of the said Grantor and that the said Grantee shall have quiet possession of the said lands, free from all encumbrances, save as aforesaid.

And the said Grantor Covenants with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

This Indenture

Made the 18th day of December in the year of our

Lord one thousand nine hundred and forty three

In Pursuance of the "Short form of Deeds Act"

Between

KIKOKATA KUSAKA, of 307 Shinkita-cho,
Asahi-Ku, Osaka, Japan, Physician and
Surgeon,

(hereinafter called the "Grantor")

AND

HARUKO IWATA, Married woman, wife of
Kinichi IWATA of 368 Cordova Street,
East, in the City of Vancouver, Pro-
vince of British Columbia.

(hereinafter called the "Grantee")

Witnesseth, that, in consideration of Natural Love and Affection.....

Doth hereby declare that the money of Canada now paid by the said Grantor
(the receipt whereof is hereby by him acknowledged) he, the said Grantor, **both Grant**
unto the said Grantee, his heirs and assigns FOREVER :

All and Singular that certain parcel or tract of land and premises situate, lying and being
in the Municipality of North Vancouver, and Province of British Columbia, and more
particularly known and described as:-

Lots Nineteen (19), Twenty (20) and Twenty-one (21), Block Twenty-seven (27), District
Lot Two Hundred and Four (204), Group One (1), New Westminster District, Plan No. 1340,
and
Lot Thirty-two (32), Block Eleven (11), Lot Twenty-four (24), Block Thirty-two (32),
District Lot Two Hundred and Four (204), Group One (1), New Westminster District,
Plan No. 1340.

Yours for 9th Oct. 1900

THE ATTACHED DEED OF LAND IS A COPY OF THE ONE BETWEEN KIYOKATA KUSAKA AND HARUKO IWATA
DATED DECEMBER 18TH, 1936. I HEREBY CERTIFY THAT THE ACTUAL PARTICULARS AS TYPED IN ARE
CORRECT.

February 12th, 1944.

A handwritten signature in cursive script, appearing to read "H. H. H. H.", written over a horizontal line.

A Notary Public in and for the Province
of British Columbia.

FOR WITNESS

Province of Osaka)

Japan)

To Wit:)

I, "TOYOKO KUSAKA", of the City of Osaka, Japan, MAKE OATH AND
SAY:

- I. I was personally present and did see the within instrument duly signed and executed by KIYOKATA KUSAKA, the party there- to, for the purposes named therein, after the contents and effect of said instrument were sufficiently communicated to the said Kiyokata Kusaka by me, this deponent in the Japan- ese language when he appeared to full understand the con- tents of same and voluntarily executed the said instrument.
2. That the said instrument was executed at the City of Osaka, Japan.
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 Osaka,
Japan, this 1st day
of March
A.D. 1938

(Stamp)

"A.W. TAYLOR"

(Seal)

British Consulate-General, Osaka.

"TOYOKO KUSAKA

(Seal)

And the said Grantor Covenants with the said Grantee that he has done no acts to encumber the said lands.

And the said Grantor Releases to the said Grantee All His Claims upon the said lands.

Wherever the singular or masculine is used throughout this Indenture, the same shall be construed as meaning the plural or the feminine or body corporate or politic where the context or the parties hereto so require.

In Witness Whereof the said parties hereto have hereunto set their hands and seals on the date first above mentioned.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Signature of Witness } "TOYOKO KUSAKA"
Street Address 307 Shinkita-cho, Asahi-Ku,
City or Town Osaka,
Occupation of Witness No occupation

"KIYOKATA KUSAKA"
(Seal)

FOR WITNESS

Province of British Columbia }
To Wit:

I, _____ of the _____
of _____ 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 _____ the part thereto, for the purposes named therein.
2. The said instrument was executed at _____
3. I know the said part _____, and that _____ 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 _____
in the Province of British Columbia, this _____
day of _____ 194 _____

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

FOR MAKER (INCLUDING MARRIED WOMEN)

I Hereby Certify that, on the _____ day of _____, 194 _____, at _____, in the Province of British Columbia,
(whose identity has been proved by the evidence on _____, who is) personally known to me, appeared _____ the person mentioned in the annexed Instrument as _____ the maker thereof, and whose name _____ subscribed thereto as part _____, that _____ know the contents thereof, and that _____ executed the same voluntarily, and _____ of the full age of twenty-one years.
IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at _____ in the Province of British Columbia, this _____ day of _____ in the year of our Lord one thousand nine hundred and forty _____

A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits within British Columbia.
NOTE:—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

Registered

Date December 18 1936

KIYOKATA KUSAKA

-TO-

HARUKO IWATA

Deed of Land

The Clarke & Stuart Co. Limited, Law Printers and Stationers
Vancouver, B.C. Form No. 2

SUTHERLAND & SUTHERLAND
Barristers & Solicitors,
Vancouver, B. C.

NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, write out the words in brackets.
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits within British Columbia.

FOR ATTORNEY

I hereby certify that, on the _____ day of _____, 194 _____, at _____, in the Province of British Columbia, (whose identity who is) personally known to me, appeared before me and acknowledged to me that he is the person who subscribed the name of _____ to the annexed instrument as the maker thereof, that the said instrument, and subscribed the name of the said _____ as the free act and deed of the said _____, which has not been revoked.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at _____, in the Province of _____, British Columbia, this _____ day of _____, in the year of our Lord one thousand nine hundred and forty _____.

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

NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, write out the words in brackets.
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits within British Columbia.

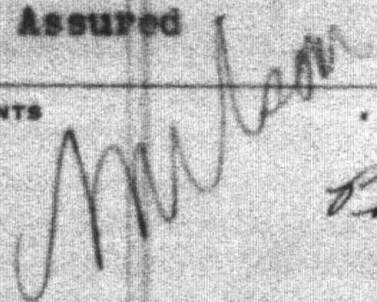
Acknowledgment of Officer of a Corporation

I hereby certify that, on the _____ day of _____, 194 _____, at _____, in the _____, British Columbia, this _____ day of _____, in the year of our Lord one thousand nine hundred and forty _____, I have hereunto set my Hand and Seal of Office, in the Province of _____, to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at _____, in the Province of _____, British Columbia, this _____ day of _____, in the year of our Lord one thousand nine hundred and forty _____.

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

REG. NO. 92661 00915	NAME <u>IWATA, Haruko (Mrs.)</u> IWATA, Kinichi		FILE NO. 11701 13031	
ASSURED THE SECRETARY OF STATE OF CANADA, acting in his capacity as CUSTODIAN				
COMPANY Liverpool-Manitoba Assurance Co.	POLICY NO. 29928	AMOUNT \$3,000.00	PREMIUM \$23.40	RATE .78
		TERM 1 Yr. May 4, 1944	EXPIRATION	
PROPERTY INSURED \$1,000.00 On stock of Buttons, Moulds, materials & supplies usual to a Button Works. 2,000.00 On Button Works trade & office furniture, fixtures, machinery equipment & signs. All while contained in the 4 story, brick bld. roofed with patent, occupied as storage warehouse, (Boorman's) 229-2		LOCATION 629 Powell Street, Lots 6 & 7, Bldg. 45, D.L. 121. Vancouver, B.C.		
LOSS PAYABLE ASSURED		INSURANCE AGENT Wilson Insurance Co. Ltd. Macaulay, Nicolls & McMillan.		RENTAL AGENT
ENDORSEMENTS				

REG NO. 02685 00915		NAME IWATA Haruo Mra. IWATA Kinichi			FILE NO. 11701 13031	
ASSURED The Secretary of State of Canada, acting in his capacity as Custodian, with loss, if any, payable to the Assured.						
COMPANY Patriotic Assurance Company Limited		POLICY NO. 1349723	AMOUNT \$1,000.00	PREMIUM \$11.00	RATE 1.10%	TERM 3yrs.
		EXPIRATION Aug. 5/45				
PROPERTY INSURED \$1,000.00 on 2 & 1 story frame bldg. shingle roof, private dwelling				LOCATION #368 on South side Cordova St.E, Vancouver, B.C. (Lot 12, Block 36 D.L. 196)		
LOSS PAYABLE Assured		INSURANCE AGENT Wilson Ins. Agencies		RENTAL AGENT Macaulay Nicolls - Haitland.		
ENDORSEMENTS  <i>Policy transferred to endorsee</i>						

REV.
NO.

02685

009145

NAME

ITATA, Haruko (Mrs. Kinichi)

ITATA, Kinichi

FILE
NO.

11703

13031

THE SECRETARY OF STATE OF CANADA, acting in his capacity as Custodian.

COMPANY
Liverpool-Manitoba
Assurance Company

POLICY NO.

35874

AMOUNT

\$3,000.00

PREMIUM

\$29.10

RATE

.97%

TERM

1 yr.

EXPIRATION

May 4, 1946

PROPERTY INSURED

\$1,000.00 on stock of buttons, moulds, materials
& supplies usual to a button works.
2,000.00 on button works Machinery, Equipment & Signs
all in the 4 story, brick, patent-roofed bldg.
occupied as Storage Warehouse (Bowman's)

LOCATION

Lots 6 & 7, Blk. 45, D.L. 181,
829 Powell St., Vancouver, B.C.

LOSS PAYABLE

INSURANCE AGENT

RENTAL AGENT

EMERGENCY

Renewed to May 4/49

REG. NO. 02108 009165		NAME INATA, Hamako (Mrs. Minichi) INATA, Minichi		FILE NO. 11203 13031	
ASSURED THE SECRETARY OF STATE OF CANADA, acting in his capacity as Custodian.					
COMPANY Liverpool-Manitoba Assurance Company		POLICY NO. 36256	AMOUNT \$3,000.00	PREMIUM \$23.40	RATE .76
PROPERTY INSURED \$1,000.00 on stock of buttons, moulds, materials & supplies usual to a button works. 2,000.00 on button works Machinery, Equipment & Signs all in the 4 story, brick, patent-roofed Bldg. occupied as Storage Warehouse (Bowman's)		EXPIRATION 1 Yr. May 4, 1945			
LOSS PAYABLE		LOCATION Lts. 6 & 7, Bldg. 45, D.L. 121, 629 Powell St., Vancouver, B.C.		INSURANCE AGENT	
ENDORSEMENTS		RENTAL AGENT			

02685		IWATA Haruko Mrs.			CARD NO. 1.	
		(see also file 13031)			11703	
COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
Patriotic Assurance Company Limited	Revised - 1349777 Patriotic Assurance Co. 1338972	\$1,000.	Dec.	27	42	#368 on South side Cordova Street, Vancouver, B.C.
Patriotic Assurance Company Limited	Transferred to New Owner - 1349723	\$1,000.	Aug.	5	43	#368 on South side Cordova Street, Vancouver, B.C.
Liverpool-Manitoba Assurance Company	Revised - 20802	\$3,000.	May	4	43	#829 on North side Powell St. Vancouver, B.C.
Liverpool-Manitoba Assurance Company	Transferred to New Owner - 29717	\$600.00	Aug.	2	43	#368 on South side Cordova Street, Vancouver, B.C.
Liverpool-Manitoba Assurance Company	Transferred to New Owner - 18362	\$2000.	Jan.	11	44	#368 on South side Cordova Street, Vancouver, B.C.
Patriotic Assurance Company Limited	Transferred to New Owner - 1349777	\$1,000.	Dec.	27	43	#368 on South side Cordova Street, Vancouver, B.C.
Liverpool-Manitoba Assurance Company	Revised - 29928	\$3,000.	May	4	1944	#829 Powell St., Lots 6 & 87 Blk. 45, S.E. 1st, Vancouver, B.C.

