Name of Claimant YOSHIOKA, Kiemon Case 795

Custodian File 7373

| REAL PROPERTY | | | | | | | | | | | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Greater Vancouver | | Rural (except V.L.A.) | | | V.L.A. (except Mission Village) | | | V.L.A. Mission Village | | | |
| Sale Price | 5% thereof & 12.50 | Sale Price | 10% there-of | Charges 12.50 & Comm. | Sale Price | Total Award 80% of all Sale Prices | | Sale Price | Total Award 125% of all Sale Prices: | | |
| | | | | | | % of Total | Amount | | % of Total | Amount | |
| | | | | | 1351.00 | | 2535.96 | | | | 2535.96 |

| 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 | |
| | | | | | | | | |

| | |
|---|---|
| TOTAL RECOMMENDATION | 2535.96 |

1540

CASE NO. 795.

JAPANESE PROPERTY CLAIMS COMMISSION.

Lethbridge, Alberta,

October 14th, 1948.

IN THE MATTER OF THE CLAIM OF

KIEMON YOSHIOKA.

PROCEEDINGS AT HEARING.

Original

CASE NO. 795.

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

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

10 Lethbridge, Alberta,

October 14th, 1948.

IN THE MATTER OF THE CLAIM OF

KIEMON YOSHIOKA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C., appearing for the Dominion Government.

A.G. VIRTUE, Esq., K.C., appearing for the Claimant.

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MISS LILLIE THOMAS, Secretary.

D.J. HANDFORD, Esq., Official Interpreter.

S.R.HOWARD, Esq., Official Reporter.

30

THE SECRETARY: Case No. 795, Kiemon Yoshioka.

KIEMON YOSHIOKA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

Q Mr. Yoshioka, before you were evacuated did you live at Port Hammond? A: Yes.

Q Port Hammond is a town in the Fraser Valley about fourteen or fifteen miles from New Westminster?

10 A Yes.

Q Now, in your claim form made out here, the claim is made out for Lots 1 and 2 in Parcel "A", is that correct? Or should it be for Lot 1 only?

A My lot is the 20 acre lot.

Q Well, do you know the number of it?

A I have forgotten.

Q You have forgotten. Well, here is your deed which you got in 1927; and that deed in 1927 was for Lots 1 and 2. Did you own Lots 1 and 2 at that

20 time? A: Yes.

Q And then afterwards you sold Lot 2 to your son Asao?

MR. RICE: No, the other one.

MR. VIRTUE: You sold Lot 2 to your son Asao?

MR. RICE: No, it was to another son and there was a re-sale.

MR. VIRTUE: Q: Did you afterwards sell Lot 2?

A Yes.

MR. VIRTUE: I will put in the summary, and then I

30 will put in the title.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. RICE: I think you should try and clear the record on that. I gathered from the witness on the last case, the son of this claimant, that he purchased Lot 2 from his full brother Sunao.

MR. VIRTUE: It doesn't matter who purchased it as long as this witness parted with Lot 2; that is all I am getting at now.

(DEED MARKED EXHIBIT NO. 2).

10 MR. VIRTUE: Q: So that at the present time you only own Lot 1? A: Yes.

MR. VIRTUE: I am going to ask to amend that, your Honour. Iwill just strike out Lot 2, striking out the words "and Two (2)" in the summa ry.

Q Now, how many acres are there in Lot 1?

A Just a little over twenty acres.

Q What year did you buy that twenty acres?

A Well...

Q ...About what year? A: About 1915.

20 Q About 1915? A: Yes.

Q And what price did you pay for that twenty acres?

A A little over $2000.00, $100.00 an acre.

Q And at that time when you bought that twenty acres, was it all bush land and timber, and no buildings on it and no improvements on it?

A Yes, it was just bush.

Q Did you clear 15 acres? A: Yes, I cleared 15 acres.

Q Did you fence the land with barbed wire?

30 A Yes.

Q And did you put in a lot of planks and tile for drainage? A: Yes, used tiles and wood for drainage.

Q Did you plant about 150 fruit trees on this twenty acres? A: Yes.

Q And you put in five acres of strawberries? Ask him if he put in that acreage (indicating).

A Yes.

Q You put in 150 fruit trees, five acres of strawberries, an acre of gooseberries, an acre and a half of raspberries, an acre of hops and five acres of asparagus. Now, you say the clearing and planting, and trees and berries and fruits cost you about $6700.00? A: Yes.

10

Q Then you put on some buildings, a five-roomed house, and a barn and two pickers' houses, and a couple of other small houses that cost you $2250.00, did it?

A Yes; the big one burned down since we came here.

Q Now, you consider you think that when you left British Columbia when you were evacuated that your property altogether, this twenty acres, was worth about $7150.00, do you? A: Yes.

20

Q Is that a fair price? A: Yes.

Q Do you think if you had had six months or a year to look around for a buyer that you could have sold it for that price? A: It was never my intention to sell it.

Q I see. All right. Do you know that the Custodian sold that property for $1351.00?

30

A Yes.

Q What do you think about that price?

A I think it is very cheap.

Q Can you sign your name? Can you write your name?

A No.

Q Well, you remember this form that was prepared for you showing all the information that you have given us now? A: Yes.

Q Is that all true, all that we have put in there?

A Yes.

10 Q I will put that assessment notice in direct, sir, which I have in my hand, it is an assessment notice for 1942, showing the improvements at $1400.00 and the land $1800.00.

(ASSESSMENT NOTICE MARKED EXHIBIT NO. 3).

MR. VIRTUE: And I will also put in direct a lease from Kiemon Yoshioka and Asao Yoshioka to Joe Yee at $1225.00. I don't think my learned friend will object because he has had a copy of that.

(LEASE MARKED EXHIBIT NO. 4).

20 MR. VIRTUE: And I don't think I will ask this man any further questions.

There is a letter I want to put in here, which I will also put in, it is from the B. C. Security Commission to this claimant of September 2nd, 1943,

"We are advised by the Official Custodian that no insurance has been collected on the Hammond property, which was burned down, and the Custodian has no information

30 that any insurance policy was in effect on

this property."

