

4651

REAL ESTATE

BUREAU POWELL STREET

FILE No. 4651

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: NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

HOME ADDRESS: No. 1 Road, Steveston, B.C. (P.O. Box 54, Stev.)

REGISTRATION NUMBER: ---- SEX: ---- AGE: ----

OCCUPATION: Fisherman's Union.

(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? ----

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: No. 1 Road, Steveston, B.C.

Municipality of Richmond, Lots 1, Six A, Seven, Eight, Nine, & Ten, Block Fifteen, of Section Ten, Block 3, North Range Seven West Map 249. In the District of New Westminster. No. 132330E

2. BUILDINGS AND OTHER IMPROVEMENTS: 1 storey shingle roof, cannery plant.

3. INSURANCE (Give particulars; state where policies are) \$1000 North West Fire

Insurance Co. Policy No. 205791. Policy in Safety Deposit Box, Royal Bank, Steveston, B.C.

4. TAXES (Amount and where payable) Paid for 1941, \$90.00 payable to Municipality of Richmond.

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) 1942 paid

None

6. OCCUPANCY AND LEASES (If vacant so state) Leased to FRANCIS MILLERD

& COMPANY LTD., H.P. Wyness, lawyer. Leased to Jan 26, 1945.

Rent \$500 per annum. Payable to Royal Bank, Steveston.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Safety deposit box, Royal Bank, Steveston, B.C.
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None
9. IF FARM LAND STATE CROPS SOWN None

STATEMENT OF REAL PROPERTY OCCUPIED

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

STATEMENT OF PERSONAL PROPERTY OWNED:

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

Located at No. 1 Road, Steveston, B.C. -- 1 Remington Typewriter, #LA20224, 1 desk, 1 all steel cabinet file, 1 box containing business letters, receipts, etc., All to be locked in the office and keys will be turned over to Thomas C. King, Steveston, B.C.

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: Royal Bank, Steveston, B.C. \$450.45 No. 1 account
No. 2 account, \$428.64 current accounts.

9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS

None

11. SAFETY DEPOSIT BOX: Box No. unknown. Under name of Steveston Japanese Association, Royal Bank, Steveston, B.C.

LIABILITIES:

1. PERSONAL DEBTS: None /

2. TRADE DEBTS: None /

It is 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.

It certifies

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.

Attested by the hands of the proper officers in that behalf.

Dated this 29th day of May 1942.

Armenius
Witness

(Signature) NO. 1 DISTRICT FISHERMEN'S ASSOCIATION.

Mr. Raymond
(Secretary)

FOR DEPARTMENTAL USE

REAL ESTATE

BUREAU POWELL STREET
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO.

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: NOGUCHI, Mitaujiro

HOME ADDRESS: 2135 Pandora St., Vancouver, B. C.

REGISTRATION NUMBER 05571 SEX: Male AGE: 48

OCCUPATION: Secretary Dist. #1 Fisherman's Assoc.

(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: Dist. #1 Fisherman's Assoc., Stoveston, B. C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Kiku
formerly...

ADDRESS OF WIFE OR HUSBAND: 2135 Pandora St., Vanc't., B.C.
Now at Christina Lake, B.C.

NAMES OF ANY LIVING CHILDREN: Kiichi(M); Yoshio(M); Kuni(F);

Shinkichi(M); Ayao(M); Seigo(M).

Yoshio- Pringle Electric Hatchery, Calgary.

ADDRESS OF CHILDREN: the others at Christina Lake, Cascade, B. C.

AGE OF CHILDREN: 23; 21; 19; 17; 14; and 12 years respectively.

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

1. LOCATION AND DESCRIPTION: 2135 Pandora St., Vanc'r, B. C.
in the city of Vancouver in the E. 33' 4" -- 13 Block 30 District
Lot 184 Group 1 New Westminster and according to the registered
map or plan of the said Sub-division filed in the Land Registry
Office at the City of Vanc'r, in B. C. #178.

2. BUILDINGS AND OTHER IMPROVEMENTS: 2-storey, 5-room wooden frame
dwelling house.

3. INSURANCE (Give particulars; state where policies are) \$950.00 Western Union Ins.
Co., Vanc'r, B.C. Policy # 104100 in owner's possession.

4. TAXES (Amount and where payable) \$43.75 paid 1941 payable to the City Hall
Vanc'r, B. C.

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

\$600.00 - Royal Coates 3022 East 28th Ave., Vanc'r, B. C.

Balance owing under Agt/Sale.

6. OCCUPANCY AND LEASES (If vacant so state) Owner - declarant will leave key
with M Sheppard Agencies, 4695 Kingsway, Vanc'r, B.C. who will
manage property during his absence.

Declarant holds Agreement for sale between Royal Coates and self, the
7. STATE WHEREABOUTS OF TITLE DOCUMENTS:

title deed will be in the possession of former.
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST:

Royal Coates, 3022 East 28th Ave., Vanc'r, B.C.
9. IF FARM LAND STATE CROPS SOWN

None

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: None

2. LANDLORD'S NAME AND ADDRESS: None

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

None

4. STATE WHEREABOUTS OF LEASE: None

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

None

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

STATEMENT OF PERSONAL PROPERTY OWNED:

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

Personal property of declarant has been moved to Christina Lake, B.C.

but in his house at 2135 Pandora St., Vanc'r, B. C. Y. Takagi

left 2 large boxes of household furniture, which will be left there

to the care of the Custodian.

1-automobile: Austin Coach, 1941 model, Reg. No. 219429 in this car

has been left at Fred Deeley's, 9th Ave., Vanc'r, B. C. to whom if

declarant is given a satisfactory offer will sell same.

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 balance \$348.00 owed on car

bought from Fred Deeley, 9th Ave., Vanc'r, B.C. to whom the same is

owed.

4. INSURANCE CARRIED ON ABOVE PROPERTY: Fred Deeley is carrying Fire Ins. on the car.

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: #3190 Bank of Montreal, Marine Bldg. Vanc'r, B.C.
Amt. \$350.00 declarant intends closing account very shortly.

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 1942.

A. McArthur

Witness

(Signature)

W. J. Rogers

FOR DEPARTMENTAL USE

REAL PROPERTY SUMMARY

October 30, 1946.

JAPANESE NAME: No. 1 District Fisherman's Association - File No. 4651
CATALOGUE NO: Specially Advertised November 22, 23 & 24, 1944.
PROPERTY ADDRESS: 7th Avenue on Water Front, Steveston, B. C.
LEGAL DESCRIPTION: Lots 1, 6A, 7, 8, 9 & 10, Blk. 15, Section 10, Block 3
North, Range 7 West, Map 249, Mun. of Richmond, D.N.W.
CLASSIFICATION: Net House and Vacant Lots
ASSESSED VALUE: Land \$2,519.00 Annual taxes \$ 100.62
Improvements \$3,400.00 Appraisal \$3,550.00
TITLE: Registered in the name of the No. 1 District Fisherman's
Association.
ENCUMBRANCES: None registered and no indication of any unregistered.

Vesting Order No. 24655 - September 21 1942.
This vesting was vacated and a Special Vesting made and
confirmed by the Registrar on November 23, 1944.

NOTE: A list of Officers was supplied by the registrar at
Victoria in his letter of February 13, 1946. The last report
filed by the Association was on April 30, 1937, giving the
following Officers elected for that year:

President:	Y. Kochi, Steveston, B. C.
Vice-President:	U. Nishimoto, Terra Nova, Eburne, B. C.
" "	I. Hirata, Steveston, B. C.
Treasurer:	T. Katsumi, Steveston, B. C.
Auditors:	T. Koyanagi, Acme Cannery, Eburne, B. C.
	Y. Kanda, Steveston, B. C.
	Y. Akune, Steveston, B. C.
	K. Mori, Steveston, B. C.
	J. Tasaka, 224-25 Columbia Street, New Westminster, B. C.
Secretary:	M. Noguchi, 1836 Powell St., Vancouver.

This Association was stricken from the records for default
on December 18, 1941.

Incorporated 1923

HISTORY OF
ADMINISTRATION:

The Custodian's representative reported on June 20, 1942:
"This property is known as the "Old Burrard Cannery
Site", situated between 7th Avenue and the Dyke. It
is a 1 storey, frame, shingle roof building with wharf.
it was renovated about 3 years ago and is in fair
condition."

The property was declared on May 29, 1942, by M. Noguchi,
Secretary of the above Association.

October 30, 1946.

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Before evacuation, the Association entered into a lease agreement with Francis Millerd & Co. Ltd. for the term of 1 year from January 26, 1942. Consideration to be \$500.00 annually, payable at the rate of \$250.00 on the 26th day of January, 1942, and \$250.00 on the 2nd day of July, 1942. A Supplement was made out by the Association on April 8, 1942, changing the term from 1 year to 3 years. Both documents are on file.

The first payment of \$250.00 was paid into the Royal Bank of Canada at Steveston, to the account of the Association. The balance of rents was collected by the Custodian up to the sale of the property. \$12.50 was paid to Thomas C. King, agent, for collection fees.

On August 22, 1944, a letter was received from the Queen Charlotte Fisheries Ltd., enquiring as to the sale of this property. Mr. K. W. Wright, solicitor for the Custodian, requested that the Queen Charlotte Fisheries Ltd. be written to and told to refer their offer to Mr. Harvey P. Wyness, solicitor for the No. 1 District Fisherman's Association.

In a letter to Mr. Wyness on September 9, 1944, the Association was given until October 1, 1944, to make a decision as to the liquidation of this property. In a letter received from Mr. Wyness on September 13, 1944, and a copy of a letter from Noguchi to Mr. Wyness, it was pointed out that the Association would require to re-establish its status under the Societies Act before a sale could be made, and Noguchi requested that he be allowed to come to Vancouver. This request was turned down by the B. C. Security Commission and Noguchi was informed that his solicitor, Mr. Wyness, could prepare any reports for the Association. Mr. Wyness requested an extension to the end of October, to give him sufficient time to hear from the Association.

A Special Vesting was prepared by Mr. K. W. Wright, Counsel for the Custodian, and forwarded to Ottawa for signature. This was sent to the registrar on November 22, 1944, with a Vacating Certificate, vacating the vesting made on September 21, 1942. The new vesting order was acknowledged by the registrar on November 23, 1944.

The Custodian advertised this property for sale on November 22, 23 & 24, 1944, and tenders were received, the acceptable tender being from Nelson Brothers Fisheries, Limited, in the amount of \$4,750.00.

Valuation by D.W. Reue. June 27/44
Approved by Advisory Committee
Jan 29³/45

October 30, 1946.

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in a letter of December 22, 1944, Mr. A. W. Wright, Counsel for the Custodian, requested the help of the B. C. Security Commission to find out if the Officers of the No. 1 District Fisherman's Association would execute a conveyance to the purchasers, to avoid some expenses the Custodian would be obliged to incur if a Liquidator was appointed to carry through the sale. It was also suggested that the necessary documents would be prepared by their solicitor, Mr. Wyness, if they so desired.

*Apr 6/45
Noguchi asks for Co. books
Apr 21/45
Shipped to Noguchi*

A letter was received from Mitsujiro Noguchi, on March 11, 1945, asking us to remit the sum of \$150.00 to him to cover travelling expenses to Minto City on behalf of the Association. The Custodian replied on May 15, 1945, that it would be necessary to have the approval of the signing officers of the Association before this money could be remitted. A letter was received from Mr. Noguchi on May 18, 1945, to cancel the requisition for the remittance of \$150.00.

A copy of a wire, dated January 11, 1945, from E. R. Adams, Supervisor, was received from the B. C. Security Commission:

"Noguchi has obtained consent majority Fishermens Association now waiting reply from Kochi, (President according to last return) at Westwold whom he wired yesterday."

Not in wire

A letter was received from Yoshio Kochi on January 12, 1945, and Mr. Wright accepted this letter as consent of the Association to the sale. In this letter, Mr. Kochi stated that he wished the proceeds to be put in the "Salt Salmon Account", not "into anybody's hands".

The Custodian then prepared the necessary documents in the name of the Nelson Brothers Fisheries Limited, the sale price being \$4,750.00, and adjustments were calculated as of January 25, 1945.

Funds were released to the account of the No. 1 District Fisherman's Association on February 28, 1945, to be held until allotment of funds is settled.

Certificate of Title No. 183022-E was delivered to the purchaser on March 2, 1945.

A complete statement of the transaction was forwarded to Mitsujiro NOGUCHI, Secretary of the Association, on March 17, 1945.

October 30, 1946.

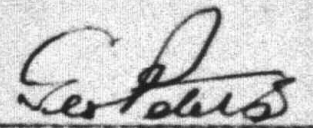
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On April 12, 1945, a letter was received from the Nelson Brothers Fisheries Ltd. enclosing a bill in the amount of \$125.00, which they had received from Francis Miller & Co. Ltd., former tenants, for payment of electric fuse boxes, fixtures and water piping, which had been installed by them during the term of their lease. After consideration, Mr. Shears, the Director, allowed Nelson Brothers Fisheries, Ltd. claim for the amount, as this installation would be included in the appraisal of the property. This was paid to Nelson Brothers Fisheries Ltd., from the Association's account.

A request for the funds held by the Custodian was received from Noguchi on February 1, 1946. This request, as to the distribution of funds, was referred to Mr. F. A. Sheppard of Messrs. Locke, Lane, Guild & Sheppard. His reply of March 13, 1946, is on file.

On August 9, 1946, a telephone call was received from Mr. Harvey P. Wyness, solicitor, and he stated that he had received a letter from Mr. Noguchi requesting the distribution of funds on hand. This call was referred to Mr. Sheppard so he could take this matter up with Mr. Wyness.

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



George Peters,
Office of the Custodian.

GP/EL

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

No. 1 Rd., Steveston, B. C. (P. O. Box 54)

LOCATION AND NATURE OF PROPERTY

Description correct as in Form "JP".

OWNERSHIP

The title has not been examined, but I am informed by M. Kuba, Secretary of the Fishermen's Association, that the description is correct and that the property belongs to the Association.

LAND AND BUILDINGS

This property is known as the old Burrard Cannery site, situated between 7th Avenue and the Dyke. It is a one-storey, frame, shingle roof building with wharf. It was renovated about 3 years ago and is in fair condition.

INSURANCE

Policy #205791, North West Fire Insurance Company, \$1000.

TAXES

The taxes are paid to December 31, 1941.

FINANCIAL POSITION

Claims to have no liabilities. Inventory of effects attached hereto.

REMARKS

The property has been leased through their Agent, H. P. Wyness, Solicitor of Vancouver, to Francis Miller & Co. Ltd., under an arrangement to continue until Jan. 26, 1945, for the sum of \$500 per annum, said amounts to be deposited to their credit in the Royal Bank of Canada, Steveston Branch.

RECOMMENDATION

I would recommend that this matter be handed to T. O. King for management, on behalf of the Custodian.

June 20, 1942.