SEE CARD No. 2.

File No. 11703

SUMMARY

FIRE INSURANCE

September 18th, 1946

Haruko (Mrs. Kinichi) IWATA,
Reg. No. 02685

Fire Insurance in the sum of \$4600.00 was maintained on the Buildings at 368 Cordova East, Vancouver, B.C. while required and was transferred to the purchaser as of February 1st, 1943. Return Premium was allowed Haruko IWATA in the adjustments amounting to \$28.53 according to the accounts statement on file.

NOTE: The item of \$3000.00 maturing May 4, 1947 as recorded above is on Stock and equipment stored at Bowman's Storage 829 Powell Street, Vancouver, B.C., in the name of Kinichi IWATA, husband of Haruko IWATA, the property having been declared by Kinichi, File #13031, Dec. 7, 1942.

The above Summary is certified to be in accordance with the information on file, September 18th, 1946.

B.R. Dusenbury
B.R. Dusenbury,
Administration Department.

11703, 11704 (Rev. 11/1/41)

(See also File 13031)

11703

COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
Liverpool-Manitoba Assurance Company	38256	\$3,000.	May	4	1945	Lts. 6 & 7, Blk. 45, D.L. 181, 829 Powell Street, Vancouver.
Liverpool-Manitoba Assurance Company	35874	\$3,000.	May	4	1945	Lts. 6 & 7, Blk. 45, D.L. 181, 829 Powell Street, Vancouver.
Liverpool-Manitoba Assurance Company	42486	\$3,000.	May	4	1947	Lts. 6 & 7, Blk. 45, D.L. 181, 829 Powell Street, Vancouver.

*Carried
over file
13031
Kinichirokata
J*

File No. 11703

--- SUMMARY --- September 18th, 1946

--- PERSONAL PROPERTY ---

Re:- Haruko (Mrs. Kinichi) IWATA
Reg. No. 02685

CHATELS:

- On Page 2 of Registration dated 13th October 1942 by Haruko IWATA recorded the following:-

"Ketchin gas range, Hot water heating stove with tank, Piano, Two gas heaters, Ketchin cabinet, Linoleum on every rooms, one complete double bed. Two cutting tables, Three wall cases. These are left in the two buildings)".

There is no evidence on the file that any of these were removed. All chattels at 368 Powell Street were sold with the Property as February 1st, 1943. This is evidenced by our telegram to Haruko IWATA of January 22nd, 1943 and reply by telegram of Haruko IWATA as January 23, 1943.

RADIO

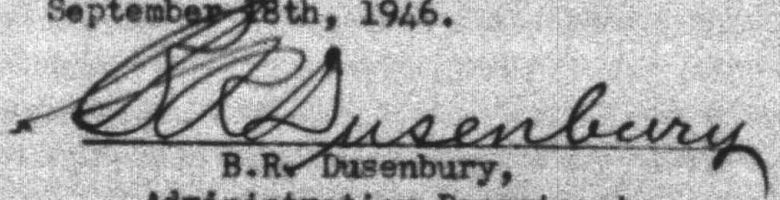
No radio was declared by Haruko IWATA but a Marconi Model 36 is revealed in her name as having been received by the Custodian as June 20, 1944. It was sold on June 28, 1944 for a net sum of \$9.47 and the amount placed to her credit on our books. We are writing to her for the R.C.M.P. radio receipt. Declaration in lieu of receipt received Sep 30/46.

SPECIFIED ARTICLES: No Cameras, Fire Arms, Vessels or other radios are revealed in the registration or the file.

NOTE: Certain stock and Equipment are stored at Bowman's Storage, 829 Powell Street, in the name of Kinichi IWATA, File #13031, husband of Haruko IWATA.

No other Personal Property of Haruko IWATA is revealed on the file.

The above Summary is certified to be in accordance with the information on file, September 18th, 1946.


B.R. Dusenbury,
Administration Department

File No. 11703

-- SUMMARY --

December 1st, 1947

-- PERSONAL PROPERTY --

re Claim Filed

Haruko (Mrs. Kinichi) IWATA,
Reg. No. 02685

Re Personal Property

Mrs. IWATA claims ----

\$585.00

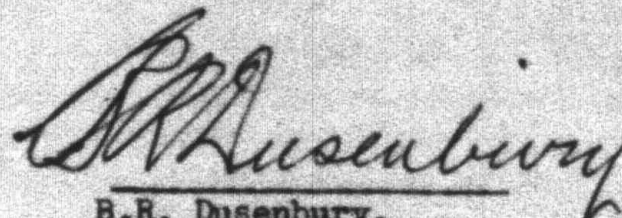
The itemized list of her claim differs slightly from the items declared on J.P. form on Claim file. Reference is made to Personal Property Summary (Claim file) which expresses the exact situation in respect to her personal effects as indicated by the file.

According to the interpretation of the 2 telegrams (Claims file) all chattels on the premises were included in the sale consummated at that time.

Notwithstanding the many letters received from her there is no mention of any of the items now claimed for by her.

Re Radio

No radio was declared by Mrs. IWATA. See Personal property Summary (Claim file). Her account received credit for the net amount of \$9.47 which she later received.


B.R. Dusenbury,
Office of the Custodian.

NAME IVATA, Haruko (Mrs. Kinichi)

REGISTRATION NO. 02685

FILE NO. 11703

The following chattels were sold by public
auction at 922 Powell St., Vancouver, B.C. on June 28, 1944.

Marconi Console

\$ 12.00

Total	(Auctioneer's Fee: \$ 1.20	
	(Advertising: 0.24	
Less Expenses:	(Moving: 0.09	
	(Storage: 1.00	

\$	12.00
\$	2.53
\$	9.47

Net Proceeds Credited:

Members of Custodian Staff Present.

Mr. Wills

Extracted from Auctioneering List No.

Vancouver 25.

Remarks.

File No. 11703

-- SUMMARY --

September 18th, 1946

-- REAL ESTATE --

Reg. No. 02685

Catalogue No: Direct sale approved by Haruko IWATA(Mrs. Kinichi)
Japanese Name: Haruko IWATA
Civic Address: 368 East Cordova Street, Vancouver, B.C.
Legal Description: Lots 11 and 12, Block 56, District Lot 196, Plan 196, City of Vancouver B.C.
Classification: Dwelling and Silk goods Factory,
- 2 Buildings -

Registered in the name of: Haruko IWATA,
Title: Clear
Sold to: Lily Chang for \$2500.00 Cash
(with all chattels as February 1st, 1943.
on the premises)

Title obtained by F. Drewe Pratt, Barrister, who acted for the purchaser, and attended to registration in her name. Old Certificate of Title mailed to him February 18th, 1943. All adjustments made as February 1st, 1943, and completed.

Funds released to account of: Haruko IWATA as February 12th, 1943.

Chattels: All chattels on the premises as at date of sale were included in the sale price. See our Telegram dated Jan.22, 1943 to Haruko IWATA.

Fire Insurance: Transferred to purchaser as of February 1st, 1943.

Remarks: The property at 368 East Cordova Street was not occupied at the date of Registration by Haruko IWATA on October 13th, 1942. She had placed it with Macaulay Nicolls, Maitland & Co. Ltd. Agents, to be looked after, and this arrangement was not disturbed by the Custodian. The file indicates that Mrs. IWATA desired that the property be sold as soon as possible. This was accomplished as of February 1st, 1943, and all the chattels then on these premises were sold with the Realty for a gross sum of \$2500.00. As the sale price was acceptable to Mrs. Haruko IWATA, no appraisal is indicated. F. Drewe Pratt, Barrister, handled the transaction on behalf of the purchaser and was responsible for the title to the property obtained in her name.

(over)

[Handwritten signature]

REAL ESTATE SUMMARY - continued - Haruko IWATA -

September 18th, 1946

Assessed Value 1942

Land	\$1700.00
Improvements	2400.00
Sale price for Realty and chattels on the premises	\$2500.00

The above Summary is certified to be in
accordance with the information on file,
September 18th, 1946.

B.R. Dusenbury
B.R. Dusenbury,
Administration Department.

December 1st, 1947

re:- Claim filed

Haruko(Mrs. Kinichi) IWATA,
Registration No. 02685

Re:- 368 East Cordova Street, Vancouver, B.C.
Lots 11-12/56/196/196

Mrs. IWATA claims for Realty -

\$3500.00

The sale price of this Realty including
all chattels on the premises was \$2500.00. Two
telegrams on Claim file indicate her acceptance
of this price as stated. The usual commission
of 5% was paid to Sales Agents. Reference is
made to our letters January 23 and 28/43(Claim
File).

This property was not advertised for sale due to
direct acceptance of sale price by Mrs. IWATA.

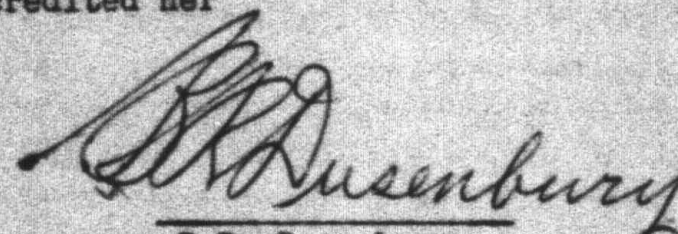
Re:- St. Denis Avenue, North Vancouver, B.C.
Lots 19,20 and 21, Block 27, D.L. 204, Plan 1340

Mrs. IWATA claims for Realty --

\$1200.00

The sale price of this Realty was \$600.00. No
commission was paid on this sale due to being sold
from Special ad. Special ad. on claim file.
Three tenders for \$150.00, \$300.00 and \$600.00
(claim file) were received. Tender \$600.00
accepted. The net credit for this as shown on
Accounting Statement(Claim file) is \$571.07 as Sales
Statement attached thereto.

NOTE: - Item 4V of Claim- amount at which
Custodian sold properties and credited her
account - \$2850.00


B.R. Dusenbury,
Office of the Custodian.

