Name [redacted] Claimant IWATA, Haruko, Mrs. Case 7

11703

Custodian File

REAL PROPERTY

Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Total	Total Award 80% of all Sale Prices Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Total Award 125% of all Sale Prices: Amount	
1915.00	- sold by request.										
600.00	30.00 20.16										50.16

PERSONAL PROPERTY

Motor Vehicles		Boats and Boat Gear					
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column

NETS

Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price	

MISCELLANEOUS CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
						~~585.00~~		

TOTAL RECOMMENDATION	50.16

CASE NO: 7.

JAPANESE PROPERTY CLAIMS COMMISSION.

Kamloops, B. C.,

December 9th and 10th, 1947.

IN THE MATTER OF THE CIAIM OF

(MRS.) HARUKO IWATA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 7.

IN THE MATTER OF THE "INQUIRIES ACT"

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

Kamloops, B.C.,

December 9th & 10th, 1947.

IN THE MATTER OF THE CLAIM OF

(MRS.) HARUKO IWATA.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
R.J. McMASTER, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
G.N.R. UPTON, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

MR. McMASTER: No. 9 on the list, if your Lordship please, the claim of Mrs. Haruko Iwata.

I believe, my lord, Mrs. Iwata speaks fairly good English. She may have to use an Interpreter occasionally.

THE SECRETARY: No Interpreter required?

MR. McMASTER: Not unless called upon.

HARUKO IWATA, the Claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Now, Mrs. Iwata, --

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

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

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

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

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

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

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

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

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

form first, please? Mrs. Iwata, you are the claimant in this case? A: Yes.

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

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

A Yes.

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

A Yes.

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

Q I might read to you a portion of a letter concerning this property which has been produced from the files of the Custodian by Mr. Copping of North Vancouver, a real estate man;

> "The three lots have a total frontage on the Harbour Board Railway right-of-way of 82.7 feet, plankage of 157.3 feet on St. Dennis Avenue, the main road from Second Narrows Bridge to North Vancouver and a frontage on an unopened road on the north side of only 25 feet".

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

A Yes.

Q My understanding is that the lots are vacant?

A Yes.

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

MR. HUNTER: Yes.

THE COMMISSIONER: $575.00?

MR. McMASTER: $575.00, my lord.

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

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

Q And these three lots are adjoining lots?

A Yes.

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

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

Q 1945, after you had been evacuated?

A Yes.

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

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

A Sutherland & Sutherland, the lawyers for my father, know.

Q Your father has since died, has he not?

A He is in Japan.

Q He is in Japan? A: Yes, but after we evacuated, he changed it to my name through lawyers.

Q And was that consented to by the Custodian?

A Yes.

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

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

MR. McMASTER: No.

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

MR. HUNTER: It is registered in her name, anyway.

MR. McMASTER: What is the date of the Certificate of Encumbrance?

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

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

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

(CERTIFICATE OF ENCUMBRANCE MARKED EXHIBIT NO. 1).

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

A I am not sure of the exact year.

Q Well, approximately.

A Approximately about 1925 or 1924.

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

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

Q And he never built on them?

A No.

Q Have you any idea as to what he had im mind im holding those lots for that long?

A He was planning to build a gasoline station.

Q What happened to those plans?

A He couldn't do it.

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

Q For financial reasons?

A Yes.

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

A He was paying taxes, yes.

THE COMMISSIONER: Q: When did your father go to Japan? A: In 1941.

MR. McMASTER: Q: Now the property --

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

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

A In my name?

Q Yes. A: 1945.

Q From Japan? A: Yes.

Q He sent a deed over from Japan?

A Yes, a deed over.

MR. McMASTER: It sounds incredible.

MR. HUNTER: Yes, I rather think so.

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

MR. McMASTER: Well, I don't think it is material. The evidence is it is registered in her name now, my lord.

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

correct? A: Yes.

Q And on what did you base that claim?

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

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

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

A No.

Q Now the property referred to as No. 1 on your claim form is property situated at 368 Cordova Street in Vancouver?

A Yes.

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

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

Q And that is for the year 1942?

A Yes.

Q And the assessed value shown there is $2400.00 for improvements and $1700.00 on the land?

A Yes.

Q Or a total of $2900.00?

A Yes.

THE COMMISSIONER: That cannot be right. You say $1700.00 for land, and $2400.00 for improvements?

MR. McMASTER: Oh, I am sorry, my lord. The $2900.00 is the value for taxation purposes. I am sorry.

Q The total assessed value is $4100.00?

A $4100.00, yes.

(TAX STATEMENT MARKED EXHIBIT NO. 2).

MR. McMASTER: Could I have that correspondence I asked for, Mr. Hunter, please?

Q Now, I produce to you a letter from the Custodian's file, Mrs. Iwata; could you recognize the signature on that letter?

A Yes.

Q Whose is it? A: My husband's.

Q Your husband's? A: Yes.

Q And were you aware of the fact he wrote that letter? A: I don't know what you mean.

Q Did you know he wrote that letter?

A Yes, I asked him to.

MR. McMASTER: I will read the letter, my lord. This is a letter dated August 1st, 1942, P.O. Box 263, Salmon Arm, B.C., to Mr. J. Wilson, 325 Howe Street, Vancouver, B.C.

"Dear Sir:

I acknowledged your letter dated July 25th with thanks. I would rather sell it than rent. So please kindly do your best to despose it as soom as possible. Enclosed, please find cheque $12.54 for the balance of your statement.

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

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

A Yes.

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

A Yes.

(LETTER MARKED EXHIBIT NO. 3).

MR. HUNTER: On what street did you say?

MR. McMASTER: Did I say Powell Street? I am sorry, Cordova.

THE COMMISSIONER: 368 Cordova, is that correct?