L. Mather

THIS INDENTURE made the 26th day of January, in the year of our Lord one thousand nine hundred and forty-two, pursuant to the "SHORT FORM OF LEASES ACT"

BETWEEN:

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION,
of the Town of Steveston, in the Province
of British Columbia, (hereinafter referred to
as the Lessor or the said Lessor)

OF THE FIRST PART

AND:

FRANCIS MILLERD & COMPANY LIMITED,
of 4188 Marine Drive, in the Municipality
of the District of West Vancouver, in the
Province of British Columbia, a body corporate
(hereinafter called the Lessee or the said Lessee)

OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and conditions hereinafter reserved and contained, the said Lessor doth demise and lease unto the Lessee, all and singular those certain lands and premises more particularly known and described as Lots Six A (6A), Seven (7), Eight (8), Nine (9) and Ten (10), in Block Fifteen (15) of Section Ten (10), Block Three (3) North, Range Seven (7) West, Map Two Hundred and Forty-Nine (249), in the Municipality of Richmond, in the District of New Westminster, in the Province of British Columbia for the term of one (1) year thence ensuing; yielding and paying therefor unto the Lessor the clear yearly rent of Five Hundred Dollars (\$500.00), payable in instalments of Two Hundred and Fifty Dollars (\$250.00) each in advance, the first of such payments to be paid forthwith on the execution hereof and the second of such payments to be made on the 2nd day of July, A.D. 1942;

That the said Lessee covenants with the said Lessor to pay rent; and to repair (reasonable wear and tear and damage by fire and tempest excepted); and that the said Lessor may enter and view state of repair; and that the Lessee will repair according to notice (reasonable wear and tear and damage by fire and tempest excepted); and will not assign without leave and will not sublet without leave; and that the Lessee will leave the premises in good repair. The Lessee covenants with the Lessor that it will not, during the said term, allow any water taps or pipes in the said premises to remain running except for the necessary use of water required in the said premises; and that it will not permit anything to be done whereby the fire insurance premiums may be increased or voided; and that it will keep the premises hereby demised clean and in good order and will remove any refuse

therefrom at its own expense and will not do any act which will become a public or private nuisance or detract from the character of the building; and that it will not make, or permit to be made, any alterations to the said premises without first obtaining the written permission of the said Lessor; and that it will pay all charges in respect of electric light used on the premises hereby demised and also all water rates charged against the premises during the term hereby granted;

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 said Lessee or if the said 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 half year's rent shall immediately become due and payable and the said term shall immediately become forfeited and void;

And it is hereby agreed and declared 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 so as to render the same unfit for the purpose of the said 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 have been repaired or made fit for the purpose of the said Lessee and the said Lessee shall be entitled to be repaid by the Lessor any rent paid in advance at such time and not yet due or a proportionate part thereof;

Proviso for re-entry by the said Lessor on non-payment of rent or non-performance of covenants. This proviso shall extend and apply to all covenants herein contained whether positive or negative and whether the rent shall have been lawfully demanded or not;

And it is hereby agreed that the Lessor shall not be responsible for broken pipes or damage to fixtures caused through water or rain coming through the roof or otherwise;

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

The Lessee covenants and agrees that the contents of the said building shall be held at all times during the term hereby demised at the risk of the Lessee;

The term hereby demised shall be renewable from year to year subject to the absolute right of the Lessor to refuse any renewal without giving any

reasons therefor and provided that the application by the Lessee for each renewal shall be made in writing and delivered to the Lessor at least thirty (30) days prior to the end of the term hereby demised or any yearly extension thereof;

IN WITNESS WHEREOF the Lessor has set its hand and the Lessee has caused its corporate seal to be affixed attested by its proper officers in that behalf the day and year first above written.

SIGNED, SEALED & DELIVERED)
in the presence of)
_____))

THE CORPORATE SEAL OF THE)
LESSEE was hereunto affixed)
in the presence of:)
_____))

THIS INDENTURE made the 8th day of April, in the year of our Lord one thousand nine hundred and forty-two, pursuant to the "SHORT FORM OF LEASES ACT"

BETWEEN:

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION,
of the Town of Steveston, in the Province
of British Columbia, (hereinafter referred
to as the Lessor or the said Lessor)

OF THE FIRST PART

AND:

FRANCIS MILLERD & COMPANY LIMITED
of 4188 Marine Drive, in the Municipality
of the District of West Vancouver, in the
Province of British Columbia, a body corporate,
(hereinafter called the Lessee or the said Lessee)

OF THE SECOND PART

WHEREAS the Parties hereto entered into a certain Indenture of Lease bearing date the 26th day of January, A.D. 1942, pursuant to the "Short Form of Leases Act";

AND WHEREAS it is desirable that the said lease should be amended in certain particulars but should otherwise be confirmed;

NOW THIS INDENTURE WITNESSETH that in consideration of the agreement of the Parties hereto each with the other that the said amendment should be made, it is now agreed as follows:

1. The words 'one (1) year' in lines 10 and 11 of paragraph 1 are struck out and the following words substituted 'three (3) years'.
2. The second to the last paragraph on page 3 of the said Lease is struck out and the following substituted therefor 'The term hereby demised shall be renewable from year to year subject to the absolute right of the Lessor to refuse any renewal before the expiration of the term without giving any reasons therefor and provided that the application by the Lessee for each renewal shall be made in writing and mailed under registered cover or delivered to the Lessor at P.O.Box Steveston, B.C. at least thirty (30) days prior to the end of the term hereby demised or any yearly extension thereof.
3. All payments required to be made by the Lessee to the Lessor shall be well and sufficiently made if paid or deposited to the credit of the Lessor at the Royal Bank of Canada, Steveston, B.C. or if paid as directed by the Lessor in writing.
4. Save as amended by this supplementary agreement the terms of the said Lease are hereby ratified and confirmed.

JOHNSON, REEVE AND WATSON

Bank of Nova Scotia Bldg.,
602 West Hastings Street,
VANCOUVER, B. C.
27th June, 1944

The Custodian's Office,
506 Royal Bank Building,
Vancouver, B. C.

File No. 4651

Dear Sir: re Property at Steveston, B. C.
 Lots 8.9.10, Block 15, Section 10,
 Block 3 North, Range 7 West, Map 249,
 South End of Seventh Avenue

In accordance with instructions from Mr. Peters I have inspected this property.

The land is outside the Dyke and is covered with water at high tide. Lot 10 is partly covered with water continuously.

The property appears to have frontage on the Fraser River and has, as far as I can learn, been used as waterfrontage for a long time. Nevertheless Lot 11, which is south of the property in question and which is continuously under water is owned by somebody else. Being contiguous to the navigable channel of the River, Lot 11 may legally control access to navigable water, in which case Lot 10 could not be considered as a waterfrontage lot.

I have interviewed a representative of the owner of Lot 11 and understand that the use of the water by the owners of Lot 10 has been permitted for many years, not by agreement but by lack of protest. I do not know how long such use has continued by the present owners and the former owners, the Burrard Packing Company, the latter having been out of existence for many years. I understand that Lots 9 and 10 were sold by the present owner of Lot 11 to the Burrard Packing Company. If they were sold as waterfrontage there may have been an implied conveyance of the right of access but it is doubtful whether any information is available on this point, apart from what the documents may disclose.

Probably a prospective purchaser would investigate this aspect of the title. It may not be worth while for you to go to the expense of doing so.

Apart from the legal aspect, I consider that, as waterfrontage, the value of the property is limited, because the frontage is only about 86 feet. This is too small for anything but minor usage.

I have made enquiries and am informed that at certain stages of the tide there is a considerable surge or tide-rip which makes the mooring of boats somewhat hazardous at this point.

Although the frontage on Seventh Avenue and the width of the waterfrontage are not shown on the blueprint at the Municipal Hall, I gather from scaling the map and from other dimensions which are recorded that these lots have each a frontage of 66 feet on 7th Avenue and a depth of 86 feet.

The improvements to the property comprise a wharf approximately 71 feet by 142 feet, and a warehouse building approximately 40 feet by 132 feet on the Wharf.

I believe that these structures are from 35 to 40 years old. According to the map of the Underwriters' Association these are noted as old and dilapidated.

From what can be seen of the wharf I judge that the upper part of the piling and the capping or beams have deteriorated badly. I estimate that the remaining useful life of the wharf will be very short, not more than ten years.

The warehouse will, of course, have no longer a life than the wharf, however well it may be maintained. I was told by a man working at the building across the road that the roof was reshingled in 1941, also that the east wall was renewed at the same time. The west wall of the building is in poor condition.

The Custodian's Office,
Vancouver, B. C.

Page 2

27th June, 1944.

Mr. Peters informs me that the property is rented for \$500. yearly and that \$1,000 fire insurance is in force. As the water rates have been paid and not by you, I assume that this is an obligation of the tenant.

The taxes are \$93.09 for this year, including a Dyking levy of \$3.90.

The amount of insurance is small and I have assumed that a buyer would carry \$2,000 on which the premium would be \$39.40 yearly.

From the point of view of an owner-occupier, charging his business with the same rent, the surplus income to provide for maintenance and depreciation would be \$367 yearly. To write off the value of the wharf and warehouse at \$2,000 in 10 years would require a yearly reserve of \$175., leaving a net income of \$192., if no renewals were made in the meantime.

I have calculated the structural value of the improvements, allowing for accrued depreciation and giving credit for the renewals made in 1941. I consider that some repairs or renewals of the wharf will be necessary at an early date, in order to prolong the life of the structures for ten years, and have allowed for this.

I am of the opinion that the value of the property as it stands is not more than \$3,000., which may be segregated as follows:

Land	\$ 1,000.00	
Improvements	<u>2,000.00</u>	\$ 3,000.00

Yours faithfully,

"D. W. REEVE"

DWR

ANALYSIS OF REAL PROPERTY CLAIM

NO. 1 DISTRICT FISHERMAN'S ASSOCIATION

12th July, 1948.

File No. 4651

	<u>ASSESSMENT</u>			<u>APPRAISAL</u>			<u>CLAIM</u>	<u>SALE</u>	<u>CLAIM</u>
	Land	Bldgs.	Total	Land	Bldgs.	Total	<u>GROSS</u>	<u>PRICE</u>	<u>NET</u>
Lot 1, Blk. 15, Sec. 10, Map 249, Mun. of Richmond.	\$ 450.			\$ 200.	-				
Lots 6A & 7 " " "	675.	\$ 400.		350.	-				
Lots 8, 9 & 10 " " "	<u>1394.</u>	<u>3000.</u>	<u> </u>	<u>1000.</u>	<u>\$2000.</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u>\$2519.</u>	<u>\$3400.</u>	<u>\$5919.</u>	<u>\$1550.</u>	<u>\$2000.</u>	<u>\$3550.</u>	<u>\$7000.</u>	<u>\$4750.</u>	<u>\$2250.</u>

Insured in 1942 by owners for \$1000.

Advertised for Sale

Nov. 22, 23 & 24, 1944.

Tenders Received:-

Francis Millard & Co. \$2100.
Nelson Bros. Fisheries 4750.

Jan. 11, 1945, Consent of Majority of
Members per H. Noguchi

Jan. 12, 1945, Consent to Sale by

Y. Kochi, President.

D

A

K

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA

Office of the CUSTODIAN

REAL PROPERTY FOR SALE BY TENDER

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

- A** Part (14 acres more or less) of Section 29, Block 5 North, Range 2 West, shown lettered "A" on sketch deposited 1136, Municipality of SURREY, in the District of New Westminster, situate on Sandell Road about one-half mile North of Townline Road, being a FARM PROPERTY, five acres under cultivation and containing a five-room dwelling, chicken houses and outbuildings.
- B** Part (6 acres more or less) of Section 29, Block 5 North, Range 2 West, more particularly described as follows: Commencing at the South East Corner of Section 29, thence Northerly following the East boundary of said Section 7.50 chains thence Westerly parallel to the South boundary of said Section 8.125 chains thence Southerly 7.50 chains to the South boundary of said Section, thence Easterly along South boundary 8.275 chains to the point of commencement, Municipality of SURREY, in the District of New Westminster, being UNIMPROVED LAND.
- C** Lot 1 of part of the South East $\frac{1}{4}$ of Section 4, Township 11, Map 5982, Municipality of LANGLEY, District of New Westminster, being 10 Acres, more or less, of UNIMPROVED LAND on Brown Road, R.R. No. 1, Langley Prairie.
- D** Lot 5, of the North West $\frac{1}{4}$ of Section 16, Township 15, Map 1888, Municipality of MAPLE RIDGE, District of New Westminster, being 10 acres, more or less, of UNIMPROVED LAND, between 30th and 33rd Avenues, on the South Side of Dewdney Trunk Road.
- E** Block "A" of the North West $\frac{1}{4}$ of Section 19, Township 17, Map 1966, Municipality of MISSION, District of New Westminster, situate at 524 Nelson Road, R.R. No. 2, Mission, being a FARM PROPERTY of 19.5 acres, more or less, partially cultivated, containing a small dwelling and barn.
- F** Blocks A, B and C of South East $\frac{1}{4}$ Section 19, Township 17, Plan 3472, Municipality of MISSION, District of New Westminster, situate at 573 Wren Road, being a FARM PROPERTY of 30 acres, more or less, with approximately 13 acres under cultivation, containing an eight-room dwelling and outbuildings.
- G** Lots 11 to 16 inclusive, Block 3 of Lots 1, 2, and 3, District Lot 791, Group 1, District of New Westminster, Plan 3943, situate on PIPE LINE ROAD, Municipality of NORTH VANCOUVER, containing a four-room dwelling and chicken house.
- H** Subdivisions 31 and 32, Lot 13, Town of Hastings, Suburban Lands, Plan 431, City of VANCOUVER, situate in the 3300 block of DUNDAS STREET, being vacant land.
- I** Lots 1, 6 "A," 7, 8, 9, and 10, Block 15, of Section 10, Block 3 North, Range 7 West, Map 249, Municipality of RICHMOND, in the District of New Westminster, situate on Seventh Avenue, STEVESTON, containing a single storey frame net house and wharf.
- J** Lots 1, 2, 3, 4, 5, 6, 7, 8, and 14, of the West $\frac{1}{4}$ of the North West $\frac{1}{4}$ of Section 26, Township 7, Map 2694, Municipality of LANGLEY, in the District of New Westminster, being a FARM PROPERTY of 44.75 acres, more or less, mostly uncleared, situate on Bradshaw and Hunter Roads, containing a partly demolished dwelling.
- K** Lot 27, Block 42, District Lot 196, Group 1, New Westminster District, being a VACANT LOT in the 500 Block, POWELL STREET, Vancouver, B.C.

Tenders for the purchase of such interests in the above described properties as are vested in the Custodian will be received subject to the following terms and conditions.