REAL PROPERTY SUMMARY

Catalogue No. Special Ad, February 17, 1945 File No. 11703
Japanese Name: IWATA, Haruko (Mrs. Kinichi) Reg. No. 02685
Civic Address: St. Denis Avenue, on main road from
2nd Narrows Bridge to North Vancouver.
Legal Description: Lots 19, 20 & 21 Blk. 27,
D.L. 204, Gp. 1, N.W.D.,
Plan 1340
Classification: Vacant Land.
Assessment: Land - \$575.00
Taxes -(Annual) \$33.35
Appraisal: \$500.00

Registered in the name of: IWATA, Haruko (Mrs. Kinichi) - Clear Title

Note letter of August 17, 1944 from the District
of North Vancouver expropriating a portion of this
property for road allowance.

Revenue: \$10.00 per year from June 1, 1944 for rental of
outdoor sign, Army Navy Department Stores, Ltd.
Collected and net funds credited to account.

Sold to: Home Oil Distributors, Ltd. for \$600.00, Cash,
as at April 7, 1945.

Title delivered to Registered Owner: Home Oil Distributors, Ltd.
on May 28, 1945. *James R. Mc*

Net Funds released to credit of: \$600.00 - IWATA, Haruko (Mrs. Kinichi)
on May 21, 1945.

Date: October 29th, 1945.

GP:hbc

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

George Peters

George Peters
Administration Department.

File No. 11703

IWATA, Haruko (Mrs. Kinichi) Reg. No. 02685

Civic Address: 368 East Cordova St., Vancouver.

Legal Description: Lots 11 & 12, Blk. 56, D.L. 196,
Gp. 1, N.W.D., Plan 196.

Classification: Dwelling.

SOLD

This property was sold to Lily Chang
for \$2,500.00. (Adjustments as of Feb. 1st, 1943).

MEMORANDUM

June 9th, 1943.

To: File 11703

From: Specified Articles Department

Re: IWATA, Haruko - Reg. 02685

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
RADIO	S. Marconi radio model 36 # 36-6623.	\$ 15.00

3. sold by auction 28/6/44 Vancouver 20.

EB

File No. 11703

SUMMARY

September 18th, 1946

LIABILITIES

Haruko (Mrs. Kinichi) IWATA,
Reg. No. 02685

No Claims against Haruko IWATA are
revealed on the file.

The above Summary is certified to be
in accordance with the information on file,
September 18th, 1946.

B. B. Dusenbury
B. B. Dusenbury,
Administration Department.

File No. 11703.
Advertised.

May 2nd, 1945.

MEMORANDUM

TO: Mr. E. W. Wright

FROM: Mr. D. A. Cramer

Haruko IWATA - Reg. No. 02685
Hm. of North Vancouver
Lots 19, 20 and 21, Blk. 27,
D.L. 204, Cp. 1, N.W.D., Plan
1340. Certificate of Vesting
No. 39416.

We attach herewith the following documents in connection
with the sale of the above described property.

1. Original Certificate of Encumbrance.
2. Transmission in duplicate.
3. Deed in duplicate... HOME OIL DISTRIBUTORS LIMITED.
4. Copy of letter showing to whom sold and price paid
for the property.
5. Memorandum from the Administration Department con-
firming valuation, and approval of Advisory Committee.
6. Real Property Memorandum from Administration Department.

Certificate of Indefeasible Title number 97353-L, is in the
Land Registry Office.

D. A. Cramer

DAC:JS
Atch.

File No. 11703.
Advertised.

June 16th, 1945.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cramer

Haruko IWATA
Mun. of North Vancouver
Lots 19, 20 & 21, Blk. 27,
D.L. 204, Gp. 1, N. W. D.,
Plan 1340.

With reference to the above property which was recorded in the Vancouver Land Registry Office, May 17th, 1945, we attach herewith the following documents in connection therewith.

1. Copy of application number 124234-L, dated May 16th, 1945, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 124235-L, dated May 16th, 1945, registering the property in the name of Home Oil Distributors Limited (Deed).
3. Duplicate of Transmission dated May 9th, 1945.
4. Duplicate of Deed dated May 9th, 1945 - Secretary of State to Home Oil Distributors Limited.
5. Certificate of Indefeasible Title number 124235-L, dated June 12th, 1945, covering the above property in the name of Home Oil Distributors Limited.

DAC:JS
Atch.

D. A. Cramer

C O P Y as Dec. 5, 1947
Haruko (Mrs. Kinichi) IWATA,

File No. 11703
Reg. No. 02685

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1943 January 14	Paid account for coldweather protection Land Registry Office - Certificate of Encumbrance	\$ 6.79 3.00	\$	
February 12	Sale of 368 E. Cordova St. Refund Insurance Premium Carpenter Proportion 1943 taxes Water Agent's commission		2,500.00 19.88	
February 26	Cheque to you	200.00		
March 5-	Cheque to you Refund Insurance premium	1,000.00	8.65	
April 5-	Cheque to you	500.00		
August 30-	Taxes 1940-43 Cheque to you	156.04 400.00		
1944 February 12	Registration fees lots 19, 20, 21, North Vancouver	5.15		
April 5-	Rent for sign		20.00	
April 20-	Cheque to you	75.00		
July 14e	1944 taxes	33.35		
August 1-	Proceeds Auction sale - radio		9.47	
1945 February 14	Rent for sign		10.00	
April 7-	Credit re sale of property, North Vancouver		571.07	
October 29-	Cheque to you	500.00		
1946 October 1-	Cheque to you	111.61		

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

March 24, 1948

William Wallace

\$3,139.07

\$3,139.07

STATEMENT RE SALE OF:

Name: IWATA, Haruko (Mrs. Kinichi)
#02665

Catalogue No: Ad. Feb. 17-20-22/45

File No: 11703

Street Address: St. Dennis Ave., North Vancouver, B. C.

Legal Description: 19, 20 & 21/27/204/1340

Date of Sale and Adjustments April 7, 1945.

Sale Price

\$ 600.00

~~Real Estate Agents Commission~~

\$

Charge for Valuation

5.00

Charge for Advertising

12.66

Land Registry Office Transmission Fee

2.50

Encumbrances:

~~Unpaid Vendor~~

~~Mortgage~~

~~Arrears of Taxes~~

~~Other charges~~

Adjustments:

~~Fire Insurance~~

Taxes

8.77

~~Water~~

\$ 28.93

\$ 600.00

Net Proceeds credited to your account as of April 7/45

\$571.07

Date:..... July 23, 1945.

Compiled by:..... George Peters

Handwritten initials: *Yda*

Haruko IMATA (Mrs. Kinichi)

File No. 11703
Reg. No. 02685

Handwritten number: *10*

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>
1945			
April 7th-	Balance as per statement rendered		\$611.61
October 29-	Cheque to you	\$500.00	
1946			
October 1-	Cheque to you	111.61	
			<u>\$611.61</u>
			<u>611.61</u>
1946			
October 2-	Balance ---		<u>NIL</u>

File No. 11703
Reg. No. 02665

Harro I. MATA (Mrs. M. M. MATA)

file

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1943 January 14	Paid account for coldwater protection Land Registry Office - Certificate of Encumbrance	6.79 3.00		
February 12	Sale of 356 E. Cordova St. Refund Insurance premium Carpenter Proportion 1943 taxes Water Agent's commission	10.00 12.08 1.05 175.00	2,500.00 19.88	
February 20	Cheque to you	200.00		
March 5	Cheque to you Refund Insurance premium	1,000.00	8.65	
April 5	Cheque to you	500.00		
August 30	Taxes 1940-43 Cheque to you	156.04 400.00		
February 12	Registration fees lots 19, 20, 21 North Main corner	5.15		
April 5	Went for sign		20.00	
April 20	Cheque to you	75.00		
July 14	1944 Taxes	33.35		
August 1	Proceeds Auction Sale <i>Radio</i>		9.67	
February 14	Went for sign		10.00	
April 7	Credit re Sale of Property <i>North Main corner</i>		571.07	

\$2,527.46

\$3,239.07

CR \$ 611.61

*1988
8/6/5
263*

Haruko IWATA (Mrs. Kiyochi)

File No. 11703
Reg. No. 02685

1945

Particulars

Debit

Credit

April 7th-

Balance as per statement rendered

\$611.61

October 29-

Cheque to you

\$500.00

1946

October 1-

Cheque to you

111.61

\$611.61

611.61

1946

October 2-

Balance —

NIL

Spec. Ad. Feb. 17/45
File No. 11703
St. Denis Ave., North Vancouver
19, 20, 21/27/204

May 21, 1945.

HOME OIL DISTRIBUTORS LIMITED
(purchasers)

In account with The Custodian of Enemy Property

STATEMENT OF ADJUSTMENTS

(As at April 7th, 1945)

	DEBIT	CREDIT
Purchase price	\$600.00	
Cheques received		\$600.00
Seller's proportion of taxes for 1945 - 96/365 x \$33.35		8.77
Registration fees on deed - \$600.00	5.20	
Balance owing to purchaser	3.57	
	<u>\$608.77</u>	<u>\$608.77</u>

BALANCE OWING TO PURCHASER

\$3.57

11703

REGISTERED

October 1st, 1946.

Mrs. Haruko IWATA,
Reg. No. 02685,
P.O. Box 263,
Salmon Arm, B.C.

Dear Madam:-

With further reference to your letter of the 9th ultimo, in which you requested your remaining balance, we wish to say that on receipt of same we reviewed your file and your affairs that have come under the control of the Custodian, in order to be in a position to supply you with a brief closing report.

Your property at 368 East Cordova Street was your principal asset coming under our control. This you had placed with Messrs. Macaulay, Nicolls, Maitland & Co. Ltd., Agents, with instructions to sell as soon as possible. This office endeavoured to expedite the sale and through the office of the above Agents, it was sold as of February 1st, 1943 at a price for the Realty and Chattels on the premises approved by you, namely \$2500.00. You were advised of this at the time and the amount placed to your credit on our books. Funds were forwarded to you from time to time as requested.

Subsequently another property of yours, namely Lots 19-20-21, Block 27, District Lot 204, District of North Vancouver was disposed of for \$600.00 and you were advised in our letter of July 24th, 1945. A General Statement of your account on our books together with a sales statement of this property, was forwarded to you at that time. The General Statement showed a balance of \$611.61 in your favour.

On October 29, 1945 we forwarded our cheque for \$500.00 to you, reducing the balance to \$111.61 to your credit. We are now enclosing our cheque payable to your order for this amount, which represents your entire balance on our books.

The foregoing, together with previous reports, letters and telegrams, would appear to account for your interests that have come under the control of the Custodian.

We shall be obliged if you will confirm this when acknowledging receipt of the attached cheque.

For your convenience in replying we are enclosing a self-addressed envelope.

Yours truly,


B.R. Dusenbury,
Administration Department.

