

12285

REAL ESTATE

BUREAU POWELL STREET

FILE NO. _____

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

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

PERSONAL INFORMATION

NAME: OHKI Shigeko (Mrs. Tajimi)
HOME ADDRESS: 537 Powell St., Vancouver, B. C.
REGISTRATION NUMBER 03521 SEX: Female AGE: 40
OCCUPATION: Dressmaker,

(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: Mrs. Iwata, 340 Cordova St., Vancouver
MARRIED? yes
NAME OF WIFE OR HUSBAND: K Tajimi
ADDRESS OF WIFE OR HUSBAND: Hope, B. C.
NAMES OF ANY LIVING CHILDREN: Kiyoshi (M)

ADDRESS OF CHILDREN: Taft Work Camp
AGE OF CHILDREN: 19 yrs.

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

1. LOCATION AND DESCRIPTION: 537 Powell St., Vancouver, City of
Lot 25, block 42, district lot 196, Title deeds a number
unknown.

2. BUILDINGS AND OTHER IMPROVEMENTS: One store and one 4 roomed
house a behind the store.

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

4. TAXES (Amount and where payable) \$75.52 payable City of Vancouver. 1942 paid.

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

6. OCCUPANCY AND LEASES (If vacant so state) The store has been rented to Mr.
Shigeo KAMIKURA, for five years, the rent being \$14.00 per month.
The rent has been paid up to July 15, 1942.

The house is occupied by declarant, when she is evacuated the house will
be left vacant. Declarant has no agent, the key will be brought
to Custodian. Declarant states she would like the store to be rented
but the house left vacant as it is full of furniture.

*daughter on
of Mrs. Shigeko Oki
file 12496*

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Title documents at the Court House, Vancouver.
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: none
9. IF FARM LAND STATE CROPS SOWN: none

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: none
2. LANDLORD'S NAME AND ADDRESS: none
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: none
4. STATE WHEREABOUTS OF LEASE: none
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) none
6. IF FARM LAND, PARTICULARS OF CROPS SOWN: none

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS: 537 Powell St., Vancouver, B. C. 1 barber chair, 1 mirror, 1 table, 1 glass cupboard. These things have been left in the barber's store at the above address. When tenant is evacuated the key will be brought to Custodian.

1 buffet, 1 round oak table, 1 oak center table, 8 kitchen chairs, 1 desk, 1 sofa, 1 dresser, 2 chairs arm chairs, 1 kitchen table, 1 typewriter table, 1 Japanese harp, 1 double bed, 1 double bed spring, 1 single bed, 1 spring (single bed), 1 heater, 1 electric heater, 1 electric fan, 2 ladders, 1 water hose (30'), 1 wheelbarrow, 4 pictures & frames, 1 dinner set, 1 box Japanese books, 1 box clothing, 1 clock, ~~xxxxxx~~ 1 typewriter, 1 indoor clothes line, 1 gramophone, 1 box of records, 1 axe, 1 box Japanese chinaware, 1 electric toaster. These things have been left in the house at the above address, when declarant is evacuated the key will be brought to Custodian.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS none

S. sold by Auction 6/1/45
Vancouver B.C.

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

4. INSURANCE CARRIED ON ABOVE PROPERTY: _____

none

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: _____

none

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom) _____

none

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts) _____

Two \$5.00 War Savings Certificates. In own possession.

8. BANK ACCOUNTS: _____

none

9. LIFE INSURANCE: _____

none

10. INTEREST IN ANY ESTATES OR TRUSTS: _____

none

11. SAFETY DEPOSIT BOX: _____

LIABILITIES:

1. PERSONAL DEBTS: _____

none

2. TRADE DEBTS: _____

none

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

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

Dated this 17th day of August 1942.

(Signature)

Shigeo Ohki

D.M. Chape

Witness

FOR DEPARTMENTAL USE _____

12285
INFORMATION FROM R.O.M.P.

DATE March 4, 1943.

Our File No. 12285

Full Name OHKI, Shigeko (Mrs. Tajimi)
 (Surname in Block Letters)

Registration No. 03521

^x
 Male - Female
 (Check)

Age August 27, 1901

Former Address 537 Powell Street, Vancouver, B. C.

Date Evacuated September 11, 1942.

^x
 Naturalized - Canadian-Born - National
 (Check)

Present Address (1) Tashme, B. C. (2) Left Tashme June 22/45 for
Vernon, B. C.

^x
 Married - Single
 (Check)

Name of Wife -----

Name of Husband Tajimi, Reg. No. 03523

^{nee}
 Name of Mother (KONDO) Shigeo (Dec'd)

Name of Father KANO, Tatsukichi (Dec'd)

Names of Children under 16 -----

Requested by J. Spratt

Registered with Custodian Yes
 (Yes or No)

Additional Information Dressmaker.

DOMINION OF CANADA
PROVINCE OF
BRITISH COLUMBIA
TO WIT:

IN THE MATTER OF LOT 25, BLOCK 42,
District Lot 196, City of Vancouver,
in the Province of British Columbia

I, SHIGETAKA SASAKI of Spences Bridge in the Province
of British Columbia SOLEMNLY AND SINCERELY DECLARE as follows:-

1. . I am the attesting witness to a Conveyance from
Mrs Shige Oki to Mrs Shigeo Ohki of the above described
property. The said conveyance was executed by the said
Mrs Shige Oki at Tashmā, B.C. in my presence. I do not
remember the date but it was about ^{a year and a half ago.} ~~one year ago.~~

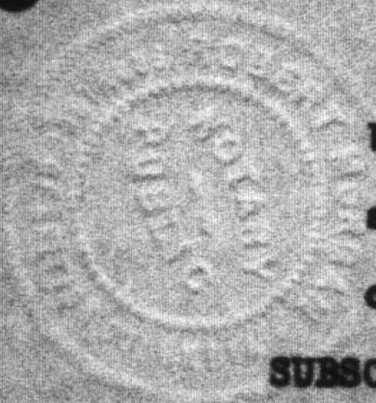
2. Mrs Oki had the deed in her possession and read
it. I am satisfied that she can read and understand English.
However before she actually signed the conveyance it was read
aloud by Mrs Shigeo ^{Ohki's} ~~Ohki's~~ husband and interpreted into
Japanese.

3. I was at the time I signed as witness satisfied
that Mrs ^{Oki} ~~Ohki~~ knew and well understood the nature and contents
of the conveyance and that she executed it of her own free
will.

AND I MAKE THIS SOLEMN DECLARATION conscientiously
believing the same 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.

SUBSCRIBED and declared at
Ashcroft in the Province
of British Columbia this 8th
day of March 1947

S. Sasaki


[Signature]

Notary Public in and for the Province of B.C.

12285✓
12496

27th February, 1947

Mr. Shigetaka Sasaki,
Registration #10774,
Spencers Bridge, B.C.

Dear Sir:

Re: Lot 25, Block 42, D.L. 196
537-539 Powell Street.

We are endeavouring to arrive at the actual facts concerning the conveyance of the above property to Mrs. Shigeo Ohki by Mrs. Shige Oki.

You advised us in your letter of the 26th December, 1945, saying:

"I believe that the property (537-539 Powell St.) was transferred with full understanding between Mrs. Shige Oki and Mrs. Shigeo Ohki".

As you are aware, Mrs. Shige Oki denies that it was her intention to convey and while you refer to an understanding in this matter we are still left in doubt as to what the understanding may have been. Our file indicates that Mrs. Shige Oki could not read English. The statement is now made that she could do so. We presume that you will be in a position to know whether Mrs. Shige Oki could read English and if so whether sufficiently to understand the document she signed.

If a person does not read English it is necessary that the Affidavit of the witness should set out that the document was read over to her in Japanese and that the witness interpreted the document to her.

We are writing you to ask if you will make a Statutory Declaration before a Notary Public setting out the actual circumstances in regard to the signing of this document by Mrs. Shige Oki, to which you were the subscribing witness.

Your attention to this matter would be appreciated.

Yours truly,

F. G. Shears,
Director.

FCS/PMH

Rec'd	FEB 19 1947
File No.	12285/12496
Ans.	27/2/47
Entered	MA Shears

c/o Mr. S. Freeman
White Valley
Vernon, B. C.
February 17, 1947

Mr. F. G. Shears
Director
Office of the Custodian
Vancouver, B. C.

Dear Sir: Re: Your File No. 12285, 12496

Thank you for your letter of February 11th. I did not know that Mrs. Shige Oki called at your office and told you that she did not want the property conveyed to me.

In your letter you state you would like to know all the facts relating to the transfer and the valuable consideration for which it was given. I have, therefore, made a Statutory Declaration, as you wished, in which all the circumstances leading up to this transfer are given. If you wish to check up on the statements made in the enclosed declaration, will you please refer to the ledgers of the Anglo-Nippon Co., formerly at 218 Powell St., Vancouver, which I think are kept at the Court House. This store was seized and liquidated by the Canadian Credit Men's Association in 1942 and they will have evidence to prove that this store was in such financial difficulties that my husband did not receive a living wage.

I had told Mr. Albert H. Young, our agent, all the above facts, and he in turn had explained these facts to your office but that was when Mr. Nilson was in charge, and I suppose the explanation of the valuable consideration for which the property was transferred has been forgotten or overlooked since his time. I did not receive the property just for paying the arrears of taxes and maintenance.

You also seem to have come to the conclusion that Mrs. Oki is not able to read English. I would like to point out that Mrs. Oki came to this country in 1905 alone (at that time she was not married) without having any relatives in Canada and she had taken a course in English at the Doshisha College in Kyoto, Japan and so is able to understand English.

I hope this will help to straighten out this matter to your satisfaction.

Yours truly,

Shige Oki

Dominion of Canada
Province of British Columbia

In the Matter of the Title
to Lot 25, Block 42, in the
subdivision of District Lot 196,
Map 1, New Westminster District.

To Wilt:

1. SHIGESKO OKI, c/o Mr. B. Freeman, of White Valley, Vernon, in the
Province of British Columbia, Wife of George Tajimi
Ohki,
of the
-in the province of

do solemnly declare that

1. I am the daughter-in-law of Mrs. Shige Oki, the former owner of the above property. Her husband, H.O. Oki, carried on business as gents furnishings at 218 Powell Street, Vancouver, B.C.
2. In the year 1929 my husband entered the employ of the said H.O. Oki as store clerk at a salary of \$100.00 per month which sum was duly paid for the first year of his work. Thereafter the store fell into financial difficulties and the said H.O. Oki was only able to pay my husband a mere pittance, which never exceeded the sum of \$30.00 per month up to the end of his service in 1942. This was insufficient to pay the family expenses as a result of which I had to work to maintain myself and family.
3. On account of the amount of wages which had accumulated and were unpaid, and still are unpaid, the said Mrs. Shige Oki in the year 1937 voluntarily offered to transfer the said property to me on account of the arrears of wages due to my husband from her husband.
4. Before the said Mrs. Shige Oki went to Japan she made a declaration of transfer of the said property to me.
5. The said Mrs. Shige Oki reads and writes English well, she having taught English in Japan and had lived in an English Family in Canada, and she must have perfectly understood the nature and meaning of the said Declaration of Transfer.
6. I have since the year 1937 fully regarded the said property as my own and have paid the taxes and all maintenance charges thereon, as well as arrears of taxes when I took over, since that time up to the time the property was sold.

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
Vernon
in the Province of British Columbia

this seventeenth day of

February A.D. 1947

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

Shigesko. Oki

Julius Hoyer

Dated 17th February, 1947

IN THE MATTER OF

The Title to Lot 25, Block 42,
in the subdivision of District
Lot 196, Map 1, New Westminster
District.