MR. McMASTER: That is correct, my lord.

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

A That is right.

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

"Dear Sirs:

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

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

Mrs. Haruko Iwata."

THE COMMISSIONER: $3000.00 cash, or $3500.00 half cash, with terms.

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

Q Now that refers to a letter that you had received from Mr. Milsom in the Custodian's office? A: Yes.

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

A I didn't keep the letter.

Q You don't have it? A: No.

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

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

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

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

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

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

A I don't remember, Mr. McMaster.

Q You don't recall? A: No.

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

to produce it at a later date?

MR. HUNTER: Yes.

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

(LETTER, DEC. 7th, 1942, MARKED EXHIBIT NO. 4).

MR. McMASTER: Q: I produce from the Custodian's file a copy of a letter purporting to be addressed to yourself and purporting to be signed by G.D. Milsom with respect to this property. Did you receive the original of that letter?

MR. HUNTER: What is the date?

MR. McMASTER: January 11th, 1943.

A Yes.

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

"Dear Madam:

Referring to your letter of December 7th, we have notified our agent that you are willing to accept $3000.00 all cash or $3500.00 half cash, balance on terms, in connection with your property at 368 East Cordova Street, but as yet no prospective buyer has been found."

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

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

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

Yours truly."

(LETTER MARKED EXHIBIT NO. 5).

Q I produce to you, Mrs. Iwata, a letter purporting to be signed by G.D. Milsom, addressed to yourself. Did you receive that letter from the Custodian's office, dated January 12th, 1943?

A Yes.

MR. McMASTER: This is a letter, my lord, on the stationery of the Department of the Secretary of State, Office of the Custodian, marked "Urgent", and dated January 12th, 1943, addressed to Mrs. Iwata.

"Dear Madam:

We have received from Messrs. Macaulay, Nicolls, Maitland & Co. an offer of $2200.00 cash for your property described as Lots 11 and 12, Block 56, D.L. 196, known as 368 East Cordova Street. Will you kindly advise us immediately if this offer is acceptable to you.

Yours truly,

G.D. Milsom."

I will have that marked.

(LETTER MARKED EXHIBIT NO. 6).

Q I produce to you another letter. Is that your

signature on that letter, Mrs. Iwata?

A Yes, it is mine.

MR. McMASTER: Could I have those telegrams, Mr. Hunter, please? This is a letter, my lord, addressed from Salmon Arm, B.C., January 16th, 1943, to Mr. J.W. Wilson.

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

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

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

Thanking you for your early reply."

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

A Yes.

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

MR. McMASTER: January 16th, 1943, my lord.

(LETTER MARKED EXHIBIT NO. 7).

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

A Yes.

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

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

THE COMMISSIONER: What is the date of that?

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

THE COMMISSIONER:, Sent by whom?

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

(TELEGRAM MARKED EXHIBIT NO. 8).

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

A Yes.

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

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

(TELEGRAM MARKED EXHIBIT NO. 9).

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

A Yes.

MR. McMASTER: This, my lord, is a cppy of a letter dated January 23rd, 1943, addressed to Mrs. Iwata,

"Dear Madam:

Mr. J.W. Wilson brought your letter of the 16th inst. to him to this office and we got in touch with Messrs. Macaulay, Nicolls, Maitland & Co. and were able to obtain from them an offer of $2500.00 cash for your property known as Lots 11 and 12, Block 56, D. L. 196. This offer includes the list of chattels left on the premises. We accordingly wired you to this effect yesterday and would appreciate receiving your prompt reply.

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

Yours truly,

G.D. Milsom."

(LETTER MARKED EXHIBIT NO. 10).

MR. HUNTER: She said she received that?

MR. McMASTER: Yes.

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

A Yes.

MR. McMASTER: This is a copy of a letter, my lord, dated January 28th, 1943, addressed to Mrs. Iwata.

"Dear Madam:

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

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

The balance of the letter of instructions I don't think I need read, my lord.

THE COMMISSIONER: This letter is dated --?

MR. McMASTER: January 28th, 1943, and I would ask that be marked as the next exhibit.

(LETTER MARKED EXHIBIT NO. 11).

Q There was a deed enclosed with that letter, Mrs. Iwata? A: Yes.

Q And you executed it? A: Yes.

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

MR. McMASTER: This is a letter, my lord, from Salmon Arm, September 9th, 1945.

"Dear Sir:

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

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

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

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

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

Yours truly,

Mrs. H. Iwata."

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

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

Q It relates to the sale of the Cordova Street property, does it? A: Yes.

(LETTER MARKED EXHIBIT NO. 12).

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

MR. McMASTER: This is an undated letter, my lord,

from Salmon Arm, B.C.

MR. HUNTER: Received when?

MR. McMASTER: Stamped received October 26, 1946.

"Dear Sir:

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

Yours truly."

That will be the next exhibit.

THE COMMISSIONER: That is Mrs. Iwata?

MR. McMASTER: "H. Iwata." She acknowledged her signature, yes.

(LETTER MARKED EXHIBIT NO. 13)

Q With respect to this last letter, Mrs. Iwata, first of all it was sent to the Custodian, is that correct? A: Yes.

Q And with respect to what moneys did you acknowledge receipt? A: That was -- what is the date?

Q About October, 1946, apparently.

A The sale of the radio.

Q That was a cheque you got for the proceeds of the sale of a radio? A: Yes.

Q And when you say then, "we are satisfied with your list", what do you mean with "your list"; or let me put it another way, first, I am sorry; was there anything else enclosed in the letter which you got from the Custodian enclosing that cheque that is referred to?

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

Q You received a statement from the Custodian?

A Yes.

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

A The statement that was made.

Q That is the statement of account?

A Yes.

THE COMMISSIONER: This will be Exhibit 13.