We, of course, will take the position that the Custodian should have insured.

(LETTER MARKED EXHIBIT NO. 5).

MR. RICE: I am submitting,your Honour, that the real estate was sold for its fair market value.

I tender as an exhibit a farm appraisal report.

(APPRAISAL REPORT MARKED EXHIBIT NO. 6).

10 MR. RICE: A real property summary, two summaries.

(SUMMARY MARKED EXHIBIT NO. 7).

MR. RICE: It is clear, your Honour, is it, that the claimant has no interest whatever in Lot 2?

MR. VIRTUE: No, that is right; he has no interest in it.

MR. RICE: I think I will file in this case a copy of the claim of Kazuo Tamura.

(DOCUMENT MARKED EXHIBIT NO. 8).

CROSS EXAMINA TION BY MR. RICE:

Q I show you two photographs; do you recognize either

20 or both?

THEINTERPRETER: His eyes are no good.

MR. VIRTUE: I am recalling the son. If my learned friend wants to ask him about these photos and let this man stand down. His evidence is just an estimate of values, the same as all the others.

MR. RICE: Q: There is only one point I want to make clear. The buildings that you constructed were all on Lot 1, were they? A: Yes, my house was on the twenty acre lot.

30 Q Your house was on the twenty acre lot, and a barn

and a pickers' house, and then you have got "2 rooms" and "3 rooms"; is that an addition to the house?

MR. VIRTUE: He has already said they were all on this twenty acre parcel.

MR. RICE: Q: That is on Lot 1? A: Yes, those were on my twenty acres.

Q All the buildings referred to in your summary of evidence? A: Yes.

10 Q All right.

MR. VIRTUE: I just wish, sir, to call attention to the farm appraisal report; Exhibit 6. The nearest school, Hammond, five hundred yards. "Roads: Property fronts on 1st Avenue, paved road, and back of property fronts on River Road, paved." "Is this district a good one? Yes, mostly small fruit farmers." "Water supply: 20' dug well with electric pump." And then the buildings are valued at $400.00 and cut down to $300.00.

20 The cultivated land is valued at $60.00 and $65.00 an acre, whereas the reclamation cost is given as $100.00 to $150.00.

Then under "Remarks" on the third page, "This property has been cleared out of the bush by the present owner, who is now 73 years of age and he and his wife are both very sick." "On this property there are a number of bearing fruit trees (apple, plum and cherry)." And then he he doesn't put any value at all on the property.

30 That is all, thank you, sir.

(Witness aside)

MR. RICE: Would it be in order to call the claimant 's son?

THE SUB-COMMISSIONER: Yes.

ASAO YOSHIOKA, a witness on behalf of the claimant, having been first duly sworn, testified as follows:

CROSS EXAMINATION BY MR. RICE:

Q Your father, apparently, at one time owned Lots 1 and 2? A: Yes.

10 Q Of Parcel "A"? A: Yes.

Q And then your brother, what is his name?

A Sunao.

Q Sunao purchased Lot 2 from your father?

A Yes.

Q And paid him in full for the same?

A Yes.

Q And you in turn purchased Lot 2 from your brother?

A Yes.

Q So that your father has no claim whatever against

20 Lot 2? A: No.

Q I show you a photograph, or two photos, at least; do you recognize either or both of them?

A Yes. I think when dad seen those houses, and it it burned, and this is only part of it, that is why he can't recognize it.

Q Your father said he couldn't see, I think, that he had no glasses. A: The house is burned, I think.

Q They are practically the same; I don't think there

30 is any difference. They are the same photo; they

are taken from the same snap. I can't see any difference. You can't, can you?

A No.

Q And you say that is a photo of your father's place, the buildings, after a house had been burned down?

A Yes.

Q And those two buildings that you see there, what are they? A: Toilets.

Q They wouldn't be both toilets?

10 A No. This is a laundry house and this is where they kept wood (indicating).

Q Do you mean a wood house? A: Yes; a wash house here.

Q The nearest building is a wash house?

A Yes; this one.

Q And the one farthest away is a wood house?

A Yes.

Q And you say both of those buildings were on your father's property? A: Yes.

Q And the house was in the foreground, but was burned

20 down and is not there now? A: Yes.

MR. VIRTUE: It is clear that the house was burned down after evacuation; that is, that there had been a house there at that time.

MR. RICE: I will put those photos in as an exhibit.

(PHOTOGRAPHS MARKED EXHIBIT NO. 9).

MR. RICE: That is all.

THE SUB-COMMISSIONER: Is that all?

MR. VIRTUE: That is all, thank you.

(Witness aside)

30 (PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify the foregoing true and accurate:
"S.R.HOWARD" Official Reporter S.R.Howard

I hereby certify that the foregoing transcript purports to be an accurate record: D.M. Emanson
SUB-COMMISSIONER.

7373 ACKNOWLEDGED NOV 27 1947
Case No. 795.
27 1947

# Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

Leth.

1. Name of Claimant in full: Kiemon Yoshioka

   Registration No. 14000

2. Claimant's address at the time of his evacuation from the protected area:

   Pt. Hammond, B.C.

3. Claimant's present address:

   P. O. Box 392, Picture Butte, Alta.

4. Claim relating to real property:

   (a) Street address of real property: 1st Ave., Pt. Hammond, B.C.

   (b) Legal description of property:

   Lot (1) and (2) of parcel "A" of lot 280
   Municipality of Maple Ridge.

VIRTUE & RUSSELL, Barristers, Lethbridge.

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

Farm. 9/ (Farm including small fruit, hops, nursery stock)

(d) Title or interest held by Claimant in the real property:

Title No. 70035E

(e) Fair market value of real property at date of sale:

(I) Land— $ 4900.00

(II) Buildings— $ 2250.00

| | |
|---|---|
| House | $1000 |
| Barn | 700.00 |
| 2 picker house | 550.00 |
| | $2250.00 |

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

$ 7150.00

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

(c) In whose care was property left by the Claimant at date of evacuation?

(d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

No personal belongings.

(e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will ..... be required.