STATUTORY
DECLARATION
of Shigeo Ohki

Sidney Spyer,
Notary Public,
Vernon, B.C.

12285 ✓
12496

11th February, 1947.

Mrs. Shigeo Oki,
Registration #03521,
c/o Mr. S. Freeman,
White Valley,
Vernon, B.C.

Dear Madam:

In reply to your letter of February 4th.

If Mrs. Shige Oki had not made any further reference to the matter in dispute when she was in Vancouver prior to leaving for Japan, we might have been in a position to agree with your remarks in this connection.

The facts are, however, that she made very strong representations to members of our staff and declared that it was not her intention for the property to be fully conveyed to you.

This office is only desirous of carrying out its proper obligations and we have no wish to hold up payment of any money in our hands to whom it is rightly due.

The facts are that this property is registered in the name of Mrs. Shige Oki in the Land Registry Office and while Mrs. Oki's declaration of the 3rd May states that she transferred the property to you for valuable consideration, she later informed us that she did not realize what she was signing.

One of the witnesses, Mr. Sasaki, has advised us that he believes the property was transferred with full understanding between Mrs. Shige Oki and yourself. This, however, does not fully cover the situation, as while there may have been some reason for transferring this property, there is no conclusive evidence to show that Mrs. Oki intended to completely relinquish the property in your favour.

It is possible that understandings may have existed between you, of which we are not aware, such as the providing of maintenance by yourself for Mrs. Shige Oki during her old age.

In an endeavour to clarify this matter we would be prepared to give consideration to a Statutory Declaration in which you set out all the facts relating to the transfer of this property and a statement of the valuable consideration which was said to have been given. In this connection reference has been made to the payment of arrears of taxes, but this in itself would not appear to have been sufficient consideration for the value of this property, and moreover, you had the use of part of the premises for which no rental was paid.

F. G. Shears,
Director.

Yours truly,

From evidence on our file it would appear that Mrs. Shige Oki was not able to read English and while Mr. Gaseki has stated that the property was transferred with full understanding between Mrs. Oki and yourself, we would require Mr. Gaseki's sworn affidavit to the effect that Mrs. Oki executed the document voluntarily and that as Mrs. Oki does not read or write English that the document was read over to her in Japanese by himself as a subscribing witness and that he interpreted the document to her. If this additional evidence is forthcoming, we will be glad to give further attention to your claim, otherwise it would appear that you may only be able to claim an equity in this property to the extent of the amount which you have supplied for its upkeep and maintenance.

c/o Mr. S. Iraman
White Valley, Vernon, B.C.
February 4, 1947.

Director of Office of the Custodian
Japanese Division
Vancouver, B.C.

EVACUATION SECTION	
FEB 6 1947	
Rec'd	
F-1 No.	12285 / 12496
Attn.	
Referred	Shen

has files sent to you.

Dear Sir:

RE: File No. 12285 + 12496

Would you please tell me your decision regarding the funds derived from sale of my property at 537-539 Powell St.

As you have not written me further, I have come to the conclusion that you have not heard from Mrs. Shige Oki either. When Mrs. Oki returned to Japan she passed through Vancouver so if she had a strong claim to this money she would have dropped in to see you about it.

If she did not see you, I think this fact proves she thought her claim was weak and would not stand up under questioning from you. If you were in Mrs. Oki's position and had a lawful claim on this property wouldn't you see the Custodian before sailing for Japan.

Of course I must admit I made a serious mistake

...to obtain a deed from my mother-in-law.
...in order to avoid any further misunderstanding, I
had a document drawn up by Mr. Albert W. Young in which
Mrs. High Ohi relinquished all claim to this property. She signed
this document in front of witnesses and you have the letter
from one of these witnesses.

...I am thinking of releasing the matter and
...and the money debt is the only
...my friends have...

when I did not obtain a deed from my mother-in-law.
Therefore, in order to avoid any further misunderstanding, I
had a document drawn up by Mr. Albert W. Young in which
Mrs. Shige Oki relinquished all claim to this property. She signed
this document in front of witnesses and you have the letter
from one of these witnesses.

Another reason for my writing you today is that I
am thinking of relocating to eastern Canada. As you are well
aware the housing shortage in the east is very acute and many of
my friends have written me saying they have bought homes as
that was the only way to obtain housing. Also I think you
will agree with me that it will take quite a bit of money
before I could get resettled. For these and other reasons
could you settle this matter quickly and send me this money.
Awaiting your early reply, I remain

Yours truly,
Shigeo. Oki

Rec'd	OCT 11 1946
File No.	12588/1215
Ans.	
Forwarded	1/2 1/2

c/o Mr. S. Freeman
White Valley
Vernon, B. C.
October 9th, 1946

Mr. F. G. Shears
Director
Office of the Custodian
Vancouver, B. C.

Dear Sir:

Received your letter of October 4th in which you ask me what arrangements I have made with Mrs. Shige Oki concerning the funds derived from sale of my property at 537-539 Powell St.

Mrs. Shige Oki has no right whatever to this property and she is in no position to ask me for any part of the revenue from this property. The first I knew of her claiming my property was through your office. She had not written one word to me so I was very shocked and angry when I found out from you that she was claiming my property. She had not said a word about this property when she was living with me in Tashme but only after I left did she start her claims.

As you remember she first claimed she did not know what she was signing when she signed the document prepared by our agent, Mr. Young, by which she gave up all right and title to this property. When we produced witnesses to disprove her story what did she say then? You have a letter from one of the witnesses proving she was fully aware of what she was signing. This being the case, on what grounds is she claiming the funds of this property? Your office, when we had this document made, had told our agent, Mr. Young, that this document would be sufficient for the purpose of enabling me to continue receiving the revenue from this property.

As this is my property I do not see any need for making an arrangement to divide the proceeds from this sale. Mrs. Shige Oki has not written me further regarding this matter. I, myself do not know her whereabouts as the Tashme centre has closed. Whether she returned to Japan or transferred to some other centre, I do not know.

What I would like to know is why you are undecided as to who should receive the funds? As I see it, Mrs. Shige Oki has no reasonable grounds on which to claim this property, has she? When she says she did not know what she was signing, I have produced witnesses proving this was not so. When she says the document was not legal, you know yourself that it was your office which had told Mr. Young that this document was sufficient.

I cannot understand why you are delaying so long over this matter. Please send me the funds as soon as possible.

Yours truly,

Shigeo Oki

12289/03 (7)
12494/147V

11th July, 1946.

Mrs. Shige Oki, Tashme, B.C.
Mrs. Shigeke Ohki, Vernon, B.C.

Dear Mesdames:

Re: 537-39 Powell Street

This letter is being addressed jointly to yourselves in view of the fact that you are each claiming an interest in the above property.

Our files indicate the following facts, namely, that the property is registered in the name of Shige Oki. That Mrs. Shige Oki did not declare ownership to this property when registering her affairs with the Custodian and that Mrs. Shigeke Ohki did declare it. However, both declarations were signed by Mrs. Shigeke Ohki, one for herself and one on behalf of Mrs. Shige Oki.

Mr. A.H. Young had a Power of Attorney to deal with this property and states that it was on behalf of Mrs. Shigeke Ohki. This document may have been signed by Mrs. Shigeke Ohki, but it is signed with the spelling "Shige Oki".

A letter and Declaration signed by Shige Oki indicates that it was her intention to transfer this property to Mrs. Shigeke Ohki (her daughter-in-law) but this is later denied.

Our files have been reviewed by our Solicitor and after dealing with this matter from a legal standpoint he advises us:

"On the facts now available we do not think the Custodian should consider himself called upon to adjudicate between the two. We would suggest that you endeavour to get these two parties to agree upon the distribution of the monies and to give you joint instructions in writing. In the meantime the funds should be held".

We are therefore suggesting that you should come to some mutual arrangement between yourselves and let us have your joint instructions in writing signed by both parties in regard to the payment of funds now on hand amounting to the sum of \$2,413.18 as shown on the enclosed Statement.

In regard to the funds derived from this property which, as will be noted from the enclosed statement, is \$2,613.18 of which \$200.- was forwarded to Mrs. Shigeke Ohki on May 23rd, 1945, leaving a balance of \$2,413.18.

Yours truly,

F. G. Shears,
Director.

FGS/PMH
encl.

LOCKE, LANE, GUILD & SHEPPARD
Barristers & Solicitors

C. H. LOCKE, K.C.
W. S. LANE
C. H. GUILD, K.C. (MAN)
F. A. SHEPPARD, K.C. (BARR.)
K. L. YULE
J. R. YOUNG
S. C. LANE
C. C. LOCKE

703 Rogers Building

Vancouver B. C.

July 10th, 1946.

CABLE ADDRESS: "MAYERS"
TELEPHONE: PACIFIC 7137

Office of the Custodian,
506 Royal Bank Bldg.,
675 West Hastings Street,
VANCOUVER, B.C.

Rec'd	JUL 11 1946
File No.	12285/12496
	11/7/46
Initial	H. S. Shears

Dear Sir:-

Re : 537 Powell Street - File
No. 12285/12496 Shigeo OHKI

The above property is registered in the name of Oki, the mother, and is claimed by Ohki, the daughter-in-law or niece. As the mother is the registered owner it is presumed her property unless the daughter-in-law can set up a superior title. The transactions set forth in your file do not from the evidence now available set up a superior title. It is admitted that no deed was executed therefore there has been no valid gift because a gift can only be valid if the documents which the mother signed were sufficient to divest her title ; there has been no deed. We do not think there was a valid sale, or that there was any intention to sell but rather an intention to create a benefit by gift upon the daughter-in-law. Further there seems to have been no memorandum in writing sufficient to satisfy the Statute of Frauds. The mother might have declared herself trustee but that is excluded by the mother's memorandum of May 3rd, 1945. As a trustee the intention would have been for the mother to retain the property and hold it for the benefit of the daughter-in-law. The intention was not to hold but to divest. Therefore it is not a trust. A gift might be made enforceable by estoppel but we cannot see acts by the daughter sufficiently to her prejudice to create an estoppel.

On the facts now available we would think the mother's claim preferable, but we do not think you should consider yourself called upon to adjudicate between the two ; we would suggest that you endeavour to get these two to agree upon the distribution of the monies and to give their joint instructions in writing to you. In the meantime you should hold the funds. The fact that the mother is

- 2 -

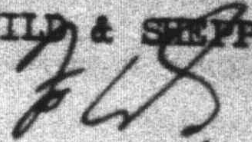
Office of the Custodian.

shortly to be repatriated would probably put some pressure on her to assist in making a settlement.

We are returning your file.

Yours truly,

LOCKE, LANE, GUILD & SHEPPARD,

Per : 

FAS/EB.

10th July, 1946.

MEMORANDUM

Re: 537 Powell Street

OKI (Mother) is the registered owner. She did not declare this property but her Declaration purports to be signed on her behalf by OHKI.

OHKI (daughter-in-law or niece, a relative of OKI only by marriage to an adopted son) did declare this property.

Mr. A.H. Young states his Power of Attorney is from the younger woman, OHKI, and it was for the purpose of dealing with this particular property. This is dated the 30th September, 1942, but was signed by OHKI as OKI to conform with the way in which Mr. Young had prepared the document.

Mr. A.H. Young entered into a lease arrangement signing on behalf of OHKI on the 21st September, 1942.

On May 1st, 1945, OKI writes our office stating she transferred this property to OHKI long years ago. This is supported by a Declaration dated 3rd May, 1945, witnessed by two Japanese, one of which is Shigetake Sasaki.