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

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

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

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

A 1946?

Q Is this the statement you have here?

A Yes.

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

A $111.00.

Q $111.61, and that represented the balance of your account? A: Yes.

MR. McMASTER: I think I should file it.

Q That is the statement that you had received from the Custodian? A: Not exactly like that in a way, but I think the list is there.

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

A This is a copy.

Q This is a copy as of December 5th, 1947?

A Yes.

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

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

Q How did you come to get this copy?

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

Q And he sent you this copy?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 14).

THE COMMISSIONER: How much money was it again -- $111.61?

MR. McMASTER: $111.61, my lord.

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

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

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

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

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

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

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

MR. McMASTER: To Salmon Arm, my lord.

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

THE COMMISSIONER: Yes.

MR. McMASTER: Q: Yes, surely. Those are the only words I want, Mrs. Iwata.

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

THE COMMISSIONER: Q: Yes.

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

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

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

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

THE COMMISSIONER: I see.

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

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

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

A That is not the only reason.

Q Let us have the other reasons.

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

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

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

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

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

sale by the registered owner.

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

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

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

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

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

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

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

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: Have you much?

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

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

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

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

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

Q What sort of flooring was there in the main floor? A: The main floor in the living room and dining room, it was hardwood floor.

Q How big were those rooms?

A About 12 x 14, the living room.

MR. HUNTER: How big?

MR. McMASTER: 12 x 14.

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

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

Q What else was on those two lots besides the house? A: Residence -- a dwelling -- and at the back of these lots there is a wooden building, size about 25 x 44.

Q Yes. A: And that was used for a factory, a two-storey building.

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

dwelling.

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

Q How many floors were there im that building?

A There were two storeys.

Q Yes, what was it used for?

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

Q What sort of factory was carried on there?

A Dress manufacturing.

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

A My house.

Q That is the house we have been speaking about?

A Yes.

Q Approximately how long ago was that taken, do you know? A: I don't remember exactly.

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

MR. McMASTER: Q: What is that a picture of (producing)?

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

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

kitchen.

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

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

Q Was there any yard around these premises?

A Yes, land.

Q Land. A: Yes, with a lawn.

Q And kept up as a lawn and garden?

A Yes.

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

A Yes. This is the garden (indicating).

(PHOTOGRAPHS MARKED EXHIBIT NO. 15).

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

A By my mother.

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

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

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

A $3500.00.

THE COMMISSIONER: $2500.00?

MR. McMASTER: $3500.00.

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

Q Can you give me any idea as to approximately

how much was spent in that alteration?

A That alteration I remember was about $2000.00.

Q $2000.00, and with respect to the building and the yards, what condition did you keep those in? A: Well, it was kept in a fairly good condition. We kept repairing it and everything in good order.

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

A Yes.

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

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

MR. McMASTER: I think copies of them apparently have been sent to Mrs. Iwata, and the transfers of the insurance to the Custodian, which, interestingly enough, are dated October 28th, 1942. I produce the first of these, in any event.

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

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

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

did you get them from?

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

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

A Yes.

Q And on the factory? A: Yes.

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

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

THE COMMISSIONER: What do the records show?

MR. McMASTER: This is headed "endorsement Company Patriotic Association Company Limited, Policy No. 1339872". Name of insured, Secretary of State of Canada, acting in his capacity as Custodian. The date of the policy, December 27th, 1941, 12 months.

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

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

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

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

THE COMMISSIONER: I do not think it advances what you have in already. From that point of view it is not of great benefit to you. You have already got from her the property was bought in 1936 for $2500.00 and well maintained.

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

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

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

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

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

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

much more weight.

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

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

Q With what firm is he connected?

A The Yorkshire, I think.

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

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

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

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

A Yes.

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

A I would rather come back in the morning.

Q You would rather come back in the morning?

A I can stay overnight tonight.

Q Without inconvenience? A: Yes.

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

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

THE COMMISSIONER: I will leave it in your hands.

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

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

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

Kamloops, B. C.,

December 10th, 1947.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. McMASTER: My lord, before my friend proceeds with cross-examination in the case of Mrs. Iwata, I would like to ask him whether he will admit that the North Vancouver property was sold to the Home Oil Distributors Limited for the sum of $600.00?

MR. HUNTER: Yes.

THE COMMISSIONER: May I have the claim, Mr. Secretary? The North Vancouver property, I take it, is No. 2 on the claim, the three lots?

MR. McMASTER: Yes, my lord.

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

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

MR. McMASTER: $600.00 cash, as of April 7th, 1945, my lord.

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

MR. McMASTER: Yes, my lord.

HARUKO IWATA, resumed the stand:

CROSS-EXAMINATION BY MR. HUNTER:

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

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

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

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

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

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

MR. McMASTER: Yes, my lord.

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

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

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

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

MR. McMASTER: Very well, my lord.

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

Q And that was when? A: Around 1926 or 1927. I am not sure of the date.

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

A That is what I was told.

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

A No.

Q How old would you have been then?

A Sixteen, I think.

Q Now at one point where we were referring to

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

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

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

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

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

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

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

A No.

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

A No.

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

A Yes.

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

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

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

A Yes.

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

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

A Not my imagination. There was a rumour around.

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

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

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

A No, not our property.

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

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

A Yes.

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

A I think around that year.

Q -- she paid $3500.00, you say?

A Yes.

Q How do you know that?

A Well, she told me.

Q She told you? A: Yes.

Q And how old was the property then?

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

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

A Fifteen years old?

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

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

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

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

A Yes.

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

Q And you stated at a cost of $2000.00?

A Yes.

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

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

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

MR. McMASTER: Let her explain it.

MR. HUNTER: Q: Carry on.

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

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

A I beg your pardon?