DATED this 12th day of ~~October~~ Nov., A.D. 1947.

G. Ikeda
*Witness to Signature of Claimant.*

K. Yoshioka per
A. Yoshioka
*Signature of Claimant.*

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Kiemon Yoshioka
*(Full Name of Claimant)*

of Picture Butte, Alta. Retired
*(Present Address)* *(Occupation)*

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.

2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.

3. The above Claim is true and correct.

4. I have not received any payment upon the above Claim other than the following:

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

DECLARED at Picture Butte
in the Province of Alberta,
this 13th day of November
A.D. 1947.

K Yoshioka per A Yoshioka

Roscoe O. Webb
*A Commissioner for Oaths in and for the Province of Alberta.*

VIRTUE & RUSSELL, Barristers, Lethbridge.

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapted 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

# Proof of Claim

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

# JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. 159

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: Kiemon YOSHIOKA

EXHIBIT No. 795-1
DATE October 17/48
FILLED BY A.G. Virtue

2. Registration Number: 14000

3. Present Address: P.O. Box 392, Picture Butte, Alta.

4. Address Prior To Evacuation: Port Hammond, B.C.

5. LEGAL DESCRIPTION OF PROPERTY: Parcel 1.

(If more than one parcel, list each separately, beginning as Parcel 1, Parcel 2, etc. with following particulars covering each parcel separately on individual sheets)

Lots one (1) ~~and Two (2)~~ of Parcel "A" of Lot Two Hundred and Eighty (280) Group One (1) Map 4020. in the District of New Westminster.

(a) Nearest Post Office adjacent to land. Port Hammond

(b) Number of acres: 20.255

(c) When purchased: 1915

(d) Condition when purchased: Give improvements and values in detail as of date of purchase)

Bushland & Timber

No Buildings

(e) Purchase Price ..... $ 2000.00

6. IMPROVEMENTS:

| | | | |
|---|---|---|---|
| (a) | Clearing 15 acres at $ 150.00 per acre | $ 2250.00 | |
| (b) | Fencing Barbed wire fence | $ 200.00 | |
| (d) | Drainage) 11,000' of tile & cedar planks | $ 500.00 | |
| (c) | Tillage | $ | |
| (e) | Weed Eradication | $ | |
| (f) | Planting ( 150 fruit trees | 300.00 | |
| | 5 acres strawberries | $ 2000.00 | |
| | 1 acre gooseberry | 150.00 | |
| (g) | 1½ acres raspberries | $ 150.00 | |
| | 1 acre hops | 200.00 | |
| (h) | 5 acres asparagus | $ 1000.00 | |
| | Total | $ 6700.00 | $ 6700.00 |
| | Carried Forward | $ | $ 8700.00 |

Brought forward $ 8700.00

(i) Buildings:

| ITEM | SIZE | YEAR BUILT | MATERIAL COST | LABOR COST | COST (TOTAL) |
|---|---|---|---|---|---|
| | | | $ | $ | $ |
| 5 room house | 24 x 32 | 1926 | 1000.00 | | |
| Barn (insulated to store vegetables | 32x42 | 1934 | 700.00 | | |
| 2 pickers house | | | | | |
| 2 rooms | | 1930 | 250.00 | | |
| 3 rooms | | 1930 | 300.00 | | |

Total Cost of Buildings 2250.00

Total Cost of Land and All Improvements ..... $ 10950.00

Fair Market Value Buildings $2250.00 Land $4900.00 $ 7150.00

Sold by Custodian for ..... $ 1351.00

Loss Claimed on Parcel 1 ..... $ 5799.00

8. Assessment for 1942:

Land ..... $ 1800.00

Improvements .... $ 1400.00

Total ..... $ 3200.00

9. Appraisal or Valuation (by Custodian):

Lands ..... $ 926.00

Improvements ..... $ 450.00 (including well & electric pump)

Total $ 1376.25

10. Rental Value per Year: $ 1500.00

11. Fire Insurance on Buildings:

(List amount on each building):

.....$

.....$

.....$

.....$

12. Documents in Support:

(a) Photographs:

(b) Deeds

(c) Agreements to Purchase

(d) Leases Yoshioka to Joe Yee

(e) Insurance Policies

(f) Correspondence

(g) Tax Assessment. Maple Ridge for 1942

(h) Statement of Sale price of Property from Custodian
Dated May 26, 1944

(i) Certificate of Title # 70035 E

Parcel 2:- (Add additional sheets if necessary)

(Give exactly the same information as in paragraphs 5 to 12 above)

13. SUMMARY OF LOSSES ON REAL PROPERTY:

Parcel 1 .....$ 5799.00

Parcel 2 .....$

Parcel 3 .....$

Parcel 4 .....$

TOTAL: $ 5799.00

I Certify the above to be True and Correct.

..... .....

Witness Signature of Claimant.

This Certificate of Indefeasible Title is void as against the title of any person adversely in actual possession of and rightly entitled to the hereditaments included in same at the time of the application upon which this Certificate was granted, and who continues in possession, and is subject to—

(*a.*) The subsisting exceptions or reservations contained in the original grant from the Crown:

(*b.*) Any Dominion or Provincial tax, rate, or assessment at the date of the application for registration imposed or made a lien or which may thereafter be imposed or made a lien on the land:

(*c.*) Any municipal charge, rate, or assessment at the date of the application for registration imposed or which may thereafter be imposed on the land, or which had theretofore been imposed for local improvements or otherwise and which was not then due and payable, including any charge, rate, or assessment imposed by any public corporate body having taxing powers over an area in which the land is situate:

(*d.*) Any lease, or agreement for lease, for a period not exceeding three years, where there is actual occupation under the same:

(*e.*) Any public highway or right-of-way, watercourse, or right of water, or other public easement:

(*f.*) Any right of expropriation by Statute:

(*g.*) Any lis pendens or mechanic's lien, judgment, caveat, or other charge, or any assignment for the benefit of creditors or receiving order or authorized assignment under the "Bankruptcy Act," registered since the date of the application for registration:

(*h.*) Any condition, exception, reservation, charge, lien or interest noted or endorsed hereon:

(*i.*) The right of any person to show that the whole or any portion of the land is by wrong description of boundaries or parcels improperly included in this certificate:

(*j.*) The right of any person to show fraud, wherein the registered owner or wherein the person from or through whom the registered owner derived his right or title otherwise than *bona fide* for value has participated in any degree.