BRD/DD.
Enc. 1.
NOTE:

We also wish to acknowledge Statutory Declaration re lost radio receipt and thank you for same.

File #11703

STATEMENT OF ADJUSTMENTS. (As of February 1, 1943.)

January 25th, 1943.

HARUKO IWATA to LILY CHANG
Lots 11 and 12, Block 56, D.L. 196.

1943.

Jan. 22.	To Purchase Price.		
	By Deposit	\$100.00	\$2500.00
	By Vendor's share of 1943 taxes based on 1943 rate of \$144.99 from Jan. 1st. to Feb. 1st., 1943.		
	By outstanding water-charge	12.08	
	To Vendor's share of 3 year Policy of Insurance for \$2000. - expiry Jan. 1/44	1.03	
	Premium \$26.00		
	To Vendor's share of 3 year Policy of Insurance for \$1000. - expiry Aug. 5/45	8.00	8.16
	Premium \$11.00		
	To Vendor's share of 1 year Policy of Insurance for \$600. - expiry Aug. 2/43.	9.00	9.19
	Premium \$5.76		
	To BALANCE of Purchase Price.	2.88	
		2406.75	
		<u>\$2519.88</u>	<u>\$2519.88</u>

Inv Mn #16362-

Patrol #1349723

Inv Manitoba

#29717 (P.O.)

also Patrol #1349777
#1000 Adgman of property.

Dec 27/43

Prem \$960

Pat #865

Name of Claimant **INATA, Haruko Mrs.**Case **7**Custodian File **11703**

<u>REAL PROPERTY</u>										
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		
<i>Handwritten: 600</i>	30.00 30.16								30.16	
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
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
<u>MISCELLANEOUS CHATELS</u>										
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			
							385.00 <i>Handwritten: Sold by request</i>			
TOTAL RECOMMENDATION										30.16

11703

December 19th, 1950.

Mrs. Haruko IWATA,
Hotel Roosevelt,
166 E. Hastings St.,
Vancouver, B. C.

~~xxxx~~ Madam:
Dear Sir:

Re: Japanese Property Claims Commission

Case No. 7

We have received from the Co-Operative Committee
on Japanese Canadians, our form of Release which has been
executed by yourself covering the award recommended under
the above Claims Commission for the sum of ... \$50.16.

Cheque in your favour is enclosed for \$50.16
and we have paid the Co-Operative Committee .. Nil
for legal fees as authorized by you.

Yours truly,

FCS/js
1 encl.

F.G. Shears
Director

DEFENCE BRIEF

Kamloops
9 & 10 Dec. 47

(Mrs.) Haruko IWATA

File No. 11703

Case No. 7

REAL PROPERTY CLAIM

(All claims shown are Gross)

1.	<u>Claim</u>	<u>Appraised at</u>	<u>Sale Price</u>
	Lots 11 & 12 \$3500.	-	\$2500.
	Lots 19,20,21 \$1200.	\$500.	\$ 600.

Witness - Appraisers, N.Vancouver Realty Co.

Lots 11 & 12 were disposed of at the request and by her authority for \$2500. as she stated she was urgently in need of money.

She was advised to rent the property rather than to sell it but she insisted and urged Custodian to sell.

It is submitted that the property was actually sold by Claimant, not by Custodian, to which sale Custodian acceded.

Lots 19,20,21. Three tenders were received for this land and sold for the highest tender \$600.00.

Appraisers (N.Vancouver Realty Co.) report - Rumours of considerable development in this neighbourhood in the near future might give this property a potential value.

PERSONAL PROPERTY CLAIM

2. Claim

\$585.

No claim was made for Radio which was sold by auction for \$12. and credited claimant 28/6/44.

All chattels were included in the sale of the property, to which claimant agreed and admitted sending a telegram confirming this. (Trans. Page 16).

Mr. Hunter agreed to find out if there are any Insurance Policies on above property and Mr. McMaster agreed to ring up Mr. J.W. Wilson, Insurance Agent in Vancouver, to try and get copies of the policies or an affidavit from Mr. Wilson.

Mr. Hunter agreed to advise Mr. McMaster if he had any record. (Trans. Page 35)

Endorsement of Policy No. 1338972 in name of Custodian on file.

Summary of Defence Witnesses

Where Required

BMP/mw

N. Vancouver Realty Co.	1	Appraiser
Thompson & Co.	2	Auctioneer
Mr. Wills	2	Staff

SAME NO. 7.

IN THE MATTER OF THE "INQUIRY ACT"
PART I. REVISED STATUTES OF CANADA 1857. CHAPTER 22.

LANDS PROPERTY CLAIMS COMMISSION

BEFORE
(THE HONOURABLE MR. JUSTICE H.I. RIND, COMMISSIONER).

Halifax, N.S.,
December 9th & 10th, 1947.

IN THE MATTER OF THE CLAIM OF
(MR.) HENRY JONES.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.H.G. HUNTER, Esq., appearing for the
Dominion Government.

R.J. ROBERTS, Esq., appearing for the
Claimant.

A. BATHIN, Esq., Secretary.
G.H.E. HUNTER, Esq., Official Interpreter.
T.P. HENDERSON, Esq., Official Reporter.

2
H. Hunter,
Esq.

MR. HUNTER: No. 9 on the list, if your lordship
please, the claim of Mrs. Harriet Hunter.
I believe, my lord, Mrs. Hunter speaks fairly good
English. She may have to use an interpreter
occasionally.

THE LORD: No interpreter required?

MR. HUNTER: Not unless called upon.

HARRIET HUNTER, the Claimant herein, being
first duly sworn, testified as
follows:

DEPOSED EXAMINATION BY MR. HUNTER:

Q Now, Mrs. Hunter, --

THE COMMISSIONER: May I have the claim, Mr. Secretary,
please?

MR. HUNTER: My lord, first I am asking the Commission
or Mr. Hunter to produce an inventory of the
goods and chattels which were sold with certain
real estate in this case. I understand that it
isn't in the file which they have brought with
them, and Mr. Hunter isn't sure whether they have
such an inventory, so I would therefore suggest,
and Mrs. Hunter is agreeable, that we should deal
today with the real estate, and that when my
friend is able to produce the list that at a
future time she be heard when the Commission
is sitting up country.

MR. HUNTER: My lord, in connection with these
chattels, they were left on one of two pieces
of real estate. That one piece of real estate
containing the chattels was sold, including

H. Justice
In Chief.

all the chattels on the premises. It is our contention that Mrs. Justice agreed with and concurred in that sale, and therefore the production or examination is not relevant.

MR. JUSTICE: My Lord, I will be dealing with that matter in the evidence that I intend to address from Mrs. Justice. If your Lordship considers after the evidence has been presented that she has no claim, then obviously the chattels go with it. My contention is she has a claim under the terms of reference and that she may be entitled to further compensation, and if that is the case, then I would suggest the question of the chattels becomes relevant.

THE COMMISSIONER: Perhaps I can hear argument on that after the evidence has been adduced. I am at a loss at the moment to know really what counsel are referring to.

MR. JUSTICE: In any case no evidence will go in now about chattels, but before we decide whether evidence shall be given on chattels at a future date, we can argue it out.

THE COMMISSIONER: Yes, that is the understanding. I will not hear evidence with regard to chattels until counsel have an opportunity to submit argument as whether the evidence is admissible--relevant or otherwise.

MR. JUSTICE: Of First of all, I will deal with the first piece of property, Mrs. Justice, about which there is no dispute. Could I have the claim

R. Ivata,
In Chief.

from first, please? Mrs. Ivata, you are the
claimant in this case? As Yes.

Q And this is your signature on this declaration
(producing)? As Yes.

Q That the claim as set forth is correct to the
best of your knowledge, information and belief?

A Yes.

Q Now, Mrs. Ivata, I understand that you were the
owner of three lots over in North Vancouver,
which are described in your claim form?

A Yes.

Q They are No. 2 on your claim form for real
estate, and these were vacant lots, is that
correct?

As Yes.

Q I might read to you a portion of a letter con-
cerning this property which has been produced
from the files of the Controller by Mr. Gopping
of North Vancouver, a real estate man.

"The three lots have a total frontage
on the Harbour Board Railway right-of-
way of 82.7 feet, plottage of 157.5 feet
on St. Dennis Avenue, the main road from
Second Harbour Bridge to North Vancouver
and a frontage on an unimproved road on
the north side of only 25 feet".

Is that a fair description of the physical
aspect of the lots?

A Yes.

Q My understanding is that the lots are vacant?

A Yes.

3
H. Luntz
In Chief.

MR. McMASTER: I take it my friend will admit the
assessed value of this land was \$575.00 in
1943 as disclosed in this letter by Mr. Gapping.

MR. McMASTER: Yes.

THE COMMISSIONER: \$575.00?

MR. McMASTER: \$575.00, my lord.

THE COMMISSIONER: That is the aggregate of the three
lots, is it?

MR. McMASTER: That appears to be so, my lord, yes.

Q And these three lots are adjoining lots?

A Yes.

Q Now how did you come to be the owner of these
lots, Mrs. Luntz?

A My father bought that property some time ago
and transferred it from his name to my name
in 1945, I think.

Q 1945, after you had been evicted?

A Yes.

Q Yes, I see. While it was in the possession of
the Custodian?

At Yes.

Q That was with the Custodian's consent, was it?

A Subscribed A. Sutherland, the lawyers for my
father, knew.

Q Your father has since died, has he not?

A He is in Japan.

Q He is in Japan?

At Yes, but

after we evicted, he changed it to my name
through lawyers.

Q And was that consented to by the Custodian?

A Yes.

H. Irving
In Chief.

MR. WHEATON: Do you know, Mr. Shreve, about this?
This is the first I have heard about it.

MR. WHEATON: No, I am afraid I don't. It is not
indicated here on the certificate of endorsement.

MR. WHEATON: No.

THE WITNESS: The Custodian was asking about my
father's name after we evacuated. He couldn't
locate him, but he was my father and I wrote
the Custodian about him.

20 MR. WHEATON: It is registered in her name, anyway.

MR. WHEATON: What is the date of the Certificate
of Endorsement?

MR. WHEATON: It is dated the 14th of March, 1945.

MR. WHEATON: I would ask my friend to good enough
to produce the Certificate of Endorsement. I
would like to put that in, if I might.

MR. WHEATON: That is the only one left on the files.

(CERTIFICATE OF ENDORSEMENT DATED MARCH
14, 1945.)

MR. WHEATON: Q: How long ago did your father buy
these lots, do you know?

20

A: I am not sure of the exact year.

Q: Well, approximately.

A: Approximately about 1925 or 1926.

Q: And have you any idea as to about how much he
paid for these lots?

A: He paid about \$400.00 each lot, \$1200.00.

Q: And he never built on them?

A: No.