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

A Yes, the barn is the same age.

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

A Yes.

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

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

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

Q You couldn't? A: No.

MR. HUNTER: That is all, my lord.

RE-DIRECT EXAMINATION BY MR. McMASTER:

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

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

Q The top storey wasn't in before?

A No.

Q It was just one big structure before?

A Yes.

Q What sort of a factory did you carry on?

A Dress manufacturing.

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

A No lighting.

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

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

Q And did you operate any power machinery there?

A Yes, sir.

Q And what was necessary in order to operate the

power machinery?

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

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

MR. McMASTER: That is all, my lord.

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

(Witness aside)

(Proceedings adjourned Sine Die)

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

T. P. Horrobin

"T.P. Horrobin"
Official Reporter.

NOTE: -- The attached pages, 42 to 46, are to be added to the transcript of

CASE NO: 7

IN THE MATTER OF THE CLAIM OF

(MRS.) HARUKO IWATA,

which was heard at Kamloops, B.C.,

on December 9th and 10th, 1947.

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

. . . . . .

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

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

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

THE COMMISSIONER: Yes, all right.

(ARGUMENT BY MR. McMASTER)

(ARGUMENT BY MR. BREWIN).

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

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

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

(ARGUMENT BY MR. BREWIN).

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

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

(ARGUMENT BY MR. HUNTER).

(REPLY BY MR. BREWIN).

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

MR. HUNTER: In the office.

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

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

. . . . . .

Case no 7. Kamloops BC NOV 25 1947 Dec 9 1947

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

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

ack

Kamloops

File 11703

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

(1) NAME Mrs. (Print) Surname Iwata (maiden name Kusaka) Haruko Given Name (RCMP) Reg. No. 02685

(2) Pre-Evacuation Address 368 Cordova St., East Vancouver, B.C.

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

(4) REAL ESTATE

(a) Street Address (if any) 368 Cordova St., East, Vancouver, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
1 Lots 11 & 12, Block 56, D.L. 196
2 Lots 19, 20, &21, Block 27, D.L. 204

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

(i) ~~Farm~~ -
(ii) Residence #1 ~~Type of business~~
(iii) ~~Business~~
(iv) Any other type of property (describe) Vacant lots. #2

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) Sole owner

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

(i) Land #1 - - - - - - - - - - - - - - - $ 1250.00
(ii) Buildings - #1 - - - - - - - - - - $ 2250.00
Vacant Lots #2 $1200.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 4700000
(v) Amount at which Custodian sold property and credited your account - - $ 2850.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1850.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
368 Cordova St., East, Vancouver, B.C.

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

(c) How stored or packed at time of evacuation
Unpacked

(over)

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

In no one8s care.

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

1.	1 Piano	Estimated Value $100.00
2.	Floor coverings(most of inlaid)	Estimated Value $100.00
3.	Blinds & Curtains(for all windows.)	Estimated Value $ 45.00
4.	1 Ketchin gas range(6 burners & Oven	Estimated Value $ 60.00
5.	1 Hot water coal heater &1 Hot water gas heater	Estimated Value $ 20.00
6.	2 Gas heaters (for fire places)	Estimated Value $ 40.00
7.	1 Ketchin Cabinet(with glass doors)& Ketchin table	Estimated Value $ 35.00
8.	1 Leather cauch & 1 Sofa & 1Single bed complete	Estimated Value $ 30:00
9.	6 cutting tables& 10 8ft casings.	Estimated Value $140.00
10.	1 Pattern case & 1 Counter	Estimated Value $ 15.00

TOTAL CLAIM FOR PROPERTY LOSS $585.00

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - $2435.00

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

Vernon, B.C.

(b) Do you require the services of an interpreter at the hearing? Yes or no No.

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
Province of B.C.)
TO WIT:)

I, Haruko Iwata of the City
of Salmon Arm in the Province of British Columbia

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of 'The Canada Evidence Act".

DECLARED before me at the City)
of Salmon Arm)
in the Province of British Columbia)
this 24th day of November)
A.D. 1947.)

Mrs. Haruko Iwata.

A Commissioner &c. H. W. Scales

N.B. — THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

FORM 31.—10M-644-9978

No. 26-

CERTIFICATE OF ENCUMBRANCE

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

Adv.

LAND REGISTRY OFFICE

VANCOUVER, , B.C.

File 11703.

No. minutes 10 A.M. o'clock 14th day of March , 1945

I HEREBY CERTIFY that the following is the state of the title to

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

EXHIBIT No. Case 7-1
DATE 9 Dec 1947
FILED BY R.J. McMaster

viz.:

Registered Owner: Haruko Iwata
(Wife of Kinichi Iwata), P.O.Box 263,
Salmon Arm, B.C.

0 2685

Volume 1154, Folio 97353 L. Indef.

Registered Charges: Filing 36599, The Custodian, Vesting Certificate filed.
Filing 39416, The Custodian, Vesting Certificate filed.

Applications for Registration None

Receiving Order or authorized Assignment under the " Bankruptcy Act ": None

Assignment for benefit of Creditors: None

Judgments: None

Mechanics' Liens: None

W. C. Brown
Registrar.

To Custodian's Office,

Custodian

Tx. 20—125M—3-42

IMPORTANT
Please forward this notice immediately to your Agent or Mortgage Company, if they are to pay the taxes.

TO AVOID DELAY AT WICKET MAIL CHEQUE OR MONEY ORDER

All Cheques must be Certified by the Bank on which they are drawn, and made payable at par to "City of Vancouver."

All communications in reference to change of address should be sent to the Assessment Commissioner, City Hall.

JULY-7-42-0256-HO 144 99
Jas Armstrong
City Treas.

PAID

1942

Cash Register impression of City Treasurer's signature constitutes official receipt.