- 1 Each tender must be for one of the parcels described, but a separate tender may be filed for each of several parcels.
- 2 A tender offering for parcels in the alternative will be considered an offer only for the parcel first named.
- 3 A certified cheque payable to the order of The Secretary of State as Custodian for ten per cent. (10%) of the amount offered must accompany each tender. The deposits will be forfeited as liquidated damages if the tender is accepted and not completed by the purchaser immediately upon his being required to do so by the Custodian.
- 4 Each tender must be in a separate sealed envelope addressed to The Office of the Custodian, 506 Royal Bank Building, 675 West Hastings Street, Vancouver, B.C., and each envelope must be marked on the outside "Tender for Real Estate."
- 5 The balance of the purchase price shall be paid in cash.
- 6 All adjustments shall be made as of the date of conveyance.
- 7 The property is sold subject to existing leases and encumbrances, if any.
- 8 The property is offered for sale without any warranty whatsoever by the Custodian as to location or condition of buildings or improvements or the existence or non-existence of encroachments.
- 9 The Custodian reserves the right to cancel any accepted tender and to refund the deposit at any time prior to delivery by him of the conveyance or transfer.
- 10 Neither the highest nor any tender will necessarily be accepted.

Cheques in respect of unaccepted tenders will be returned in due course.

Tenders will be received by the undersigned up to Noon, Pacific Daylight Saving Time, on the 18th day of December, 1944. Further particulars may be obtained during office hours any day up to noon on the 18th day of December, 1944, and arrangements made with the undersigned to inspect the said premises.

DATED at VANCOUVER, BRITISH COLUMBIA, this 22nd day of November, 1944.

THE CUSTODIAN,
506 Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

Special Advertisement - Nov. 23/44.
File No. 4651
7th Avenue, Steveston
1,6A,7,8,9,10/15/10/B3N/K7E/249

February 26, 1945.

NELSON BROS. FISHERIES LIMITED
(purchasers)

In account with The Custodian of Enemy Property

STATEMENT OF ADJUSTMENTS

(As at January 25, 1945)

	DEBIT	CREDIT
Purchase price	\$4,750.00	
Cheques received		\$4,750.00
24/365 x \$125.59 Seller's proportion of taxes for 1945		8.25
Registration fees on deed - \$4,750.00	14.00	
Insurance premium - 98.1% x \$59.10	57.98	
Balance owing by purchaser		63.73
	<u>\$4,821.98</u>	<u>\$4,821.98</u>

BALANCE OWING BY PURCHASER \$63.73

STATEMENT RE SALE OF:

Name: District Fisherman's Assn.

Catalogue No: Adv. Nov. 23/44

File No: 4551

Street Address: Steveston, B.C.

Legal Description: 1,6A, 7,8,9,10/15/10/838/878/249

Date of Sale and Adjustments January 25th, 1945.

Sale Price

\$ 4750.00

~~Real Estate Agent's Commission~~

\$

Charge for Valuation

30.00

Charge for Advertising

19.85

Land Registry Office Transmission Fee

2.50

~~Encumbrances:~~~~Unpaid vendor~~~~Mortgages~~~~Arrears of Taxes~~~~Other charges~~

Adjustments:

Fire Insurance

57.98

Taxes to Jan. 24/45

8.25

Water

60.60

\$ 1207.98

Net Proceeds credited to your account

4747.38

March 15th, 1945.

Date:.....

Mr. George Peters

Compiled by:.....

Advertised
File No. 4651
7th Avenue, Steveston
1,6A,7,8,9,10/15/10/B3N/R7W/249
Certificate of Title No. 183022-E

Control of property covered by Certificate of Title No. 183022-E and described above is hereby acknowledged and it is agreed that all adjustments and incidents connected with the sale of this property to the Nelson Brothers Fisheries Ltd., have been settled.

Dated at Vancouver this 2 day of March 1945.

NELSON BROS. FISHERIES LTD.

Signed

For

Return to the Custodian

STATEMENT OF ACCOUNT

April 1, 1947.

No. 1 District Fisherman's Association.
File No. 4651.

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>
July 14/42	rental collection fee	\$ 12.50	
July 14/42	Taxes for 1942	103.74	
July 14/42	Balance rent to Jan. 25/43		\$ 250.00
Nov. 16/42	Certificate of Encumbrance	1.00	
Jan. 8/43	rent to July 25/43		250.00
Jan. 27/43	Settlement of claim <i>Colonial Packers Ltd</i>	150.53	
Jan. 27/43	Settlement of claim <i>East Coast Trainers' Assn</i>	38.83	
Oct. 20/43	Taxes for 1943 <i>67.67 21.35 11.20</i>	100.72	
Feb. 9/44	Rent to July 25/44		500.00
Sept. 14/44	Taxes for 1944 <i>114.39 11.20</i>	125.59	
Dec. 21/44	rent to Jan. 25/45		250.00
Feb. 1/45	Prem. North West Pol. #212223	59.10	
march 2/45	Credit re sale of property, see statement		4,747.38
march 5/45	Appraisal of equipment	8.00	
April 6/45	Legal charges, Wyness & Grant	15.00	
may 1/45	Shipping charges to Slocan	4.35	
Nov. 27/45	Payment in full of equipment		90.00
Jan. 19/46	refund for electrical fixtures	125.00	
		<hr/> \$744.36	\$6,087.38
		<hr/> CR. BALANCE	<hr/> \$5,343.02

GP/EL

October 30, 1946.

PERSONAL PROPERTY SUMMARY

Re: No. 1 District Fisherman's Association

Chattels: See Chattel Summary

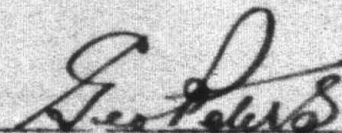
Specified Articles: There are no Cameras, radios, Fire Arms or Motor Vehicles revealed in the registration or the file.

Bank Account: There are two accounts with the Royal Bank of Canada at Steveston, B. C. - \$450.45 in No. 1 Account and \$428.64 in No. 2 Account. No action required by the Custodian.

Safety Deposit Box: In the Royal Bank of Canada, Steveston, B. C. under the name of the Steveston Japanese Association - box number unknown.

No property interests other than those mentioned are found on the file.

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



George Peters,
Office of the Custodian.

GP/EL

April 1, 1947.

CHattel SUMMARY

Re: No. 1 District Fisherman's
Association.

Upon evacuation, Mitsujiro NOGUCHI, the Secretary of the above Association, declared, on May 29, 1942, chattels located at No. 1 Road, Steveston, B. C. - see Schedule.

In addition to chattels declared, after the sale of the property, we were notified of a centrifugal pump, an electric motor and a rubber hose, which were left in the care of the tenant, Francis Millard & Co. Ltd. Upon investigation, it was found that these articles were missing and the tenant gave no explanation. After numerous letters, an agreement was made with Francis Millard & Co. Ltd., for a settlement of \$90.00 for these items, being approximately 75% of the original cost. This amount was credited to the account of the Association.

With reference to the items declared on May 29, 1942, the President of the Association, Yoshio Kochi, visited Steveston with his solicitor, Mr. Lefaux, in March 1947. From the Custodian's storage in Steveston Mr. Kochi arranged for the shipment of the typewriter and desk to his home at Kamloops, B. C. The all steel cabinet file could not be found and we are of the opinion that this was stolen during the breaking in of the storage in Steveston. One box, containing business letters and receipts, was shipped to Mr. Mitsujiro Noguchi, Secretary of the Association, on April 19, 1945.

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



George Peters,
Office of the Custodian.

GP/EL

April 1, 1947.

CHattel SCHEDULE

Re: No. 1 District Fisherman's
Association

DECLARATION OF MITSUJIMO NOGUCHI, SECRETARY,
DATED MAY 29, 1942.

1 Remington Typewriter #LA20224 - shipped by I. Kochi, Pres., Mar. 1947
1 Desk - " " " " " "
1 All steel cabinet file - Missing
1 Box containing business letters,
receipts, etc. - shipped to M. Noguchi, Sec'y., Apl. 19/45.

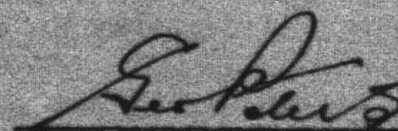
Located at No. 1 road, Steveston, B. C. - all to be locked in the
office and keys will be turned over to Thomas C. King, Steveston. *was this
good left here!*

ADDITIONAL CHATTELS DECLARED - SEE LETTER JANUARY 16/45.

Centrifugal pump)
Electric motor) - See Summary for disposition.
Rubber hose)

Left in care of tenant, Francis Millard & Co. Ltd.

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



George Peters,
Office of the Custodian.

GP/EL

CUSTODIAN OF ENEMY PROPERTY

MEMORANDUM

File No. 4651

August 4th, 1944

TO: FILE

FROM: Mr. Mackenzie

Re: No. 1 District Fishermen's Assoc.

The chattels declared on the J.P. form, dated 29/5/42 are in our office at Steveston with the exception of the Remington Typewriter. This may have been taken by the Secretary, Mr. M. Noguchi, although nothing appears on the file to this effect.

RBM

RBM/MHG

File No. 4651

September 6th, 1944

MEMORANDUM

TO: MR. GEORGE PETERS

FROM: MR. K. W. WRIGHT

RE: District Fishermen's Association

In reply to your memo of the 23rd ultimo it is noted that Mr. Wyness is the Solicitor for the above Association. It would be advisable for you to communicate with him stating that the Queen Charlotte Fisheries Limited are interested in purchasing the property. You may refer to the Government's policy of liquidation of Japanese assets and advise that the Custodian is willing to have the Association dispose of the property themselves. Please point out that if they fail to do so, orders will be issued vesting the property in the Custodian, and that the Controller will then be appointed by us to liquidate the assets. Ask Mr. Wyness to let us hear from him as to their decision on or before the 1st of October. It would also be in order for you to acknowledge receipt of the letter from Queen Charlotte Fisheries Limited, and tell them we have referred their enquiry to Mr. Wyness, Solicitor for the Association. You may tell them that so far the Custodian has not issued orders to liquidate the property, but has informed the Solicitor that they must take steps to do so, and failing this we will take over. You might also suggest to them that they communicate direct with Mr. Wyness. I would like to have a further report from you on the matter early in October, and we will then decide as to what steps, if any, should be taken by the Custodian.

GHP/O'B

K. W. WRIGHT

MEMORANDUM

File No. 4651

November 7th, 1944.

TO: Mr. Wright

FROM: Mr. Peters

Re: No. 1 District Fishermen's Assoc., Staveston

The above Association is no longer on the register, having been stricken for default on December 18th, 1941. On August 22nd, 1944, we received an inquiry from the Queen Charlotte Fisheries as to the possibility of sale of Lots 6A, 7, 8, 9, 10, Blk. 15, Sec. 10, B3N/E7W, Map 249, situated in the Municipality of Richmond. At this time it was referred to you and you requested us to ask Mr. Wyness, Solicitor, who was acting for the No. 1 District Fishermen's Association, to write his principals that we would give them until October 1st to liquidate their Company. Mr. Wyness, after hearing from Mr. Noguchi, an official of the Association, requested an extension to the end of October.

We have today received the attached letter from Mr. Wyness. We are of the opinion that the Queen Charlotte Fisheries are still interested, also Nelson Brothers, but it appears that they do not care to deal directly with the Japanese.

Might we suggest that this Company be liquidated as we are quite definite we could dispose of this property without any trouble.

This Association also owns Lot 1, situated on the same street, at the other end of the block.

GP/MED

George Peters.

File # 4651

January 26th, 1945.

MEMORANDUM

TO: MR. K.W. WRIGHT.
FROM: MR. GEO. PETERS.

ENEMY SECTION	
Rec'd	JAN 26 1945
File No.	
Ans'd	
Refer'd	

Re: District Fisherman's Association

As requested by you I have made enquiries with reference to a pump, electric motor and a hose which the Japanese claim to have left at the Burrard Cannery.

Mr. Harris has informed me that the building is locked and the caretaker could not be located.

A Mr. Montgomery who is employed by the Nelson Fisheries and who is located at the end of this wharf, informed Mr. Harris that there was a hose and a motor on the premises.

Mr. Doust was requested to have an appraisal made. On January 23rd, we received a letter from the appraiser, Mr. Galbraith, stating that the watchman at the plant said that the motor, pump and hose has not been there for some time. I immediately phoned Mr. Harris to re-check and the only article of the three he could find was the hose which was about one half the size of a fire hose and approximately 30' long. He was informed that Francis Millard Co. had removed machinery two days previous. A check was made with Mr. Dan Millard to find out whether his man had made a mistake and removed the pump and motor but he informs us that they only removed a motor belonging to themselves. He stated however, that their watchman was away sick, approximately 5 months ago, and the premises were broken into and 2 of their nets were stolen but the watchman did not report the theft of any pump or motor, and at the present time he cannot remember if the pump and motor were lost at the same time.

Kindly advise what should be done in a case of this kind.

GP:FR

Mr. Peters has advised that the watchman is a little over 40 years of age. I think you should write the Japanese for account of the goods of them report left to police. Have in Smith 90% own records. It may be K.W.W.

CUSTODIAN OF ENEMY PROPERTY

File No. 4651 (Evac)

January 16th, 1945

MEMORANDUM

TO: MR. F. G. SHEARS

FROM: MR. K. W. WRIGHT

RE: NO. 1 DISTRICT FISHERMAN'S ASSOCIATION

Will you be kind enough to put this case on the agenda for the next meeting of the Rural Advisory Committee to be held at New Westminster on Thursday, January 18th next.

This property was advertised for sale by tender on November 22nd with tenders to close on December 16th, 1944. Offers received were as follows:

Francis Millard & Company - \$ 2,100.00 (cash) \$ 2,500.00 (terms)

Nelson Bros. Fisheries Limited 4,750.00

Messrs. Johnson, Reeve & Watson, in their report of June 27, 1944, value this property at \$3,550.00.

We wrote the B. C. Security Commission on December 22nd, 1944, requesting them to ascertain if the Officers of the Association would be willing to execute a conveyance to the purchasers and have received a reply from them as per the following wire:

"RETEL NOGUSHI HAS OBTAINED CONSENT MAJORITY FISHERMENS ASSOCIATION NOW WAITING REPLY FROM KOCHI AT WESTWOLD WHOM HE WIRED YESTERDAY STOP WILL ADVISE YOU IMMEDIATELY REPLY RECEIVED".

We are now in receipt of a letter from Yoshio Kochi agreeing to the sale of this property, and we attach hereto copy of his letter for your information. ✓

K. W. WRIGHT

KWW/JF
Attach.

MEMORANDUM -- Mr. E. R. WRIGHT

ENEMY SECTION	
Rec'd	AUG 2 1945
File No.	July 31, 1945
Ans'd	

Re: No. 1 District Fishermen's Association
Net house situated at the end of 7th
Ave., on the Fraser River, Steveston.

Before evacuation of the above Japanese from the Protected Area in 1942 they leased the above property to Francis Millard & Co. for one year, and on April 8th, 1942 revised this lease to extend it for three years, which would be until April 26, 1945.

