Name of Claimant MASUHARA, Akiyasu Case 1091

Custodian File 9053

| 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 | |
| 1250 | 62.50<br>12.50 | | | | | | | | | | 75.00 |

| 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 | 75.00 |

1540

CASE NO: 1091.

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

October 5, 1948.

IN THE MATTER OF THE CLAIM OF

AKIYASU MASUHARA.

Original.

PROCEEDINGS AT HEARING.

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 J.A. McGIBBON, SUB-COMMISSIONER.

Toronto, Ontario,

October 5, 1948.

IN THE MATTER OF THE CLAIM OF

AKIYASU MASUHARA.

PROCEEDINGS AT HEARING

APPEARANCES:

| | |
|---|---|
| K.A. CHRISTIE, ESQ., K.C., | appearing for the Dominion Government, |
| F.A. BREWIN, ESQ., | appearing for the Claimant. |

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| | |
|---|---|
| A. SMITH, ESQ., | Secretary, |
| G.N.R. UPTON, ESQ., | Official Interpreter, |
| A.G. VEITCH, ESQ., | Official Reporter. |

AKIYASU MASUHARA, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. BREWIN:

Q. Your claim is in respect to a store property known as 3798 Hastings Street East, Vancouver?

A. Yes.

Q. Is that right? A. That is right.

Q. And have you instructed your solicitors to fill in a form entitled Real Estate Other Than Farm? A. Yes.

Q. And whose signature is that at the foot of that document I am showing you?

A. It is my signature.

Q. And, have you read over the material contained in this form? You have read it before?

A. Yes, sir.

Q. And, is it all correct?

A. That is correct.

MR. BREWIN: May that be Exhibit 1?

THE SUBM-COMMISSIONER: Yes.

(PARTICULARS OF REAL ESTATE OTHER THAN FARM, MARKED EXHIBIT NO.1)

MR. BREWIN: In respect to the title, once again, I have here a certificate of title in the name of the claimant but unless my friend is disputing the title I will not put that in as an exhibit.

MR. CHRISTIE: I am just wondering with respect to this small document, that, it would not take up much room, if we should not each time register this certificate of encumbrance as an exhibit for the

sake of completeness.

THE SUB-COMMISSIONER: I would.

MR. CHRISTIE: I think perhaps it would help your case.

MR. BREWIN: Yes. I have no objection to it going in.

(CERTIFICATE OF ENCUMBRANCE, MARKED EXHIBIT NO.2)

MR. BREWIN: Q. From whom did you buy this property? A. From my father.

Q. From your father?

A. Yes.

Q. And, when did you buy it?

A. October 1940.

Q. October, 1940. What did you pay for the property? A. $5,000.

Q. $5,000.? A. Yes.

THE SUB-COMMISSIONER: $5,000.?

MR. BREWIN: $5,000, he says.

Q. Did you actually pay that money to him?

A. Yes.

Q. I am showing you here a series of receipts. Are they signed by your father?

A. That is right.

Q. One on October 7, 1940, for $3,000. It says for property at 3798 Hastings Street, signed Mohei Masuhara. He is your father?

A. Yes, sir.

Q. March 10, 1941 for $300., for property on 3798 Hastings Street East? A. Yes.

Q. One on March 9, 1942, for $500.

One November 10, 1941, for $100.

I have not them in order.

One on July 10, 1941 for $300.

September 20, 1941, $300.

And then, a good deal later than the others, February 4, 1946, $500. Are those all signed by your father?

A. Yes.

Q. And do they actually represent what you paid in cash for this property?

A. Yes.

(RECEIPTS FOR PURCHASE PRICE OF CLAIMANT'S PROPERTY, MARKED EXHIBIT NO. 3)

Q. Where is your father living now?

A. Lumby, British Columbia.

Q. That is where your father is at the present time? A. Yes.

Q. And, what kind of store was there on this property? A. Fruits, vegetables, confectionery, grocery.

Q. Fruits, vegetables, confectionery and grocery? A. Yes.

Q. Did you, yourself, operate the store?

A. Yes.

Q. How was the price which you paid of $5000, arrived at between yourself and your father? Do you know? A. Yes.

Q. Did you have a discussion with him as to why you should pay as much as $5,000. or no more than

$5,000? A. That is what the place is worth.

Q. Who thought so, though? Did you investigate what it was worth - that is, in 1940?

A. Yes, in 1940.

Q. Why do you say that? Have you any reason for saying that?

A. Yes. The land cost $3,000. and the building costs $2,000.

Q. You estimated the value of the land at $3,000. and of the building at $2,000?

A. Yes.

Q. By the way, with respect to this property, in what sort of district is it?

A. Burnaby.

Q. Is it on the corner of the street?

A. Yes, the southwest corner of Hastings.

Q. Of Hastings and what other street?

A. Esmond.

Q. What sort of district is that? Is it business? A. Yes, business.

Q. And are there street cars at that corner?

A. Yes. It is a streetcar stop, too, and bus stop.

Q. So that your store was right at the corner? A. Yes. That is right.

Q. What was at the northwest corner?

A. That is an empty lot, vacant.

Q. A vacant lot?

A. Yes.

Q. Do you know anything about the value of that

at all? A. The real estate man told us about $3,000. in 1940.