DETAILS OF GENERAL LEVY

Rate on $			Taxes Levied
20.000	Mills	General Purposes	$ 4,198,887.56
15.319	"	Interest and Instalments	3,216,246.99
16.761	"	Schools	3,518,931.97
52,080	"	Gross	$10,934,066.52

CITY OF VANCOUVER
TAX STATEMENT, 1942
City Hall — 453 West 12th Avenue

ASSESSMENT FOR TAXATION, 1942

Land	$112,324,869
Improvements	97,619,509
Total Value for Taxation	$209,944,378

Improvements except where otherwise specially exempt are taxed on 50% of their assessed value.

Notice Mailed

ASSESSED VALUE		VALUE FOR TAXATION	TAXES, LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS AND MISCELLANEOUS A/CS IN ARREARS					LOCAL IMPROVEMENTS SPECIAL ASSESSMENTS AND MISCL. A/CS. 1942	CURRENT GENERAL TAXES 1942	TOTAL DUE (EXCLUDING INTEREST)	INTEREST ON ARREARS	REBATE ON CURRENT GENERAL TAXES ONLY		Nett amount if paid on or before JULY 3rd, 1942
			CONSOLIDATED		NOT CONSOLIDATED									
IMPROVEMENTS	LAND		CAPITAL SUM	INSTALMENTS DUE	1939 & PRIOR	1940	1941							
2100	1700	3900							151.03	151.03		6.04		144 99
PAYMENT ON A/C APPLIED														

Duplicate Receipt Issued

EXHIBIT No. Case 7-2
DATE 9 Dec 1947
FILED BY R. J. McMaster.

REBATE ON CURRENT GENERAL TAXES:
4% if paid on or before 3rd July, 1942.
3% if paid on or before 3rd August, 1942.
2% if paid on or before 3rd September, 1942.
1% if paid on or before 3rd October, 1942.

POSITIVELY NO REBATE ON LOCAL IMPROVEMENTS.

SPECIAL ASSESSMENTS AND MISCELLANEOUS ACCOUNTS.

Consolidated Arrears carry interest at 5% per annum.
Other Arrears carry interest at 6% per annum.
If a deposit has been made in payment or part payment of these Taxes, please bring or mail Deposit Receipt with this Tax Statement to the Tax Office, City Hall, for adjustment.

PLEASE READ CAREFULLY INFORMATION PRINTED ON BACK HEREOF.

JAS. L. ARMSTRONG,
City Treasurer and Collector of Taxes.

Manko Iwata
368 E. Cordova St.
Vancouver BC

B1347/8 — ROLL No.

Lot 11 1/2 Blk 56 196 — Description of Property

NOTE.—Is your property correctly described?

READ CAREFULLY!

If a deposit has been made in payment or part payment of these taxes, please bring or mail **Deposit Receipt** with this Tax Statement to the Tax Office, City Hall, for adjustment.

PAYMENT BY INSTALMENTS:

CURRENT TAXES may be paid in instalments of not less than $1.00, and such payments **must be applied first to Local Improvements, Special Assessments and Miscellaneous Accounts** (if any), on which no rebate is allowed.

REBATE: After payment of the Local Improvements, Special Assessments and Miscellaneous Accounts, Rebate will be allowed on the amount of General Taxes only as follows:

Up to 3rd July, 1942	4 per cent.
Up to 3rd August, 1942	3 per cent.
Up to 3rd September, 1942	2 per cent.
Up to 3rd October, 1942	1 per cent.

ARREARS OF TAXES, other than Consolidated Arrears, can also be paid in amounts of not less than $1.00, with interest thereon at 6% per annum from date of delinquency to date of payment, and such payment will be applied to the taxes longest in arrears. Taxes are levied for the calendar year, and become delinquent on 31st December in year of levy. Property becomes **liable for Tax Sale** when any arrears have been delinquent for a period of two full years.

Arrears of Taxes must be paid in full before payment of Current Taxes can be accepted, except in the case of Consolidated Arrears.

CONSOLIDATION OF ARREARS:

Under the "Vancouver Tax Consolidation Act, 1936 (Second Session)" all taxes remaining unpaid on 31st December, 1936, together with interest to that date (except such taxes as remained unpaid on properties which were included in the 1936 Tax Sale) have been consolidated, and the time for payment thereof extended over a period of **10 years in equal annual instalments.**

Payment is required before 3rd October, 1942, of the following:—

A. Interest on the outstanding balance of the Capital Sum at 5% per annum.

B. Sixth Instalment of the Original Capital Sum (if not already paid).

C. The Full amount of the 1942 taxes.

Failure to make payment in full, as above, before the passing of the By-Law authorizing the Annual Tax Sale (about the 3rd of October in each year) will render the property liable to Tax Sale in that year.

Under the said Act all payments made after 31st December, 1936, will be applied under the Consolidation Scheme. The full amount of Consolidated Arrears with interest can, however, be paid up at any time.

Communications in reference to change of address should be sent to the City Assessment Commissioner, City Hall.

FOR FURTHER INFORMATION, call at Tax Office, City Hall, 453 West 12th Avenue, or phone FAirmont 2711.

E PACIFIC 7806

K. IWATA

DRESS MANUFACTURER

FASHIONABLE WAISTS - DRESSES - LINGERIE

368 EAST CORDOVA STREET

VANCOUVER, B. C.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
OCT 21 1942

Aug 10th 1942

P.O. Box 263
Salmon arm B.C.

Mr. J. Wilson.
325 Howe st.
Vancouver B.C.

EXHIBIT No. Case 7-3
DATE 9 Dec 1947
FILED BY R. J. McMaster

Dear Sir:—

I acknowledged your letter dated July 25th with thanks. I would rather sell it than rent, So please kindly do your best to despose it as soon as possible. Enclosed, please find cheque $12.54 for the balance of your statement. I just came home to Salmon arm yesterday and going back there in few days. but Kindly write me to Salmon arm.