Mr. Young states that the valuable consideration referred to not only consisted of the payment of taxes for many years but that OHKI was a music teacher and provided funds to help in the business carried on by OKI's husband.

December 7th, 1945 OKI claimed in regard to the Declaration that she did not know what she was signing.

On December 12th, 1945, OHKI writes Mr. A.H. Young stating that the witness Sasaki knew the details and that OKI did understand.

On December 28th, 1945, Sasaki writes our office stating "I believe the property was transferred with full understanding between OKI and OHKI".

Rents were collected by A.H. Young and transferred to this office.

OHKI requested funds and on May 25th, 1945, \$200.- was sent to her on the basis of the Declaration above referred to.

On November 28th a further request for payment of rentals was received from OHKI, but no further payment has been made.

Our file shows the first name of OHKI to be "Shigeko" and the first name of OKI as being "Shige". Mr. A.H. Young states that there is no real difference the "ko" being sometimes used as honourific, implying respect. This is confirmed by our Mr. Bell.

10th July, 1946.

MEMORANDUM. Continued.

Mr. A.H. Young stated that at the time OKI made the Declaration referred to above a proper transfer would have been prepared and signed but that our Mr. Nilson stated that as the property was to be sold a Declaration would be sufficient. Our file does not actually indicate whether this correctly interprets anything Mr. Nilson may have stated.

Mr. A.H. Young suggests that in view of the Declaration being made by OKI, if a legal dispute arose the onus of proof that the document was not valid would be upon OKI.

F. G. Shears,
Director.

FCS/PWH

EVACUATION SECTION	
Rec'd	JUN 29 1946
File No.	12285/12-19-46
Ans.	
Referred	<i>Plaza</i>

Tashme, B.C. 12285-12-19-46
June 29th 1946.

Custodian Office of Japanese Section,
Vancouver, B.C.

Dear Sir:-

Please find attached letter concerning my
declaration of the transaction Cancellation of
my property.

Re:- Catalogue No.204
537-39 Powell Street.
25/42/196

I am leaving for Japan on the third boat
which will be leaving here around the 25th of July.
As I am depending on this \$2,000.00 for the rest
of my life, kindly arrange same accordingly.

Yours truly,

Shige Oki

Mrs. ShigeOki
Registration No. 147-23.

Tashme, B.C.

EVACUATION SECTION	
Rec'd	JUN 29, 1946
File No.	11-10-14206
Ans.	
Referred	<i>Stues</i>

*12-196-1111 & 12-196-1112
12-196-1113 - 4/11/46 file*

Tashme, B. C.
June 29th 1946

Custodian Office of Japanese Section
Vancouver, B. C.

File # 12285 & 12496

Re: Catalogue # 204
537-39 Powell Street.
25/42 /196.

Dear sirs;-

I have informed you by the letter of May 19th with reference of the sale of the above mentioned property, this property transaction has been cancelled, Therefore I would like to have it credit to my account.

Yours truly.

Shige Oki
Mrs shige Oki
Registration # 14723

Tashme, B. C.

*OK
HOB*

c/o Mr. S. Freeman
White Valley
Vernon, B. C.
June 25, 1946

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

EVACUATION SECTION	
Rec'd	JUN 29 1946
File No.	12285
Ans.	
Referred	Peters

your file

Dear Sir:

Re: Your File No. 12285

I have been notified by Mr. Albert H. Young that you have sold my property at 537-539 Powell St. and that Mrs. Oki of Tashme has been asking for the proceeds from this sale.

When you wrote me in December, 1945 that Mrs. Oki was asking for the revenue from this property I was most surprised and angry because she has positively no interest in this property at all. I wrote immediately to Mr. Young to contact you and inform you of the true facts in this case. Mrs. Oki has signed a declaration stating that she had no further interest in this property and that all revenue from this property were to be mine. This document was witnessed and no matter what she says now she positively knew what she was signing at that time. You have in your files a letter from one of the witnesses confirming this fact.

If you look back over your files you will note that in April of 1945 my agent, Mr. Young, interviewed Mr. G. D. Milson who was then in charge about the transferring of this property to me. Mr. Young explained to him how I became entitled to this property because Mrs. Shige Oki had been unable to pay the back taxes and instead of letting the property go had told me that if I paid the back taxes and costs of upkeep, she would give this property to me. Mr. Young then asked Mr. Milson if I should obtain a deed from Mrs. Oki but he was told that a deed was of no use whatever because it could not be registered for the reason that the property was vested in the Custodian. He then suggested to Mr. Young that I get a statement or a declaration from Mrs. Shige Oki stating that she had no interest in the property and relinquishing all her rights, title and interest in the property to me. This, he said, would enable

me to receive from the Custodian's Office the revenue of the property and the amount realized in the event of sale. Mr. Young, therefore, prepared a declaration, sent it to me and Mrs. Oki signed this document in the presence of two witnesses.

Another point I would like to bring to your attention is that when I relocated in 1942, I was the one who registered this property with your office and retained Mr. Young as my agent. If you will check your records you will see that Mrs. Oki registered her property on 1531 4th Ave., East, Vancouver, before she left for Tashme. Why did she register one property and then not register the other as hers too? She did not register the Powell St. property for the simple reason that she did not have any interest whatever in it.

Also Mrs. Oki has never shown any interest in this property until she decided she was going back to Japan. Up to that time she had not put in any claim although she was well aware that I was receiving the revenue from this property. When she had decided to repatriate and knew that I had chosen to stay in Canada it was then that she started to claim my property.

After you have carefully reviewed all the facts in this case you will see that Mrs. Oki has no rightful claim to this property and is just trying to get the proceeds of the sale by misrepresenting the real facts of the transfer and by deliberately lying to you. When this matter is satisfactorily settled will you send me the proceeds from the sale as soon as possible.

Yours truly,

Shigeo Oki

12496 & 12285

Sib

June 22nd, 1946.

Mrs. Shige OHKI,
Registration No. 14723,
Tashme, B. C.

Dear Madam:

Re: Catalogue No. 204
537-39 Powell St., Vancouver.
25/42/196

This will acknowledge receipt of your letter of
May 19th with reference to the above property.

It is not possible at the moment to supply you with
a statement of the sale of this property as we are awaiting
the completion of adjustments.

You are fully aware that a dispute as to ownership
has yet to be settled between yourself and your daughter-in-
law, Mrs. Shigeo OHKI. Until you make some satisfactory ar-
rangement with your daughter-in-law, this money will have to
be held with the Custodian. However, the net credit derived
from the sale of your chattels and real property at 1531 East
4th Avenue, Vancouver, in the amount of \$1088.98 will be
available to you.

Yours truly,

George Peters,
Administration Department

GP/ER

12285 & 12496

April 15, 1946.

R. E. Cowan Agencies,
303 Rogers Building,
470 Granville Street,
Vancouver, B. C.

Dear Sirs:

Re: Catalogue No. 204
537-39 Powell St.
25/42/196

Further to our letter of April 3rd we have to advise you that we are prepared to recommend the acceptance of your offer of \$2,000.00 for the above described property. Will you please forward to us a certified cheque for the balance of the purchase price, namely, \$1,800.00.

Kindly advise the full name, address and occupation of the person in whose name this property is to be registered and also state whether or not the proposed registered owner is a British Subject, using the enclosed form.

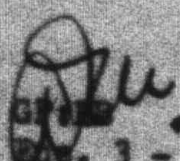
The necessary documents will then be prepared and forwarded to the Secretary of State at Ottawa, and if our recommendation is acted upon, they will be signed and returned.

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

We are enclosing herewith copies of leases covering the above premises. The sale of the above property is subject to these leases.

Yours truly,

F. G. Shears,
Director.


Encl. 3 - Information Form.
2 copies of leases.

FILE NO. 12285

April 4th, 1946.

MEMORANDUM - Mr. F.G. Shears

Re: Catalogue No. 204
537 - 9 Powell St. Vancouver, B.C.
Lot 25, Blk 42, District Lot 196.

We require clarification of the tenancy of William F. Tomlin who rents the store on the above property, and John Ferguson who rents the dwelling at the rear of this building. We are attaching copies of the two leases.

When the registered owner Shige ONI left the protected area she declared no property whatsoever. Her daughter-in-law Shige ^{KO} ONKI declared this property.

When requested to produce proof of ownership, Mr. Young, the solicitor, entered into the situation and prepared an unregistrable document dated May 3rd, 1945.

For some reason or other, at a later date the registered owner informed this office that she did not know what she was signing and she wished the title of the property to remain in her name. For our answer to Mr. Young with reference to the title, refer to our letter of January 19th, 1946.

Note the agreements drawn up between the daughter-in-law and not the registered owner. Would these agreements be effective owing to the fact that we have accepted rent outlined in the terms of payment. Also note the uncertainty of term on both of the agreements.

George Peters
Administration Department

GP/10

Albert H. Young

Barriater and Solicitor
Notary Public

OFFICE: 1008 DOMINION BANK BUILDING
207 WEST HASTINGS STREET

PHONE: MARINE 2828

Vancouver, B.C.,

Canada

December 14, 1945.

ATTENTION OF MR. GEORGE PETERS

Department of the Secretary of State,
Office of the Custodian,
#506 ROYAL BANK BUILDING,
VANCOUVER, B. C.

EVACUATION SECTION	
Rec'd	DEC 15 1945
File No.	12285
Referred	Peters

Dear Sirs:-

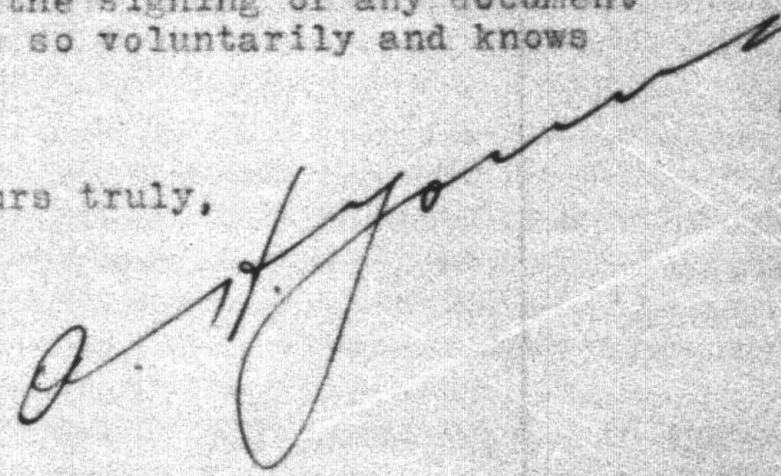
RE: Your File No. 12285.

I enclose a copy of letter I received from Mrs. Shigeko Ohki of Vernon, B.C. This will give you the explanation you requested in your letter dated December 7th addressed to Mrs. Shigeko Ohki, namely: for what consideration the property known as #537-539 Powell Street was transferred to her by Mrs. Shige Oki of Tashme, B.C.

Mr Shigetaka Sasaki is one of the witnesses to the document of transfer which I prepared and which was signed by Mrs. Oki and sent to you. Mr. Sasaki is still at Tashme and if an inquiry is sent to him he will no doubt tell you that Mrs. Oki knew exactly what she was signing.

I am well acquainted with Mr Sasaki and I believe that he will not be a witness to the signing of any document unless the person signing it does so voluntarily and knows what he or she is signing.

Yours truly,



AHY:H.

C O P Y

C/o Mr. S. Freeman
White Valley
Vernon, B. C.
December 12, 1945

Mr. Albert H Young
1009 Dominion Bank Building
207 West Hastings Street
Vancouver, B. C.