*From Certificate No.* 30823E.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

NEW

# Certificate of Indefeasible

issued under Sub Section 1 of Section 104 Land Registry Act

Date of Application for registration, the Twenty-seventh day of January

Register, Vol. ----Fol. 70035E.

**This is to certify that** KIYEMON YOSHIOKA.

is *absolutely and indefeasibly entitled in Fee-simple, subject to such interests as are notified by endorsement hereon, and subject to the conditions reservations set out hereon, to* those *piece* s *of land situate in the* Municipality of Maple Ridge *and Province of British Columbia, and more particularly known and described*

Lots One (1) and Two (2) of Parcel "A" of Lot Two Hu

Eighty (280) Group One (1) Map 4020.

in the District of New Westminster.

THE FOLLOWING PIECES OF LAND HAVE BEEN TRANSFERRED:

| Land. | | | | | Cert. No. |
|---|---|---|---|---|---|
| Lot 2 | — | | — | | 70819E |

*In witness whereof I have hereunto set my hand and seal of office at* New Westminster, *British Columbia, this* 28th *day of* January, *192*7.

*Registrar.*

[OVER]

FORM F

s Certificate of Indefeasible Title is void as st the title of any person adversely in actual sion of and rightly entitled to the heredita- included in same at the time of the applica- pon which this Certificate was granted, and ontinues in possession, and is subject to—

The subsisting exceptions or reservations contained in the original grant from the Crown:

Any Dominion or Provincial tax, rate, or assessment at the date of the application for registration imposed or made a lien or which may thereafter be imposed or made a lien on the land:

Any municipal charge, rate, or assessment at the date of the application for registration imposed or which may thereafter be imposed on the land, or which had theretofore been imposed for local improvements or otherwise and which was not then due and payable, including any charge, rate, or assessment imposed by any public corporate body having taxing powers over an area in which the land is situate:

Any lease, or agreement for lease, for a period not exceeding three years, where there is actual occupation under the same:

Any public highway or right-of-way, water-course, or right of water, or other public easement:

Any right of expropriation by Statute:

Any lis pendens or mechanic's lien, judgment, caveat, or other charge, or any assignment for the benefit of creditors or receiving order or authorized assignment under the "Bankruptcy Act," registered since the date of the application for registration:

Any condition, exception, reservation, charge, lien or interest noted or endorsed hereon:

The right of any person to show that the whole or any portion of the land is by wrong description of boundaries or parcels improperly included in this certificate:

The right of any person to show fraud, wherein the registered owner or wherein the person from or through whom the registered owner derived his right or title otherwise than *bona fide* for value has participated in any degree.

*From Certificate No.* 30823E.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

*No.* 70035E.

NEW

# Certificate of Indefeasible Title

issued under Sub Section 1 of Section 104 Land Registry Act.

Date of Application for registration, the Twenty-seventh day of January, 1927.

Register, Vol. ----Fol. 70035E.

**This is to certify that** KIYEMON YOSHIOKA.

is *absolutely and indefeasibly entitled in Fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to* those *piece* s *of land situate in the* Municipality of Maple Ridge *and Province of British Columbia, and more particularly known and described as:—*

Lots One (1) and Two (2) of Parcel "A" of Lot Two Hundred and Eighty (280) Group One (1) Map 4020.

in the District of New Westminster.

LLOWING PIECES OF LAND HAVE BEEN TRANSFERRED:

| Land. | | | Cert. No. |
|---|---|---|---|
| — | — | | 70819E |

EXHIBIT No. 795-2
DATE October 14/48
FILED BY A.S. Nutter

*In witness whereof I have hereunto set my hand and seal of office at* New Westminster, *British Columbia, this* 28th *day of* January, *192*7.

J. Bowlby
*Registrar.*

[OVER]

ABBREVIATIONS:
M. = Mortgage in fee.
R.P. = Right to purchase.
S.R.P. = Sub-right to purchase.
L.P. = Lis pendens.
L. = Lease.
R.C. = Restrictive Covenant.

# Charges, Liens, and Interests.

FOR OTHER ABBREVI
FILL IN HERE:
Produc

20M-726-5132

| LAND. | Nature of Charge. | No. | Date of Application. | Time. | OWNER OF CHARGE. | Value or Amount. | PARTICULARS, TERM, RATE, ETC. | RELEASES. No. | RELEASES. Date. | Registra to |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | by Si |
| | | | | | | | | | | 17/ |
| | | | | | | | | | | 4 |

# Charges, Liens, and Interests.

For Other Abbreviations
Fill in here:
Produced to register

20M-726-5132

| Nature of Charge. | No. | Date of Application. | Time. | OWNER OF CHARGE. | Value or Amount. | PARTICULARS, TERM, RATE, ETC. | Releases. No. | Releases. Date. | Registrar's Signature to Releases. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | by Sunao Yoshioka 17/3/27 |
| | | | | | | | | | ks |

**DETAILS OF TAXATION**

| IMPROVED LAND | | WILD LAND | |
|---|---|---|---|
| General Rate | 16 Mills | General Rate | 30 Mills |
| School Rate | 15.6 Mills | School Rate | 15.6 Mills |

TAXES ON 50 PER CENT OF IMPROVEMENTS FOR SCHOOLS
TAXES ON 20 PER CENT OF IMPROVEMENTS FOR GENERAL PURPOSES

# CORPORATION OF THE DISTRICT OF MAPLE RIDGE

# ORIGINAL TAX RECEIPT, 1942

No. .....

C.B. Folio .....

T. R. Folio .....

[ K. Yoshioka
Hammond, B.C. ]

1. Add 6 per cent interest on all Arrears and Delinquent Taxes from January 1st, 1942, to date of payment.
2. Add 10 per cent on 1942 taxes which are not paid by August 31st, 1942.