This property was sold to Nelson Brothers Fisheries Ltd. and adjustments were made as of January 25, 1945. The Japanese, upon receiving notice of the sale, made an enquiry about a centrifugal pump, a $\frac{3}{4}$ H.P. electric motor and 50' of $1\frac{1}{2}$ " rubber and canvas hose which they claimed was left in the building as a fixture and was not to be included in the price of the building. This equipment was not declared to the Custodian and also was not mentioned in the lease to Francis Millard & Co. and the first notice we had was a letter through the B. C. Security Commission on January 16, 1945. We requested Mr. Galbraith, Appraiser, by telephone to make an arrangement with Francis Millard & Co. to have their watchman meet him at the net house as it was locked up at that time. On January 22nd we confirmed our telephone conversation and Mr. Galbraith stated he had made an arrangement to meet the caretaker at 1:30 P.M. on January 23rd.

A letter from Mr. Galbraith on January 23rd stated as follows: "The writer today visited the premises of Francis Millard & Co. on the Dyke at the foot of 7th Avenue, Steveston as outlined in your letter and was informed by the man at the plant that the motor, pump and hose are not there, nor had they been for some time. We were, therefore, unable to make the appraisal."

We then immediately telephoned Mr. Harris to re-check and he informed me that the building was locked and the caretaker could not be located. A Mr. Montgomery, who is employed by the Nelson Brothers Fisheries Ltd., informed Mr. Harris that there had been a motor, pump and hose on the premises. At the same time we telephoned Mr. Dan Millard to find out whether his men had made a mistake and removed the pump and motor at the same time as they had moved their own equipment, and he said he would investigate. He stated, however, that their watchman was away sick approximately 5 months previous and the premises were broken into and a number of their nets stolen but the watchman did not report the theft of any pump or motor and he, the watchman, could not remember if the pump and motor were lost at that time.

After receiving the information as to the numbers of the pump and motor from the Japanese Mr. Douet wrote to Francis Millard & Co. on April 23rd giving the number and type of pump and motor to see if they could trace it among their equipment. They did not reply to the letter and were again written to on May 16th and their answer of May 26th stated: "We are endeavouring to check up on the pump, motor and hose as requested in your letter of April 23, 1945 but have to report that we have not as yet found it among our equipment. At the time of our moving the man in charge is sure that he did not remove it at that time and we had no occasion to remove it prior to that. We are sorry we are unable to be of more assistance in this matter."

(Cont.)

On July 6th, when the writer again took over this file, we requested that Francis Millard & Co. either replace this equipment or compensate the Custodian for its loss while in their care. In their letter replying on July 9th they answer: "We do not quite understand the conclusion that you have reached in the matter of the pump. We rented the building from the Japanese Fishermen's Association and understood it to be empty, which it was as far as we knew. We put our equipment in and used that although we had noticed a pump in the corner at the time we moved in but we never used it and as far as we know it was left there when we moved out. We are sorry we cannot be more helpful in this matter but we do not feel we were responsible in any way."

You may wish to write further to Francis Millard & Co. and this will give you the history of the case.

Ed.

GP:EB

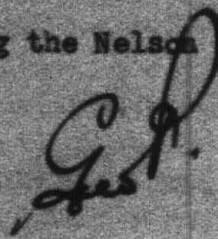
November 10, 1945

MEMORANDUM - - MRS. McARTHURRe: No. 1 District Fishermen's Association

On April 12, 1945 we received a letter from the Nelson Bros. Fisheries Limited in which they asked to be compensated in the amount of \$125.00 which they were obliged to pay ^{to the Francis Millard people} for the electric conduit, light fixtures, water piping, etc. which the Francis Millard Packing Co. Ltd. installed during the term of their lease. This matter was taken up with Mr. Wright at that time and he was of the opinion that the Nelson Bros. should be compensated owing to the fact that on purchasing they understood this equipment was part of the deal. No doubt the purchaser would have made a different offer if they had understood this equipment was not included. Mr. Wright also made a reference to the high price paid by the Nelson Bros. which was above the appraisal. Before doing anything he requested us to write to the Japanese and make sure that this was not installed by the Japanese himself. A letter was received from the Japanese on April 6, 1945 in which he states "If my memory serves right I have installed electric wiring, fuses and switches but not water piping on my Association's plant." The Francis Millard people were written to on April 18, 1945 to let us know exactly what electric wiring, water piping, etc. was installed by them. No answer was received to this letter. There is no doubt in our minds that the Francis Millard people did install conduit and water piping to take care of their heavier machinery which the Japanese did not possess.

You may wish to take this matter up with Mr. Shears so that he may come to some decision as far as compensating the Nelson Bros.

GP:bbc



March 27, 1947.

MEMORANDUM.Re: NO. 1 DISTRICT FISHERMEN'S ASSOCIATION.

List of officers as per Registrar of Companies,
Feb. 13, 1946, with addresses as of March 27, 1947.

President	Mr. Yoshio KOCHI, #04692, 133 Victoria St., Kamloops.
Vice-President	Mr. Ukichi NISHIMOTO, #06654, Returned to Japan, May 31, 1946.
Vice-President	Mr. Inei HIRATA, #04204, c/o Smith Farms, Lethbridge, Alberta.
Treasurer	Mr. Katsunosuke KATSUMI, #03047, Returned to Japan Aug. 1, 1946.
Auditors	Mr. Tadashi KOYANAGI, #15493, c/o Atlas Lumber Co., Rocky Mountain House, Alberta.
"	Mr. Yoshio KANDA, #03927, c/o Mr. John Wall, Vineland Station, Ontario.
"	Mr. Yuichi AKUNE, #04818, Raymond, Alberta.
"	Mr. Keizo MORI, #03367, Vernon, B.C.
"	Mr. Jimpe TASAKA, #08063, Emerson, Manitoba.
Secretary	Mr. Mitsujiro NOGUCHI, #05571, c/o Homewood Sanitorium, Guelph, Ontario.

/AH

991

File 4651

May 12, 1947.

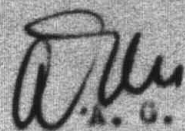
MEMORANDUM.

Re: No. 1 District Fishermen's Association.

I telephoned Mr. Wyness today to see how he is progressing with this winding up and he reported that he had written to Mr. Taylor, the Registrar of Companies, who stated that it would be necessary to provide the annual reports since 1936 in order to put this society in good standing. I told him that we had had repeated assurances from Mr. Llewellyn that it would be unnecessary to file the intervening reports if the Society was to be restored for liquidation only.

I also gave him the information contained in Mr. Sheppard's letter of March 13, 1946, and suggested the possibility of his getting in touch with Mr. Sheppard's ~~attorney~~ relative to the proper procedure as Mr. G. Locke Jr. is at present dealing with a similar case regarding the Hampa Buddhist Temple.

Mr. Wyness stated that Sakamoto, the new President of the No. 1 District Fishermen's Association, asked that the books be sent to him in order that he might prepare the material for the annual reports, and he decided that he would send these books in the meantime and let Mr. Sakamoto proceed in this manner if he wished.



A. G. McArthur.

AGM:AH

No. 1 District Fishermen's Association

MEMORANDUM September 9, 1948.

During the afternoon of September 8th, 1948, Mr. G. W. McPherson and myself had a conference with Mr. McMaster in the latter's office concerning the claim of the above Association.

Letters concerning the claim for (1) a Remington typewriter, Serial No. LA 20224 and (2) Pumps and Hoses as listed below, were handed to Mr. McMaster, and after he had perused and become acquainted with their contents he tentatively agreed, pending the approval of the claimant to abandon the claim for the said items.

List of Letters handed to Mr. McMaster September 9th, 1948:

1. Letter dated June 29, 1948 from Custodian to Thomas C. King re typewriter claimed to have been left with him by M. Noguchi.
2. Letter dated July 3rd, 1948 from Thomas C. King to Custodian - (replying to No. 1).
3. Letter dated July 8th, 1948 from Custodian to Y. Kochi referring to his visit to Steveston in March, 1947 when he shipped a typewriter to his home at Kamloops and requesting make and Serial Number of the said typewriter.
4. Letter dated July 22nd, 1948 from Custodian to Y. Kochi telling him where to find Serial Number.
5. Letter dated August 6th, 1948 from Y. Kochi to Custodian. Serial No. of the Remington Typewriter is A 20224.
6. Letter dated July 9th, 1948 from Custodian to Pump and Powers Ltd., requesting price paid for pump and hoses purchased by claimant and fair market value.
7. Letter dated July 12th, 1948 from Pumps and Power Ltd., in reply to No. 6.
40%
Paid \$119.40. Depreciate (1) pump to \$40.00 of original value;
(2) hoses - nil.

When Mr. Justice Bird returns to Vancouver, Mr. McMaster stated that he would apply to have this case transferred to Toronto.

Mr. McMaster also stated that he was not prepared to abandon the claim for Real Property in this case.

September 18th, 1948:

This claim is being transferred to Mr. Hunter, *to be heard in Toronto.*

H. A. C.
H. A. Carmichael.

File 4651

December 21, 1948.

MEMORANDUM

Re: No. 1 District Fishermen's Association.

Mr. Wyness, Barrister, has reported over the telephone today that Mr. Lefaux called him recently to say that Kochi gave him instructions to effect distribution of the proceeds from sale of the real property in Steveston owned by the No. 1 District Fishermen's Association. Mr. Wyness also stated that Noguchi, Secretary Treasurer of the Association, has told him, Wyness, that he wants to collect the secretarial fees before he will co-operate. It appears that the Company papers were sent by Mr. Wyness to Mr. Sakamoto who according to correspondence on file replaced Mr. Kochi as President in 1938 or 9. ~~They~~ were sent forward by Sakamoto to Noguchi and Noguchi thinks he can obtain secretarial fees which he is claiming by withholding particulars of the Association.

Mr. Lefaux has also reported on this date stating that Sakamoto and some other Japanese are in Vancouver and have instructed him to proceed with winding-up. He states that he will attend to this as quickly as possible.

In speaking to Mr. Wyness, he is quite pleased if Mr. Lefaux will take over this matter and relieve him of the trouble of working out a method by which this Company ~~may~~ be wound up.

W. G. McArthur
W. G. McArthur.

AGM:JS

*On Jan 13/49
5343.02
(475.00 held for allotment)*

00

No 1. Antinet Frohermens Assn. File : 4651

MEMORANDUM

January 15, 1949.

Re: Dissolution of Companies

SECTION 205 COMPANIES ACT, B.C.

If a Company is struck from the register for default, the Registrar shall publish notice in the Gazette and the Company is dissolved on publication of such notice.

The liability of every director, officer and member of the Company shall continue and may be enforced as if the Company had not been struck from the register.

SECTION 206 COMPANIES ACT, B.C. (3)

The Company may, for the purposes of its restoration to the register, hold such meetings and take such procedures as may be necessary as if the Company had not been dissolved.

ESCHEATS ACT, B.C.

If action to restore a Company is not taken within one year of the Company being dissolved, any land owned by that Company escheats to the Crown in the right of the Province but the chattels do not.

April 1, 1947.

LIABILITY SUMMARYRe: No. 1 District Fisherman's
Association.*Claim Paid Pub. Co. 5.75 filed Apr 29.47
At Advice (See advice Paid Pub. Co. May 15/47)*

The following claims, against the above Association, were paid by the Custodian on January 27, 1943, on the authorization of Mitsujiro Noguchi, Secretary of the Association:

East Coast Trollers Ass'n. - \$ 3.61 & \$35.22 *Paid Jan 27/43*
Colonial Packers, Ltd. - \$150.53 *Paid Jan 27/43*

An account for legal fees, rendered by Messrs. Wyness & Grant, solicitors, for the above Association, in the amount of \$15.00, was paid, on authorization of Mitsujiro Noguchi, on April 5, 1945.

On October 21, 1946, a letter was received from Wyness & Grant in which a claim was lodged, in the amount of \$2,650.00, against the No. 1 District Fisherman's Association by its Secretary, Mitsujiro Noguchi, which covered 53 month's wages at \$50.00 per month, from April 1942 to September 1946. Mr. Shears has referred this claim to Messrs. Locke, Lane, Guild & Sheppard, and on the advice of Mr. Sheppard, Mr. Shears wrote to Wyness & Grant - see his letter of November 2, 1946. *Refunding the claim.*

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



George Peters,
Office of the Custodian.

GP/EL

Your file No. 4651

When replying please refer
to our File No.

2988

MEMORANDUM

FROM THE

LAND REGISTRY OFFICE.
New Westminster, B.C.

TO A. G. McArthur, Esq.,
Administration Department,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

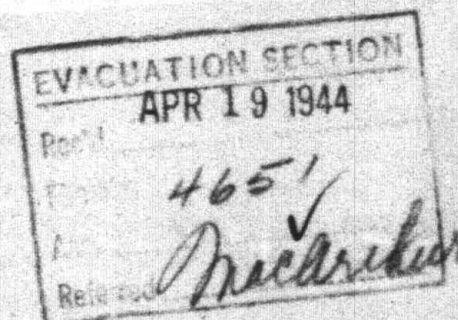
April 18th, 1944

Re: Steveston Fishermen's Benevolent Society, or No. 1
District Fishermen's Association, and Lots 1, 6A, 7,
8, 9 and 10, Blk. 15, Sec. 10, B3N, R7W, Map 249,
Municipality of Richmond, D.N.W.

In reply to your letter of the 17th instant I beg to advise
you that Notice of Incorporation of No. 1 District Fishermen's
Association appears in the B. C. Gazette of 1923, Page 2322.

E. S. Stokes,
Registrar.
per: *[Signature]*

FGW/MC

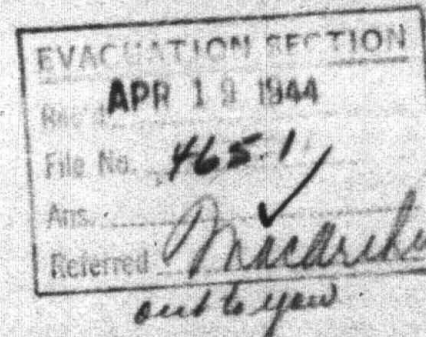




OFFICE OF THE
REGISTRAR OF COMPANIES
VICTORIA, B.C.

April 18th, 1944

Mr. A. G. McArthur,
506 Royal Bank Bldg.,
Vancouver, B. C.



Dear Sir:
re Steveston Fishermen's Benevolent
Society

Replying to your letter of the 17th in-
stant, I beg to advise that the records here disclose
that Number 1 District Fishermen's Association is a
separate society from the above association. However,
it is no longer on the register here having been
stricken for default on the 18th December, 1941.

I am,

Your obedient servant,

W. A. Kennedy
Deputy Registrar of Companies

WLL/GW

QUEEN CHARLOTTE FISHERIES LIMITED

610 BIDWELL STREET

VANCOUVER, B. C.

CUSTODIAN OF ENEMY PROPERTY

August 22nd, 1944.

Burrard Fish Co? No

Dept. of the Secretary of State,
Office of the Custodian (Japanese Sec.)
506 Royal Bank Building,
Hastings & Granville,
VANCOUVER, B. C.