Yours truly
K. Iwata.

Milsom 9

13031 - onto Gibson

PHONE PACIFIC 7806

K. IWATA

DRESS MANUFACTURER

FASHIONABLE WAISTS - DRESSES - LINGERIE

P.O. Box 263
368 EAST CORDOVA STREET
Salmon Arm, B.C.
VANCOUVER, B. C. Dec. 7th, 1942

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
DEC 9 1942

EXHIBIT No. Case 7-4
DATE 9 Dec. 1947
FILED BY R. J. McMaster

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

Attention to Mr. G.D. Milsom.

File No. 13031 & 11703

Dear Sirs:-

In reply to your letter dated Dec. 4th, 1942, I am willing to deduce the price of my property at 368 east Cordova ST., as you suggested in your letter,

to $3000.00 all cash or

$3500.00 half cash and balance on terms.

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

I remain,

Mrs. Haruko Iwata.
Reg. No. 02685

Mrs. H. Iwata

10

11703

January 11, 1943

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

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

Dear Madam:

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

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

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131

PLEASE REFER TO
FILE No. 11703

URGENT

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

January 12, 1943

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

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

Dear Madam:

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

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

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

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

Dear Mr. J. W. Wilson:-

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

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

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

Thanking for your early reply.

Yours truly,
Mrs. H. Iwata.

11703

Form 6102 3a

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

CANADIAN NATIONAL TELEGRAPHS

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

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

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

RECEIVER'S No.	TIME FILED	CHECK
		2 1/5

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

W703

EXHIBIT No. Case 7-8.
DATE 9 Dec 1947
FILED BY R. J. McMaster.

January 22, 1943
Vancouver, B. C.

MRS HARUKO IWATA
P O BOX 263
SALMON ARM B C

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

CUSTODIAN OFFICE

VANCOUVER

Charge Custodian Office
506 Royal Bank Bldg.,
PA 6131

Kon

CANADIAN NATIONAL TELEGRAPH COMPANY

(OPERATING ITS OWN LINES AND THOSE OF THE GREAT NORTH WESTERN TELEGRAPH COMPANY, THE GRAND TRUNK PACIFIC TELEGRAPH COMPANY AND CANADIAN GOVERNMENT RAILWAYS). HEREINAFTER CALLED THE COMPANY.

TERMS AND CONDITIONS UPON WHICH TELEGRAPH AND CABLE MESSAGES SHALL BE TRANSMITTED ARE PRESCRIBED BY ORDER NO. 49274, DATED DECEMBER 5TH, 1932, OF THE BOARD OF TRANSPORT COMMISSIONERS FOR CANADA AND PUBLISHED IN THE CANADA GAZETTE.

IT IS AGREED BETWEEN THE SENDER OF THE MESSAGE ON THE FACE OF THIS FORM AND THIS COMPANY THAT THIS COMPANY SHALL NOT BE LIABLE FOR DAMAGES ARISING FROM FAILURE TO TRANSMIT OR DELIVER, OR FOR ANY ERROR IN THE TRANSMISSION OR DELIVERY OF, ANY UNREPEATED TELEGRAM, WHETHER HAPPENING FROM THE NEGLIGENCE OF ITS SERVANTS OR OTHERWISE, OR FOR DELAYS FROM INTERRUPTIONS IN THE WORKING OF ITS LINES, FOR ERRORS IN CIPHER OR OBSCURE MESSAGES, OR FOR ERRORS FROM ILLEGIBLE WRITING, BEYOND THE AMOUNT RECEIVED FOR SENDING THE SAME.

TO GUARD AGAINST ERRORS, THE COMPANY WILL REPEAT BACK ANY TELEGRAM FOR AN EXTRA PAYMENT OF ONE-HALF THE REGULAR RATE; AND, IN THAT CASE, THE COMPANY SHALL BE LIABLE FOR DAMAGES SUFFERED BY THE SENDER TO AN EXTENT NOT EXCEEDING $200.00, DUE TO THE NEGLIGENCE OF THE COMPANY IN THE TRANSMISSION OR DELIVERY OF THE TELEGRAM

CORRECTNESS IN THE TRANSMISSION AND DELIVERY OF MESSAGES CAN BE INSURED BY CONTRACT IN WRITING, STATING AGREED AMOUNT OF RISK, AND PAYMENT OF PREMIUM THEREON AT THE FOLLOWING RATES, IN ADDITION TO THE USUAL CHARGE FOR REPEATED MESSAGES, VIZ: ONE PER CENT. FOR ANY DISTANCE NOT EXCEEDING 1000 MILES, AND TWO PER CENT. FOR ANY GREATER DISTANCE.

THIS COMPANY SHALL NOT BE LIABLE FOR THE ACT OR OMISSION OF ANY OTHER COMPANY, BUT WILL ENDEAVOR TO FORWARD THE TELEGRAM BY ANY OTHER TELEGRAPH COMPANY NECESSARY TO REACHING ITS DESTINATION, BUT ONLY AS THE AGENT OF THE SENDER AND WITHOUT LIABILITY THEREFOR. THE COMPANY SHALL NOT BE RESPONSIBLE FOR MESSAGES UNTIL THE SAME ARE PRESENTED AND ACCEPTED AT ONE OF ITS TRANSMITTING OFFICES; IF A MESSAGE IS SENT TO SUCH OFFICE BY ONE OF THE COMPANY'S MESSENGERS, HE ACTS FOR THAT PURPOSE AS THE SENDER'S AGENT; IF BY TELEPHONE, THE PERSON RECEIVING THE MESSAGE ACTS THEREIN AS AGENT OF THE SENDER, BEING AUTHORIZED TO ASSENT TO THESE CONDITIONS FOR THE SENDER. THIS COMPANY SHALL NOT BE LIABLE IN ANY CASE FOR DAMAGES, UNLESS THE SAME BE CLAIMED, IN WRITING, WITHIN SIXTY DAYS AFTER RECEIPT OF THE TELEGRAM FOR TRANSMISSION.