Fifty Cents is the Minimum for Municipal Taxes

3. Notice Column "B". Taxes in Arrears. This property will be sold for Taxes on September 30th in the year following this notice, unless the taxes now in arrears are sooner paid.
4. Notice Column "A". Delinquent Taxes. This property will be sold for Taxes on September 30th in this year, unless the delinquent taxes are sooner paid.

| Roll No. | Description of Land—Twp. Subdivision | Quarter | Sec. Lot | Assessed Value of Improvements | Assessed Value of Land | General | School | Wild Land | Sidewalk or Sewer Maintenance | Sewer Tax | Library Tax | T'l 1942 Levy if Paid by Aug. 31, 1942 | Column "B" Arrears 1941 | Column "A" Deliquent 1940 & Prior |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1462 | 1 of "A" | | 240 | 1400 | 1800 | 33 28 | 39 00 | | | | 75 | 73 03 | | |

SUMMARY OF 1942 TAXES

| Summary of Details of Payment | | |
|---|---|---|
| Taxes | Amount | Interest |
| General | 33 28 | |
| School | 39 00 | |
| Sidewalk | | |
| Sewers | | |
| Library | 75 | |
| Penalty | | |
| 1941 | | |
| 1940 and Prior | | |
| Interest | | |
| Total | 73 03 | |

EXHIBIT No. 795-3
DATE October 14/48
FILED BY [illegible]

May 30 1942 03 Received from K. Yoshioka the sum of Seventy Three DOLLARS in payment of Taxes as per details shown above.

H. M. Davenport
per [illegible]

**H. M. Davenport, C.M.C., and Collector,**
(Postal Address) **Haney, B.C.**

# This Indenture

Made in duplicate the 5th day of May in the year of Our Lord one thousand nine hundred and ~~thirty~~ forty-two.

**IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT"**

**Between:**

KIEMON YOSHIOKA
and
ASAO YOSHIOKA

of the town of Port Hammond, in the province of British Columbia. Farmers.

Insert full Names, Addresses, and Occupations of parties.

hereinafter called the "Lessor" of the First Part:

AND

JOE YEE

of 739 Columbia Street, in the City of New Westminster, in the province aforesaid. Farmer.

hereinafter called the "Lessee" of the Second Part:

**Witnesseth**, the said Lessor doth demise unto the said Lessee, his executors, administrators and assigns, **All and Singular** that certain parcel or tract of land and premises situate, lying and being in the Municipality of Maple Ridge, in the province of British Columbia, and more particularly known and described as Lots One (1) and Two (2) of Lot "A" of Section Two Hundred and Eighty (280) Township Nine (9) Plan 4020. in the District of New Westminster.

EXHIBIT NO. 795-H
DATE October 14/48
FILED BY A. G. Virtue

**Together** with all buildings thereupon erected, or hereafter during the term hereby granted, to be erected, and also with all ways, paths, passages, water, water courses, privileges, advantages and appurtenances whatsoever to the said premises belonging or otherwise appertaining.

From the 5th day of May one thousand nine hundred and ~~thirty~~ forty-two for the term of from May 5, 1942 to December 31, 1942 thence ensuing.

YIELDING during the said term therefor the rent of Twelve Hundred Twenty-Five Dollars,

of lawful money of Canada, payable on the following days and times that is to say: The full year's rental of $1225.00 is now paid cash and is hereby acknowledged by the Lessor. The Lessor hereby agrees that all bills for fertilizer or any other accounts that might be chargeable against the aforesaid crop have been paid by him.

the first payment to be made on the 5th day of May , 19~~3~~ 42

THAT the said Lessee covenants with the said Lessor to pay rent; and to pay taxes; and to pay rates for water, electric light, gas and telephone.

AND to repair; and to keep up fences; and not to cut down timber;

AND the said Lessor may enter and view state of repair, and that the said Lessee will repair according to notice.

AND will not assign without leave; and will not sublet without leave.

AND that he will leave premises in good repair;

AND that he will not carry on any business that shall be deemed a nuisance on the premises.

PROVISO for re-entry by the said Lessor on non-payment of rent, or non-performance of covenants.

PROVISO for re-entry on seizure or forfeiture of the said term.

The said Lessor covenants with the said Lessee for quiet enjoyment.

AND ALSO that if the term hereby granted shall be at any time seized or taken in execution or in attachment by any creditor of the Lessee, or if the Lessee shall make any assignment for the benefit of creditors, or becoming bankrupt or insolvent, shall take the benefit of any act that may be in force for bankrupt or insolvent debtors, the then current rent shall immediately become due and payable and the said term shall immediately become forfeited and void.

AND IT IS HEREBY DECLARED AND AGREED that in case the premises hereby demised or any part thereof shall at any time during the term hereby granted be burned or damaged by fire or tempest so as to render the same unfit for the purpose of the Lessee, then the rent hereby reserved or a 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 at the option of the Lessor have been repaired or made fit for the purpose of the Lessee.

Provided always and it is hereby agreed by and between the parties hereto that if the said Lessee shall hold over after the expiration of the term hereby granted and the Lessor shall accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.

Wherever the singular or the masculine are used in this Indenture, the same shall be deemed to include the plural or the feminine, or the body politic or corporate; also the heirs, executors, administrators, successors and assigns of the respective parties hereto and each of them, (where the context or the parties so require).

**In Witness Whereof** the said parties have hereunto set their hands and seals the day and the year first above written.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Signature of Witness Halbert Menzies
Street Address
City or Town Haney B.C.
Occupation Notary Public

黃國喜友助
Asao Yoshioka

Dated 5th May, 193~~x~~ 42

KIEMON YOSHIOKA
and
ASAO YOSHIOKA

---TO---

JOE YEE

# Statutory Lease

SHORT FORM

The Maple Ridge Leader, Haney, B.C.

Hal Menzies,
Haney, B. C.

Matsumura House

DEPARTMENT OF LABOUR

CANADA

CUSTODIAN FILE #7373.