EVACUATION SECTION	
Rec'd	AUG 23 1944
File No.	4651
Ans.	
Referred	Peters

Attn: Mr. G. A. Peters

Dear Sir:

In regard to property known as Lots 6A, 7, 8, 9 and 10 at the foot of 7th. and Dyke Road Steveston, B. C., known as "Burrard Cannery together with the shed immediately north of the Burrard Cannery", our company is interested in this property and if it is to be offered for sale, we would like an opportunity to make an offer on it. We understand that this property will be going on the market and if a price has been set on same, in a similar manner to the houses in the immediate vicinity, we should be pleased to hear from you as to the price required. If on the other hand the tenders are to be called, we would appreciate your advice as to when this is likely to be.

As you know, we are operating the wharf immediately west of this property and we have been located there for the past few years. At the time the No. 1 District Fishermen's Association were, themselves, operating the Burrard Cannery, we had the joint tenancy with them. We worked with them and obtained a good deal of our supply of fish from them. We would appreciate, therefore, anything you could do in keeping us advised as to the status of this property or any suggestions you have to offer in regard to purchase of same.

With reference to the houses in the immediate vicinity that are now being offered for sale by the Custodian, if we could obtain the Burrard Cannery, we would be interested in buying a number of these houses. Purchase terms could be arranged on it. We would be pleased to receive a reply to this.

Yours truly,

QUEEN CHARLOTTE FISHERIES LTD.

Per *R. H. Hinch*
(Manager)

RFW/C

4651

September 8, 1944.

Queen Charlotte Fisheries Limited,
610 Biddell Street,
Vancouver, B. C.

Dear Sirs:

Re: Lots 6A, 7, 8, 9 & 10,
ft of 7th & Dyke Rd., Steveston

We are in receipt of your letter of August 22nd with reference to the above property. Up to the present time the Custodian has not issued orders to liquidate this property.

Would you kindly refer your enquiry to Mr. Harvey P. Wyness of this City, who is acting as solicitor for the District Fishermen's Association, the present owners. We are today writing to Mr. Wyness stating that you are interested in the purchase of this property.

To simplify procedure we are giving the Association an opportunity to dispose of their property, and have informed their solicitor that the Association must take steps to liquidate immediately, and failing action by October 1st, this office will make application for a liquidation order.

With reference to the houses in the immediate vicinity, the Custodian will give you any information you may require as to their purchase.

We would appreciate it if you would keep us informed as to your progress.

Yours truly,

George Peters,
Administration Department.

GP:EB

WYNESS & GRANT

BARRISTERS AND SOLICITORS

NOTARIES

HARVEY P. WYNESS, LL.B.

ELIZABETH V. GRANT, B.A.

PHONE: PACIFIC 8949

EVACUATION SECTION	
Rec'd	SEP 14 1944
File No.	4651
Ans.	
Referred	Peters

1114 DOMINION BANK BUILDING

207 HASTINGS STREET WEST

VANCOUVER, B. C.

September 13th, 1944

Office of the Custodian,
Japanese Evacuation Section,
Administration Department,
506 Royal Bank Bldg.,
Vancouver, B. C.

Attention Mr. Peters

Dear Sirs:

Re: Your file No. 4651

This will acknowledge receipt of your letter of the 9th instant relative to the property of District Fishermen's Association described as Lots 6A, 7, 8, 9 and 10, Block 15 of Section 10, Block 3 North, Range 7 West, Map 249, N.W.D., in the Municipality of Richmond.

In looking through our file we find a letter from the Registrar of Companies dated February 2nd, 1942 which informs us that the Association was struck off the register and dissolved on December 18th 1941 for failure to file its annual returns. The last annual return filed in his office is dated December 31st, 1936. We have no information as to whether or not the Association was restored to the register and we assume that it would be necessary that it be restored before it could convey any property.

We are today writing to M. Noguchi at Christina Lake, B.C. to see if he has any information on this subject.

In the meantime we cannot take any action on your letter until we have information as to whether or not the Association has been restored to the register. It seems to us that that would be a necessary preliminary subject.

Yours truly,

WYNESS & GRANT,

Per *EWG*

COPY

CUSTODIAN OF ENEMY PROPERTY

Slocan City, B. C.,

September 24th 194

Wyness & Grant,
1114 Dominion Bldg.,
Vancouver, B.C.

Dear Mr. Wyness:

I am in receipt of your favour of
9th inst. and noted the contents carefully.

- 1) In connection with our property at Steveston, I have wired to Francis Millered Co. Ltd., who is present leaser of the property, and Queen Charlotte Fisheries Ltd. to submit their best offer to purchase as I know both of them are interested. I wanted to have their best offer to persuade my directors for disposition but so far I am not in receipt of their offer but they requested our best price.
- 2) I am now communicating with my directors, some now at Minto City and some at Tashme, near Hope, and it takes quite a time to have their reply on account of censor of letters. I wish you would kindly make arrangement with the Custodian to extend time to dispose the property until the end of October instead of October 1st, as mentioned in your letter.
- 3) Whether this property is disposed voluntarily by us or compulsory by the Custodian, my Association needs to re-establish its pre-war status under Society Act to turn over its property and handle the proceeds. For this purpose I have to prepare the reports to file with Registrar of Companies but I have all materials for reports at Steveston and it is necessary for me to go to Vancouver for this sole purpose of preparing the reports to revive Association. Would you kindly make arrangement with the Custodian to call me to Vancouver at my expense for the above purpose.

Thanking you for your kind attention, I am,

Sir,

Yours very truly,

"M. NOGUCHI"

MN/N

CABLE ADDRESS: "MILLERD"

CUSTODIAN OF ENEMY PROPERTY

TELEPHONES:

MARINE { 0488
0489
6554



**GREAT
NORTHERN
BRAND**

CANNED SALMON
CANNED HERRING
CANNED SARDINES

CANNERIES:

"GREAT NORTHERN"
WEST VANCOUVER, B.C.

"SEAL COVE"
P.O. BOX 937
PRINCE RUPERT, B.C.

"REDONDA"
REDONDA BAY, B.C.

REDUCTION PLANT
FISH MEAL & OIL

ICE & COLD STORAGE
REDONDA BAY, B.C.

FRANCIS MILLERD & CO., LTD.

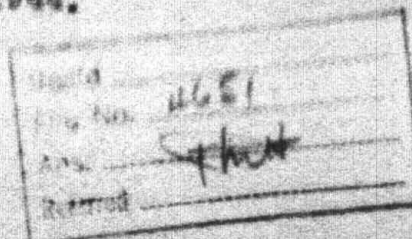
VANCOUVER, B. C.
CANADA

P. O. BOX 189

December 15, 1944.



The Custodian,
506 Royal Bank Building,
675 West Hastings Street,
VANCOUVER, B.C.



Dear Sir:

-Tender for Real Estate-
Lot I

We lease this property and made, at our own expense, some improvements. Since we have had it we drove the piles and put in the wharf on the west side of the building. Last September we offered the owners as follows:

"Regarding your wire September eighteenth we offer twenty-five hundred dollars, paying five hundred dollars cash and paying five hundred dollars every six months until balance is paid, interest on unpaid amount five percent a year."

This appeared to be satisfactory, the difficulty about finalizing it being the getting to Vancouver of one of their number. We now repeat this offer. However, if it is necessary that the balance be cash we offer \$2100.00.

We enclose deposit cheque for \$250.00, certified.

Yours very truly,

FRANCIS MILLERD & CO. LTD.

Francis Millerd.

FM/C.
Enc. 1.

CUSTODIAN OF ENEMY PROPERTY

506 Royal Bank Building,
Vancouver, B. C.
December 22nd, 1944

4651
Evacuee Section

Messrs. Nelson Bros., Fisheries Ltd.,
325 Howe Street,
Vancouver, B. C.

Re: Parcel "I"
Lots 1, 6 "A", 7, 8, 9, and 10, Block 15,
of Section 10, Block 3N, Range 7W, Map 249,
Municipality of Richmond, NWD,
Seventh Avenue, Steveston, B. C.

Dear Sirs:

Referring to your letter of the 15th instant in which you tender
for the above property for the sum of \$4,750.00.

The ownership of this property is in the name of the District
Fishermen's Association and we have written to The B. C. Security Commission
and have requested them to approach the Officers of this Association in
order to find out if they are prepared to execute a Deed and thereby avoid
the added expense involved if a liquidator is appointed.

If it is satisfactory to yourselves, for the time being we will,
without prejudice, retain your uncertified cheque for \$475.00, and advise
you as soon as possible what further consideration can be given to your
offer.

For your information there are other parties interested in the
purchase of this property but nothing further will be done until the matters
above referred to are clarified.

Yours truly,

F. G. Shears,
Director

FGS/JF
4651
12/22/44

32/R7N.

CUSTODIAN OF ENEMY PROPERTY

Nelson Bros. Fisheries Limited

PRODUCERS AND DISTRIBUTORS OF
FINEST QUALITY **PARAMOUNT BRAND**
CANNED SALMON, PILCHARDS & HERRING
FISH MEAL & FISH OIL



CABLE ADDRESS
"NELBRO"

488 HENRY STREET
VANCOUVER, B.C.

January 4th, 1945.

Rec'd	JAN 6 1945
File No.	4651
Ans.	
Replied	<input checked="" type="checkbox"/>

Department of Secretary of State
Evacuee Section
506 Royal Bank Section
Vancouver, B.C.

Your File #4651

Parcel "1"

Gentlemen:

We have for acknowledgement your letter of December 22nd, 1944 with reference to our bid of \$4,750.00 on the Burrard Cannery property at Steveston, B.C.

We note that you are holding our deposit of \$475.00 so judge from this that our bid has been accepted pending your arrangement with the B.C. Security Commission.

Will you kindly advise us as to when we can take possession of the property in question?

Yours very truly,

NELSON BROS. FISHERIES LTD.

C. H. Proctor

per:

AHN:KL

*Mr. Shear
Phoned Mr Brown &
B.L. See again today &
He is sending wire at once
to their agent asking for
an immediate report
11/1/45 K.W.W.*

January 31, 1945.

Mr. Mitsujiro NOGUCHI,
Reg. No. 05571,
Slocan City, B.C.

Dear Sir:

Re: No. 1 District Fisherman's Association,
Special Advertisement Nov. 23, 1944,
7th Ave., Steveston.
1.6A.7.8.9.10/15/19/13M/RTN/242.

Please be informed that the above property registered in the name of the above association, is in course of sale on the basis of a valuation independently made and following directions issued from Ottawa. The proceeds of this sale will be credited to the Association and will be available to the members as their interests appear, when the sale is completed.

We note from the declaration you made as Secretary of the No. 1 District Fisherman's Association on the 29th of May 1942, that title to this property is in safe-keeping in a Safety Deposit Box, Royal Bank of Canada, Steveston Branch. It may be however that this title is now in your possession and if so kindly make arrangements to have it delivered to this office by registered mail, using the enclosed envelope for this purpose. If title is still in the bank, please forward a letter on behalf of the Association to this office, addressed to the Bank, requesting that the box be opened and at the same time enclosing the key so that this may be done. The safety deposit box will be opened in the presence of the Manager of the Bank, together with a representative of the Custodian, in order to insure the safety of the contents.

Your attention to this matter at an early date will be appreciated.

Yours truly,

George Peters,
Administration Department.

GP:AS
encl.

CUSTODIAN OF ENEMY PROPERTY

Slocan City, B.C.,

February 10th 1945.

The Custodian's Office.
Dept. of the Secretary of State of Canada,
Vancouver, B.C.

Your file No. 4651.
re Property of of No.1
District Fishermens Ass'n.

EVACUATION SECTION	
Rec'd	FEB 13 1945
File No.	4651 out to Clamer
Referred	Rdun

Attention Mr. George Peters

Sirs:

Your valued favour of 31st ulto. is duly on hand and noted the contents carefully. The writer was rather surprised to learn that the property is in course of sale on the basis of a valuation independently made while we have agreed the sale thru B.C. Security Commission whose Supervisor at Slocan City informed the writer the best offer you have is \$4.750.00.

Please inform us the exact price you are going to close the deal and we shall be only too glad to forward you the Title which is now in possession of the writer upon receipt of the above information.

Yours very truly,

M. Roy

For No.1 District
Fishermens Association.

MN/N.

4651

March 17th, 1945.

Mr. Mitsujiro HOGUCHI,
Reg. No. 05571,
Slocan City, B. C.

Dear Sir:

Re: No. 1 District Fisherman's Assn.
(Adv. Nov. 23, 1944)
1,6A,7,8,9,10/15/10/B3R/K7H/449
Steveston, B.C.

Please be informed that the above property has been sold as of January 25th, 1945 for the sum of \$4750.00. An independent appraisal of this property has been obtained and the sale approved by the Advisory Committee.

Rents, less expenses, up to the mentioned date, have been credited to the above account and adjustments of unearned taxes and any insurance premiums have also been credited to this account.

The net result of this sale appears on an attached statement, and the proceeds have been credited to the above account. We are also enclosing a general statement of this account up to date which includes the net figure to which reference has already been made.

We would take this opportunity of referring you to our previous correspondence regarding an amount of \$15.00 due to Wyness & Grant, solicitors. You will recall that we sent you their account so please return same when you write us agreeing to payment. We still do not understand why you have delayed so long in agreeing to payment of this small item.

Yours truly,

F. Doust,
Administration Department

PD/ER
Encs.
cc to B.C. Security Commission.

CUSTODIAN OF ENEMY PROPERTY

Slocan City, B.C.,
March 31st 1945.

Office of The Custodian,
Vancouver, B.C.

Your file #4651

EVACUATION SECTION	
Rec'd	APR 4 1945
File #	
Assn	
Ref	

Sir:

Regarding to a Remington typewriter No. L A 20224 left at my office at Steveston, please be advised that when I was staying at Steveston after "JP" declaration made on May 29th 1942, I saw your man was using the said typewriter and everytime I visited Steveston before I left for Interior Project I saw your man was using the typewriter. There was no possible chance of taking this typewriter with me as your man was constantly using it and even if I wanted to take it your man will not release it.

Apparently it seems to me the machine was taken by your own man unless my office was broken in.

Please investigate the matter at your earliest possible convenience.

Yours very truly,

J. H. [Signature]

*This was
a rented
machine.*

CUSTODIAN OF ENEMY PROPERTY

Sloosan City, B.C.,
March 31st 1945.

Office of The Custodian,
Vancouver, B.C.

Your file #4651

EVACUATION SECTION	
Date	APR 4 1945
File No.	4651
Ans.	H
Ref.	

Sir:

Regarding to pump and motor installed on our plant at Steveston I believe same has been stolen. I am, however, writing to Pumps Ltd., from whom same has been purchased, to let me know the serial numbers and I shall write you again at upon receipt of their reply.

Yours very truly,

J. W. D. Rogers

4651

CUSTODIAN OF ENEMY PROPERTY

April 6th, 1945.

Mr. Mitsuhiro NOGUCHI,
Reg. No. 05571,
Slocan City, B. C.