Q. The real estate man?

A. Yes.

Q. What is his name? A. Stewart.

Q. A real estate man named Stewart told you the vacant lot on the northwest corner cost about $3,000? A. Yes.

Q. So I take it that you lived in rooms on top of the store or beside it?

A. At the back.

Q. Who lived there with you?

A. My father, mother, sister and brother.

Q. Your father, mother, your sister and brother. At the time of evacuation, according to the information on Exhibit 1, you had rented the property to a Mr. Turnbull for $35. a month?

A. Yes.

Q. Do you know how long he remained as a tenant? A. I think one month.

Q. Just a very short time?

A. Yes.

Q. And who succeeded him as a tenant?

A. Mr. Phillip, I think.

Q. Mr. Phillip, you think. Was that while you were inVancouver or Barnaby?

A. I was outside of Vancouver.

Q. But you heard it had been rented to Mr. Phillips? A. Yes.

Q. Did you make the lease to Mr. Phillip,

yourself? A. Yes; before evacuation.

Q. Before the evacuation; and at what rental was that made? A. At that time $25.

Q. Was that a fair rental, in your opinion?

A. No, I do not think so.

Q. You do not think so. Why did you rent it to him, then?

A. Well, he said he will only pay me $25.

Q. He said he would only pay you that.

Did you know at that time you were going to be evacuated very shortly?

A. Yes, just the day before, I think.

Q. Just the day before your evacuation you made that lease?

A. Yes.

Q. I think there is no dispute about this, it was assessed, the property, at $1500, I think, for the land and $410. for improvements.

MR. CHRISTIE: I am tending as an exhibit the Notice of Assessment.

(NOTICE OF ASSESSMENT, MARKED EXHIBIT NO. 4)

MR. BREWIN: I noticed that my friend had on his file a photograph of this building. I wonder if I might put that to the witness and see if he can identify it.

MR. CHRISTIE: Very well.

MR. BREWIN: Q. I am showing you a photograph. Can you tell me what that property that is?

A. Yes. That is mine.

Q. That is your house which you have been describing to us? A. Yes.

MR. BREWIN: May that be marked as an exhibit, Mr. Sub-commissioner?

MR. CHRISTIE: I tender that as Exhibit 5.

(PHOTOGRAPH OF CLAIMANT'S PREMISES, MARKED EXHIBIT NO. 5)

MR. BREWIN:, Q. Did you make a livlihood out of the grocery store or were you employed somewhere else, as well?

A. Myself.

Q. You worked there, yourself?

A. Yes, sir.

Q. You made your living doing that?

A. Oh, yes.

Q. Have you any record of the income you secured from the operation of the store?

A. No, I do not think I have here.

Q. I do not know whether a guess would be any good, but can you tell me what your income would have been in 1941 from the operation of the store?

A. About $12,000. a year.

Q. That much? A. Yes.

Q. Would that be gross?

A. Yes.

Q. That would be the turn-over?

A. No; just a minute; I do not remember very well.

Q. If you do not remember I do not want you to try and tell us. It is quite a long time ago now.

If you cannot give us a fairly accurate estimate I would not try, if I were you.

Can you give us any sort of accurate estimate?

THE SUB-COMMISSIONER: He has not any figures to show for it, I presume.

MR. BREWIN: I think possibly we might as well leave that alone, because it would not be very convincing.

I suppose my friend will produce, and he can do it now so I can examine my client on it, the valuation made of this property by Pemberton Realty Corporation Limited.

MR. CHRISTIE: I tender as Exhibit 6, the valuation of the Pemberton Realty Corporation Limited.

(VALUATION, MARKED EXHIBIT NO.6)

MR. BREWIN: Q. Have you seen the valuation made by the Pemberton Realty Corporation of your property? A. No.

Q. Has this letter not been shown to you?

A. I do not think so.

Q. I am instructed it was shown to you, but, you have had a chance to read it, now, at any rate?

A. Yes.

Q. That is what Mr. Moore of the Pemberton Realty Company says about your property. I want to ask your opinion about the valuation.

I note he says that it is of very little value except for what the store will bring in. What do you say about that? Is it valuable for any other purpose?

A. The store?

Q. He says that it is of very little value except for what the store will bring in. For what else did you use it? Did you have any other value beyond the store?

You carried on your business there; what else did you do? A. (No audible answer.)

THE SUB/COMMISSIONER: Q. Did you live there?

A. Yes.

MR. BREWIN:, I think that is really the answer.

Q. And was it a suitable place for one to live? A. Yes.

Q. Was the accommodation fairly satisfactory?

A. Yes.

Q. And if you could live there do you think other people would be willing to live there?

A. Yes.

Q. Your father built the rooms on the store. Did he build the garage? A. Yes.

Q. He, himself, built it?

A. Yes.

Q. And there were five rooms altogether?

A. Yes.

Q. Two at the back of the store and three on the garage. Was the garage used?

A. Yes, the garage was used.

Q.. By whom? Did you use it?