# BRITISH COLUMBIA SECURITY COMMISSION

Lethbridge, Alberta,
September 2, 1943.

EXHIBIT No. 795-5
DATE October 14/48
FILED BY A. G. Vestes

Mr. Kiemon Yoshioka, #14000,
c/o Mr. Oscar Sanders,
PICTURE BUTTE, Alberta.

Dear Sir:

We are advised by the Official Custodian that no insurance has been collected on the Hammond property, which was burned down, and the Custodian has no information that any insurance policy was in effect on this property.

Yours truly,

B. C. SECURITY COMMISSION,

A. E. Russell.

A. E. Russell.

AER/F

BC:97:P.

BC/97-P

TO BE USED IN CONJUNCTION WITH JL-9 - Lot 2.



S.S. Form No. 43 (Sheet 1)

# Farm Appraisal Report

File No. JL-8

Land Description: Lot 1 of, Pcl. "A" of Lot 280, Map 4020, N.W.D.

Containing 20.255 Acres

Owner's Name: YOSHIOKA, K. Post Office Address: Hammond, B.C.

Nearest Rail Point: Hammond - C.P.R. Distance: ½ mile

Market Town: New Westminster, B.C. Distance: 16 miles

Church (give denomination): All denominations Distance: ½ mile

Nearest School: Hammond -500 yards. Haney High School Bus 3 miles. Distance:

State how property was identified: Two corner posts located and map check.

Roads: State whether property has access to main road, the kind of road and its condition.

Property fronts on 1st Avenue paved road and back of property fronts on River Road paved.

Is this district a good one? Yes, mostly small fruit farmers.

Employment opportunity: Fair, in sawmills at Hammond.

Predominating Nationality and religion: British Protestant. Japs predominating in immediate area.

Describe Fencing and its condition: 4 barbed wire fence along front of property. Value $ included in land

Water supply: 20' dug well with electric pump Value $ 150.00

1873

## BUILDINGS ON FARM

| BUILDINGS | DIMENSIONS | MATERIAL | HEIGHT | ROOF | AGE | Foundation | REPAIR | VALUATION |
|---|---|---|---|---|---|---|---|---|
| HOUSE Shack | 15 x 30 | Frame | 9' | Shgl. | 20 yrs | Wood Blocks | Poor | 100.00 |
| Addition | 15 x 30 | " | 8' | " | " | " | Poor | |
| | x | | | | | | | |
| BARN | 30 x 45 | Frame | 14' | Shakes | 30 yrs | Sills on rock | Fair | 200.00 |
| Packing Shed | 15 x 20 | Pole | 10' | Shakes | 10 " | Poles in ground | Fair | Nil |
| BARN | x | | | | | | | |
| | x | | | | | | | |
| GRANARY | x | Numerous dilapidated shacks around barn-yard too numerous to mention - of no value. | | | | | | |
| | x | | | | | | | |
| | x | | | | | | | |
| | x | | | | | | | |
| 2nd House | 24 x 30 | Frame | 10' | Shgl. | 10 yrs | Wood Blocks | Poor | 100.00 |

Total present day value $ 400.00

Total Value Buildings add to farm: Houses and Barn $ 300.00

Is dwelling habitable without repairs? Yes If not what is your approximate estimate of cost to make it habitable? At present occupied by Chinese family renting land.

$

Describe the basement and chimneys: Stove-pipe

No. rooms downstairs? 4 Upstairs? Nil How finished: Wood

Are buildings painted? No Condition of paint: -

Distance from nearst bush: None near.

EXHIBIT No. 795-6
DATE October 14/48
FILED BY Gleadie

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

| ACRES | LEVEL, UNDULATING, ROLLING OR HILLY | SOIL (State Depth) | SUB-SOIL | KIND AND QUALITY OF CROP | VALUE PER ACRE | TOTAL |
|---|---|---|---|---|---|---|
| 8.90 | Undulating | Sandy gravelly land 2" | Gravelly | All in crop except 1.35 | 60.00 | 534.00 |
| 3.25 | Level | 2' to 3' Black clay loam | Clay | Small fruits, etc. | 65.00 | 211.25 |
| 2.00 | Low wet | 2' to 3' clay loam | Clay | Grass | 60.00 | 120.00 |

8.90
3.25
2.00

Area which can be cultivated without cost other than for breaking.

| LEVEL, UNDULATING, ROLLING OR HILLY | SOIL (State Depth) | SUB-SOIL | | VALUE PER ACRE |
|---|---|---|---|---|
| | | | | |

Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.

| ACRES | LEVEL, UNDULATING, ROLLING OR HILLY | SOIL (State Depth) | SUB-SOIL | NATURE OF RECLAMATION NECESSARY | RECLAMATION COST PER ACRE | VALUE PER ACRE | TOTAL |
|---|---|---|---|---|---|---|---|
| 6.10 | Level, wet | 2' to 3' black clay loam | Clay | Alder, willow and scattered fir and cedar. | 100.00 to 150.00 | 10.00 | 61.00 |

6.10

Area Unsuitable for Cultivation.

| CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY. | NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE | VALUE OF LAND PER ACRE |
|---|---|---|
| 20.25 | | |

Total value of Land $ 926.25

Total added by buildings to value of farm $ 300.00

Well and electric pump
~~Total fruit trees add to value of farm (for use in orchard districts only)~~ $ 150.00

Total value of farm $ 1376.25

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Property leased to Yee Wo Yuen for $1250.00 for 1942 season, which includes crop off Lot 2. Owner still in occupation, 73 years of age and 30 years on this property.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
No white man would bother with the upper cleared land which is very stony and would appear to me to dry out in summer months.

Noxious weeds: Thistles bad in places.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Maple Ridge Municipality, Haney, B.C. 1942, Land assessed at $1300.00, Improvements assessed at $1800.00 - Total $3100.00. 1942 Tax $73.03.

9.69 acres of this property subject to Dyking charges, Dyke Tax $10.62.

Date: 12th May 1942.
Place: New Westminster, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 11th day of May 1942.

Inspector's Signature "L. B. PLUMBLY"

Note: (Use Form 43 (Sheet 2) in connection with this form.)