Q: Have you any idea as to what he had in mind
in holding these lots for that long?

20

7
H. Luster,
in chief.

A He was planning to build a gasoline station.

Q What happened to those plans?

A He couldn't do it.

Q For what reason? A He couldn't raise enough money.

Q For financial reasons?

A Yes.

Q However, he continued to pay the taxes on that property for some twenty odd years?

10 A He was paying taxes, yes.

THE COURT: Q When did your father go to Japan?

A In 1931.

MR. LUSTER: Q How the property --

A Oh, I am sorry, I made a mistake. My father went to Japan 1931.

Q 1931, and when did he transfer it to you?

A In my name?

Q Yes. A 1945.

Q From Japan? A Yes.

20 Q He sent a deed over from Japan?

A Yes, a deed over.

MR. LUSTER: It sounds incredible.

MR. LUSTER: Yes, I rather think so.

THE WITNESS: You can find out from Mr. Sutcliffe, the lawyer. He has all the transferring papers.

MR. LUSTER: Well, I don't think it is material.

The evidence is it is registered in her name now, my lord.

Q Now, you have claimed in your claim form a value for that property of \$1200.00, is that

H. J. J. J.
In Chief.

correct?

As Yes.

Q And on what did you base that claim?

A Well, it is based on the first payment that he made.

Q Yes.

As And I thought

that property was very valuable because it is on the main highway and near the bridge. I thought it was a nice location.

Q You haven't any special information as to the value of property in North Vancouver, Mrs. J. J.?

A No.

Q Now the property referred to as No. 1 on your claim form is property situated at 305 Carleton Street in Vancouver?

A Yes.

Q I produce to you an Assessment of Tax Notice from the City of Vancouver. Does that relate to that property?

A Yes, this is the property on Carleton Street, yes.

Q And that is for the year 1942?

A Yes.

Q And the assessed value shown there is \$2,000.00 for improvements and \$1,700.00 on the land?

A Yes.

Q Or a total of \$3,700.00?

A Yes.

THE COMMISSIONER: That cannot be right. You say \$1,700.00 for land, and \$2,000.00 for improvements?

9
H. Lingo
in Chief.

MR. BELMONT: Oh, I am sorry, my lord. The
\$2500.00 is the value for taxation purposes.
I am sorry.

Q The total assessed value is \$4100.00?

A \$4100.00, yes.

(TAX STATEMENT DATED EXHIBIT NO. 2).

MR. BELMONT: Could I have that correspondence I
asked for, Mr. Lingo, please?

Q Now, I produce to you a letter from the
Custodian's file, Mrs. Lingo; could you recog-
nize the signature on that letter?

A Yes.

Q Where is it?

A At my husband's.

Q Your husband's?

A Yes.

Q And were you aware of the fact he wrote that
letter?

A I don't know
what you mean.

Q Did you know he wrote that letter?

A Yes, I asked him to.

MR. BELMONT: I will read the letter, my lord.

This is a letter dated August 1st, 1942,
P.O. Box 213, Salmon Arm, B.C., to Mr. J.
Wilson, 305 Howe Street, Vancouver, B.C.

"Dear Sir:

I acknowledged your letter dated
July 29th with thanks. I would rather
sell it than rent. So please kindly
do your best to dispose it as soon as
possible. Enclosed, please find cheque
\$12.50 for the balance of your statement.

25
R. Ionta,
In Chief.

"I just came home to Salmon Arm yesterday and going back there in two days but kindly write me to Salmon Arm."

Q Does that letter relate to those premises on Powell Street?

A Yes.

THE COMMISSIONER: Q And it was written with your authority, Mrs. Ionta?

A Yes.

10 (LETTER MARKED EXHIBIT No. 3).

MR. IONTA: On what street did you say?

MR. MCMASTER: Did I say Powell Street? I am sorry, Cardova.

THE COMMISSIONER: 368 Cardova, is that correct?

MR. MCMASTER: That is correct, my lord.

Q I produce to you another letter from the file of the Custodian, Mrs. Ionta. Is that your signature on that letter?

A That is right.

20 MR. MCMASTER: This, my lord, is a letter dated December 7th, 1942, addressed to the Department of the Secretary of State, Office of the Custodian, "Attention to Mr. G.D. Wilson".

"Dear Sirs:

In reply to your letter dated Dec. 4th, 1942, I am willing to reduce the price of my property at 368 East Cardova St., as you suggested in your letter to \$3000.00 all cash or \$3000.00 half cash and balance on terms.

30

12
H. Tuckey
In Chief.

"In the present circumstances I am
very much appreciated if you can sell it
as soon as possible. Thanking you for
all your trouble, I remain,

Mrs. Haruko Kato."

THE COMMISSIONER: (\$5000.00 cash, or \$3500.000 half
cash, with taxes.

MR. McMASTER: Yes, that is right, my lord.

Q Now that refers to a letter that you had re-
ceived from Mr. Wilson in the Custodian's
office?

A Yes.

Q Do you know what was in the letter that he wrote
to you? Let me ask you this first. Do you have
the letter that he wrote you?

A I didn't keep the letter.

Q You don't have it? A No.

Q Do you recall what he referred to in that
letter?

THE COMMISSIONER: Now, wait one moment. Rather
than have any doubt about it, has the Custodian
got it?

MR. McMASTER: It hasn't been produced, my lord.

MR. McMASTER: It is on our main file, I imagine.

THE COMMISSIONER: I will hear her evidence, if
she recalls it.

MR. McMASTER: Q Do you recall what he wrote in
that letter?

A I don't remember, Mr. McMaster.

Q You don't recall? A No.

MR. McMASTER: Would you be good enough, Mr. Hunter,

H. L. Smith,
in chief.

to produce it at a later date?

MR. HENRY: Yes.

MR. BELMONT: I would ask that letter be marked as an exhibit, my lord.

(LAWSON, DEC. 7th, 1943, MARKED
EXHIBIT NO. 4).

MR. BELMONT: Q: I produce from the Custodian's file a copy of a letter purporting to be addressed to yourself and purporting to be signed by C. J. Nelson with respect to this property.

10 Did you receive the original of that letter?

MR. HENRY: That is the date?

MR. BELMONT: January 11th, 1943.

A: Yes.

MR. BELMONT: My lord, this is a letter dated January 11th, 1943, addressed to Mrs. Smith.

"Dear Nelson:

Referring to your letter of December 7th, we have notified our agent that you are willing to accept \$3000.00 all cash or \$3000.00 half cash, balance on time, in connection with your property at 368 East Garden Street, but as yet no prospective buyer has been found."

20 THE COMMISSIONER: Will you let me see the letter marked Exhibit 4, please, Mr. Secretary?

All right, Mr. Belmont.

MR. BELMONT: "While we appreciate that it is your wish that this property be sold, we would point out that we could

15
H. Irate,
In Chief.

probably obtain \$20.00 to \$30.00 per month rental for these premises and would appreciate your advising us if you do not think it advisable for us to procure a tenant.

Yours truly,"

(LETTER MARKED EXHIBIT NO. 5).

Q I produce to you, Mrs. Irate, a letter purporting to be signed by G.D. Wilson, addressed to yourself. Did you receive that letter from the Custodian's office, dated January 15th, 1943?

A Yes.

Q. REWARTER: This is a letter, my lord, on the stationery of the Department of the Secretary of State, Office of the Custodian, marked "Urgent", and dated January 15th, 1943, addressed to Mrs. Irate.

"Dear Madam:

We have received from Messrs. Macaulay, Nicolls, Macdonald & Co. an offer of \$2500.00 cash for your property described as Lots 11 and 12, Block 56, D.L. 134, known as 368 East Carlewa Street. Will you kindly advise us immediately if this offer is acceptable to you.

Yours truly,

G.D. Wilson."

I will have that marked.

(LETTER MARKED EXHIBIT NO. 6).

Q I produce to you another letter. Is that your

H. Iwata,
In Chief.

signature in that letter, Mrs. Iwata?

A Yes, it is mine.

MR. HENSTON: Could I have those telegrams, Mr. Iwata, please? This is a letter, my lord, addressed from Saigon Ann, D.C., January 15th, 1943, to Mr. J.V. Wilson.

"I received the enclosed letter from Mr. G.D. Wilson, Administration Department Custodian office to-day.

Although I want to sell it as soon as possible, their offer is very very low. So I want to ask you to see Mr. Wilson and also Mr. Smith of Macaulay Nicolls Co. and try to get \$2500. each at least.

I am so sorry asking you all this trouble all the time.

Thanking you for your early reply."

Q Now, witness, in the letter referred to in there the last exhibit? Could I have the last exhibit, Exhibit 6? In Exhibit 6 (producing) the letter that was enclosed with that letter?

A Yes.

THE COMMISSIONER: What is the date of her letter to Mr. Wilson?

MR. HENSTON: January 15th, 1943, my lord.

(LETTER MARKED EXHIBIT NO. 7).

Q Now I produce to you a copy of a letter, Mrs. Iwata. Did you receive that from the Custodian's office -- the original of that?

A Yes.

15
H. Iwata,
in chief.

MR. McMASTER: This is a telegram, my lord, dated January 22nd, 1943, from Vancouver, B.C., to Mrs. Iwata.

"Your price of twenty-five hundred cash accepted for lots eleven and twelve Block fifty-six District lot one hundred ninety-six including all chattels on premises stop wire confirmation".

THE COMMISSIONER: What is the date of that?

10 MR. McMASTER: The date of that is January 22nd, 1943.

THE COMMISSIONER: Sent by whom?

MR. McMASTER: Sent by the Custodian's office to Mrs. Iwata.

(TELEGRAM MARKED EXHIBIT NO. 8).

Q I produce to you, Mrs. Iwata, another telegram. Is that a telegram that you sent to the Custodian?

A Yes.

MR. McMASTER: Telegram, my lord, dated January 23rd, 1943, the year doesn't appear on the telegram, but it is stamped as received by the Custodian on January 23rd, 1943, addressed to the Custodian office.

"Wire received this is confirmation for the sale of our property at twenty-five hundred cash".

(TELEGRAM MARKED EXHIBIT NO. 9).

Q I produce to you a copy of a letter from the Custodian's file, Mrs. Iwata. Did you receive the original of that letter?

20 A Yes.

26
H. L. Lister,
In Chief.

MR. BELMONT: This, my lord, is a copy of a letter
dated January 23rd, 1943, addressed to Mrs. Lister,

"Dear Madam:

Mr. J. H. Wilson brought your letter of
the 16th inst. to him to this office and we
got in touch with Messrs. Messers, Messing, Rickles,
Maitland & Co. and were able to obtain from
them an offer of \$2500.00 cash for your
property known as Lots 11 and 12, Block 54,
D. L. 136. This offer includes the list
of chattels left on the premises. We
accordingly wired you to this effect yes-
terday and would appreciate receiving
your prompt reply.