A. No. We have a garage.

Q. Pardon? A. My father built it.

Q. But, who used it; who occupied it?

A. My brother.

Q. Did he pay anything to you or to your father for it or did you just let him have it free?

A. Just let him have it.

Q. Did you ever have the garage rented at all?

A. No.

Q. Was it a suitable garage?

A. Yes.

Q. Quite satisfactory? A. Yes, sure.

Q. Was it in a good state of repair, referring to the house, when you left?

A. Yes.

Q. I think that is all, thank you.

---

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. When you purchased this property from your father of how much did the property consist?

I mean by that, I understand that additions were subsequently built. What was the size of the property when you purchased it from your father, and how many rooms were there?

A. Five rooms.

Q. What five rooms were they?

A. One room back of the store and four rooms in the back of the store - I mean ---

Q. What was added to the building by your father or by yourself?

MR. BREWIN: I do not think he added anything.

MR. CHRISTIE: Q. Was this building complete

when you purchased it from your father?

A. Yes.

Q. What do you say with reference to the statement of the Pemberton Realty Corporation that this cuilding was constructed from time to time out of ~~mull~~ lumber, cull lumber and packing cases? What have you to say with regard to that statement?

A. That is all new lumber.

Q. You say that is not correct?

A. No.

Q. In your J.P. Form which you signed on May 14, 1942, you said this confectionery store at 3798 East Hastings was rented to Phillips. Was Mr. Phillips operating the store at that time?

A. In evacuation time, yes.

Q. In 1942? A. Yes.

Q. And you had occupied it prior to that time? (No audible answer).

Q. Who occupied the store as a store?

Who occupied the store prior to the time it was rented to Mr. Phillips?

A. Before Mr. Phillips?

Q. Yes? A. Mr. Turnbull.

Q. And before Mr. Turnbull, yourself?

A. Yes, myself.

Q. Were all the rooms occupied, the five room, apart from the store, as living quarters?

A. Yes.

Q. And by members of your family or your father's family? A. Yes.

Q. And what was the condition of the property at the time of evacuation?

A. Good.

Q. I understand that this building was built of plywood widing. Is that correct?

A. I do not think so.

Q. Were you present when it was built?

A. That is lumber.

Q. Was the type of lumber plywood siding? It is a cheap, thin type of lumber. My information is that this building was built of plywood siding. Do you know whether or not that is correct? If you do not know, say so. A. It was good lumber.

Q. Did you, yourself, take any part in the building?

A. My father built it.

Q. You did not take any part in the building of the building? A. No.

Q. So, you do not koow lumberwell enough to know what type of lumber was used in the construction of the building?

A. (No audible answer).

Q. Is that correct? A. (No audible answer.)

THE SUB-COMMISSIONER: Q. Do youunderstand the question? What kind of lumber was used in building this store? A. (No audible answer).

MR. CHRISTIE: Q. What do yousay?

A. I do not remember.

Q. Did you have the roof repaired in July 1942 by the Guarantee Roofing Company?

A. No. That time I was evacuated already.

MR. CHRISTIE: I want to find out if he got this estimate on the roofing.

Q. I am producing here as estimate by the Guarantee Roofing Company to asphalt the whole of the roof. The estimate is $35. Did you ask for that estimate? A. No.

Q. Do you know who asked for it?

A. No.

Q. You do not know anything about it?

A. No, I do not know anything about it.

MR. CHRISTIE: I think I will tender this as an exhibit, subject to proof in Vancouver. I do not think that I could prove it here.

THE SUB-COMMISSIONER:, Very well.

MR. CHRISTIE: Is that satisfactory?

MR. BREWIN: Yes.

(ESTIMATE OF COST OF ROOFING, MARKED EXHIBIT NO.7)

MR. CHRISTIE: Q. When you arrived at the valuation which you put in your claim of $5,000., that was your own idea of what the property should be worth? A. Yes, it should be worth.

Q. That is your own idea?

A. Yes.

MR. CHRISTIE: I think that is all of the witness, your honour.

MR. BREWIN: That is all of our claim at this

stage.

MR. CHRISTIE: You have no more witnesses?

MR. BREWIN: No.

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MR. CHRISTIE: It is submitted that the real property was sold at its fair market value.

I am tendering as Exhibit No. 8 the J.P. Form.

(J.P. FORM, MARKED EXHIBIT NO.8)

I propose tending as exhibits certain offers to purchase, made by the individuals.

There are two offers and I was wondering whether they should be put in as separate exhibits or as one exhibit, your honour.

THE SUB-COMMISSION: I would put them in as one exhibit.

MR. CHRISTIE: I am tendering as Exhibit 9, an offer made by Steve Korhan for $750.

MR. BREWIN: What is the date of that offer?