JL-8 - YOSHIOKA, K.

# Farm Appraisal Report

Remarks: This property has been cleared out of the bush by the present owner, who is now 73 years of age and he and his wife are both very sick.

This 20.25 acre lot has been worked with the adjoining Lot 2, of 14.49 acres, and there are very poor buildings on this piece of land, and the area fronting on the Sharpe Road is very gravelly, gradually sloping to the west, and there is some very good land in the bottom. All crops growing appear in excellent shape, but if weather turned warm land would dry out badly.

See sketch and report on A. YOSHIOKA (JL-9) - Lot 2 of Lot 280.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation.

On this property there are a number of bearing fruit trees (apple, plum and cherry).

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

Maple Ridge Dyking District - 9.69 acres subject to dyking charges, annual charge $10.62.

ORCHARDS, SMALL FRUITS, ETC. (Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

| | | Present Value |
|---|---|---|
| ½ acre Raspberries | Included in value of land. | $ |
| 2.00 ac. Strawberries | | |
| 4.00 " Asparagus | | $ |
| .80 " Peas | | |
| .75 " Hops | | $ |
| 1.25 " Spuds | | |
| 1.35 " Fallow | | $ |
| | | $ |
| | | $ |
| | | $ |
| | | $ |
| | | $ |
| | Total | $ |

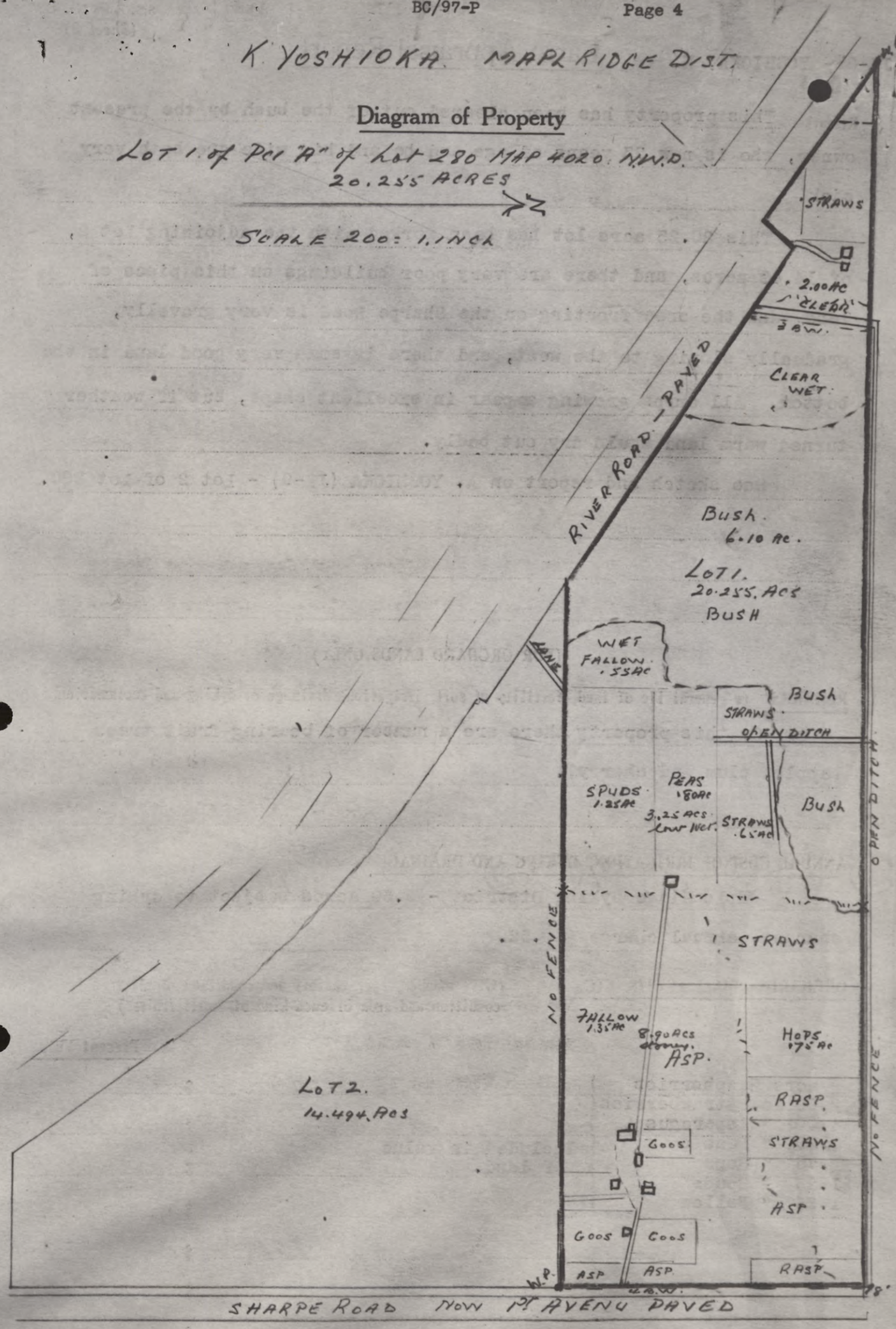
Amount fruit trees add to value of farm $

K. YOSHIOKA. MAPLE RIDGE DIST.

## Diagram of Property

LOT 1. of Pcl "A" of Lot 280 MAP 4020. N.W.D.
20.255 ACRES

SCALE 200: 1. INCH




Following careful review of this appraisal report, it is my opinion that the present value is $ 1400.00

Date 13th May 19 42.

"I. T. BARNET"
District Superintendent.

EXHIBIT No. 795 - 7
DATE Oct. 14/48
FILED BY G.E.A.Rice

REAL PROPERTY SUMMARY

JAPANESE NAME: Kiemon YOSHIOKA Reg. No. 14000 File No. 7373.
Copy for File 10660
" " " 13785.

CATALOGUE NO: Sold by Special Arrangement, The Director, The Veternas' Land Act. BC/97-P. First Offer.