Dear Mr Young:

I have today received a letter from the Custodian refusing my request for the amount of \$250.00 part of the money derived from rental of my property at 537-39 Powell Street, Vancouver, B.C. I am enclosing this letter for your perusal,

The reason for the Custodian's refusal is because Mrs. Shige Oki of Tashme, my mother-in-law, is now claiming this property on the grounds that she did not know what she was signing when she signed the document by which this property was transferred to me. This is the first indication I have had that she was making such a claim and it came as a shock to me.

As I have told you before, Mrs. Shige Oki was totally unable to pay taxes on this property in 1937 and therefore, offered said property to me if I would pay the back taxes and the cost of upkeep. Consequently, I had been paying the back taxes and the cost of upkeep, repairs, etc., from 1937 to the fall of 1942 when I had to leave Vancouver, and it was I who put this property in your safekeeping, not Mrs. Shige Oki as naturally she had no further interest in this property.

If you will get in touch with the Welfare Manager at Tashme he knows that when Mrs. Shige Oki applied for her old age pension she did not list this property in the declarations which she made at that time. This proves she was well aware that she no longer had any interest or claim on this property.

Again, on May 1st of this year, Mrs. Shige Oki wrote a letter to the Custodian in which she stated she had not

*Check
with Patman
Old age*

Maintenance

*See letter (copy) Sept 25/45.
last sentence.*

legally transferred this property but had transferred it to me personally in 1937. If you will have the Custodian check up he should have this letter in his files. On this occasion I had thoroughly discussed this transfer with my mother-in-law, and she had agreed to write the Custodian informing him of this transfer and also agreed to sign the document which you prepared for me.

Incidentally, if you wish to have these facts confirmed by a third party, will you please ask Mr. Shigetaka Sasaki of Tashme as he knows all the details of this transfer and the conditions which lead to it in 1937. 1767

I am, therefore, asking you, Mr. Young, to please look into this matter with the Custodian and clear up this situation once and for all. Awaiting your reply, I remain

Sincerely yours,

"Shigeko Ohki".

12285
12496

January 19, 1946.

Mr. A. H. Young,
1009 Dominion Bank Bldg.,
207 W. Hastings St.,
VANCOUVER, B. C.

Dear Sir:

Re: 537-39 Powell Street

Further to our letter of December 17, 1945,
we have received a reply from Mr. SASAKI in which he
states:

"I believe that the property (537-539 Powell
St.) was transferred with full understanding
between Mrs. Shige OKI and Mrs. Shigeo OKI."

As you are aware, of course, no registerable
conveyance has been made covering this transaction.
Upon receipt of such document the Custodian will give
consideration to making the conveyance effective.
Failing this, we can only suggest that Mrs. OKI supply
us with an itemized account of taxes and disbursements
which she has paid out relative to this property from
the date at which she claims this property was turned
over to her.

This will be treated as a claim against the
proceeds when this property is liquidated.

Yours truly,

George Peters
Administration Department

GP/dmc

TO WHOM IT MAY CONCERN:-

I, SHIGE OKI, wife of Hyezo Oki, formerly of #1531 - 4th Avenue, East, Vancouver, British Columbia, but now residing at Tashme, in the said Province, HEREBY CERTIFY that about the year 1937, I transferred to my niece SHIGEO OHKI, wife of Tajimi Ohki, for valuable consideration, all my right, title and interest in and to that property situate at Vancouver, British Columbia and known and described as Lot Twenty-five (25), of Block Forty-two (42), in the subdivision of the District Lot One-hundred and Ninety-six (196), Group One (1), New Westminster District.

As I have inadvertently omitted to execute and deliver a deed of said property to my said niece, I HEREBY DECLARE that I have no beneficial interest in the said property and that my said niece Shigeo Ohki is wholly entitled to said property and its revenue.

WITNESS my hand and seal at Tashme, British Columbia, this 3rd day of May, A.D., 1945.

WITNESSES:

Shigetake Sasaki
Ken Yamada

Shige Oki

11767
12285

June 11, 1945.

RECEIVED

Mr. R. Richey,
935 Drake Street,
Vancouver, B. C.

Dear Sir:

Re: Catalogue Nos. 186 & 204
338 Powell St., & 537-9 Powell St.
8/55/36 & 25/12/36.

As we have not received any reply to our letter of May 21st in which we request the funds on both the above properties, we are obliged to withdraw our recommendation for acceptance and consider other bids on these two properties.

Yours truly,

George Peters,
Administration Department.

GP:EB

12285

April 24th, 1945.

Mr. R. Hickey,
935 Drake Street,
Vancouver, B.C.

Dear Sir:-

Re:- Catalogue No. 204,
537-9 Powell Street, Vancouver, B.C.
Lot 25, Blk. 42, D.L. 196, Sp. 1,
H.M.D. Plan 196

Your letter of the 10th instant in which you submitted an offer to purchase the above property for the sum of \$2,000.00, has been received and 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 amount of the purchase price, namely \$2,000.00.

Kindly advise the full name, address and occupation of the person in whose name this property is to be registered, and also state whether or not he is a British subject, using the enclosed form for your reply.

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

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

The tenants will then be advised that the property has been sold, subject to the existing tenancies, and the owner will then be in a position to assume control of this property.

We enclose for your information copies of leases for the above property. The sale of this property is subject to these tenancies.

Yours truly,

GP/DD.
Encs. 3.

F.G. Shears,
Director.

Files Nos. 12285 & 12496

22nd December, 1942.

MEMO - MR. GOOD

Re: Shigeo OHKI and
Shige OKI

I understand that there is a joint account on your ledgers in the name of Shigeo Ohki, File No. 12285 and Shige Oki, File No. 12496, and I can see no reason why there should be a joint account.

File No. 12285

This file covers Mrs. Shigeo Ohki, also known as Mrs. Tajimi Ohki, Registration No. 03521. She is the owner of property in Vancouver being 537 and 539 Powell Street, and the agent administering this property is Mr. A. H. Young.

File No. 12496

This file covers Mrs. Shige Oki, also known as Mrs. Hyoso Oki, Registration No. 12723. She is the owner of property at 1531 East 4th Avenue, Vancouver, and the agent handling the property is the Western City Company.

I would appreciate your amending your accounting records accordingly.

RPA:LF

November 21, 1942.

MEMORANDUM

ONE (or ONE) Family -- see file One or Japan.

TO FILIPINO DEPARTMENT.

The following information on the ONE (or ONE) Family
supplements and replaces Memorandum dated November 3, 1942.

- (1) James ONE (Reg. No. 12457, File No. 12457), age 25,
husband of Grace ONE, (2) below. Trained at 225 Small
Street, Vancouver, under name of James-Edward One. Re-
jected through April 27, 1942. No evidence of owning
any real property. Registration Card in File 12457 (ONE
Grace) should be transferred to File 12457 and File 12457
closed.
- (2) Grace ONE (Reg. No. 12458, File No. 12458), age 24,
wife of James ONE, (1) above. Lived with husband at
125 Small Street, Vancouver, of which she is the re-
gistered owner.
- (3) George Tait ONE (Reg. No. 12459, File No. 12459),
age 27, married son of above couple. Worked for his
registered father (who was probably the brother of his real
father James ONE, in Japan). No evidence of owning
any real property.
- (4) Edna ONE (Reg. No. 12461, File No. 12461), age 26,
wife of George Tait ONE, (3) above. Lived with husband
at 125 Small Street, Vancouver, of which she is the re-
gistered owner.
- (5) Edward ONE (Reg. No. 12462, File No. 12462), age 28,
son of above George Tait and Edna ONE, (3) and (4).
Trained for U. S. Navy, at Woodlawn, B. C.

[Signature]
R. G. Hall.

HR/CR



OHKI, Shigeko

537 Powell Street, Vancouver, B. C.

✓
Sept. 17/42

12285-
FILE NO. 11693

REG. NO. 03521

Inspected September 10th, 1942.

LOT 25 BLOCK 42 D.L. 196

ASSESSMENT VALUE BUILDINGS \$1,300.00 LAND \$800.00

1. Lot 25 x 120 situated on the north side of Powell Street in the centre of the block on which is situated at front, bordering the street, a one-storey frame store building and one four-roomed frame shingle roof one-storey dwelling house.
2. The building bordering Powell Street 25 x 40 contains two stores known as 537 and 539 Powell. Each store is identical with store space in front 15 x 12 and room in rear 24 x 12 used for living quarters containing sink and toilet.

One-storey four-roomed house in rear consists of living room 12 x 12, two bedrooms 12 x 10, kitchen 12 x 12, back shed 6 x 20, containing sink and closet with toilet.
3. Interior and exterior of stores in fair condition. The house is in poor condition.
4. No insurance. Would suggest \$1,000.00 on stores and \$500.00 on house.
5. Liabilities - None.
6. The store 537, the front is used as a barber shop and occupied by Mr. S. Kamikua who is renting for \$10.00 per month. The barber chair and fittings belong to the owner Ohki and will be left behind. Store 539 is occupied by Mrs. H. Kondo and used entirely as a dwelling. Claims not paying any rent. House has been occupied by Mrs. Tajimi Ohki, wife of owner, who is being evacuated this date September 10th, 1942. This house is empty as all furniture has been sold. Occupants of stores are awaiting evacuation orders and arrangements have been made with Mrs. Ohki to remain on in present premises until they have left. Mrs. Ohki would like to rent each store - \$14. per month, and house \$15. No immediate prospects.

*Western City
asked to loan
from case
for*

The Western City Company
LIMITED

Per. C. J. Shustone

12285

21st September, 1942.

The Western City Company,
544 Howe Street,
Vancouver, B. C.

Dear Sirs:

Re: Shigeo OHKI (Mrs. Tajimi)
Registration No. 03521

This case was assigned to you on August 24th and you will have learned from the supplementary memorandum sent to you attached to our letter dated September 12th that Mrs. Ohki has now appointed Mr. Albert H. Young as her agent to look after her property.

Whilst we regret having to do so, it is, as you know, the present policy of this office to abide by the wishes of the Japanese individuals in so far as the appointing by them of agents to administer their property is concerned, provided that it is feasible to do so. We therefore must ask you to be good enough to withdraw from this case, returning to us relative "JP" registration form.

Yours truly,

R. P. Alexander
Manager

RPA:LF

EVACUATION SECTION	
JUL 25 1946	
Rec'd	
File No.	12285/12496
Ans.	
Referred	<i>Referred</i>

Catalog No. 204
File No. 12285, 12496
537-539 Powell Street, Vancouver
25/42/196

July 12, 1946

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

Receipt is acknowledged of Bankers & Traders Insurance Company
Policy No. 32-29885 and British Columbia Plate Glass Insurance
Company Policy No. 34092 which have been assigned to me.

Receipt is also acknowledged of cheque for \$9.37 representing
closing adjustments on sale to me of 537-539 Powell Street,
Vancouver.

Dated at Vancouver, this 15 day of July 1946

W H Luskfield

RETURN TO CUSTODIAN

POST OFFICE DEPARTMENT
ADMINISTRATION DES POSTES
CANADA

This slide to be filled in by office of origin
Le reste 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 _____

ADDRESSED TO: Mr. Alfred Henry
Alfred H. Trunkfield,
2809 West 22nd Avenue,

AT: Vancouver, B. C.

2-200 000-11-4-41

ACKNOWLEDGMENT OF
RECEIPT

VACUATION SECTION

Number who will
be in possession of the article

File No.

A receipt for the article must be
obtained from the sender and
submitted.

Ass.