MR. CHRISTIE: The only date on it is that it is received March 1, 1944, which is in the form of a stamp; and, an offer of Harold D. Campbell on behalf of Mrs. Phillips, for $800.

I tender these as Exhibit 9.

MR. BREWIN: What date is that offer?

MR. CHRISTIE: Would you like to cross-examine on those at all?

MR. BREWIN: No.

MR. CHRISTIE: And that offer of Mrs. Phillips made by Harold D. Campbell is dated November 2, 1943.

(TWO OFFERS TO PURCHASE PREMISES OF CLAIMANT, MARKED EXHIBIT NO. 9)

I am tendering as Exhibit 10, Real Property Summary.

(REAL PROPERTY SUMMARY, MARKED EXHIBIT NO. 10)

MR. BREWIN: I will not make the same objection to these summaries, summaries of this sort, which are accepted without prejudice to arguing that the facts contained are not proved.

THE SUB-COMMISSIONER: The same will apply in this case as in the other.

MR. CHRISTIE: I notice at the bottom it says:

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

and it is certified by D.A. Cramer.

Of course this will be subject to proof in Vancouver?

THE SUB- COMMISSIONER: Yes.

MR. CHRISTIE: We recognize that.

THE SUB-COMMISSIONER: Yes.

MR. CHRISTIE: That is the case for the Crown.

THE COMMISSIONER: Very well.

MR. BREWIN: The property was sold on the 11th March 1944 to a Mr. Nels Danielson for $1,250.

THE COMMISSIONER: Yes.

MR. BREWIN: Thank you.

We have no further reply.

THE COMMISSIONER: Thank you. That is all?

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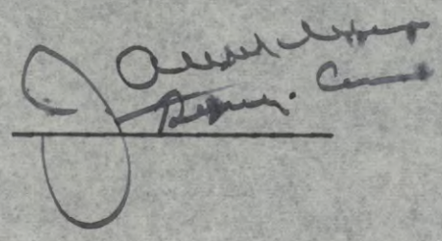
(PROCEEDINGS ADJOURNED SINE DIE)

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

A.G. Veitch

"A.G. VEITCH"
Official Reporter.

I, John A. McGibbon, Deputy Commissioner, appointed to hear a Commission to investigate claims of Japanese Canadians for property loss, do certify the foregoing is a true copy of the evidence heard on the within claim.



JAN 14 1948

base no 1091

**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.

ACKNOWLEDGED

9053

Toronto

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

(1) NAME MASUHARA (Print) Surname AKIYASU Given Name (RCMP) Reg. No. 01203

(2) Pre-Evacuation Address 3798 HASTINGS ST. E., VANCOUVER. B.C.,

(3) Present Address 365 KING ST. W., TORONTO. ONT.

(4) REAL ESTATE

(a) Street Address (if any) 3798 Hastings St. E., Vancouver, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot 10, Block 9, N.P.T. of Lot 116, Map 1236, Municipality of Burnaby

(c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) Residence Type of business
(iii) Business
(iv) Any other type of property (describe)

(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.)

(e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - - - - - - - - - - - - $ 3000.00
(ii) Buildings - - - - - - - - - - - - - - - - $ 2000.00
(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) - - - - - - - - - - - - - - - - - - - - - - - - $ 5,000.00
(v) Amount at which Custodian sold property and credited your account - - $ 1,250.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 3,750.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation

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

(c) How stored or packed at time of evacuation

(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") _____

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

1. _____ Estimated Value $_____
2. _____ Estimated Value $_____
3. _____ Estimated Value $_____
4. _____ Estimated Value $_____
5. _____ Estimated Value $_____
6. _____ Estimated Value $_____
7. _____ Estimated Value $_____
8. _____ Estimated Value $_____
9. _____ Estimated Value $_____
10. _____ Estimated Value $_____

TOTAL CLAIM FOR PROPERTY LOSS $_____

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) - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - $ 375.00

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

Toronto

(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 )
County of York )
TO WIT: )

I, Akiyasu Masuhara of the City of Toronto in the Province of Ontario

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 Toronto in the County of York this 9th day of January A.D. 1947.

R. Q. Best.

A. Masuhara

A Commissioner &c.

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.

_____

MASUHARA Akiyasu
(Claimant's Name)

**REAL ESTATE**
(Other than farm)

EXHIBIT NO. 1091-1
DATE Oct 8 1946
FILLED BY F. A. Brewin

01203
Reg. No.

| Type of Premises (e.g. House, Store, etc.) | No. of Rooms | Type of Finish | Use of Premises | Size of Lot | When Purchased | Date of Purchase |
|---|---|---|---|---|---|---|
| House and Store, 1 Storey<br>Garage | 5 Rooms plus store | Frame | Residence<br>Grocery | 50 x 122 | 1940 | Oct. |

| Type of Locality | Cost Price | Improvements made by Claimant | Estimated Value Date of Sale |
|---|---|---|---|
| Business | $ 5,000.00 | None | $ 5,000.00<br>(Land $3,000.00)<br>(Building 2,000.00) |

Comments re upkeep of premises:

Property left in good condition by claimant.