PROPERTY ADDRESS: R.R. No. 1, First Avenue, Port Hammond, B. C.

LEGAL DESCRIPTION: Lot 1 of Parcel "A" of Lot 280, Group 1, Map 4020, Municipality of Maple Ridge, D. N. W.

TITLE: Registered in the name of Kiyeomon YOSHIOKA.

ENCUMBRANCES: None registered. No indication of any unregistered charges.
Vesting Order filed No. 25052, dated December 1st, 1942.

ASSESSED VALUES: Land - $1800.00
Improvements - $1500.00 - $3300.00 Taxes - $73.03.

CLASSIFICATION: This is a small fruit and vegetable farm with a 4 room dwelling and an old barn 24' x 30'. The house was burnt completely to the ground on April 27th, 1943 - cause unknown.
This property had an area of 20.25 acres practically all cultivated with 12 acres in small fruits, 2 acres in asparagus and the balance in mixed vegetables.

HISTORY OF ADMINISTRATION: This property was leased together with Asao YOSHIOKA'S, File 10660 (son of Kiemon YOSHIOKA) property adjoining viz., Lot 2, Parcel "A" of Lot 280, Gp.1, Map 4020, Mun. of Maple Ridge, by them Jointly on May 5th, 1942. Term from 5th May, 1942 to 31st December, 1942, to Joe Yee. Consideration - $1,225.00 together with payment of Taxes. This money was paid directly to the Lessors.

Kiemon YOSHIOKA owned a small dwelling built on his son's property adjoining.

While this property was leased in 1943 all rental consideration and relative documents were assigned to The Director, The Veterans' Land Act.

SOLD: To The Director, The Veterans' Land Act for $1,351.00 as at January 1st, 1943.
Approval of Advisory Committee - June 1st, 1943.

Funds released to the credit of Kiemon YOSHIOKA as at May 10th, 1944, against which were the following charges: Tax Arrears - $12.28, Registration Fees - $3.00, Legal Fees - $15.00 - $30.28, leaving a net credit of $1320.72 from said transaction.
The distribution of these funds was held up owing to the mix-up over the 3 houses built on Lot 2 of Parcel "A" of Lot 280, Gp.1, Map 4020, Mun. of Maple Ridge, as we were unable to distinguish Kazuo TAMURA'S, File 13785, interest in the property, and also because of the undistinguishable equity of Father, Kiemon YOSHIOKA, File 7373, and Son Asao YOSHIOKA, File 10660, because of their houses having been built on the property of Asao YOSHIOKA. The net proceeds derived from the property sales were sent to the Father and Son Jointly, asking that they make the proper distribution among themselves direct.

Certificate of Title No. 169875-E in the name of The Director, The Veterans' Land Act.

This summary is certified to be in accordance with information on file.
DAC:JS October 31st, 1946. "D. A. Cramer"

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy. Dec. 3, 1948.

(Attached to Exhibit 795 - 7)

File 7373

SUMMARY RELATIVE TO CLAIM OF
Kiemon YOSHIOKA - Regn. No. 14000.

8th June, 1948.

REAL PROPERTY: Municipality of Maple Ridge

1. Lot 1 of Pcl "A" of Lot 280, Gp. 1, Map 4020, D.N.W.

"Claimant has no interest in lot 2"- - 2. Lot 2 of Pcl. "A" of Lot 280, Gp. 1, Map 4020, D.N.W.

| | | Assessed Value | S.S. Bd. Appraisal | V.L.A. Purchase |
|---|---|---|---|---|
| 1. | Land | $1800.00 | $ 926.25 | |
| | Improvements | 1500.00 | 450.00 | |
| | | $3300.00 | $1376.25 | $1351.00 |

| | |
|---|---|
| Amount Claimed | $7150.00 |
| Sale Price | 1351.00 |
| | $5799.00 |

A claim for $4950.00 has been submitted by Asao YOSHIOKA, File 10660, the registered owner of Lot 2.

A property breakdown of Claimant's valuation cannot be made, as the particulars of buildings shown on his claim indicates that only the buildings on Lot 1 have been included. Land valued by claimant at $141.00 per acre.

"M.L.B."

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

mw December 3, 1948.

C Boyle

EXHIBIT NO. 795 - 8
DATE Oct. 14/48
FILED BY G.E.A.Rice

COPIES FOR CLAIM FILES 7373 & 10660

File Nos. 13785 & 4224 May 27th, 1948.

REAL PROPERTY SUMMARY FOR CLAIM

CLAIMANTS: Kazuo TAMURA and Kazuko (Mrs. Kazuo) TAMURA,
Reg. No. 14369 Reg. No. 14159.

PROP. SUBJECT OF CLAIM:

| | |
|---|---|
| Boarding House 24' x 50' 11 rooms | - $1300.00 |
| Small 2 Roomed House 14' x 20' | - 200.00 |
| CLAIM | - $1500.00 |

- - - - - - - - - - - - - - - - - - - - - - - - - -

The above Japanese own no land but do declare ownership of a 12 room two storey house and a 2 room house built on land belonging to Kiemon YOSHIOKA, File 7373, father of Kazuo (Kazuo changed his name from YOSHIOKA to TAMURA at time of marriage to perpetuate the surname of wife). Actually the property is that of his brother, Asao, File 10660.

Although written to on October 27, 1944, and July 11, 1945, (the father was also written to on December 9th, 1942) informing them that it would be necessary to obtain the father's acknowledgment of ownership, nothing has been received by this office to that effect and they make no reference to the matter whatsoever.

The value of the dwellings is therefore being carried in the property owner's account and distribution is being left to be made between themselves. See letters October 17th, 1946 and November 15th, 1946.

"J. Spratt"

/JS

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

December 3, 1948. C. Hyde

mw.

EXHIBIT No. 795-9
DATE October 14/48
FILED BY Shakice

25

Yoshioka, K.

River Rd. Hammond, B.C.

25

YOSHIOKA, K.

River Rd.

Hammond, B.C.

7373

Burnt down

27-4/43.

for no

apparent

reason – reported

by Thompson to

Police.

7373

dwd.