NO EMPLOYEE OF THE COMPANY SHALL VARY THE FOREGOING.

CLASSES OF SERVICE

TELEGRAMS

A FULL-RATE EXPEDITED SERVICE.

NIGHT MESSAGES

ACCEPTED UP TO MIDNIGHT AT REDUCED RATES, TO BE SENT DURING THE NIGHT AND DELIVERED ON THE MORNING OF THE NEXT DAY AFTER THEIR DATE. AT PLACES WHERE THE COMPANY'S OFFICES ARE NOT OPEN ON SUNDAYS, DELIVERY WILL BE MADE ON THE MORNING OF THE NEXT ENSUING BUSINESS DAY.

DAY LETTERS

A DEFERRED DAY SERVICE AT RATES LOWER THAN THE STANDARD TELEGRAM RATES AS FOLLOWS: ONE AND ONE-HALF TIMES THE TEN-WORD DAY MESSAGE RATE FOR THE TRANSMISSION OF 50 WORDS OR LESS, AND ONE-FIFTH OF THE INITIAL RATE FOR SUCH 50 WORDS FOR EACH ADDITIONAL 10 WORDS OR LESS. THE MINIMUM CHARGE FOR TRANSMISSION OVER THE COMPANY'S LINES OF ANY DAY LETTER WILL BE 45 CENTS.

DAY LETTERS MAY BE FORWARDED BY THE COMPANY AS A DEFERRED SERVICE, AND THE TRANSMISSION AND DELIVERY OF SUCH DAY LETTERS ARE, IN ALL RESPECTS, SUBORDINATE TO THE PRIORITY OF TRANSMISSION AND DELIVERY OF FULL-RATE MESSAGES.

DAY LETTERS MAY BE DELIVERED BY THE COMPANY BY TELEPHONING THE SAME TO THE ADDRESSEES, AND SUCH DELIVERIES SHALL BE A COMPLETE DISCHARGE OF THE OBLIGATION OF THE COMPANY TO DELIVER.

DAY LETTERS ARE RECEIVED SUBJECT TO THE EXPRESS UNDERSTANDING AND AGREEMENT THAT THE COMPANY DOES NOT UNDERTAKE THAT A DAY LETTER SHALL BE DELIVERED ON THE DAY OF ITS DATE ABSOLUTELY AND AT ALL EVENTS; BUT THAT THE COMPANY'S OBLIGATION IN THIS RESPECT IS SUBJECT TO THE CONDITION THAT THERE SHALL REMAIN SUFFICIENT TIME FOR THE TRANSMISSION AND DELIVERY OF SUCH DAY LETTER ON THE DAY OF ITS DATE DURING REGULAR OFFICE HOURS, SUBJECT TO THE PRIORITY OF THE TRANSMISSION OF FULL-RATE MESSAGES UNDER THE CONDITIONS NAMED ABOVE.

NIGHT LETTERS

ACCEPTED UP TO MIDNIGHT AT REDUCED RATES, TO BE SENT DURING THE NIGHT AND DELIVERED ON THE MORNING OF THE NEXT DAY AFTER THEIR DATE. AT PLACES WHERE THE COMPANY'S OFFICES ARE NOT OPEN ON SUNDAYS, DELIVERY WILL BE MADE ON THE MORNING OF THE NEXT ENSUING BUSINESS DAY. THE RATES FOR NIGHT LETTERS ARE STILL LOWER THAN THE STANDARD NIGHT MESSAGE RATES, AS FOLLOWS: THE STANDARD DAY RATE FOR 10 WORDS FOR THE TRANSMISSION OF 50 WORDS OR LESS AND ONE-FIFTH OF THE INITIAL RATE FOR SUCH 50 WORDS FOR EACH ADDITIONAL 10 WORDS OR LESS. THE MINIMUM CHARGE FOR TRANSMISSION OVER THE COMPANY'S LINES OF ANY NIGHT LETTER WILL BE 30 CENTS.

NIGHT LETTERS MAY, AT THE OPTION OF THE COMPANY, BE MAILED AT DESTINATION TO THE ADDRESSEES, AND THE COMPANY SHALL BE DEEMED TO HAVE DISCHARGED ITS OBLIGATION IN SUCH CASES WITH RESPECT TO DELIVERY BY MAILING SUCH NIGHT LETTERS AT DESTINATION, POSTAGE PREPAID.

C.D. 1X

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

STANDARD TIME INDICATED

W.D.NEIL, GENERAL MANAGER OF COMMUNICATIONS, MONTREAL

[redacted]BN.V. 16.

SALMONARM B C JAN 23RD 1055AM.,

CUSTODIAN OFFICE 383
VANCOUVER BC

EVACUATION SECTION
Rec'd JAN 23 1943
File No. 11903
Ans.
Referred

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

MRS HARUKO IWATA

[redacted]1056AM.,

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

CANADIAN PACIFIC

TELEGRAPHS

World Wide Communications

13031
117703

EXHIBIT No. Casey-10
DATE 9 Dec. 1947
FILED BY R. J. McMaster

B

11703

January 23, 1943

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

Dear Madam:

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

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

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

14

11703

January 28, 1943

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

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

Dear Madam:

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

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

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

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

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

Enc. 3.