Comments re Appraiser's report not covered above:

1. New lumber was used in constructing garage and the 3 living room by the claimant's father from whom property was purchased.
2. The property also had value, in the opinion of the claimant, for living purposes.
3. Claimant feels valuation of $ 1,200.00 as much too low.
4. Photograph of property shows property to be trim, neat and well kept.
5. ~~As~~ Before evacuation, property rented out by claimant to Mr. Turnbull for $ 35.00 per month.

Summary:

| | |
|---|---|
| Estimated value: | $ 5,000.00 |
| Sold by Custodian: | 1,250.00 |
| Claim: | $ 3,750.00 |

A. Masuhara
Signature

1091

EXHIBIT No. 1091 - 2

DATE Oct. 5/48

FILED BY K.A.Christie

No. 50329

Your file 9053

CERTIFICATE OF ENCUMBRANCE

Land Registry Office

New Westminster, B. C.

- - - minutes 10 o'clock 30th day of October, 1942.

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

Lot 10 Block 9 of the North part of Lot 116, Group 1, Map 1236,
Municipality of Burnaby, in the District of New Westminster.

"Cat. 453"

Registered Owner: AKIYASU MASUHARA viz:

Register of Indefeasible Fees Folio 139271E.

Registered Charges: Certificate of Vesting in Custodian filed No. 24832.

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

To Office of the Custodian

~~(Stamp)~~
(Seal)

"E. S. Stokes"
Registrar.

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

December 9, 1948.

S. Hyde
mw

EXHIBIT No. 1091-B

Oct DATE 7th Oct 5/46 1940

FILLED BY E. A. Bruin

Received of Akiyasu, Masuhara

lun of Three Thousand — Dollars

For Property on 3798 Hastings st, E.

$3000.00 Yohei Masuhara

Mar 10 1941

Received of Akiyasu. Masuhara

Sum of. Three Hundred Dollars

for property on 3798, Hastings st E.

$300.00 Yokei. Masuhara

Mar 9th 1942

Received of Akiyasu. Masuhara

Five Hundred —— Dollars

for. Property on 3798. Hastings st E

$500.00 Yohei Masuhara

Nov. 10th 1941

Received of Akiyasu, Masuhara

Sum of One Hundred — Dollars

for Property on 3798. Hastings St E

$100.00 Yohei. Masuhara

July 10 1941

Received of Akiyasu, Masuhara

Sum of Three Hundred — Dollars

For Property on 3798 Hastings St E

$300.00 Yohei Masuhara

Sept 20 th 1941

Received of Akiyasu. Masuhara

Sum of. Three Hundred — Dollars

for. Property on. 3798. Hastings St E

$300.00 Yohei. Masuhara

Feb 4 th 1946

Received of Akiyasu. Masuhara

Five Hundred — Dollars

For Property on. 3798. Hastings St.

$500.00 Yohei. Masuhara

NOTICE OF ASSESSMENT, 1943

## Corporation of the District of Burnaby

EDMONDS, B.C.

| District Lot | Block | Sub-Div. | Re-Sub-Div. | Lot | No. of Acres or Lots | Value per Acre or Lot | Total Value of Land Excl. of Imp. | Value of Improvements |
|---|---|---|---|---|---|---|---|---|
| 116/186 | 9 | | | 10 | 1 | 1600 | Improved | 410 |
| | | | | | | | | |
| Former Owner - Akiyasu Masukara | | | | | | | | 9053 |

TAKE NOTICE that the above property is assessed as above for the year 1943. Court of Revision will be held at the Municipal Hall, Edmonds, B.C., on the 8th February, 1943, at 10:00 a.m. Section 234 of Municipal Act reads as follows:

"234 (1) If any person is of the opinion that an error or omission exists in or upon the assessment roll as prepared by the assessor, in that the name of any person has been wrongfully inserted in or omitted from the roll, or that any land or improvements within the municipality has or have been wrongfully entered upon or omitted from the roll, or that any land or improvements has or have been valued at too high or too low an amount, or that any land has been improperly classified, he may, personally or by means of a written communication over his signature, or by a solicitor, or by an agent authorized by him in writing to appear on his behalf, come before the Court of Revision and make complaint of such error or omission, and may in general terms state his ground of complaint, and the Court shall either confirm the assessment or direct the alteration thereof.

(2) The Municipal Council may, by its clerk, solicitor, or otherwise, make complaint against the said roll or any individual entry therein, and upon any ground whatever, and the Court of Revision shall deal with the matter of such complaint, and either confirm the assessment or direct the alteration thereof.

(3) **Every complaint shall be made in writing and shall be delivered to the assessor at least ten days prior to the first annual meeting of the Court of Revision.**

(4) Notwithstanding anything in this Act contained, no complaint to the Court of Revision as in this section provided, and no appeal to a Judge of the Supreme Court or to a County Judge as hereinafter provided, shall be sustained or allowed on the ground that any land has been valued at too high an amount, in any case if the assessment of land complained of, or appealed against, is ten per centum or more less than the assessed value of the same land in and according to the revised assessment roll for the year immediately preceding, or on the ground that any improvements have been valued at too high an amount, in any case if the assessment of improvements, complained of, or appealed against, is five per centum or more less than the assessment of the same improvements in and according to the revised assessment roll for the year immediately preceding."