Dear Sir:

With reference to your letter of March 31st regarding a Remington Typewriter stated to be left at your office at Steveston, will you please note that the typewriter you saw being used by our staff at the Steveston office was one which we hired, as no typewriter was found to be on the premises when we took over. }

This matter has been referred back to our two representatives at Steveston and there is no question but that your typewriter was never used by our people and we have been unable to trace anything on our files, either here or at Steveston, relating to this machine.

The other items, including the desk and steel filing cabinet, are still on the premises and in use by our office staff.

Yours truly,

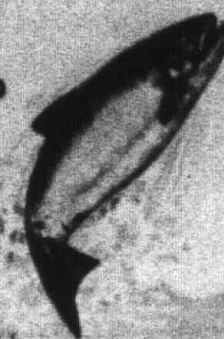
P. Douet,
Administration Department

PD/ ER

Nelson Bros. Fisheries

LIMITED

PRODUCERS AND DISTRIBUTORS OF
FINEST QUALITY **PARAMOUNT BRAND**
CANNED SALMON, PILCHARDS & HERRING
FISH MEAL & FISH OIL



CABLE ADDRESS
NELBRO
TELEPHONE
PACIFIC 9471

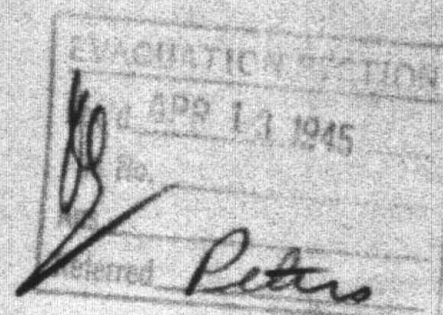
328 HOWE STREET

Vancouver, B.C.

April 12th, 1945.

Department of the Secretary of State
Custodian Office
Royal Bank Building
Vancouver, B.C.

Gentlemen:



Re Burrard Cannery Property, Steveston, B.C.

When we bid on this property, it was our understanding that any equipment of a permanent nature such as electric conduit, light fixtures, water piping etc. would be left "as is, where is, in the buildings.

Since our bid was accepted and when we took possession, we were informed by Francis Millard Packing Co. Ltd. that all such fittings belonged to their company and had been installed by them during their lease. They have now billed us in the amount of \$125.00 for such material left by them in the buildings, we are attaching copy of their invoice.

This is a small amount but still we feel that as we bought the property "as is" we should be reimbursed to this amount by your Department.

Yours very truly,

NELSON BROS. FISHERIES LTD.

per:

AHN:EL

*Offer made to construct
in connection with
OK to make the
improvements
J.H.*

CUSTODIAN OF ENEMY PROPERTY

Slocan City, B.C.,
April 17th 1945.

See Report

The Custodian's Office,
Royal Bank Bldg.,
Vancouver, B.C.

Your file 4651.

Sir:

Further to yours of April 4th in connection
with our pump and motor installed in our plant at
Steveston, now disposed by you, followings are the details.

<u>PUMP</u>	No. 1B Paramount centrifugal with base and flexible coupling, direct connected to (Serial No. 2799-B)
<u>MOTOR</u>	$\frac{3}{4}$ HP 110/220 volt 60 cycle 1725 RPM single phase Master motor (Serial No. LB 5357)
<u>HOSE</u>	50 feet each of $1\frac{1}{2}$ " rubber and canvass res- pectively.

Hoping the above will serve you locate the
items now in question, I am

Yours very truly,

M. Noguchi

(M. NOGUCHI)

MN/N.

*Write Millard
& later write
Police*

EVACUATION SECTION

APR 19 1945

4651

Dawit

CABLE ADDRESS: "MILLERD"

CUSTODIAN OF ENEMY PROPERTY TELEPHONES:

MARINE { 0488
0489
6554



GREAT
NORTHERN
BRAND

CANNED SALMON
CANNED HERRING
CANNED SARDINES

CANNERIES:

"GREAT NORTHERN"
WEST VANCOUVER, B.C.

"SEAL COVE"
P.O. BOX 937
PRINCE RUPERT, B.C.

"REDONDA"
REDONDA BAY, B.C.

REDUCTION PLANT
FISH MEAL & OIL

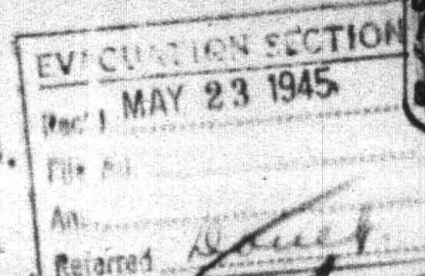
ICE & COLD STORAGE
REDONDA BAY, B.C.

FRANCIS MILLERD & CO., LTD.

VANCOUVER, B.C.
CANADA

P. O. BOX 189

May 22, 1946.



Dept. of the Secretary of State,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.

Dear Sirs:

Attn: Mr. P. Douet
Your file No. 4651

We have been endeavoring to check up on the pump, motor and hose as requested in your letter of April 23, 1945, but have to report that we have not as yet, found it among our equipment.

At the time of our moving, the man in charge is sure that he did not remove it at that time and we had no occasion to remove it prior to that.

We are sorry that we are unable to be of more assistance in this matter.

Yours very truly,

FRANCIS MILLERD & CO. LTD.

Per.

FWM/C.

Sloean City, B.C.
July 20, 1945.

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

EVACUATION SECTION	
Rec'd	JUL 27 1945
File No.	4651
Ans.	
Referred	Peters

Re: Your File No. 4651

Sirs:

Yours of 10th instance is duly on hand and noted the contents carefully.

In reply, I beg to call your attention to the letter from Frances Millered and Co. Ltd. on the date of July 9, addressed to you that "although we did notice a pump in the corner at the time we moved in but we never used it, and as far as we know, was left there when we moved out".

It is true that I did not report you about this pump due to the belief that all the fixtures in the premises will be secured and protected by you. According to above mentioned ~~common cases~~, I understand there was a pump in the premises until Frances Millered and Co. Ltd. moved out when you sold the premises a couple of month ago. And if the pump in question disappeared after then, I have to conclude that this pump and accessories have been stolen while this premises was under your protection.

I sincerely hope you will take every necessary steps to recover the same. Details concerning this pump and accessories have been forwarded to you and now in your position.

Thanking you for your constant attention,

Yours very truly,

W. D. Rogers

C
O
P
Y

CUSTODIAN OF ENEMY PROPERTY

#4651

January 26th, 1945.

MEMORANDUM

TO: Mr. K.W. WRIGHT.

FROM: MR. GEO. PETERS.

Re: District Fisherman's Association

As requested by you I have made enquiries with reference to a pump, electric motor and a hose which the Japanese claim to have left at the Burrard Cannery.

Mr. Harris has informed me that the building is locked and the caretaker could not be located.

A Mr. Montgomery who is employed by the Nelson Fisheries and who is located at the end of this wharf, informed Mr. Harris that there was a hose and a motor on the premises.

Mr. Douet was requested to have an appraisal made. On January 23rd, we received a letter from the appraiser, Mr. Galbraith, stating that the watchman at the plant said that the motor, pump and hose had not been there for some time. I immediately phoned Mr. Harris to re-check and the only article of the three he could find was the hose which was about one half the size of a fire hose and approximately 30' long. He was informed that Francis Millerd Co. had removed machinery two days previous. A check was made with Mr. Dan Millerd to find out whether his men had made a mistake and removed the pump and motor but he informs us that they only removed a motor belonging to themselves. He stated however, that their watchman was away sick, approximately 5 months ago, and the premises were broken into and 2 of their nets were stolen but the watchman did not report the theft of any pump or motor, and at the present time he cannot remember if the pump and motor were lost at the same time.

Kindly advise what should be done in a case of this kind.

GP:PR

21st November, 1945.

Messrs. Francis Hillard & Co., Ltd.,
P.O. Box 189,
Vancouver, B.C.

Dear Sirs

Re: No. 1 District Fishermen's Association.

Correspondence has ensued between yourselves and this office in regard to a No. 1 B Paramount centrifugal pump with $\frac{3}{4}$ h.p. motor and 50' of hose which were part of the contents of a building owned by the above Association.

This building was under lease to you by the Association as set out in an Indenture dated 26th January, 1942. As a part of this agreement your company, as Lessee, agreed to be held responsible for the contents.

The file has come to my attention and reference is made to your letter of July 9th in reply to our letter of July 6th. In this letter you speak of renting the building ~~on the~~ understanding that the building was empty. If such were the circumstances, in view of the fact that the agreement above referred to was a specially typed agreement, inclusion of the clause relating to contents and responsibility for same would have been meaningless.

Moreover, the fact that these articles were on the premises after you took possession is established and the reference in your own letter of July 9th refers to the pump.

The Japanese owner has been written to and also confirms that these articles were in the building at the time you took possession.

This equipment was purchased by the Fishermen's Association in 1940 for \$123.83 and allowing for some depreciation up until April 1942 of say 25%, we would be prepared to accept \$90.- in full settlement.

Under the terms of the lease we must perforce hold your company responsible and we do not think that you will wish to repudiate the responsibility you undertook under the lease or that it will be necessary for us to take any further action.

Will you kindly give this your immediate attention and let us have your cheque so that the matter can be brought to a conclusion.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

No. 1 DISTRICT FISHERMENS ASSOCIATION

EVACUATION SECTION	
Rec'd	DEC 3 1945
No.	4933
Aug.	
Referred	Peter

Minto Mine, B.C.
November 26 1945

The Custodian,
506 Royal Bank Bldg.,
VANCOUVER, B.C.

Dear Sir:-

I am writing to you, in behalf of our association, to enquire regarding the following matter;

(1) I understand that the building of Burrard Cannery at Steveston, which belonged to our association, has been sold by you some months ago. In connection with this transaction, how the proceeds of the sale kept? Have you deposit it to our bank, The Royal Bank at Steveston, or are you still keeping it in your office in our credit?

(2) I understand that you have been collecting rent of the above cannery, prior to the sale of the same, for us. Are you still holding for us the fund accumulated by collecting the rent or have you deposit the same to our bank?

(3) In case you are still holding the above mentioned funds and also in case we intend to distribute total amount of our funds among our members, will you pay out all our funds according to our instruction?

Will you please inform me regarding above points and at the same time kindly send me our financial statement at present standing in your early convenience.

Yours very truly

US:SF

Unosuke Sakamoto
.....
Unosuke Sakamoto, # 5040
President, No. 1 District
Fishermens Association.

712
File No. 4651 (Evac)

January 16th, 1945

MEMORANDUM

TO: MR. F. G. SHEARS

FROM: MR. K. W. WRIGHT

RE: NO. 1 DISTRICT FISHERMAN'S ASSOCIATION

Will you be kind enough to put this case on the agenda for the next meeting of the Rural Advisory Committee to be held at New Westminster on Thursday, January 18th next.

This property was advertised for sale by tender on November 22nd with tenders to close on December 16th, 1944. Offers received were as follows:

Francis Millard & Company - \$ 2,100.00 (cash) \$ 2,500.00 (terms)

Nelson Bros. Fisheries Limited 4,750.00

Messrs. Johnson, Reeve & Watson, in their report of June 27, 1944, value this property at \$3,550.00.

We wrote the B. C. Security Commission on December 22nd, 1944, requesting them to ascertain if the Officers of the Association would be willing to execute a conveyance to the purchasers and have received a reply from them as per the following wire:

"RETEL NOGUSHI HAS OBTAINED CONSENT MAJORITY FISHERMENS ASSOCIATION NOW WAITING REPLY FROM KOCHI AT WESTWOLD WHOM HE WIRED YESTERDAY STOP WILL ADVISE YOU IMMEDIATELY REPLY RECEIVED".

We are now in receipt of a letter from Yoshio Kochi agreeing to the sale of this property, and we attach hereto copy of his letter for your information.

KWW/JF
Attach.


K. W. WRIGHT

Westwold, B. C.

Jan. 12/45

Dear Sir:

I understand that one party wishes to buy the Burrard Cannery thru your hand. We were noticed the above statement by Mr. M. Noguchi yesterday by telegram.

It is quite alright with me if you sell it, but I would like the money, \$4750 cash, I understand, to be put into the Salt Salmon Account. The cannery belonged to the No. 1 District Fisherman's Association, so I would like the money to be put into the Salt S. Account and not into everybody's hand. As a President of Salt Salmon Account, I would like it as the above statement says and I would like to know about rent etc., of this cannery. I also would like to hear from you as soon as the money is safely in the account because I want to be sure, and I would like to be sure that it doesn't go into anybody else's hand.

Thank You,

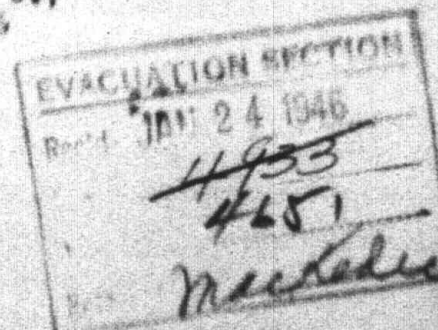
As Salt Salmon Account

"Yoshio Kochi"

No. 1 DISTRICT FISHERMEN'S ASSOCIATION

Minto Mine, B. C.,
January 19 1946

Mr. George Peters,
Administration Department, Office of Custodian,
506 Royal Bank Building,
VANCOUVER, B.C.



Your File No. 4933

Dear Sir:-

Thank you kindly for your letter of Dec. 20, 1945, with regard to the financial condition of my association.

As the result of my communication with the members, it has been made clear that they unanimously agree to have the fund of the association equally distributed among themselves.

In that case, as stated in the paragraph 3 of your letter, we will have to send you signed statement from each members giving all details. In making out this statement, I assume, it will be advisable to have the forms made to meet exact requirment of your good office.

At the same time it seems apperent that some of our members who are anticipating to be transfered to Japan in the near future are desirous to give their power of attorneys regarding this matter to certain party.

Will you please be kind enough to draft the above mentioned two forms according to your requirement and send them to me in your early convenience.

Yours very truly

US:SF

Unosuke Skamoto
.....
Unosuke SKAMOTO #5040
The President.

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

EVACUATION SECTION	
REC'D	FEB 7 1946
FILE NO.	4651
Ans.	
Referred	<i>Plus</i>
<i>sent to you</i>	
19	

~~RECEIVED~~

~~SECRETARY~~

130 Delhi Street,
Guelph, Ont.,
February 1st 1946.

The Custodian,
Dept. of the Secretary of State,
Vancouver, B.C.

Sirs: Your file #4651.

In connection with our funds now held by you, i.e. \$5,405.37, the writer in receipt of request from the majority of the members for the immediate disbursement of the same. Is it proper to ask you to have same immediately transferred to the writer so as he may in a position to distribute equally to the good standing members of 1941? If the above could be arranged will you please have all the funds transferred to No. 1 District Fishermens Association care the writer at Guelph, Ont.

Awaiting to have your favourable reply at your earliest convenience, we are

Yours very truly,
NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

M. Noguchi
(M. NOGUCHI)
SECRETARY - TREASURER

MN/N.