As this property was sold by real
estate agents, they are entitled to a 5%
Commission, viz., \$125.00, which will be
deducted from the amount received by us.

Yours truly,

G. D. Wilson."

(LETTER MARKED EXHIBIT NO. 10).

MR. BELMONT: She said she received that?

MR. BELMONT: Yes.

Q Now, I produce to you a copy of another letter
from the Custodian's file. Did you receive the
original of that letter?

A Yes.

MR. BELMONT: This is a copy of a letter, my lord,
dated January 26th, 1943, addressed to Mrs.
Lister.

H. Lingo,
In Charge.

Dear Madam:

We are in receipt of your telegram of January 23rd confirming the sale of your property known as Lots 11 and 12, Block 36, D.L. 126 for the sum of \$2,500.00 each. We would call your attention to our telegram in which this offer was to include the chattels which were left on the premises. Will you kindly confirm this to us.

Enclosed find deed from you to Lily Chang, which we would ask you to take before a Notary Public and in his presence sign your name opposite the seal, and have it signed by a witness who should give his full name, address and occupation to the left of the signature."

The balance of the letter of instructions I

Q don't think I need read, my lord.

THE COMMISSIONER: This letter is dated --?

MR. MONTAGUE: January 23rd, 1945, and I would ask that be marked on the next exhibit.

(LETTER MARKED EXHIBIT NO. 11).

Q There was a deed enclosed with that letter, Mrs. Lingo?

A Yes.

Q And you executed it?

A Yes.

Q I produce to you a letter dated September 9, 1945, from the Custodian's file. Is that your signature on that letter?

A Yes.

MR. MONTAGUE: This is a letter, my lord, from Salomon Ave, September 9th, 1945.

18
Mr. Justice
in Chief.

"Dear Sirs

Thank you very much for the letter dated July 25th advising me that my property had been sold.

It is very fortunate that the property had been disposed because I need money very badly now.

10 This summer holidays my sons (three of them) had tonsils operation and one son had appendicitis operation in this hospital here.

I have to pay doctors, nurses and hospital bills so will you please send the total amount of sale to me.

I am very much appreciated if you forward this full amount as soon as possible.

Yours truly,

Mrs. H. Justice."

20 THE COMMISSIONER: Is that with relation to the Cordova Street property, or which? This is some time after?

MR. McMASTERS: Yes, this is some time after.

Q It relates to the sale of the Cordova street property, does it? At You.

(LETTER MARKED EXHIBIT NO. 12).

Q I also produce to you from the Custodian's file another letter undated but stamped received October 26, 1946. Is that your signature there, Mrs. Justice?

At You.

30 MR. McMASTERS: This is an undated letter, my lord,

20
H. Hunter,
In Chief.

A I don't remember exactly what was enclosed in it, but I remember there was a statement.

Q You received a statement from the Custodian?

A Yes.

Q Now, when you used that phrase, "we are satisfied with your list", to what were you referring?

A The statement that was made.

Q That is the statement of account?

A Yes.

10 THE COURT: This will be Exhibit 13.

MR. HUNTER: Yes, my lord, Exhibit 13.

MR. HUNTER: Could we find out the amount of the cheque that was enclosed?

MR. HUNTER: The letter doesn't state, and I think she said she doesn't recall, but I will ask her.

Q Do you know how much that cheque was for in that letter in October, 1946, or in or about that time?

A 1946?

Q Is this the statement you have here?

10 A Yes.

Q Oh, I am sorry, let me have that.

A \$11.00.

Q \$11.00, and that represented the balance of your account?

A Yes.

MR. HUNTER: I think I should file it.

Q That is the statement that you had received from the Custodian?

A Not exactly like that in a way, but I think the list is there.

20 Q Now, just a minute, that is a statement?

22
H. Iwata,
In Chief.

A This is a copy.

Q This is a copy as of December 30th, 1947?

A Yes.

Q Had you received some statement from him with that check?

A Yes, this is the statement I got and this is the copy.

Q How did you come to get this copy?

A I lost the original copy, so I asked the Custodian to have that copy made.

Q And he sent you this copy?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 24).

THE COMMISSIONER: How much money was it again --
\$111.01?

MR. MCMASTER: \$111.01, my lord.

Q Now, Mrs. Iwata, I understand you have a rather large family? At Yes.

Q How many children did you have when you were evacuated from Vancouver?

A Well, I had six children when I evacuated and two weeks after I evacuated at Salmon Arm I got another one so there are seven.

Q And your husband had been evacuated before you? Is that correct? At Yes.

Q What had he done when he was required to evacuate? Where had he gone? At He went to Salmon Arm.

Q Yes. What did he do in order to try and make a living there?

22
H. Iwato,
In Chief.

THE COMMISSIONER: I did not hear her say where he went.

MR. MCMASTER: To Salmon Arm, my lord.

THE WITNESS: Your Honour, can I explain that in my own words?

THE COMMISSIONER: Yes.

MR. MCMASTER: Q: Yes, surely. These are the only words I want, Mrs. Iwato.

10 A He had to evacuate at the end of February,
or I don't remember the exact date but he
evacuated from the first day of March, 1942,
and I was left with my children, six children,
and we liked to join him, but the R.C.M.P. wouldn't
let us join him, and he tried to get a permit
from someone on the City Council to not be
moved from Vancouver to Salmon Arm, but after
my husband settled for some time, I got the
permit about the end of March and we joined him
20 then. He used to have a dreammaking factory
and he left everything alone so I had to take
and pack things and the household things and
the factory things and he couldn't help us,
you know. He moved out first, you see.

THE COMMISSIONER: Q: Yes.

A So I joined him a month after and I got the
permit from the R.C.M.P. on Friday and Sunday
I had to leave the Vancouver house so I had to
have help from Mr. Reynolds. He helped me
pack, and we packed the household things and
30 joined him at Salmon Arm. On account of this

H. J. J. J.
In Chief.

evacuation, we have to close our factory and my husband had to look for work and he finally rented a farm at Westfield, and without experience he started farming there.

MR. HENNING: Q What happened to him when he did his farming?

A And he had a farm at Westfield and without experience or no experience at all or anything, he lost most of his money.

MR. HENNING: I see.

MR. HENNING: Q Would you explain to his Lordship the reason why you were anxious to dispose of the property in Vancouver when you wrote the Custodian and said you would take \$3500.00 on terms, or \$3000.00 cash? What was the reason that you wrote that?

A Well, the reason is I was badly in need of cash, and on account of the evacuation I have to look after all these children and considerable amount of money was needed. That is why I asked the Custodian to sell that property. That price was a very, very low price, but I couldn't help it.

Q And is that the reason why you subsequently agreed to the sale of the property at \$2500.00, including the chattels?

A That is not the only reason.

Q Let us have the other reasons.

A I heard of the name "Custodian". We didn't know what the Custodian means. So we thought there

Mr. Justice,
in Chief.

is so many rumors around with the Japanese people and we couldn't understand what "Custodian" means. He thought the Custodian is going to confiscate or surrender the whole thing. So I think the price was low and I couldn't trust the Custodian so I told the Custodian to dispose of that house and better have the cash instead of holding the property.

THE COMMISSIONER: Mr. Nakatani, what is the basis of this claim?

MR. NAKATANI: The basis of this claim, my lord, I submit, is this, that the property vested in the Custodian under the Ordere-in-Council vesting it in him charging him to protect the interests of the Japanese people -- that the only reason why the party consented to the sale was because of financial circumstances, that they required the money, and that it was sold at a price which is considerably less than the value of the property. It was sold without a valuation being made and I would submit that it is within the terms of reference that consideration be given having regard to all the circumstances because if it can be established that the fair market value is higher than that at which it was sold, then the claimant should be compensated.

THE COMMISSIONER: Of course, the first hurdle you have to get over is on the face of it this is not a sale by the Custodian at all, but a

H. Justice
in Chief.

sale by the registered owner.

10 MR. McMASTER: My submission, my lord, is as at the date of the sale that the property was vested in the Custodian. As a matter of fact, I can't understand why the Custodian required her to sign a deed to someone else. I might look at the Certificate of Maturity. That was in March of 1941. It was still shown as being vested in the Custodian. Apparently he filed his vesting order.

MR. JUSTICE: My lord, I might be able to be of some help on that.

THE COMMISSIONER: Would counsel prefer to present argument now or later?

MR. McMASTER: I would prefer to do so later. It is late in the day now and I think we are all tired.

20 THE COMMISSIONER: I simplified the question, because, on the face of it, it would appear it was a sale made by the claimant. Certainly it was with her complete authority. However, I will be glad to hear you.

MR. McMASTER: Do you wish me to proceed now with argument, my lord?

THE COMMISSIONER: Oh no. If you prefer to present argument later, then it may be done. I think it would be better to get all her evidence in now.

MR. McMASTER: Yes, my lord.

30 THE COMMISSIONER: Have you more?

H. Smith,
In Chief.

MR. HENRY: No, it shouldn't take very long, I don't think, my lord.

Q What was the size, or what was the nature of these premises on Curlew Street, Mrs. Lunt? Would you just describe them to us, briefly?

A It is a three-story building, wooden frame and full basement. You want to know the rooms?

Q How many rooms on each floor? That will do.

A The main floor had five rooms, and the second floor had four rooms, and the attic is changed to ordinary rooms -- three rooms.

Q What sort of flooring was there in the main floor?

A The main floor in the living room and dining room, it was hardwood floor.

Q How big were these rooms?

A About 12 x 14, the living room.

MR. HENRY: How big?

MR. HENRY: 12 x 14.

THE WITNESS: Living room and dining room, both the same size.

Q Both the same size. Was the outside of the premises painted?

A Yes.

Q What else was on those two lots besides the house?

A Residence -- a dwelling -- and at the back of these lots there is a wooden building, size about 15 x 44.

Q Yes.

A And that was used for a factory, a two-story building.

THE COMMISSIONER: That is to say, there was a second

H. Lundy
In Chief.

Swelling.

MR. BELMONT: No, I am sorry, my lord. I think she was confused a little bit there. There wasn't another dwelling, but at the back of the dwelling house, across the two lots, there was a building which was used as a factory.

Q How many floors were there in that building?

A There were two stories.

Q Yes, what was it used for?

10 A That building was used for a time when we bought that place, but we changed it to a factory.

Q What sort of factory was carried on there?

A Iron manufacturing.

Q Now, I produce to you a snapshot, Mrs. Lundy. Can you identify that?

A My house.

Q That is the house we have been speaking about?

A Yes.

Q Approximately how long ago was that taken,

20 do you know? A: I don't remember exactly.

THE COMMISSIONER: Why not put those photographs all in an envelope as one exhibit, if you have more than one?

MR. BELMONT: Is that a picture of (pre-
cising)?

A That is a picture of the back of the house.