W. P. PHILPS, Assessor.

EXHIBIT No. 1091 - 4
DATE Oct 1st 1948
FILED
BY J. A. Christie

NOTICE OF ASSESSMENT, 1944

## Corporation of the District of Burnaby

EDMONDS, B. C.

DEC 9 - 1943

| District Lot | Block | Sub-Div. | Re-Sub-Div. | Lot | No. of Acres or Lots | Value per Acre or Lot | Total Value of Land Excl. of Imp. | Value of Improvements |
|---|---|---|---|---|---|---|---|---|
| 116 N | 9 | | | 10 | 1 | 1600 | Improved 1600 | 410 |
| | | | | | | | | |
| | | | | | | | | |

TAKE NOTICE that the above property is assessed as above for the year 1944. Court of Revision will be held at the Municipal Hall, Edmonds, B.C., on the 8th February, 1944, at 10:00 a.m. Section 234 of Municipal Act reads as follows:

"234 (1) If any person is of the opinion that an error or omission exists in or upon the assessment roll as prepared by the assessor, in that the name of any person has been wrongfully inserted in or omitted from the roll, or that any land or improvements within the municipality has or have been wrongfully entered upon or omitted from the roll, or that any land or improvements has or have been valued at too high or too low an amount, or that any land has been improperly classified, he may, personally or by means of a written communication over his signature, or by a solicitor, or by an agent authorized by him in writing to appear on his behalf, come before the Court of Revision and make complaint of such error or omission, and may in general terms state his ground of complaint, and the Court shall either confirm the assessment or direct the alteration thereof.

(2) The Municipal Council may, by its clerk, solicitor, or otherwise, make complaint against the said roll or any individual entry therein, and upon any ground whatever, and the Court of Revision shall deal with the matter of such complaint, and either confirm the assessment or direct the alteration thereof.

(3) **Every complaint shall be made in writing and shall be delivered to the assessor at least ten days prior to the first annual meeting of the Court of Revision.**

(4) Notwithstanding anything in this Act contained, no complaint to the Court of Revision as in this section provided, and no appeal to a Judge of the Supreme Court or to a County Judge as hereinafter provided, shall be sustained or allowed on the ground that any land has been valued at too high an amount, in any case if the assessment of land complained of, or appealed against, is ten per centum or more less than the assessed value of the same land in and according to the revised assessment roll for the year immediately preceding, or on the ground that any improvements have been valued at too high an amount, in any case if the assessment of improvements, complained of, or appealed against, is five per centum or more less than the assessment of the same improvements in and according to the revised assessment roll for the year immediately preceding."

W. P. PHILPS, Assessor.

Custodian,
Dept. of the Secretary of State

No. 1091 - 4
Oct 11 1948
BY
J. A. Christie

9053

Akiyasu Masuhara

EXHIBIT No. 1091-U
DATE October 1, 1945
FILLED BY
F. A. Brewer.

MASUHARA, Akiyasu
3798 E. Hastings St., Burnaby, B.C.
Evac. File 9053

Picture Taken June 23, 1943.

EXHIBIT No. 1091-b
DATE October 5 1948
FILLED BY F. G. Brewin

ESTABLISHED 1887

# Pemberton Realty Corporation Limited

TELEPHONE PACIFIC 8241

418 HOWE STREET
VANCOUVER, CANADA

November 15, 1943.

Re: Catalgoue #453.

3798 East Hastings St., 10/9/116/186.

The lot is 50x122.

This is a small store with 2 living rooms at the back. The garage adjoins at rear, has 3 living rooms above. The garage and all the living rooms have been added by the Japanese from time to time out of odds and ends, cull lumber, and packing cases. This is of very little value except for what the store will bring in.

Value . . . . . .$1200

PEMBERTON REALTY CORPORATION LIMITED.

W G Moore

W. G. Moore.

WGM-JM

Pa 1414.

EXHIBIT No. 1091 - 7
DATE Oct. 5/48
FILED BY KA. Christie

GUARANTEE ROOFING CO.

FRANK JORDISON Mgr.

ALL CLASSES OF ROOFING WORK DONE

1120 W. Pender Street
VANCOUVER, .B.C.

July 31/42

Mr. Messinger
812 Standard Bank Bld.

Estimate to asphalt the whole of the roof & to irish felt all bad & leaking places in roof $35.00

3 year guarantee

Work to be done at 3798 Hast. E.

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

December 9, 1948.