2th February, 1946.

F. A. Sheppard, Esq.,
Messrs. Locke, Lane, Guild & Sheppard,
703 Rogers Building,
Vancouver, B.C.

Dear Sir:

Re: No.1 District Fisherman's Association
Lots 1, 6 "A", 7, 8, 9 and 10, Blk.15 of
Sec. 10, Blk.3 North, Range 7 West, Map
249, Municipality of Richmond, N.W.D.

You were advised at the conference held with you at our office this morning that the above property had been sold, conveyance being given by the Custodian to the Nelson Brothers Fisheries Limited.

The question raised was in connection with the distribution of the funds on hand to the Association.

In reviewing this file it was noted that Messrs. Wyness & Grant's letter of the 13th September 1944 indicated that this Association had been struck off the register for failure to file its annual returns. This was confirmed by a letter from the Deputy Registrar of Companies dated April 18th, 1944.

*7/2/46
no law*
Our usual form of Vesting was placed on this property on September 8th, 1942. The Deed of Conveyance to the Nelson Brothers Fisheries was dated 24th January, 1945.

In order that you may be in a better position to fully advise what further steps should be taken by the Custodian, we are handing you our file and will be pleased to hear from you as soon as convenient so that we may be able to make a proper reply to Mr. M. Noguchi's letter of February 1st, 1946.

We are today writing to the Registrar to obtain a list of shareholders of this Association.

Yours truly,

F. G. Shears,
Director.

FGS/PMH



OFFICE OF
REGISTRAR OF COMPANIES

VICTORIA February 13th, 1946.

EVACUATION SECTION	
Date	FEB 14 1946
File No.	7651
Ans.	
Referred	<i>McArthur</i>

*Copy for Mr. McArthur
from reg. 9*

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

Dear Sir:

Re No. 1 District Fishermen's
Association.

Replying to your letter of the 8th instant
with reference to this society, which was stricken from
the register here on the 18th December, 1941, I find that
its last Report was filed here on the 30th April, 1937 and
gives the following officers elected for that year:-

691 President	Y. Kochi, Steveston, B.C.,
1112 Vice-President	U. Nishimoto, Terra Nova Cannery, Eburne, B.C.,
3429 Vice-President	I. Hirata, Steveston, B.C.,
7545 Treasurer	<i>K</i> T. Katsumi, Steveston, B.C.,
5651 Auditors	T. Koyanagi, Acme Cannery, Eburne, B.C.,
6520	Y. Kanda, Steveston, B.C.,
14113	Y. Akune, Steveston, B.C.,
5558	K. Mori, Steveston, B.C.,
7445	J. Tasaka, 2425 Columbia Street, New Westminster, B.C.
5171	
9067 Secretary	M. Noguchi, 1836 Powell Street, Vancouver, B.C.

*As far as identification
can be made from
initials - none of
these are
repatriates.*

I regret the delay in replying to your letter,
but we are exceedingly busy just now and I also had to obtain

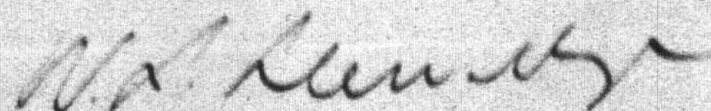
A.O. McArthur #2.

February 13th, 1946.

the file from the vault.

I am,

Your obedient servant,



Deputy Registrar of Companies.

WLL/MB

LOCKE, LANE, GUILD & SHEPPARD

Barristers & Solicitors

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

703 Rogers Building

Vancouver, B. C.

March 13th, 1946.

CABLE ADDRESS: "MAYERS"
TELEPHONE: PACIFIC 7137

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

Attention Mr. Shears

Dear Sirs:-

Re : No. 1 District Fishermen's Association
Lots 1, 6 "A", 7, 8, 9 and 10, Blk. 15 of
Sec. 10, Blk. 3, North, Range 7 West, Map
249, Municipality of Richmond, N.W.D.

This Association was struck off the
Register on December 18th, 1941 and therefore it was dis-
solved. That dissolution will have resulted in the lands
having vested in the Crown in the Right of the Province
(Escheats Act, R.S.B.C. 1936, Cap. 89. Although there is
no divesting in the case of chattels, Attorney General vs.
Royal Bank of Canada, 1937, S.C.R. 477 yet we think under
this Act an escheat does arise in the case of lands. On the
8th of September 1942 the Custodian filed a Certificate
of Vesting which would be ineffective because at that time
the Association had no interest in the lands. However it
was not known that the Association had in the meantime
been dissolved; but for this escheat which has arisen the
proceeds would be distributed amongst the members, and
strictly it is now necessary to obtain the instructions
of the Lt. Gov.-in-Council. ✓

We would suggest that you let the matter
stand until after this current Session and then it can be
taken up with the Attorney General.

We return your file.

Yours truly,

LOCKE, LANE, GUILD & SHEPPARD,

FAS/EB.

PER:

21st March, 1946.

70 4651
CONFIDENTIAL

For Attachment in a temporary way to Locke Lane's
letter of March 13th.

Re: Distribution of Funds on hand

Behind the last paragraph of this letter is the idea
that Mr. Sheppard expects that Mr. Cathcart may soon be
leaving the Lands Department and thinks it desirable to delay
action until that time.

WYNESS & GRANT

BARRISTERS AND SOLICITORS

NOTARIES

HARVEY P. WYNESS, LL.B. ELIZABETH W. GRANT, B.A.

PHONE: PACIFIC 8849

1114 DOMINION BANK BUILDING
207 HASTINGS STREET WEST
VANCOUVER, B. C.

October 21st, 1946

Custodian's Office,
675 West Hastings Street,
Vancouver, B. C.

Dear Sirs:

Re: No. 1 District Fishermen's Assn.

We have received a letter from M. Noguchi,
Secretary of the above association in which he asks us
to file with you a claim for back pay and to take legal
action, if necessary, to make collection.

He claims \$50.00 a month from April 1942 to
September 1946, 53 months, a total of \$2650.00. In
support of his claim he says he is still the Secretary
of the association and the guardian of its seal and books
as well as of all important documents. He is in constant
contact with the members of the association and is the sole
representative of the association to "outside" contacts.

We shall be pleased to hear from you in due
course.

Yours truly,

WYNESS & GRANT,

Per

EVACUATION SECTION
Rec'd OCT 22 1946
File No. 4651
Ans. 2/11/46
Referred *Atkins*

*Shunk off - Sept
no claim
Dec 18/47*

[Signature]

LOCKE, LANE, GUILD & SHEPPARD

Barristers & Solicitors

E. H. LOCKE, R.E.
W. S. LANE E. H. GUILD, R.E. (NAR)
F. A. SHEPPARD, R.E. (NAR) H. L. TYLE
J. R. YOUNG B. C. LANE
C. C. LOCKE

703 Rogers Building

Vancouver B.C.

November 1st, 1946.

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

Attention Mr. Shears

Dear Sir:-

Re : No. 1. District Fishermen's
Association

We are returning herewith letter from Wyness & Grant dated October 21st, 1946 containing demand for salary by M. Noguchi. This Company was struck off the Register on the 18th day of December 1941 and therefore was not in existence during the period in which Noguchi claims to have worked for the company and to have earned the alleged salary. We would suggest that you reply to the letter saying that on the information which you have received Noguchi has no claim and therefore you do not propose recognising it.

Yours truly,

LOCKE, LANE, GUILD & SHEPPARD,

Per :

FAS/EB.

CABLE ADDRESS: MAYERS
TELEPHONE: PACIFIC 7137

Rec'd	NOV 2 1946
File No.	
For	
Referred	

EVACUATION SECTION	
Rec'd	NOV 2 1946
File No.	46-71
Ans.	
Referred	Shears
Auto Files	

2nd November, 1946.

Messrs. Wyness & Grant,
1114 Dominion Bank Building,
207 Hastings Street West,
Vancouver, B.C.

Dear Sirs:

No. 1 District Fishermen's Association.

I am in receipt of your letter of the 21st October in which you refer to a claim being made by Mr. Noguchi as Secretary of the above Association for salary from April 1942 to September 1946.

Our records indicate that this Association was struck off the Register on December 18th, 1941. It was therefore not in existence during the period he claims to have worked for the Association and earned the alleged salary.

It is not considered that Mr. Noguchi has any claim for services rendered and the Custodian does not propose to recognize any such claim.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

March 27, 1947.

Mr. Shunjiro KOUCHI,
Box No. 05074,
c/o Homewood Station,
Oshawa, Ontario.

Dear Sir:

Re: No. 1 District Fishermen's Association.

We have received a letter dated March 18, 1947 signed by Onosuke Sakamoto as President of No. 1 District Fishermen's Association in which he asked that the total funds held for the credit of the above association be deposited to the account of the No. 1 District Fishermen's Association in the Royal Bank of Vancouver.

In reply we wish to point out that this property was sold under special circumstances owing to the association having been dissolved for default in making returns to the Government of British Columbia.

Distribution of the proceeds from sale will therefore be subject to the approval of the Crown as represented by the Lieutenant-Governor of British Columbia in Council. The usual practice of the Lieutenant-Governor in Council is to direct that the proceeds be remitted to the persons originally interested and not rely on escrow, but to make title of those monies there will be required (1) an Order in Council of the Province of British Columbia directing that the monies be paid to someone presumably the association, and (2) that the association be restored to the register in order that it may receive the monies and give a discharge. If your members are prepared to restore the association, this office will proceed to obtain a direction from the Government. Could you please advise us what you wish to do in this matter.

On several occasions Mr. Sakamoto has signed letters as President of this association, but according to the last return made to the Registrar of Companies, the president is Mr. I. Aoki. Could you please supply us with information concerning any change of officers which may have been made since the last return to the Registrar dated April 30, 1937.

Yours truly,

*Copies to Sakamoto &
Y. Kachi*
AM:am

A. G. Keethar,
Office of the Custodian.

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

XXXXXX
P. O. Box 34

Summit B.C.

April 6
SECTION 1947
ADD A-1947
FEB 1947
An
Refered
sent to you

Office of Custodian.
Vancouver, B.C.

Y888 refer #4631

Att'n Mr. A.G. McArthur.

Gentlemen:

Your valued favour of 27th Ult. is
duly onhand and noted the contents very carefully.

In reply to the above please be advised
we shall be only too pleased to have this Association
be restored to the registerer in order that we may
receive the money and give a discharge. Of course
this restoration is for the sole purpose of winding up
the Association and not for the purpose of running
its business again. Please proceed to obtain a direction
from the Government to this connection.

Thanking you for your usual prompt
attention, we are

Yours very truly,

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

Mr. Rogueli
SECRETARY - TREASURER

452

April 11, 1967.

Dr. William H. H. H.
Reg. No. 1111,
c/o Greenwood Sanatorium,
Guelph, Ontario.

Dear Sir:

Re: No. 1 District Fishermen's Association.

We have your letter of April 5th in which you state that your society wishes to be restored to the Register for winding up and distribution of assets.

As indicated in our letter of March 27th, in order to have the association restored and assets released by the Province, various documents will require to be prepared and we suggest that the services of a solicitor be secured to look after this for you.

It is not the practice of this office to prepare such documents or take the procedures necessary in this case but will be pleased to give every assistance to any solicitor whom you may wish to engage, or at your request to arrange for a solicitor to act on behalf of the Association.

The documents of application and petition to the Government will have to be signed by the authorized signing officers of the Association and evidence of authority will be required. You have not replied to that part of our letter of March 27th dealing with the appointment of officers and we would be glad to have you supply us with the information requested.

Yours truly,

A. G. HEARTY,
Office of the Custodian.

ACM: AM

C.F. ... 1862 ...
Schmidt

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

P. O. Box 54

~~Sawmills~~

April 25th 1947

120 Delhi Street,
Guelph, Ont.

EVACUATION SECTION	
Rec'd	APR 30 1947
File No.	4651
Ans.	✓
Referred	MacArthur

Office of the Custodian,
Vancouver, B.C.

Your file #4651

and

Att'n. Mr. A.G. McArthur.

Sirs:

As per attached copy of our communication we have today requested Messrs. Wyness & Grant, Vancouver to act^{as} our Attorney in connection with the revival of this Association as requested in your favour of April 12th.

We hope Mr. Wyness will get in touch with you in this connection in due course.

Yours very truly,

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

M. R. Hughes
TREASURER

MN/W.

Weko

Copy

130 Delhi Street,
Guelph, Ont.,
April 25th 1947.

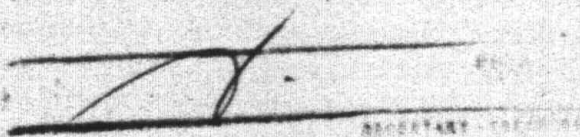
Wyness & Grant,
Dominion Bank Bldg.,
Vancouver, B.C.

Dear Mr. Wyness:

As per enclosed copies of our recent communication with the Custodian we shall be pleased to have you act as our solicitor in connection with re-instatement of this Association. We have advised to the Custodian to this effect today and wish you would get in touch with them at your earliest possible chance.

Yours very truly,

DR. A. DISTRICT FISHERMEN'S ASSOCIATION


SECRETARY - THE ASSOCIATION

ME/H.

WYNESS & GRANT

BARRISTERS AND SOLICITORS

NOTARIES

HARVEY P. WYNESS, LL.B. ELIZABETH W. GRANT, B.A.

PHONE: PACIFIC 8848

EVACUATION SECTION	
FILE NO.	JUL 2 1947
Ans.	<i>[Signature]</i>
Referred	<i>[Signature]</i>

DOMINION BANK BUILDING
207 HASTINGS STREET WEST
VANCOUVER, B. C.

July 2nd, 1947

Custodian's Office,
506 Royal Bank Bldg.,
Vancouver, B. C.

Attention Mrs. McArthur

Dear Sirs:

Re: No. 1 District Fishermen's Association

We enclose herewith a copy of a letter received
by us today from M. Noguchi. His letter speaks for itself.

Will you please let us hear from you in this
connection.

Yours truly,

WYNESS & GRANT,

Per *[Signature]*

Enc.

130 Delhi Street,
Guelph, Ontario
June 30th, 1947

Wyness & Grant,
1114 Dominion Bank Bldg.,
Vancouver, B. C.

Dear Mr. Wyness:

The writer of this letter is now in receipt of certain documents from Mr. Sakamoto and has finished up all necessary report required to reinstate the Association now. The writer, however, beg to reminds you that on 16th inst. he made request to you that you to get in touch again with the Custodian in connection with his back pay and so far there is no reply. ✓

Will you kindly see the Custodian and see what they will say to this connection. The writer shall be glad to have your reply either by AIR-MAIL or collect night letter before he releases the report now required thru you.

I am

Thanking you for your immediate attention,

Yours very truly,

"M. NOGUCHI"

MN-N

Thomas C. King
REAL ESTATE AND INSURANCE
 COMMISSIONER
 FOR TAKING AFFIDAVITS

CUSTODIAN OF ENEMY PROPERTY

378 GEORGIA STREET
 Steveston, B.C.

July 3rd, 1948.