Noted

RETURN TO: Office of the Custodian,
Retourner à

506 Royal Bank Bldg.,
Vancouver, B. C. (12285-21)

STREET AND NUMBER

(1) VANCOUVER, B. C.
PLACE OF ORIGIN OF REGISTERED ARTICLE
Lieu d'origine de l'objet recommandé

(1) IN PRINTED CHARACTERS
En lettres imprimées

CA

12285 & 12496

REGISTERED A/R

July 25, 1946.

Mr. Alfred Henry Trunkfield,
2809 West 22nd Avenue,
Vancouver, B. C.

Dear Sir:

Re: Catalogue No. 204
537-39 Powell St.
25/12/196

Enclosed please find Certificate of Title No.

149644-L, covering the above described property in your name.

Yours truly,

George Peters,
Administration Department.

/EL

Enc. - Certificate of Title.

FILE NO. 12285

April 4th, 1946.

MEMORANDUM - Mr. F.G. Shears

Re: Catalogue No. 204
537 - 9 Powell St. Vancouver, B.C.
Lot 25, Blk 42, District Lot 196.

We require clarification of the tenancy of William F. Tomlin who rents the store on the above property, and John Ferguson who rents the dwelling at the rear of this building. We are attaching copies of the two leases.

When the registered owner Shige OKI left the protected area she declared no property whatsoever. Her daughter-in-law Shige OHKI declared this property. When requested to produce proof of ownership, Mr. Young, the solicitor, entered into the situation and prepared an unregistrable document dated May 3rd, 1945. For some reason or other, at a later date the registered owner informed this office that she did not know what she was signing and she wished the title of the property to remain in her name. For our answer to Mr. Young with reference to the title, refer to our letter of January 19th, 1946.

Note the agreements drawn up between the daughter-in-law and not the registered owner. Would these agreements be effective owing to the fact that we have accepted rent outlined in the terms of payment. Also note the uncertainty of term on both of the agreements.


George Peters
Administration Department

GP/10

File No. 12285

Catalogue No. 204

MEMORANDUM.

To: Mr. Peters.

From: A. G. McArthur.

Re: 537-9 Powell St., Vancouver.
Lot 25, Blk. 42, D.L. 196,
Two stores & dwelling.

Acceptance of a bid of\$2000.00..... on the above property
is being recommended to the Secretary of State.

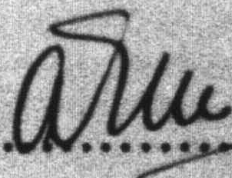
Valuation: \$2200(Reid)
\$1750(Harvey)

Approved: April 3, 1946

Please prepare Real Property memorandum and pass on to
...Mr. Peters... for completion of this transaction.

If there are any special circumstances relative to the condition
or leasing of these premises which should be disclosed to the Purchaser,
or any anticipated delays in transferring title, please give ...Mr. Peters...
a memo covering same.

Date: April 3, 1946


.....

Purchaser: Not yet known (agent M.E. Cowan Agencies)

LOEWEN & HARVEY, LIMITED
FIRE, CASUALTY, BURGLARY
AUTOMOBILE, PLATE GLASS
INSURANCE
AGENTS FOR
EAGLE, STAR AND BRITISH
DOMINIONS INSURANCE
COMPANY LIMITED
OF LONDON, ENG.

ESTATE AGENTS INSURANCE
MORTGAGES REAL ESTATE

A. ROUT HARVEY

TELEPHONE
MARINE 4341
CODES
A. B. C. 5TH EDITION
WESTERN UNION
CABLE ADDRESS
"LOWHAR"

751 DUNSMUIR STREET
VANCOUVER, B.C.

March 22nd, 1945

The Department of The Secretary of State,
Office of The Custodian,
(Japanese Evacuation Section)
506 Royal Bank Bldg.,
Granville & Hastings Street
Vancouver, B.C.

Rec'd	MAR 23 1945
File No.	
Ans.	
Replied	

Dear Sir:

Re: Catalogue No. 204 - 537 Powell Street,
Lot 25, Block 42, District Lot 196.

The above property is on the North side of Powell Street,
between Jackson and Denison Avenues - is 25 x 120 feet to a 20 foot
lane. The lot is level throughout and with street and lane
frontages. The lots on each side are vacant and have reverted to the
City of Vancouver through Tax Sale.

On the front of the lot is a one storey - hollow tile
building, 25 x 42 feet with brick pillars on the front corners.
Originally this was divided into two (2) stores, - which are now
occupied as living quarters. In each store there is a toilet and
sink with cold water only - and 7 foot partitions have been installed
to make three (3) rooms on each side. Walls and ceilings are
plastered and in fair condition. There is one single flue chimney.
The floors and floor joists are in bad condition and in need of re-
newal. The wooden window fronts need repair and paint, and the ex-
terior of the East and rear wall need repair where the hollow tile is
broken. The plate glass front of the East store is cracked across
one corner. It was not possible to see the roof.

Six feet behind the store is a four (4) room frame bungalow
21 x 27 feet. Foundations are cement block and wood post and the
base is covered with tar and roofing paper. Upper walls are drop-
siding - and the shingle roof is good. Exterior paint is fair and
eaves and downpipes in good condition. The rooms consist of living
room, two (2) bedrooms and kitchen. There are no cupboards. Plumbing
consists of sink with hot and cold water only. Fir floors are good.
Interior walls and ceilings are wood papered over - and decoration is
neat and clean. Behind and attached to the house is a storage shed
12 x 18 feet - and the toilet is in this addition. The shed is in poor
condition, - floors uneven and walls out of plumb. There is a sheet
iron roof. A second smaller shed 12 x 13 extends behind the first
one. There is a fence around the rear portion.

In my opinion a fair valuation as at the date of inspection,
20th day of March, 1945 is ONE THOUSAND SEVEN HUNDRED AND FIFTY
(\$1,750.00) Dollars.

Yours faithfully,
Loewen and Harvey, Limited.

W. R. Harvey

Director.

ARH/F.

THIS AGREEMENT made in triplicate the 28th day of November, in the year of our Lord one-thousand-nine-hundred and forty-two (A.D.1942),

BETWEEN:

SHIGI OHKI, Married woman, residing at Tashme, in the Province of British Columbia,

(Hereinafter called the "Landlady")

Of the One Part,

And-

JOHN CHERNOFF, residing at 43240 Turner Street, in the City of Vancouver, in the Province of British Columbia,

(Hereinafter called the "Tenant")

Of the Other Part.

1. The said Landlady lets and the said Tenant takes the premises known as Nos. 537 & 539 Powell Street, in the City of Vancouver, in the Province of British Columbia, the legal description of the land upon which the same are situate is Lot 25 of Block 42, in the District Lot 196, for at least three months, beginning on the 28th day of November, A.D.1942, at the monthly rent of Twenty-five (\$25.00) Dollars, payable in advance. The first monthly rent shall be paid on the 28th day of November, A.D.1942, and thereafter on the 28th day of each and every month until the tenancy is terminated. All payments to be made to A. H. Young, Barrister & Solicitor, at his office at 1009 Dominion Bank Building, in the City of Vancouver, British Columbia.

2. The Tenant shall at all times during his tenancy keep the premises, including the plumbing, drains and drain pipes, electric fixtures and electric wiring in good repair and condition (reasonable wear and tear and damage by fire, lightning, tempest and earthquake only excepted) and if the Tenant shall damage the said premises, the plumbing, drains and drain pipes, electric fixtures and electric wiring, or in the event of the water pipes, plumbing, drains or drain pipes are damaged by freezing or from any cause whatsoever,

The Tenant

the Tenant shall restore them to their present condition.

3. The Landlady shall pay the land taxes and water rates of the said premises and the Tenant shall pay for all gas or electricity used on the said premises; and the Tenant agrees not to waste or permit to be wasted any water on the said premises.

4. The Landlady or her agent or agents may enter upon and inspect the premises at all reasonable times to view the condition thereof.

5. The Tenant shall not assign or sub-let the said premises without the written consent of the Landlady or her authorized agent and shall not use the said premises for other than residential purposes and shall not do anything that may be deemed a nuisance on the premises nor shall the Tenant carry on or do anything in said premises which will increase the premium rate of insurance against fire or invalidate any policy of insurance on the building.

6. The Tenant shall provide receptacles approved by the City of Vancouver for rubbish of all kinds and shall attend to the removal of same from the said premises, and will not leave nor accumulate any boxes, packing material or other rubbish of any kind on the said premises or any public or private passages connected with same.

7. If the said rent or any part thereof (whether demanded or not) shall be unpaid for ten (10) days after the day on which it is payable or any of the Tenant's stipulations are not performed the Landlady or her agent may re-enter upon the premises and thereupon the tenancy shall be determined.

8. IT IS UNDERSTOOD AND AGREED between the Landlady and the Tenant that the Landlady will not be responsible for any damage caused to the Tenant's goods, chattels and effects or to the goods, chattels and effects brought into the said premises by any person, by accident to or defect of water pipes, drains, drain pipes, chimneys, roof, skylights, plumbing, wash basins, or the connection thereof, whether the same arises from the

from the negligence or unskillfulness of the Landlady or her servants or from any cause whatsoever.

9. AND IT IS FURTHER UNDERSTOOD AND AGREED between the Landlady and the Tenant that in case the premises hereby let or any part thereof shall at any time during the term hereby granted be burned or damaged by fire, or otherwise so as to render the same unfit for the purpose of the Tenant, then the rent hereby reserved or proportionate part thereof according to the nature and extent of the injuries sustained and all remedies for recovering the same shall be suspended and abated until the said premises shall have been repaired or made fit at the option of the Landlady for the purpose of the Tenant.

10. The Tenant agrees to safely keep the barber-chair, barber-shop wall fixtures and mirrors, wash-basin and other barber accessories left in the premises.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED and DELIVERED
In the Presence of:

W. F. Lomelin

Shiga Ohki
by *[Signature]*
her Attorney in fact

John J. Chernoff

03521

OHKI, Shigeko (Mrs. Tajima)

12285

COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
Bankers & Traders Ins. Co.	<i>Renewal due 857-12</i> 32-29885	\$1500.00	Nov.	19	1945	8. St. Lot 15, Blk. 12, D.L. 196, 537-539 Powell St., Vancouver, B.C.
B.C. Plate Glass Insurance Co.	<i>Renewal due 31869</i> 31712	\$--	March	23	1943	537 Powell St., Vancouver, B.C.
B.C. Plate Glass Insurance Co.	<i>Renewal due 31869</i> 31869	\$--	March	23	1944	537 Powell St., Vancouver, B.C.
New England Fire Insurance Company	<i>Renewal not required</i> 6251581	\$500.00	Jan.	9	1945	rear 537 Powell St., Vancouver, B.C.
B.C. Plate Glass Insurance Company	<i>Renewal due 33398</i> 33398	\$1.01.	March	23	1945	537-539 Powell St., Vancouver, B.C.
B.C. Plate Glass Insurance Company	<i>Renewal - Pol. #34092 - B.C. Plate Glass</i> 33398	Pl. Glass	March	23	1946	537-539 Powell St., Vancouver, B.C.
Plate Glass Insurance Company	34092	Pl. Glass	March	23	1947	537-539 Powell St., Vancouver, B.C.

Transferred to new number June 5/46

Renewal of N.E. 6251581 not required

500 cover on this dwelling is carried under B.C. 32-29885 as per agreement with A.H. Young Jan 8/45. vms

Fire Insurance Summary

File No. 12285

February 7, 1947.

Re: OHKI, Shigeko (Mrs. Tajima)
Registration No. 03521
537-539 Powell Street,
Vancouver, B. C.