G. Hyde
(MW)

FORM "JP"

FRASER VALLEY COGHLAN

FILE No. 9053

EXHIBIT No. 1091 - 8

DATE Oct. 5/48

FILED BY K.A.Christie

# OFFICE OF THE CUSTODIAN

## JAPANESE SECTION

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

**PERSONAL INFORMATION**

NAME: MASUHARA, Akiyasu

HOME ADDRESS: R.R. No. 1, Milner, B. C.

REGISTRATION NUMBER 01203 SEX: Male AGE: 23

OCCUPATION: Store-keeper - myself

(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? No

NAME OF WIFE OR HUSBAND: - - -

ADDRESS OF WIFE OR HUSBAND: - - -

NAMES OF ANY LIVING CHILDREN: - - -

ADDRESS OF CHILDREN: - - -

AGE OF CHILDREN: - - -

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

1. LOCATION AND DESCRIPTION: 93 acres of land at MacKinnon Rd., Ft. Langley, B.C. (R.R.#1, Milner, B.C.) Title (not here) #145737E, 1 acre lot "C", twp. 11, sketch 8101 and all of lot "C", twp 11 SW of Old (is going to sell this land). (Wagon Rd., 93 acres, sketch 2735. 3798 E. Hastings, Vancouver, B.C. 1 city lot - Municipality of Burnaby.

2. BUILDINGS AND OTHER IMPROVEMENTS: 4 roomed wooden frame bungalow at Fort Langley, B. C.
Confectionary Store, with living quarters
at 3798 E. Hastings Vancouver, B. C.

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

4. TAXES (Amount and where payable) $47.00 to Corp. Langley, 1941 paid.
$125.00 to Munc. Burnaby, 1941 paid.

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

6. OCCUPANCY AND LEASES (If vacant so state) Selling land at Fort Langley, B.C. to Lyle F. Cody, 3299 W. 4th Ave., Vancouver, B.C. Confectionery Store at

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Land at Langley Title in owners possession.

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: Land at Vanc.: at home, Langley. None

9. IF FARM LAND STATE CROPS SOWN Uncultivated land.

---

**STATEMENT OF REAL PROPERTY OCCUPIED**

1. LOCATION AND DESCRIPTION: Formerly living at MacKinnon Rd., Langley (Fort) B.C. in 4 rooms wooden frame dwelling house.

2. LANDLORD'S NAME AND ADDRESS: self

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: none

4. STATE WHEREABOUTS OF LEASE: none

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

(His family were living with him till time of departure.)

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: none

---

**STATEMENT OF PERSONAL PROPERTY OWNED:**

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

Scant furnishings for 4 roomed house "at Langley".

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

none

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

4. INSURANCE CARRIED ON ABOVE PROPERTY: none

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: none

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

none

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

none

8. BANK ACCOUNTS: none

9. LIFE INSURANCE: none

10. INTEREST IN ANY ESTATES OR TRUSTS none

11. SAFETY DEPOSIT BOX: none

**LIABILITIES:**

1. PERSONAL DEBTS: none

2. TRADE DEBTS: none

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

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

Dated this 14th day of May ~~May~~ 1942

(Signature) "Akiyasu Masuhara"

"F. T. Williams"
Witness

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

FOR DEPARTMENTAL USE

December 9, 1948.

EXHIBIT No. 1091 - 9
DATE Oct. 5/48
FILED BY K.A.Christie

1224 Springer Ave.,
Burnaby, B.C.

The Custodian,
675 W. Hastings,
Vancouver.

Dear Sir:

Re: 3798 E. Hastings St.,
Cat No. 453
Lot 10 Blk 9 D.L. 116/186

I hereby offer $750.00 for the above property

and enclose my check for 10% --- $75.00.

Yours truly,

"Steve Korhan"

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

December 9, 1948.

S. Hyde
mcw

(Attached to Exhibit 1091 - 9)

HAROLD D. CAMPBELL
Chartered Accountant

808-812 Standard Bank Building
VANCOUVER, B. C.

November 2, 1943.

Your File No. 9053

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

Attention Mr. P. Douet:

Dear Sirs:

Re- 3798 East Hastings Street,
A. MASUHARA
Catalogue No. 453.

Further to your letter of the 25th October, I have not been contacted by Mr. McLean but I have had an interview with Mrs. Phillips and she advises me that the possible deal with Mr. McLean was called off as he has returned East.

However, she has decided to make an offer to purchase the property and has asked me to offer the Custodian the sum of $800.00 cash for this property, which is listed in your catalogue as No. 453.

Will you be good enough to place this offer before the Disposal Committee for consideration and advise me as soon as possible of your decision in the matter.

Yours very truly,

H. D. CAMPBELL

Per: "R. C. Messenger"

RCM:JM

"(Mrs. Phillips is
the present tenant)"

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

December 9, 1948. G. Hyde
mcd

EXHIBIT No. 1091 - 10
DATE Oct. 5/48
FILED BY K.A.Christie

File No. 9053

July 30, 1948.

REAL PROPERTY MEMORANDUM

Re: (Mr.)Akiyasu MASUHARA
Registration No. 01203

Catalogue No. 453.