Q The back of the house. What is this part of the building at the back there where the stairs
30 come down?

A: It is the

28
H. Justice,
in Chief.

kitchen.

Q It is the kitchen, yes, and what is that a picture of (producing)?

A This is the big building that used to be a barn, but we turned it into a factory building.

Q Was there any yard around these premises?

A Yes, land.

Q Land.

A: Yes, with a lawn.

10 Q And kept up as a lawn and garden?

A Yes.

Q I produce to you two other pictures. Are these pictures of part of your premises?

A Yes. This is the garden (indicating).

(PHOTOGRAPHS MARKED EXHIBIT NO. 25).

Q Now, I understand that these premises were originally purchased by your father?

A By my mother.

Q By your mother. About how long ago, do you know?

20 A I couldn't give you the exact year, but around 1926 or 1927.

Q And do you know approximately how much was paid for them?

A \$3500.00.

THE COMMISSIONER: \$2500.00?

MR. DEANER: \$3500.00.

Q You mentioned you did some repairs, or rather some alterations to the barn to make it into a factory?

A: Yes.

30 Q Can you give me any idea as to approximately

29
H. Iwata,
In Chief.

how much was spent in that situation?

Q That situation I remember was about \$2000.00,
\$2000.00, and with respect to the building
and the park, what condition did you keep those
in?

A Well, it was
kept in a fairly good condition. We kept re-
pairing it and everything in good order.

Q Now, I understood that you carried some insurance
on both the dwelling and the building behind,
the factory.

A Yes.

MR. BELMONT: I would ask the Custodian whether
he is able to produce those insurance policies?
I don't think they are in the file.

MR. BROWN: We wouldn't have them. If we sold the
property, they would be with it.

MR. BELMONT: I think copies of them apparently have
been sent to Mrs. Iwata, and the transfers of
the insurance to the Custodian, which,
interestingly enough, are dated October 20th,
1942. I produce the first of these, in any
event.

THE COMMISSIONER: Just with the idea of showing
the amount of insurance carried.

MR. BELMONT: That is correct. Also I have just
discovered evidence which might relate to
the question of whether the Custodian took
over his actual vesting powers of this property,
which I might argue tomorrow morning my lord.

Q What are these documents, Mrs. Iwata, or where

20
E. Lunt,
in chief.

did you get them from?

A This is Mr. Wilson's copy of the insurance.

Q That is the insurance company with which you had insurance on the house?

A Yes.

Q And on the factory? A Yes.

MR. MAYNARD: My lord, I am anxious to help, and I know that leading will help in these cases, but I think sometimes it does go a bit far. I honestly doubt very much whether the witness has the faintest idea of what company she was insured with.

MR. MAYNARD: I am prepared to dispell that doubt by saying that Mr. Wilson is --

THE COMMISSIONER: What do the records show?

MR. MAYNARD: This is headed "endorsement Company Patriotic Association Company Limited, Policy No. 1535672". Name of insured, Secretary of State of Canada, acting in his capacity as Custodian. The date of the policy, December 27th, 1941, 12 months.

THE COMMISSIONER: Does it give a description of the property, or a street number?

MR. MAYNARD: I am afraid it doesn't. This is just an endorsement, my lord.

THE COMMISSIONER: Doesn't it go quite far enough to tie it in with the actual property we are concerned with?

MR. MAYNARD: No, except her saying she received these from her insurance agent, Mr. Wilson.

21
E. Luntz,
In Chief.

THE COMMISSIONER: I do not think it advances what you have in already. From that point of view it is not of great benefit to you. You have already got from her the property was bought in 1935 for \$2500.00 and well maintained.

MR. HANSTON: Yes, except to show it was insured at the full value of the property. Perhaps my friend would undertake, if this matter proceeds, to produce the policies.

10 THE COMMISSIONER: He may not have them, you see. I will leave that open for you to speak to it again when we resume in London, and in the meantime if Mr. Hunter will make inquiries he can find out if he has any policies.

MR. HUNTER: Yes, my lord, we will do that.

THE COMMISSIONER: But those documents you have are not sufficiently tied in with this particular property to convince me that they do relate to it.

20 MR. HANSTON: I would say, my lord, they are definitely tied in to property that Mrs. Luntz owned and in which the Custodian is interested because her name appears on the second endorsement and then it has "Notice is hereby received and accepted that the correct name of the assured hereunder is the Secretary of State, acting in his capacity as Custodian".

THE COMMISSIONER: We will leave it until we re-
open in London in the meantime when we might
30 have the actual policies which would carry very

much more weight.

MR. BELMONT: Q: Now, I would like to get one point and then I think I will be through with this witness at this point. We have mentioned several times, both in the correspondence and with respect to these documents I have just referred to, a John W. Wilson. Would you tell me who John W. Wilson is? Mrs. Ivata?

A: Mr. Wilson was a close friend of my father and myself. He was an insurance agent in Vancouver.

Q: With what firm is he connected?

A: The Yorkshire, I think.

THE COMMISSIONER: Well, Mrs. Ivata, I have no doubt Mr. Wilson could furnish the information that your counsel desires. I happen to know him very well and I am quite sure if you call Mr. Wilson, you can get at least copies of the policies.

MR. BELMONT: Yes. I have a letter, as a matter of fact, from Mr. Wilson, and I think later on I will put it in when I can arrange to call him in Vancouver.

THE COMMISSIONER: Any cross-examination, Mr. Hunter?

Q: Mrs. Ivata, are you going to stay in Kamloops overnight in any case?

A: Yes.

Q: Are you at any disadvantage in coming back in the morning rather than continuing tonight?

A: I would rather come back in the morning.

Q: You would rather come back in the morning?

15
H. Ivimey,
In Chief.

A I can stay overnight tonight.

Q Without inconvenience?

A Yes.

THE COMMISSIONER: We have had a pretty long day and you can only drive so hard. Perhaps it would be as well if we adjourned now and resumed in the morning, unless counsel prefer to go on.

MR. HENDER: It is quite immaterial to me, your Lordship.

THE COMMISSIONER: I will leave it in your hands.

10 MR. HENDER: In that case we will adjourn, my lord.

THE COMMISSIONER: I think we had better resume at 10 o'clock tomorrow morning then.

(PROCEEDINGS ADJOURNED UNTIL MORNING 10th,
1947, 10:00 A.M.)

Kadisco, B. C.,

December 10th, 1947.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

20 MR. McMASTER: My lord, before my friend proceeds with cross-examination in the case of Hys. Ivimey, I would like to ask him whether he will admit that the North Vancouver property was sold to the Home Oil Distributors Limited for the sum of \$600,000.

MR. HENDER: Yes.

THE COMMISSIONER: May I have the claim, Mr. Secretary?

The North Vancouver property, I take it, is No. 2 on the claim, the three lots?

MR. McMASTER: Yes, my lord.

30 MR. HENDER: That is the vacant property, my lord, and that, as my friend says, is a fact.

H. Iwata,
Cross-exam.

THE COMMISSIONER: Sold to the Home Oil Distributors Limited at \$600.00, is that it?

MR. McMASTERS: \$600.00 each, as of April 7th, 1945, my lord.

THE COMMISSIONER: Now it is understood that we will postpone the argument on the question raised by Mr. Hunter at the opening of this claim until we return in London, early in January.

MR. McMASTERS: Yes, my lord.

10

HAROLD IWATA, resumed the stand:
CROSS-EXAMINATION BY MR. HUNTER:

Q Mrs. Iwata, this is your signature, isn't it
(producing)?

A Yes.

MR. HUNTER: My lord, I would like to file this J.P. form at this time. That will be Exhibit 16 in this case.

(J.P. FORM MARKED EXHIBIT NO. 16).

20

THE COMMISSIONER: Just before you proceed with the cross-examination, Mr. Hunter, there was some question yesterday raised about Mr. Wilson, the insurance agent. I wonder if such evidence as he can give might be tendered in the form of a letter or an affidavit, rather than leave that matter over? Would that be satisfactory to you, Mr. Hunter, and you to have the right to cross-examine if you so desire?

30

MR. HUNTER: Oh, I think that would be quite satisfactory, my lord. You state you know the man and he is reputable. He wouldn't perjure himself on affidavit.

25
H. Iwata,
Cross-Exam.

THE COMMISSIONER: He is a highly reputable insurance man in Vancouver. Is that satisfactory to you, Mr. McMASTER?

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: That can be filed at any future sitting, the earlier the better. Perhaps at the time this case is spoken to again in Kamloops when we return. Proceed, Mr. Hunter.

MR. HUNTER: On that insurance issue, we may have some record. We wouldn't have the policy but if we have a record we will advise Mr. McMASTER.

MR. McMASTER: My lord, the affidavit will probably refer to other matters besides insurance. He knew the claimant.

THE COMMISSIONER: You will have leave to file the affidavit, if you wish to.

MR. McMASTER: Very well, my lord.

MR. HUNTER: As Mrs. Iwata, you told the Commission that your father purchased three lots in North Vancouver?

As Yes.

Q And that was when?

As Around 1926

or 1927. I am not sure of the date.

Q 1926 or 1927. You stated he paid \$400.00 each?

A That is what I was told.

Q That is what you were told. In other words, you have no personal knowledge of that?

A No.

Q How old would you have been then?

A Sixteen, I think.

Q Now at one point where we were referring to

H. Iwata,
Cross-Exam.

the sale of the Cordova Street property, you were asked why you were willing to sell this property for a low price, as you stated it to be, and you said first of all you needed the money at that time, that your children upon evacuation had been ill, and so forth, and you also said you were afraid the Custodian would confiscate the property. Do you remember saying that? At Yes.

10 Q Now, had the Custodian at any time given any indication that he was likely to confiscate the property?

A At the time of the evacuation everybody was excited and hysterical.

Q Yes, but this was some time after the evacuation. Why would you think the Custodian would confiscate your property? Had any of your friends' property been confiscated?

20 A No, I just heard it. We don't know about what the Custodian means and I thought the Custodian might have surrendered the property.

THE COMMISSIONER: Would you speak up a little, Mrs. Iwata, it is difficult for me to hear you.

MR. HINTER: Q: I will repeat the question. Had any of your friends' property been confiscated?

A No.

Q Had you had any communication from the Custodian saying your property would be confiscated?

30 A No.

H. Iwata
Cross-exam.

Q You received a letter from the Custodian in reply to a request for sale in which he urged you to lease the property, didn't he?

A Yes.

Q When he was urging you to lease the property, how could you possibly believe he was going to confiscate it? What ground would you possibly have?

20 A At that time, as I told you yesterday, we don't know what is going to happen at the time of the war.

Q This was just a wild rumor, wasn't it?

A Yes.

Q Have all your other friends selling their property?
A Well, I don't know that.