Fire Insurance

Mrs. Shigeko OHKI, in her JP Form dated August 17, 1942, declared that she carried no fire insurance on the buildings at 537-539 Powell Street. However, \$500.00 was carried on the one story frame building. Number of policy being New England Fire Ins. Policy No. 6251581. Renewal of said policy was not required as the dwelling and stores were later covered by Bankers & Traders Policy No. 32-29885.

The Western City Company advised us in their report dated September 17, 1942, that there was no insurance carried on the above property and suggested coverage of \$1,000.00 on stores and \$500.00 on the house.

Upon our instructions, Mr. Young covered the above property for the sum of \$1,500.00 with the Bankers and Traders Insurance Company Limited Policy No. 32-29885. Premium amounting to \$24.35 was deducted by Mr. Young from rentals of the above-mentioned property.

P.T.O.

On September 9, 1943, a fire occurred in the stores at 537 and 539 Powell Street, and it was necessary to have repairs made at a cost of \$249.45. Proof of Loss was filed and claim paid by Messrs. Hobson, Christie and Company Limited, Insurance Agents for Bankers and Traders Insurance Company, with whom insurance Policy No. 32-29885 was carried for the sum of \$1,500.00. Cause of the fire is not definitely known, but we were advised that it might have been caused by mice gnawing at matches in pocket of clothing.

An additional premium, on the above policy, amounting to \$2.40 was paid from Shigeko OHKI's account in this Office.

Policy No. 32-29885 expired on November 19, 1945, and was renewed ^{by} Bankers & Traders Policy No. 32-29885-RC 857 covering the above-mentioned property for the sum of \$1,500.00. Premium amounting to \$24.35 was paid from Shigeko OHKI's account in this Office.

537-39 Powell Street, was sold and on June 4, 1946, Bankers and Traders Policy No. 32-29885 was transferred to the new owner Alfred Henry Trunkfield. The purchaser was charged \$20.84 for his portion of the unexpired policy. Transferred policy was forwarded to Mr. Trunkfield with our registered letter dated July 12, 1946.

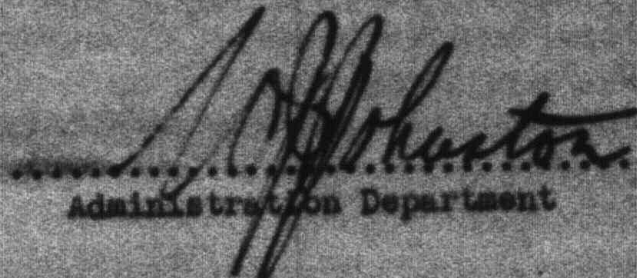
Plate Glass Policy

Parsons, Brown Ltd., forwarded to this Office with their letter dated October 31, 1942, Policy No. 31212, B. C. Plate Glass Ins. Co. This policy covered plate glass on the property at 537 Powell St., was written on March 23, 1942, for one year and was applied for by Mrs. Shigeko OHKI. Premium amounting to \$4.10 was deducted by Mr. Young from rental of the above-mentioned property.

The B. C. Plate Glass Policy was renewed each year, premiums amounting to \$4.10 were paid from rentals.

537-39 Powell Street was sold and on June 5, 1946, Plate Glass Ins. Policy No. 34092 was transferred to the new owner Alfred Henry Trunkfield. The purchaser was charged \$3.72, for his portion of the unexpired policy. Transferred policy was forwarded to Mr. Trunkfield with our registered letter dated July 12, 1946.

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


.....
Administration Department

WJJ/HMS

[illegible]

ONKI, Shigeko (Mrs. Tajima)

COMPANY

POLICY NO.

AMOUNT

EXPIRATION

MONTH

DAY

YEAR

PROPERTY

Bankers & Traders
Ins. Co.

32-29885-
RC 857

\$1,500.00

Nov.

19

48

S pt. Lot 25, Blk. 42, D.L. 196,
537 - 539 Powell Street,
Vancouver, B. C.

REG. NO.		NAME		FILE NO.	
03521		OHKI, Shigeo (Mrs. Tajimi)		12285	
ASSURED THE SECRETARY OF STATE OF CANADA, acting in his capacity as CUSTODIAN of Enemy Property on behalf of SHIGEO OHKI					
COMPANY	POLICY NO.	AMOUNT	PREMIUM	RATE	TERM
Bankers & Traders Ins. Co.	32-29885	\$1500.00	\$24.35	1:50 1:87	3 Yr.
PROPERTY INSURED \$1000. On 1 story, brick patent roof stores. 500.00 On 1 story, frame, shingle-roof private dwelling, rear of above store.				LOCATION Spt., Lot 25, Blk. 42, D.L. 196 and N.pt. Lot 25, Blk. 42, D.L. 196 No. 537-539 (and rear of 537-539) Powell St., Vancouver, B.C.	
LOSS PAYABLE		INSURANCE AGENT		RENTAL AGENT	
ASSURED		Hobson, Christie & Co. Ltd.			
ENDORSEMENTS Renewed under Cert. # 857-32 - Nov. 19/1948					

REG. NO.	03521	NAME	OHKI, Shigeko (Mrs. Tajimi)		FILE NO.	12285		
ASSURED	THE SECRETARY OF STATE OF CANADA, acting in his capacity as Custodian.							
COMPANY	B. C. Plate Glass Insurance Company	POLICY NO.	34092	AMOUNT	PREMIUM	RATE	TERM	EXPIRATION
PROPERTY INSURED	Plate Glass Insurance				\$4.10		1 yr.	March 23, 1947.
LOSS PAYABLE	Assured			INSURANCE AGENT		RENTAL AGENT		
ENDORSEMENTS				Persons, Brown Ltd.		A. H. Young		
Transferred to new owner.								

REG.
NO.

03521

NAME

OHAI, Shigeko (Mrs. Tajima)

FILE
NO.

12285

ASSURED

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

COMPANY

B.C. Plate Glass
Insurance Company

PROPERTY INSURED

POLICY NO:

33388

AMOUNT

—

PREMIUM

\$4.10

RATE

—

TERM

1 Yr.

EXPIRATION

March 23, 1946

Plate Glass Insurance

LOCATION

537-539 Powell Street,
Vancouver, B.C.

LOSS PAYABLE

Assured

INSURANCE AGENT

Parsons, Brown Ltd.

RENTAL AGENT

A. H. Young

ENDORSEMENTS

Renewed under Policy No. 84092

REAL PROPERTY SUMMARY

Catalogue No. 204

File No. 12285

Japanese Name: OHKI, Shigeo (Mrs. Tajimi)

Reg. No. 03521

Civic Address: 537-539 Powell Street, Vancouver, B. C.

Legal Description: City of Vancouver, Lot 25, Block 42, District Lot 196, Group 1, New Westminster District, Plan 196.

Classification: 2 Stores and Dwelling.

-----S O L D-----

Registered in the name of: Shige OKI

State of Title: Mrs. Shige OKI advised us in a letter dated May 1, 1945, as follows: "I beg to inform you that the above property was not legally transferred to Mrs. Shigeo Ohki. (my daughter-in-law) but it was a long years ago I did transferred this property to her in our personally understanding each other, for her interest." Further particulars regarding ownership of this property will be found in the General Summary in this File.

Whereabouts of Certificate of Title No. 32355-K: Land Registry Office, Vancouver, B. C.

Vesting: In Custodian filing No. 34979, October 6, 1942.

Sold to: Mr. Alfred Henry Trunkfield, President: London Grocery and Provisioning Stores Limited, of 2809 West 22nd Avenue, Vancouver, B. C., British Subject, for the sum of \$2,000.00 (cash). Date of Sale April 25, 1946.

Title delivered by registered mail to Mr. A. H. Trunkfield, 2809 West 22nd Avenue, Vancouver, B. C., with our letter dated July 25, 1946.

Funds derived from above sale being held in Properties Suspense Account until it is determined who is entitled to receive same. See General Summary regarding this matter.

Insurance: Transferred to purchaser.

Chattels: Not involved.

ADMINISTRATION:

Shigeo (Mrs. Tajimi) OHKI, in her JP Form dated August 17, 1942, declared owning the following Real Property: "537 Powell St., City of Vancouver, Lot 25, block 42, district lot 196, Title deed number unknown ...(with)...one store and one 4 roomed house behind the store." However, Certificate of Encumbrance received by us from the Land Registry Office shewed that Shige OKI was the registered owner. Particulars regarding the ownership of this property will be found in the General Summary on this File.

Under "Occupancy and Leases", Mrs. OHKI declared as follows: "The store has been rented to Mr. Shigeo KAMIKURA, for the past five years, the rent being \$14.00

REAL PROPERTY SUMMARY CONTINUED

Catalogue No. 204

(2)

File No. 12285

per month. The rent has been paid up to July 15, 1942. The house is occupied by declarant, when she is evacuated the house will be left vacant. Declarant has no agent. The key will be brought to Custodian. Declarant states she would like the store to be rented but the house left vacant as it is full of furniture."

The Western City Company were appointed agent for this property by the Custodian on August 24, 1942. Their representative inspected the above property on September 10, 1942, and found that the store building was divided into two stores facing on the North side of Powell Street, both store fronts being identical and numbered 537 and 539. Living quarters containing sink and toilet were located immediately behind the stores. Mrs. OHKI allowed certain Japanese to use these stores and the living quarters free of rentals until they were Evacuated on October 28, 1942.

The house at the rear of the store building on the same lot contained 4 rooms, a sink and closet with toilet. This house was occupied by Mrs. OHKI until she was evacuated on September 11, 1942.

The interior and exterior of the store building was reported to be in fair condition and the house in poor condition.

Mrs. OHKI requested that the stores be rented for \$14.00 per month each and the house for \$15.00. She appointed Albert Henry Young, Barrister and Solicitor, City of Vancouver, her lawful Attorney, to demise and let her real property; to collect all rents and give receipts; to insure against loss or damage by fire, and to generally carry on the operation of said property. Therefore, the appointment of Western City Company as our agent was cancelled after we explained the situation to them.

Subsequent to Mrs. OHKI's Evacuation on September 11, 1942, Mr. Young made arrangements to rent the house at the rear to Mr. John G. Viatkin at \$15.00 per month from September 15th, but later found this man an undesirable person and cancelled said arrangements. Under his Power of Attorney, however, Mr. Young leased said house to Mr. John Ferguson for the sum of \$15.00 per month from the 21st day of September 1942, and made an agreement with Mr. Ferguson covering his tenancy. This agreement stipulated that the tenant must keep the interior of the house, including the plumbing, and electric fixtures or electric wiring in good repair and condition.

The Japanese who occupied the premises known as 537 and 539 Powell Street with the consent of Mrs. OHKI, vacated these stores on October 28, 1942, but Mr. Young did not obtain the keys until November 2nd. Mr. Young advised us that when he inspected the premises he found the doors to both the stores unlocked and the place in a general mess, having been ransacked by children in the neighborhood. Dampness had caused large patches of plaster to fall off the ceiling of 539. Also, the plaster of the east wall of this store was coming off and the floor was in bad shape, especially in the water closet and around the sink. Mr. Young stated renovation was badly needed but that both money and materials to complete the work were not available.

The City Electrician, on finding the stores vacant, notified the Power Company not to reconnect the meter until a permit had been received from his Office. Two letters were written to Mrs. OHKI by the Electrician's Office dated October 30, 1942

P.T.O.

REAL PROPERTY SUMMARY CONTINUED

(3)

Catalogue No. 204

File No. 12285

and November 10, 1942, regarding this matter, the last-mentioned communication being addressed to her, care of the Custodian at 506 Royal Bank Building.