One Real Property only included, being:

Lot 10, Block 9 of the North part of Lot 116, Group 1, Map 1236, Municipality of Burnaby, in the District of New Westminster.

Civic Address: 3798 East Hastings Street, Burnaby, B. C.

Assessment: (1944)

| | |
|---|---|
| Land | $1,600.00 |
| Improvements | 410.00 |
| TOTAL | $2,010.00 |

Possible Encroachment: See Notice dated July 22, 1944.

Independent Valuation: $1,200.00
Appraised by Mr. W.G. Moore (Pemberton Realty Corp. Ltd.)

Claimant's Valuation:

| | |
|---|---|
| Land | $3,000.00 |
| Buildings | 2,000.00 |
| TOTAL | $5,000.00 |

Sold to Mr. Nels Danielson for $1,250.00

Date of Sale: March 11, 1944.

Other Offers to Purchase:

November 2, 1943....Mrs. W. H. Phillips...$800.00
February, 1944.....Mr. Steve Korhan..... 750.00

Relative documents attached to Claim File.

WJJ/HMS

"W. J. Johnston"

I hereby certify the foregoing words to be a true copy of the original whereof they purport to be a copy.
Dec. 9/48 [illegible] mw.

# REAL PROPERTY SUMMARY

JAPANESE NAME: Akiyasu MASUHARA Reg. No. 01203 File No. 9053.

CATALOGUE NO: 453

PROPERTY ADDRESS: 3798 Hastings Street East, Burnaby, B. C.

LEGAL DESCRIPTION: Lot 10, Block 9 of the North part of Lot 116, Group 1, Map 1236, Municipality of Burnaby, D.N.W.

TITLE: Registered in the Name of Askiyasu MASUHARA.

ENCUMBRANCES: None registered. No indication of any unregistered charges.

Vesting Order filed No. 24832, dated October 21st, 1942.

ASSESSED VALUES: Land - $1600.00
Improvements - $ 410.00 - $2010.00 Taxes - $117.18.

CLASSIFICATION: This is a small store with 2 living rooms, also a garage with 3 living rooms, built on a 50' x 122' lot.
The valuator reports as follows: "This is a small store with 2 living rooms at the back. The garage adjoins at rear, has 3 living rooms above. The garage and all the living rooms have been added by the Japanese from time to time out of odds and ends, cull lumber, and packing cases. This if of very little value except for what the store will bring in. Value - $1200." "W. G. Moore - Pemberton Realty Corporation Limited."

HISTORY OF ADMINISTRATION: This property was leased by Akiyasu MASUHARA to a Mr. Turnbull in March, 1942; then Mrs. W.H. Phillips took over the place as from the 18th April, 1942, on a monthly basis. Consideration being $25.00 per month payable in advance. Mrs. Phillips vacated on February 18th, 1944, when it was taken over by Nels Leo Danielson on the same terms. The first two month's rent was paid direct to A. MASUHARA, then the collection of rentals was turned over to Harold D. Campbell C.A.

$600.00 rents collected against which were the following charges:

| | | |
|---|---|---|
| Water rates | $22.00 | |
| Repairs to roof | 35.00 | |
| Hardware and glass | 8.28 | |
| Commission | 27.50 | - $92.78 |

Part of March and April rents were paid into this office. These were credited to the purchaser, Nels Leo Danielson when the adjustments were made.

SOLD: To Nels Leo Danielson for $1250.00 as at March 11th, 1944.
Approval of Advisory Committee - March 8th, 1944.

Funds released to the credit of Akiyasu MASUHARA as at May 12th, 1944. against which were the following charges: Real Estate Commission - $62.50, Valuation - $5.00, Advertising - $4.00, Registration Fees - $4.00, Vendor's share of 1944 Taxes - $23.14, Vendor's share of Water Rates - $2.70 = $101.34, leaving a net credit of $1148.66 from said transaction.

Adjustments as at March 11th, 1944, to the amount of $6.77 Purchaser's share of Unexpired Fire Insurance Premiums and $7.00 Purchaser's share of Water Rates = $13.77, were placed to the credit of Akiyasu MASUHARA'S account.

The following Fire Insurance Policy:-
Halifax Insurance Co., Policy F-Ro 9-6150 - $1200.00, covering on the 1 storey building occupied as grocery and dwelling, was transferred to Nels Leo Danielson, 12th April, 1944.

OLD CERTIFICATE OF TITLE
No. 139271-E: A. MASUHARA declared on his JP Form, signed 14th May, 1942, that the Title was in his possession.
Mr. Geo. Peters wrote to A. MASUHARA on March 22nd, 1944, as follows:- "Kindly send either to this office or to the Land Registrar Vancouver the Title covering this land Number 139271-E". So far there has been no reply to this letter.

Certificate of Title No. 171026-E in the name of Nels Leo Danielson, was handed to him 12th May, 1944. His receipt of even date acknowledging same is on file.

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

October 5th, 1946.

"D. A. Cramer"
D. A. CRAMER.

DAC:JS

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

December 9, 1948.

E. Hyde
mcd