Q I put it to you, Mrs. Iwata, that you had no grounds for that belief, that this was your own imagination, isn't that correct?

20 A Not my imagination. There was a rumor around.

Q It may have been a rumor but you were listening to something that had no authoritative basis, isn't that correct?

A Well, I knew one person who -- not their property but their belongings had been lost or mislaid or something. That is what I was told.

Q You didn't think they were likely to mislay your Garden Street property, did you?

A No, not our property.

30 Q I put it to you quite frankly, Mrs. Iwata, the

main reason you sold this property was because you needed money, isn't that correct?

A Yes.

Q That is correct, yes. Now, when your mother purchased this Cordova Street property in 1926, I believe,—

A I think around that year.

Q — she paid \$3500.00, you say?

A Yes.

10 Q How do you know that?

A Well, she told me.

Q She told you? A: Yes.

Q And how old was the property then?

A Not very old at that time. I can't give you exactly how old the house was.

Q I put it to you, it was at least 15 years old at that time. Do you agree with that?

A Fifteen years old?

Q And closer to twenty. Do you disagree or agree?

20 A I think the house was about ten years old, not more than fifteen.

Q I beg your pardon? A: Not more than fifteen.

Q I see. By the time it was sold by the Custodian, it was a very old house, wasn't it?

A Yes.

Q Now, there was a barn on there when she purchased, which you stated you had converted to a factory? A: Yes.

30 Q And you stated at a cost of \$2000.00?

A Yes.

Q That \$2000.00 figure, how did you arrive at that?

A Well, we started the factory in 1931, and gradually our business is getting bigger and we needed space to accommodate the girls.

Q I understand all that, but I was wondering how you got at this figure of \$2000.00.

MR. BELMONT: Let her explain it.

MR. BELMONT: Q: Carry on.

10 A Well, that \$2000.00 -- about four or five years before the evacuation, each year we put repairs on that building, about \$400.00 or \$500.00 each year for about four or five years.

Q I see. This barn, was it as old as a house?

A I beg your pardon?

Q Was the barn as old as a house, do you think?

A Yes, the barn is the same age.

Q And you were continually putting repairs on it each year, is that correct?

20 A Yes.

Q What type of structure did you eventually arrive at with this building you call a factory? Was it in a condition where someone could use it as a garage, or was it changed so it would have to be changed again to make it into a garage?

A We couldn't do that the way it was built.

Q I beg your pardon? A: You can't change it into a garage.

30 Q You couldn't? A: No.

MR. BENTON: That is all, my lord.

RE-DIRECT EXAMINATION BY MR. McLESTER:

Q I want to point this out, my lord; in order to make this barn usable as a factory, Mrs. Davis, what did you require to do to it?
In order to make the barn usable as a factory, what did you require to do to it in the way of changing it?

10 A We hired one time about two or three carpenters, and they worked a long time and put the windows in on the ground floor, about six or seven windows, and we made a two-story building to accommodate about forty girls.

Q The top story wasn't in before?

A No.

Q It was just one big structure before?

A Yes.

Q What sort of a factory did you carry on?

20 A Dress manufacturing.

Q Yes. And what sort of lighting facilities were in the barn before you opened your factory?

A No lighting.

Q And what did you have to do in order to make it possible for these girls to sew?

A I have an electrician and he put the lighting in.

Q And did you operate any power machinery there?

A Yes, sir.

30 Q And what was necessary in order to operate the

R. Iwata,
Ex-Direct Iwata.

power machinery?

A Well, we had a special kind of power -- electric
motor in.

THE COMMISSIONER: I think it may be taken that
special electric wiring would have to be
put in to operate power machines.

MR. McMASTER: That is all, my lord.

THE COMMISSIONER: Thank you, Mrs. Iwata. It will
not be necessary for you to return again unless
you hear either from the Secretary or your
counsel.

(Witness aside)

(Proceedings adjourned Sine Die)

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

J. P. Harrabin
"J. P. Harrabin"
Official Reporter.

(EXCERPT FROM ARGUMENT HEARD IN VANCOUVER, B.C.,
JANUARY 9th, 1948).

.....
MR. McMASTER: I am going to be required to leave
early, before the argument is through this after-
noon, and, in view of what has happened so far,
I would like to proceed with Question No. 6 where
we are referred particularly to the case of Mrs.
Iwata, and then proceed from there to the general
question as to what the situation is where the
claimant has given some consent, or some approval,
or indicated some approval of the action which the
Custodian took.

THE COMMISSIONER: In the Iwata case, is it not the
fact that she made the sale herself before the
Custodian ever came into the picture?

MR. McMASTER: I would like to get that clear, my
lord. I suggested to Mr. Brewin, so we will
have some continuity here today on the presen-
tation, that he speak to the general problem
and I think in the main what we have to say with
regard to the general problem, if we are correct,
will clear the matter up in the Iwata case, but
perhaps if we could deal with Question 6 now, I
might outline, subject to correction by my
learned friend, the evidence which was given
at Kamloops in that case, and then I don't think
Mr. Brewin would have any difficulty in dealing
with the argument, both with respect to that
case and others.

THE COMMISSIONER: Yes, all right.

(ARGUMENT BY MR. McMASTER)

(ARGUMENT BY MR. BREWIN).

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THE COMMISSIONER: I propose to adopt the same attitude towards this question as I did towards Question No. 3. We will come to a conclusion on this question in regard to the facts in the Iwata case, and if there are other comparable cases, well, then, this is a precedent insofar as this Commission is concerned, but it will depend entirely on the facts of other cases falling within the Iwata case. In other words, I don't wish now to reach a conclusion on the point raised in the Iwata case that is going to apply to all other cases, regardless of what the facts are in each case. Is that satisfactory to you? Do you not think that is the only way we can meet this situation?

MR. BREVIN: My lord, may I say I agree with your Lordship that the effect of something that might be considered a consent to a sale or an invitation to the Custodian to sell or an agreement or acquiescence as a sale at a price satisfactory, and so on, -- each single case will have different facts in relation to it. I don't see how it is possible to lay down any general rules, but may I say this, my lord, that it would apply to this particular case and would apply to others that I submit and take the view that the only relevance--well, perhaps I had better clear this first -- whether the Custodian sold or not, or whether the claimant sold in a sense is a question of fact, though I

the Custodian actually transferred the property, but he transferred it at a time when he had no intention of transferring property, when he actually didn't believe he had the power to transfer property and the only reason it was done was because she urged it. In his letter to Mrs. Ivata, he asked her to reconsider, that it would be better to rent the property rather than sell it and she still insisted on a sale. In that case while the mechanics may well indicate that the Custodian sold, I think on every other ground, both legally and morally, it must be considered as a sale by Mrs. Ivata. The mere fact that the Custodian would not have sold it otherwise surely would indicate that it was, in effect, she who sold the property.

(ARGUMENT BY MR. HUNTER).

(REPLY BY MR. BREWIN).

THE COMMISSIONER: I have no doubt whatever in regard to this matter. Mrs. Ivata, as of August 1st, 1943, wrote to a Mr. Nilson -- was he an official in the Custodian's office?

MR. HUNTER: In the office.

THE COMMISSIONER: --acknowledging his letter, saying:

"I would rather sell it than rent". Then the letter continues, "so please kindly do your best to dispose of it as soon as possible". Then there was subsequent correspondence. In a letter of December 7th, Mrs. Ivata says, "I am willing to reduce the price of my property at 368 East Cordova Street as you suggested in your letter to

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support Mr. McMaster in what he has said to your Lordship. If the property were vested in the Custodian, I would think that the sale was made by the Custodian, and that the mere fact that the claimant asked for the sale might be important but we cannot escape the fact that the only person who could sell and would have any authority to transfer title was in fact the Custodian, and however much she may have said "sell", or approved of it, it was still a Custodian sale because no one else could sell. There may be individual cases in which one can say the Custodian did not sell, for example in the Smith Committee cases . . .

(ARGUMENT BY MR. BREWIN).

MR. HUFFER: Mr. Brewin has stated and Mr. McMaster, my Lord, that this was a sale by the Custodian, and I would agree that so far as the mechanics are concerned, it was; but there is something beyond that here and that is the fact that at that time the Custodian was not selling any property, and the only reason this property was sold was because the Custodian was urged to sell it by Mrs. Iwata. It may well be true that the reason she wished to sell was due to some hardship as a consequence of the evacuation, but that is not the point. She could equally have hardships living in Vancouver and still have to sell her property. The fact is this is in effect a sale by Mrs. Iwata. The mechanics may be that

the Custodian actually transferred the property, but he transferred it at a time when he had no intention of transferring property, when he actually didn't believe he had the power to transfer property and the only reason it was done was because she urged it. In his letter to Mrs. Ivata, he asked her to reconsider, that it would be better to rent the property rather than sell it and she still insisted on a sale. In that case while the mechanics may well indicate that the Custodian sold, I think on every other ground, both legally and morally, it must be considered as a sale by Mrs. Ivata. The mere fact that the Custodian would not have sold it otherwise surely would indicate that it was, in effect, she who sold the property.

(ARGUMENT BY MR. HUNTER).

(REPLY BY MR. BREWIN).

THE COMMISSIONER: I have no doubt whatever in regard to this matter. Mrs. Ivata, as of August 1st, 1945, wrote to a Mr. Nilson -- was he an official in the Custodian's office?

MR. HUNTER: In the office.

THE COMMISSIONER: --acknowledging his letter, saying:

"I would rather sell it than rent". Then the letter continues, "so please kindly do your best to dispose of it as soon as possible". Then there was subsequent correspondence. In a letter of December 7th, Mrs. Ivata says, "I am willing to reduce the price of my property at 368 East Cordova Street as you suggested in your letter to

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\$3000.00 all cash or \$3500.00 half cash", and ultimately an offer having been received from Macaulay, Nicolls & Maitland of \$2200.00 cash, Mrs. Iwata, on January 16th, 1943, writes to Mr. Wilson, "Although I want to sell it as soon as possible, their offer is very, very low." Further on she says, "Try to get \$2500.00 cash at least". In the result an offer of \$2500.00 was made which includes certain chattels. Mrs. Iwata subsequently delivered a conveyance duly executed by herself. Now it is said although the transaction took the form claimed by a conveyance by the Custodian, in whom the property was vested, that this was truly a sale by the Custodian and not by Mrs. Iwata. I am unable to give effect to that submission. In my view Mrs. Iwata made this sale induced by economic considerations to a degree brought about by the fact of evacuation, but also due to the fact of the onus of her children, which was something that might have occurred notwithstanding the evacuation. There no doubt will be many claims in which the Custodian has made sales in respect of which there may be sound argument that the sale was made by the Custodian at less than fair market value. In all the circumstances shown in this case, I do not look upon it as essentially a sale by the Custodian; rather that it is a sale by the owner to which the Custodian acceded at the owner's express request.

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