Mr. Young visited 537 and 539 Powell Street with an Inspector from the Electrician's Office and he approved of the electric wiring but cut off the extension light wirings. A full report was forwarded to Mrs. OHKI regarding the above matters by Mr. Young on December 1, 1942, according to advice received from him.

Under the above-mentioned Power of Attorney, Mr. Young leased the two stores to Mr. John Chernoff for \$25.00 monthly. The Agreement, dated November 28, 1942, stated the Tenant was to have possession of the premises for at least three months from November 28, 1942, and that the monthly rental of \$25.00 was payable in advance on the 28th of each and every month until the tenancy was terminated; the tenant was to keep the premises in good repair; the Landlady was to pay land taxes and water; the tenant was to pay for gas and electricity, and to provide garbage receptacles. Provision was made for re-entry if rent was unpaid for 10 days. The stores were rented for living quarters only.

Mr. John Ferguson remained the tenant of the dwelling until the property was sold by us to Mr. Alfred Henry Trunkfield as at April 25, 1946. Mr. Chernoff remained the tenant until March 28, 1943, when Mr. Young rented the two stores to Mr. William Frederick Tomilin under an Agreement for \$25.00 per month from April 1, 1943. This Agreement stipulated that the tenant was to keep the premises, including the plumbing, drains and drain pipes, electric fixtures and electric wiring in good repair and condition; the Landlady was to pay land taxes and water; the tenant was to pay for gas and electricity and that the owner would not be responsible for any damage caused to the Tenant's goods, chattels and effects, by accident to or defect of water pipes, drains, drain pipes, chimneys, roof, skylights, plumbing, wash basins, or the connection thereof, whether the same arises from the negligence or unskillfulness of the Landlady or her servants or from any cause whatsoever. The Tenant also agreed to keep the barber-chair, barber-shop wall fixtures and mirrors, wash-basin and other barber accessories left in the premises. Mr. Tomilin remained the tenant of the above stores until the property was sold by us.

All tenants paid their rents regularly and revenues were more than sufficient to pay for upkeep of the property. Net revenues derived from the rental of the above property were credited to the account of Shigeko OHKI, Registration No. 03521, File No. 12285, in our books. In view of the fact that a dispute arose regarding the ownership of said property all funds were frozen in this account as at July 11, 1946.

Besides the above-mentioned barber shop equipment Mrs. OHKI declared, in her JP Form dated August 17, 1942, a considerable quantity of household furniture and personal effects, and the disposition of these will be found under the Chattel Summary on this file.

Mr. Young collected all rentals and reported to us quarterly on our rental statements. He made a collection charge of 10% as well as extra charges for legal services rendered by him. Deductions were also made for Water Rates,

P.T.O.

NAME OHKI, Shigeko (Mrs. Tajimi)

REGISTRATION NO. 03521

FILE NO. 12285

The following chattels were sold by public
auction at 992 Powell St., Vancouver, B.C. on July 6, 1945.

Enamel Wash Basin
Barber Chair

\$ 7.00
2.50

Total (Auctioneer's Fee: 80.95
Less Expenses: (Advertising: 0.47
(Moving: 1.96

\$ 9.50
3.38
6.12

Net Proceeds Credited:

Members of Custodian Staff Present. Mr. Wills.

Extracted from Auctioneering List No. Vancouver 48.

Remarks.

Catalog No. 204
File No. 12285
537-539 Powell Street, Vancouver
25/42/196

July 12, 1946

Alfred Henry Trunkfield
(purchaser)

In account with: The Custodian of Enemy Property

STATEMENT OF ADJUSTMENTS
(As at April 25, 1946)

	DEBIT	CREDIT
Purchase Price	\$2000.00	
Cheques received		\$2000.00 ^
<u>Amount of rent collected</u>		
April 24 to April 30 - 7/30 x \$23.75		5.54
May and June - 2 months @ \$23.75		47.50
April 24 to May 20 - 27/31 x \$14.25		12.41
May 21 to July 20 - 2 months @ \$14.25		28.50
Registration fees on deed - \$2000.00	8.25	
Insurance premium - #34092	3.72	
Insurance premium - #32-29885	20.84	
Purchaser's proportion of 1946 taxes paid - 251/365 x \$77.47	53.27	
Seller's proportion of water - March 6 to April 24 - 50 days @ 3¢ a day		1.50
Balance owing to purchaser	9.37	
	<u>\$2095.45</u>	<u>\$2095.45</u>

BALANCE OWING TO PURCHASER - \$9.37

STATEMENT RE SALE OF:

Name: OHKI, Shigeko #03521

Catalogue No: 204

File No: 12285

Street Address: 537-539 Powell Street, Vancouver

Legal Description: 25/42/196

Date of Sale and Adjustments April 25, 1946.

Sale Price \$2,000.00

Real Estate Agents Commission \$100.00

Charge for Valuation 10.00

Charge for Advertising 4.00

Land Registry Office Transmission Fee 2.50

Encumbrances:

~~Unpaid Vendor~~~~Mortgage~~~~Arrears of Taxes~~~~Other Charges~~

Adjustments:

Fire Insurance 24.56

Taxes 53.27

Water 1.50

118.00 \$2,077.83

Net Proceeds credited to your account as of April 25/46 \$1,959.83

Date: September 27, 1946.

Compiled by: George Peters.

Files 12285
12496

	Dr.	Cr.	Bal.
<u>1943.</u>			
Dec. 14.	Rents collected Agents commission, repairs, water, taxes	\$525.00	
			\$409.75
<u>1944.</u>			
Dec. 11.	Rents collected Disbursements Taxes. 1944 Land Registry Office c/E	\$480.00	
			83.30 113.23 1.00
<u>1945.</u>			
Dec. 10.	Rents collected Disbursements Taxes. 1945 Cheque to Mrs. Shigeko OHKI	\$500.00	
			161.75 111.35 200.00
<u>1946.</u>			
Mar. 27	Rents collected Agents commission Fire Insurance premium. Taxes arrears. Water and agents charges Taxes 1946	\$120.00	
			12.00 4.10 35.00 11.25 77.47
Apr. 25.	Bal. rents to date, nett Cr. re sale of property	48.55 1959.81	
			1220.20
			<u>2413.18 Cr.</u>

File No. 12285

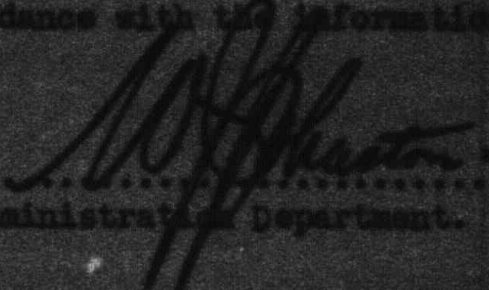
February 8, 1947

LIABILITIES SUMMARY

Re: Shigeko OHKI (Mrs. Tajima)
Registration No. 03521

The above named Japanese declared no liabilities, and
there are no claims against her on file.

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


.....
Administration Department.

WJJ/HMS

File No. 12285

February 8, 1947.

PERSONAL PROPERTY SUMMARY

Re: OHKI, Shigeko (Mrs. Tajimi)
Registration No. 03521 .

CHATELS: Mrs. Shigeko OHKI, in her JP Form dated August 17, 1942, declared barbers equipment left at 537 Powell Street and a large quantity of furniture and effects stored in the house on the above property. Disposition of these effects will be found under the Chattel Summary on this file.

SECURITIES: Mrs. Shigeko OHKI declared the following:
"Two \$5.00 War Savings Certificates. In own possession."
The above Certificates did not come under the Custodian's control at any time.

NO PROPERTY INTERESTS, OTHER THAN THE ABOVE-MENTIONED, APPEAR ON THIS FILE.

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

.....*Robertson*.....
Administration Department.

WJJ/HMS

CHATTEL SUMMARY

File No. 12285

February 8, 1947.

Re: Shigeko OHKI (Mrs. Tajimi)
Registration No. 03521
537-539 Powell Street,
Vancouver, B. C.

Mrs. Shigeko OHKI, in her JP Form dated August 17, 1942, declared barbers equipment left at 537 Powell Street and a large quantity of furniture and effects stored in the house on the above property. However, a memorandum dated September 10, 1942, and signed by Mrs. Shigeko OHKI, states the following: "Since declarant registered on August 17, she has sold all her furniture. Nothing will be left in her house at the above address."

Mr. Wilson instructed the Protection Department on April 23, 1945, to have the Barber Chair, Barber Shop Wall fixtures, Wash Basin and other accessories left in the store in the care of Mr. William Tomlin, removed to auction.

One Barber Chair and Wash Basin were removed from the above address to 992 Powell Street where they were included in Vancouver Auction No. 48. Net proceeds derived from said amounted to \$6.12. 1 Barber's mirror on the wall was nailed to the building and was regarded as a fixture. It was also in very poor condition and of no value.

Mr. Wills called at 537-9 Powell Street, Vancouver, B. C., on April 5, 1946, and questioned the tenants re Japanese chattels and they stated they were definitely sure there were no chattels left in the buildings belonging to Japanese.

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


.....
Administration Department

WJJ/HMS

File No. 12385
12496
11673
5090

February 7, 1947

GENERAL SUMMARY

Re: Lot 25, Block 42 in Subd. of D.L. 196,
Op. 1, S.V.D., known as 537-539 Powell
Street, Vancouver, B. C. Cat. No. 204;
Store building with dwelling at rear.

The above-mentioned property was sold to Mr. Alfred Henry Frankfield of Vancouver for the sum of \$2,000.00 cash; the date of sale being April 25, 1946. Proceeds received by us in connection with this transaction are being held in the account of Shigeko OHKI, Registration No. 09521, File No. 12285, pending clarification of ownership of the property prior to above sale. The difficulty in determining who should receive said proceeds is outlined in this Summary.

Shigeko OHKI (Mrs. Tajimi), in her JP Form dated August 17, 1942, declared owning the following Real Property: "537 Powell Street, City of Vancouver, Lot 25, block 42, district lot 196, Title deed number unknown."

Mrs. OHKI, who was a Dressmaker, and her husband, Tajimi OHKI, Registration No. 09523, File No. 11673, lived in the dwelling at the rear of the store building, and rented the two stores numbered 537 and 539 to Mrs. S. Kamikura and Mrs. H. Kondo respectively. Mrs. Kamikura operated a barber shop but the equipment belonged to Mrs. OHKI according to her declaration.

Mr. Tajimi OHKI, was the adopted son of Mr. Hyoso OHKI, Registration No. 11697, File No. 5090 and his wife, Shige OHKI, Registration No. 14723, File No. 12496. He was a clerk in his father's store, referred to in the next paragraph.

Mr. Hyoso OHKI traded under the name of Anglo-Nippon Company, Men's Clothiers, at 218 Powell Street, Vancouver, but he did not own the property at this address. On April 17, 1942, Mr. OHKI was adjudged bankrupt. Total liabilities were shown as \$2,963.45 and according to information received from the Canadian Credit Men's Trust Association the Creditors received .40% on the dollar from the liquidation of his assets. When Mr. OHKI was repatriated to Japan on August 2, 1946, he turned in \$250.00 to the Treasury Department. He was 73 years of age on March 20, 1946.