File # 11703

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

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

Dear Sir

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

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

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

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

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

Yours truly
Mrs H. Iwata

EXHIBIT No. Case 7-17

DATE 9 Dec 1947

FILED BY R. J. McMaster.

16

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

N

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

15

P.O. Box 263
Salmon Arm
B.C.

Dear Sir:-

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

Yours truly
H. Iwata.

R/File

C O P Y as Dec.5,1947

File No. 11703
Reg. No. 02685

Haruko(Mrs. Kinichi) IWATA,

Date	Particulars	Debit	Credit	Balance
1943 January 14-	Paid account for coldweather protection	$6.79	$	
	Land Registry Office - Certificate of Encumbrance	3.00		
February 12-	Sale of 368 E. Cordova St.		2,500.00	
	Refund Insurance premium		19.88	
	Carpenter	10.00		
	Proportion 1943 taxes	12.08		
	Water	1.05		
	Agent's commission	125.00		
February 26	Cheque to you	200.00		
March 5-	Cheque to you	1,000.00		
	Refund Insurance premium		8.65	
April 5 -	Cheque to you	500.00		
August 30-	Taxes 1940-43	156.04		
	Cheque to you	400.00		
1944 February 12-	Registration fees lots 19,20,21,North Vancouver	5.15		
April 5-	Rent for sign		20.00	
April 20-	Cheque to you	75.00		
July 14-	1944 taxes	33.35		
August 1-	Proceeds Auction sale - radio		9.47	
1945 February 14-	Rent for sign		10.00	
April 7-	Credit re sale of property,North Vancouver		571.07	
October 29-	Cheque to you	500.00		
1946 October 1 -	Cheque to you	111.61		
		$3,139.07	$3,139.07	

EXHIBIT No. Case 7-14
DATE 9 Dec 1947
FILED BY R.J. McMaster

We asked Custodians to dispose of the houses at $3500 -- based on




MASTER PHOTO FINISHERS OF AMERICA
MASTER PHOTO FINISHERS OF AMERICA

004















11

GOVERNMENT OF BRITISH COLUMBIA

RETURN TO_____
AT POINT OF MAILING

EXHIBIT No. Case 7-15
DATE 9 Dec 1947
FILED BY
R. J. McMaster

FORM "JP"

FILE No. ~~13031~~ 11703

REAL ESTATE

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

EXHIBIT No. Case 7 — 16

DATE 10 Dec. 1947

FILED BY J.W.G. Hunter

NAME: Haruko Iwata

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

REGISTRATION NUMBER 02685 SEX: Female AGE: 34

OCCUPATION: Housewife

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

EMPLOYER:

MARRIED? Yes

NAME OF WIFE OR HUSBAND: KINICHI Iwata (all transferred to his file

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

NAMES OF ANY LIVING CHILDREN: Sydney, Arthur, Robert, Louise, Gorden, George, Lillian. (Seven children)

ADDRESS OF CHILDREN: Same with parents

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

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

1. LOCATION AND DESCRIPTION: 368 East Cordova St., Vancouver, B.C.
Lots --- Eleven (11) and Twelve (12) Block--- Fifty Six (56)
District Lot --- One hundred and ninety six (196)
Group 1 New Westminster District. Plan No. 196 "Sold"

2. BUILDINGS AND OTHER IMPROVEMENTS:
One three stories building and one two stories building.

3. INSURANCE (Give particulars; state where policies are) Patriotic Ass.Co. $1000.
" " " $1000.
Liverpool-Manitoba Ass. Co. $2000.
" " " " $600.

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

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

6. OCCUPANCY AND LEASES (If vacant so state)
Vacant

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: With me

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: No.

9. IF FARM LAND STATE CROPS SOWN

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION:

2. LANDLORD'S NAME AND ADDRESS:

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:

4. STATE WHEREABOUTS OF LEASE:

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

STATEMENT OF PERSONAL PROPERTY OWNED:

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

"Chattels sold with house. See letter Fe 1/43"

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

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

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY

FORM "JP

FILE No.....

4. INSURANCE CARRIED ON ABOVE PROPERTY: .....

.....

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

.....

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

.....

.....

.....

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

.....

.....

8. BANK ACCOUNTS: .....

9. LIFE INSURANCE: .....

.....

10. INTEREST IN ANY ESTATES OR TRUSTS.....

.....

11. SAFETY DEPOSIT BOX:.....

LIABILITIES:

1. PERSONAL DEBTS: .....

.....

.....

2. TRADE DEBTS: .....

.....

.....

.....

.....

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

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

Dated this 13th day of October 1942

(Signature) "Mrs. Haruko Iwata"

"Percy A. Pluth"
Witness

FOR DEPARTMENTAL USE.....

B.L.

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

March 24, 1948

M. Winstace

P.O. Box 263
Salmon Arm B.C.
Dec. 1/47.

Mr. A. Watson,
Secretary to the Commission.

Dear Sirs:-

Will you please supply me the copy of my complete statement of account of the property sold by the Custodian.

Japanese Property Claims commission will conduct the hearing of my claim on Tuesday Dec. 9th. Please forward the copy of statement before this date. Your kind and Prompt attention to this matter will be very much appreciated.

Yours truly
Mrs. H. Iwata.
Reg. # 02685

File # 11703

Dec. 5/47 A

11703

December 5th, 1947

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

Dear Madam:-

Your letter of the 1st instant addressed to Mr.A. Watson, Secretary of the Commission, requesting a complete Statement of your account with the Custodian is just received.

Accordingly we are enclosing to you a General Statement of your account, together with Sales Statement of your St. Denis Avenue, North Vancouver, B.C. property, showing the amount of $571.07 as contained in the General Statement.

Yours truly,

B.R.D.

B.R. Dusenbury,
Office of the Custodian.

BRD/DD.
Encs. 2.