Mr. OHKI's wife, Shige OHKI, in her JP Form dated August 18, 1942, did not declare having any interest whatsoever in the real property at 537-539 Powell Street. (Mrs. Shigeko OHKI, her daughter-in-law, signed said JP Form on her behalf). Mrs. Shige OHKI did, however, declare

GENERAL SUMMARY CONTINUED.

owning real property at 1531 East 4th Avenue, Vancouver, and Certificate of Encumbrance on file showed her as the registered owner. This property was sold by us for the sum of \$1,500.00 as of January 13, 1944, and net proceeds were credited to her account with the Custodian. When Mrs. OKI was repatriated to Japan on August 17, 1946, she turned in \$1,148.00 to the Treasury Department and this amount, together with the balance of funds in her account in this office, viz. \$1,088.98, enabled her to return to Japan with \$2,236.98. She was 70 years of age on February 27, 1946.

Mr. Hyoso OKI and his wife, Shige OKI, were Naturalised Canadians and were evacuated to Tashme on September 11, 1942.

Mr. Tajima OKI and his wife, Shigeke OKI, were both Japanese Nationals, and were also evacuated to Tashme, the former in March, 1942, and Mrs. OKI on September 11, 1942.

Mr. and Mrs. Hyoso OKI remained in Tashme until immediately prior to their repatriation to Japan, but Mr. and Mrs. Tajima OKI, the adopted son and daughter-in-law, having decided to remain in Canada, left Tashme to reside in White Valley, near Vernon, B. C., on June 22, 1945.

As stated above, Mrs. Shige OKI, did not declare owning the real property at 537-539 Powell Street, although her name appeared as the registered owner in the Certificate of Encumbrance obtained by us on October 8, 1942. Further, Mrs. OKI did not communicate with us or indicate in any way that she was interested in the property on Powell Street. Her file dealt entirely with her property at 1531 East 4th Avenue, Vancouver, until we wrote her on April 27, 1945. At that time we asked her if her daughter-in-law, Mrs. Shigeke OKI, had any interest in the Powell Street property by way of an unregistered deed or otherwise. She replied as follows under date of May 1, 1945: "I beg to inform you that the above property was not legally transferred to Mrs. Shigeke Ohki. (my daughter-in-law) but it was a long years ago I did transfered this property to her in our personally understanding each other, for her interest.

"However she is now forward the application of transfer for the above property through her agent Mr. A H Young, at Vancouver.

"Trusting that this will be satisfactory."

Mr. A. H. Young, Barrister and Solicitor, was appointed by Mrs. Shigeke OKI to look after the property at 537-39 Powell Street, which she declared belonged to her. She gave him a Power-of-Attorney in order that he might have full authority to act for her while she was away from Vancouver. Mrs. OKI signed her name to this Power-of-Attorney as Shige OKI, being the spelling of her mother-in-law's name, but this might be accounted for by the fact that Mr. Young typed the name this way and forwarded the document to her at Tashme for signature.

Following receipt of the above letter from Mrs. Shige OKI, mother-in-law, we received from Mr. Young a document dated May 3, 1945, in which Mrs. OKI stated that about the year 1937, she transferred to her niece, Shigeke OKI, wife of Tajima OKI, for valuable consideration, all my right, title and interest in and to that property situate at Vancouver, B. C., and described as Lot 25 of Block 42, in the subdivision of the District Lot 196, Group 1, New Westminster District. She further stated that she had inadvertently omitted to execute and

GENERAL SUMMARY CONTINUED.

deliver deed of said property to my said niece, she was now declaring she had no beneficial interest in said property and that the niece, Shigeko OKI, was wholly entitled to said property and its revenue.

This appeared to clarify the situation as far as we were concerned but just three days after Mrs. Shigeko OKI was instrumental in getting Mrs. Shige OKI to sign the above document we received a letter from her dated May 9, 1945, requesting us to send her \$200.00 as she and her husband were moving to Ninte City, B. C., and required that amount for expenses. Remittance of these funds was approved by the B. C. Security Commission and our cheque went forward on May 23, 1945. This was the first request for funds received from Mrs. Shigeko OKI and although her mother-in-law, Mrs. Shige OKI had revenues from her property on 4th Avenue East, being credited to her account, no request for funds was received from her either until the Department of Labour, Japanese Division, forwarded us a copy of a letter dated September 23, 1945, received by them from their Japanese Welfare Office, which reads as follows:

"That Mrs. OKI, Shige, Reg. No. 14723

"This woman came in the office to ask for maintenance. At the time of evacuation she rented her place at 537 Powell Street, Vancouver. As far as could be gathered from the woman, who is quite elderly and contradicts herself, she has not received this rent for some time and she believes that her daughter-in-law, Mrs. Shigeko OKI, Reg. No. 03521 has received the money. Her daughter-in-law and family moved to Vernon in June 25, 1945. Just before she left Mrs. Shigeko OKI asked her mother-in-law to sign a paper. This Mrs. Shige OKI did although she did not know what she was signing as it was written in English. She believes that she signed away her ownership of this Powell Street property. Mrs. OKI now wants to cancel that signature. She also requested \$100.00 and clothing as soon as possible."

We wrote the Department of Labour, Japanese Division regarding this matter and they replied by forwarding us the following communication from their Japanese Welfare Office dated November 28, 1945:

"Mrs. OKI was interviewed and it was explained to her that she had signed over her legal right to her daughter-in-law. Mrs. OKI claims that she did not realize what she was signing, but understands that she no longer has the ownership of the property. She is asking that the Vancouver office write to Mrs. Shigeko OKI who is living at Vernon, B. C. Mrs. OKI wants it explained that she was not aware of what she signed and ask if Mrs. OKI will send her the revenues from the property."

We, therefore, wrote Mrs. Shigeko OKI at Vernon, B. C., and requested her to advise us what the "valuable consideration" referred to in the Declaration of Shige OKI consisted of and to state her intentions regarding Mrs. OKI's remarks referred to above. We advised her in the same letter that the sum of \$250.00, which she wrote for on November 28, 1945, could not be forwarded until the ownership of the Powell Street property was clarified.

In reply, Mrs. OKI wrote Mr. Young, her Solicitor, and he enclosed her letter with his communication to us dated December 14, 1945. The following is an extract from Mrs. OKI's letter:

"As I have told you before, Mrs. Shige OKI was totally unable to pay taxes on this property in 1937 and therefore, offered said property to me if

GENERAL SUMMARY CONTINUED

I would pay the back taxes and the cost of upkeep. Consequently, I had been paying the back taxes and the cost of upkeep, repairs, etc., from 1937 to the fall of 1942 when I had to leave Vancouver, and it was I who put this property in your safekeeping, not Mrs. Shige Oki as naturally she had no further interest in this property.

"If you will get in touch with the Welfare Manager at Tashme he knows that when Mrs. Shige Oki applied for her old age pension she did not list this property in the declarations which she made at that time. This proved she was well aware that she no longer had any interest or claim on this property.

"Again, on May 1st of this year, Mrs. Shige Oki wrote a letter to the Custodian in which she stated she had not legally transferred this property but had transferred it to me personally in 1937. If you will have the Custodian check up he should have this letter in his files. On this occasion I had thoroughly discussed this transfer with my mother-in-law, and she had agreed to write the Custodian informing him of this transfer and also agreed to sign the document which you prepared for me.

"Incidentally, if you wish to have these facts confirmed by a third party, will you please ask Mr. Shigetaka Sasaki of Tashme as he knows all the details of this transfer and the conditions which lead to it in 1937."

We wrote Mr. Shigetaka Sasaki regarding the Declaration signed by Mrs. OKI and he replied as follows:

"I believe that the property (537-539 Powell St.) was transferred with full understanding between Mrs. Shige OKI and Mrs. Shigeko OKI."

When Mrs. OKI applied for maintenance from the Tashme Office, referred to by Mrs. OKI in her letter dated December 12, 1945, as Old Age Pension, she did not mention having any property. As stated above, Mrs. OKI had a credit balance in this office derived from the rental of her property on 4th Avenue East, Vancouver, and she also turned in \$1,148.00 cash before repatriation, so it would appear she was not entitled to maintenance.

It would also appear that the dispute regarding ownership of the property and distribution of funds received from the sale of same, arose when the adopted son and his wife decided to remain in Canada and moved to Vernon, B. C., leaving the father and mother alone in their old age at Tashme and later to return to Japan, without them. The younger Mr. and Mrs. OKI are both reported by the Royal Canadian Mounted Police to be Japanese Nationals.

Mrs. Shigeko OKI no doubt could have had a Deed from the older woman at the time the Declaration was signed by her or at any time prior to that date. In this connection it is noted that Mr. Young claims Mr. Nilson advised him that a Declaration was all that was necessary to obtain, otherwise he would have had Mrs. OKI sign a registrable document. There is no evidence on file to support this allegation or Mr. Nilson's denial of same.

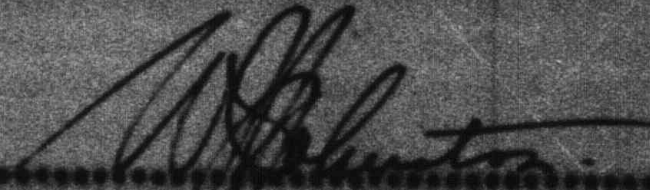
Even though Mrs. Shige OKI was the registered owner, she only had a beneficial interest in the property on Powell Street. This beneficial interest, she states, was transferred to the daughter-in-law in 1937. In view of the fact that both Mr. and Mrs. Hyese OKI were advanced in years and Mr. OKI became financially involved in his business affairs which later led to bankruptcy proceedings, it is quite possible that, rather than lose the property at tax sale, Mrs. OKI gave it to Mrs. Shigeko OKI.

GENERAL SUMMARY CONTINUED

On the other hand, Mrs. OKI had free use of the house on the property and received the revenue from the two stores, to offset payment of taxes by her and any money spent for upkeep of the property. The annual taxes amounted to approximately \$76.00 and revenues, \$300.00. Considerable repairs were required to the premises after Evacuation and it is safe to assume, therefore, that Mrs. OKI did not spend very much in this connection.

Both the mother and daughter-in-law have a claim, legal or otherwise, to the net proceeds received from the sale of the above property, and possibly an equal distribution of the funds on hand might be an equitable settlement of the matter. Messrs. Locke, Lane, Guild & Sheppard, in their letter dated July 10, 1946, advised us to hold the funds until a settlement had been agreed upon, in writing.

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


.....
Administration Department.

WJH/MS

File No. 12285

January 26th, 1944

MEMORANDUM

FOR FILE.

Re: OHKI, Shigeko (Mrs. Tajimi)

Reviewed
NO Chattels - See memo attached to
the above party's "JP" Form.

*See Case #101 1/43. Enter the question
still on premises*

GDM/GH

File No. 12285

January 26th, 1944

MEMORANDUM FOR FILE.

Re: OHKI, Shigeo (Mrs. Tajima)

There are NO claims on file against the
above party as at this date.

GDM/GH

File No. 12285.
Catalogue No. 204.

June 27th, 1946.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cruser

Shige Oki
Lot 25, Blk. 42, D.L. 196,
Gn. L. N. W. D., Plan 196.

With reference to the above property which was recorded in the Vancouver Land Registry Office, May 30th, 1946, we attach herewith the following documents in connection therewith.

1. Copy of application number 149643-L, dated May 30th, 1946, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 149644-L, dated May 30th, 1946, registering the property in the name of Alfred Henry Trunkfield (Deed).
3. Duplicate of Transmission dated May 8th, 1946.
4. Duplicate of Deed dated May 8th, 1946 - Secretary of State to Alfred Henry Trunkfield.
5. Certificate of Indefeasible Title number 149644-L, dated June 18th, 1946, covering the above property in the name of Alfred Henry Trunkfield.

D. A. Cruser

DAC:JS
Atch.