Custodian of Enemy Property,
 506 Royal Bank Building,
 Hastings and Granville Sts.,
 Vancouver, B.C.

EVACUATION SECTION	
Rec'd	JUL 5 1948
File No.	4651
Ans.	<i>file</i>
Refused	

Dear Sirs:- Ref: File No. 4651.

Replying to yours of June 29th in reference to typewriter supposedly left in my care by M. Noruchi.

I know nothing of this, it was not left in my care, but to the best of my knowledge was left in the office which was taken over by the Custodian and in charge of Mr. Robinson.

I personally had nothing to do whatever with personal property and was only acting as Agent for the Custodian for the purpose of collecting rents.

Yours very truly,

Thomas C. King



TELEPHONE-MARINE 2235
CABLE ADDRESS
"PARAMOUNT" VANCOUVER

PUMPING PLANTS & POWER

MACHINERY

40 EAST BORDOVA STREET
VANCOUVER, B.C.
July 12th, 1948.

Department of the Secretary of State,
Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B. C.

EVACUATION SECTION	
JUL 13 1948	
File No.	
Ans.	
Referred	

Dear Sirs, Att'n: Mr. H. A. Carmichael.

This will acknowledge your letter of July 9th re pumping equipment sold to Mitsujiro NOGUCHI.

The price of the 1B pump complete with 3/4 HP motor as originally supplied on our Sales Order 2799-B was \$93.00. 50' of rubber hose was \$16.40, 50' of canvas hose would be approximately \$10.00. As long as this pump was installed in a reasonably dry atmosphere absent from salt water, neither pump nor motor should be depreciated other than by wear previous to the time of storage. Canvas hose will probably be completely deteriorated, and the rubber hose may also be completely deteriorated. If the motor and pump have become badly rusted the value could not be placed higher than 40% of the original value.

We trust this gives you the information you require.

Very truly yours,

H. A. Carmichael
Sales Engineer.

RNMacKay:bwo

PARAMOUNT
CENTRIFUGAL PUMPS
PROPELLER PUMPS
AUTOMATIC SEWAGE AND
SUMP PUMPS
CONDENSATION RETURN
PUMPS

MANUFACTURERS OF
PARAMOUNT
ROTARY GEAR PUMPS
DIAPHRAGM PUMPS
SINKING PUMPS
FOREST FIRE PUMPS
WATER WHEELS
WATER TURBINES

MASTER
HORIZONTAL TURBINE PUMPS
TURBINE CONDENSATION
RETURN UNITS
SELF-PRIMING CENTRIFUGAL
PORTABLE PUMPS
DOMESTIC AUTOMATIC
WATER SYSTEMS

WESTERN DISTRIBUTORS FOR
WISCONSIN GAS ENGINES
VIKING ROTARY PUMPS
QUINCY AIR COMPRESSORS
DEMING DEEP WELL TURBINE
PUMPS
MULTI-V BELT DRIVES
SHEET & ROPL PACKINGS

SUTORBIT BLOWER
DUPLEX STEAM PUMP
MOTORS & GENERATOR
LIGHTING PLANT
GENERAL PUMP AND
ENGINE REPAIR

T. G. Norris, K.C.

BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

TELEPHONE PACIFIC 5254

CABLE ADDRESS: "NORRIS"
VANCOUVER, CANADA

BANK OF NOVA SCOTIA BUILDING
605 HASTINGS STREET WEST

Vancouver, B.C.

29th September, 1948.

The Custodian of Enemy Property,
675 West Hastings Street,
VANCOUVER, B.C.

EVACUATION SECTION	
RECEIVED	SEP 30 1948
FILE NO.	<i>4651</i>
ANS.	
REFERRED	<i>M. Baldwin</i>

Dear Sir,

Your File No. 4651.
re: No. 1 District Fishermen's Association.

We are acting for Mr. M. Noguchi, the Secretary of the above Association, who is claiming salary from April, 1942. In your letter of the 2nd November, 1946, to Messrs. Wyness and Grant, 1114 Dominion Bank Building, Vancouver, B.C., you stated that you did not consider that Mr. Noguchi had any claim for services rendered and that you did not propose to recognize any such claim.

We are instructed by Mr. Noguchi that all communications between you and the Association have been conducted by him; that he is still custodian of the seal of the Association and its records, and that although the Association was struck off the register, he is still the de facto Secretary thereof, and has been recognized as such by you.

In view of the fact that Mr. Noguchi's services have been utilized by you in your dealings with the Association, and that he has in other respects carried out the duties of Secretary, will you kindly advise, at your early convenience, whether it is still your intention, as expressed in your letter to Wyness and Grant, to refuse to recognize Mr. Noguchi's claim. Will you please also, in replying, be so good as to inform us of the present status with regard to the Association generally and as to its funds in your hands.

Yours truly,

T. G. NORRIS,

Per:

M. Baldwin

*Nov 7/48.
Telephoned Mr. Baldwin
that Wyness & Grant had
been instructed by Noguchi
to take action to wind
up the Association.
He said he would
get in touch
with Mr. Wyness
and Grant.*

T. G. Norris, K.C.
BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

R. P. Baldwin, L.L.B.
(ALSO OF THE NOVA SCOTIA BAR)

BANK OF NOVA SCOTIA BUILDING
505 HASTINGS STREET WEST

Vancouver B.C.

January 11, 1949.

TELEPHONE PACIFIC 5284

CABLE ADDRESS "NORRIS"
VANCOUVER, CANADA

The Custodian of Enemy Property,
675 West Hastings Street,
Vancouver, B.C.

Dear Sir:

Re: No. 1 District Fishermen's
Association -
Your file No. 4561

Our client, Mr. M. Noguchi, has forwarded to us particulars of the expenses incurred by him on various attendances before the Sub-Commission in Toronto at the request of Mr. Tanaka, the National Executive Secretary of the Japanese-Canadian Citizens' Association.

These accounts are quite apart from Mr. Noguchi's claim on the funds of this Association in your custody for back wages as secretary.

Particulars are as follows:

Bill no. 1	12.10
Bill no. 2	11.10
Bill no. 3	11.70
Bill no. 4	<u>12.10</u>
	<u>\$47.00</u>

Will you kindly let us have your cheque in payment, payable to Mr. M. Noguchi.

Yours truly,

NORRIS & BALDWIN,

per:

RPB:mt
Encl.

*Jan 14/49
Discussed with
Mr. Baldwin by telephone
advising that consent
of solicitor for the association
required to pay out funds and
not make of receipt of proceeds
like into emigration
in freeing funds from
this source
Also arrived
not NW 11/49
been returned by
Rakam to pres
No 1 District
Fishermen's Assn*

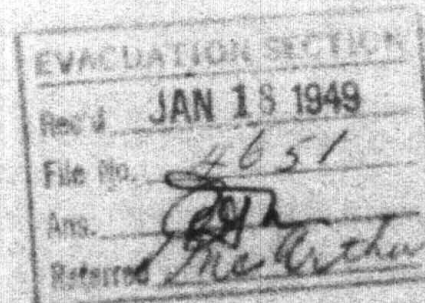


OFFICE OF
REGISTRAR OF COMPANIES

VICTORIA, January 17th, 1949.

Your File 4651

Mr. A.G. McArthur,
Office of the Custodian,
Department of the Secretary of State,
506 Royal Bank Bldg.,
Vancouver, B.C.



Dear Sir:

Re: No. 1 District Fishermen's
Association

In reply to your letter of the 15th instant, I beg to confirm that the above Association was struck from the Register here on the 18th of December, 1941. Its name appeared with a number of other defaulting Societies to be struck off the Register, in the "British Columbia Gazette" dated the 18th of December, 1941. The Notice ran for four issues in the Gazette.

Apparently an error was made in informing you that the last annual report for the Association was filed on the 30th of April, 1947. It should have been the 30th of April, 1937. The report was made up to the 31st of December, 1936.

Yours truly,

S.W. Taylor,

Registrar of Companies.

Per: *M.D.*

/MS

*Order with thanks
advice Tefany*

January 18, 1949.

W. W. Lefaux, Esq.,
Barrister & Solicitor,
837 West Hastings Street,
Vancouver, B. C.

Dear Sir:

Re: No. 1 District Fishermen's Association

We wish to inform you that we have today received a letter from the Registrar of Companies, Victoria, confirming that the above Association was struck from the Register on the 18th of December 1941. The Registrar further states that the name of the No. 1 District Fishermen's Association appeared, with a number of other defaulting Societies to be struck off the Register, in the British Columbia Gazette on that same date and that the notice ran for four issues of the Gazette. It is also confirmed that the last annual report for the Association was filed on the 30th day of April 1937, the report having been made up to the 31st of December 1936.

It is our understanding that the Association has been dissolved by reason of being struck from the Register and the publication of such notice and that because of the failure of the Association to become re-instated within one year there was a consequent escheat to the Crown in the right of the Province of any lands owned by it. Would you please let us know if this is also your understanding.

You will recall that we informed you over the telephone that \$80.00 of the present credit in this account represents proceeds from sale of chattels and would not therefore in any event escheat.

Yours very truly,

A. G. McArthur,
Office of the Custodian.

AGM/AC

WALLIS W. LEFEAUX
BARRISTER, SOLICITOR, NOTARY.

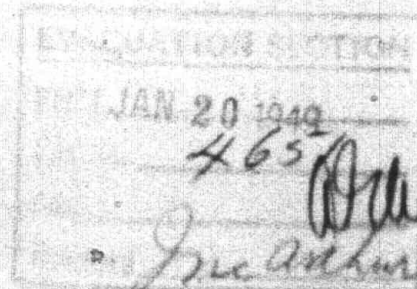
TA 5367

TELEPHONE KNOX/LEND/KNOW

422 METROPOLITAN BUILDING
837 WEST HASTINGS STREET.
VANCOUVER, B. C.

Jan. 19th, 1949.

Mrs. A.G. McArthur,
Custodian's Office,
506 Royal Bank Bldg.,
Vancouver, B.C.



Dear Mrs. McArthur:

Your File No. 4651--Our #3012;
RE: No. 1 District Fishermen's Ass'n.

I have your letter of the 18th instant and note what you say with regard to the position of the above Association and its assets.

I think there was an escheat to the Crown covering any lands owned when it was dissolved.

As advised you before, I have not received direct instructions from the office of this Association to act for them and will take further steps in the matter if and when I receive authorization.

WWL:CD

Yours very truly,

MEMORANDUM

TO

Mr. A.G. McArthur,
Office of the Custodian,
Department of the Secretary of State,
506 Royal Bank Bldg.,
VANCOUVER, B.C.

EVACUATION SECTION	
Date	JAN 20 1949
File No.	4651
Assn.	<i>[Signature]</i>
Received	<i>[Signature]</i>

RE:

No. 1 District Fishermen's Association
Your File 4651

In reply to your letter of the 18th instant,
I beg to advise this Association was struck
off the Register and dissolved for failure
to file annual reports.

PARLIAMENT BUILDINGS, VICTORIA, B.C.

Jan. 19th 19 49

SM-1148-6201 (2)

REGISTRAR OF COMPANIES

PER M.S.

MEMORANDUM

File 4651

January 20, 1949.

Re: No. 1 District Fishermen's Association

In view of Mr. Lefaux' uncertainty as to whether he has received proper instructions to proceed on behalf of the Association and that Mr. Wyness is also doubtful whether he is acting as solicitor for the No. 1 District Fishermen's Association, it will be necessary to let payment of the bills submitted by Messrs. Morris & Baldwin stand until some firm of solicitors writes to us stating that they are acting for the Association and request us to pay over the money to Mr. Noguchi.

It appears from our correspondence with Victoria and legal advice we have received from Mr. Sheppard, Mr. Locke and Mr. Lefaux, that the proceeds from sale of the Real Property escheated to the Crown but that proceeds from sale of chattels, namely \$82.00, is a free credit to be disbursed under instructions from the Association. The powers of the officers holding office prior to the Association being dissolved are outlined in my Memorandum of January 15/49

AGM/AC

A handwritten signature in dark ink, appearing to be 'J. L. Lefaux', with a horizontal line underneath.

MEMORANDUM

4661
File 4561

February 18, 1949.

Re: No. 1 District Fishermen's Association

I asked Mr. Sheppard what should be done with the funds on hand derived from sale of property of the No. 1 District Fishermen's Association which actually belongs to the Crown in the right of the Province.

He advises that we continue to hold this money until such time as the officers of the dissolved society appoint a Solicitor, when it will be turned over to the Solicitor for distribution if a release from the Province is obtained.

*Each of 6 Crown
on right of Prov.*

AGM/AC

✓

Yours very truly,
DeLoach

May 14/1951
Phoned DeLoach's office. He is away until end of June.
The girl says they are working on it but have not yet
got all the information they require.
Will let us know when anything
definite transpires.
Rud

Case No. 1312
File No. 4651

December 28th 1949

TO: Mr. BRAIDWOOD
FROM: MRS. McARTHUR

Re: No. 1 District Fisherman's Association

This property escheated to the Crown in the right of the Province - It did not belong to No. 1 District Fisherman's Association when it was sold - although the title still remained in the name of the Association.

Mr. F.A. Sheppard will discuss this with you relative to the rights of the Japanese to file claim.

Ellen

*Suggested deal with
AGM/MS
McMaster to undertake
to get it rectified.
Commissioner
Jan 9/52
D.M.*

January 5th 1950.

MEMORANDUM

TO: Mr. F. G. Shears
FROM: Mr. D. T. Braidwood

Re: Case No. 1312
No. 1 District Fisherman's Association

You are aware that Mrs. McArthur did considerable research in this matter and presented me with material which in turn I gave to the Judge on January 4th. The Commissioner dictated a memorandum which will come down in due course, but the essence of which appears to be that he requests Crown Counsel to discuss this case with Mr. McMaster as if it were a proper claim upon the undertaking of Mr. McMaster that he will apply to have the Association restored to the Register.

DTB/MS

Wallis M. Lefeaux

Barrister, Solicitor
Notary

TELEPHONE: TATLOW 5367

422 METROPOLITAN BUILDING
837 WEST HASTINGS STREET
VANCOUVER, B.C.

June 11th, 1951.

EVACUATION SECTION	
Rec'd	JUN 13 1951
File No.	11.30.51
By	<i>[Signature]</i>
Deferred	<i>[Signature]</i> <i>11.30.51</i>

Custodian of Enemy Property,
675 West Hastings Street,
Vancouver, B.C.

Attention Mr. Good.

Dear Sir:

RE: #1 District Fishermen's Ass'n.

This will confirm our telephone conversation of last week that we are acting for the above Association.

We would ask you to kindly hold the matter in abeyance on your file until such time as we are able to gather the information we required to restore this Association to the Register; when we will contact you further.

Yours very truly,

W.W. LEFEAUX

PER: *C. Dussell*

CD

T.G. Norris, K.C.

BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

TELEPHONE PACIFIC 8284

CABLE ADDRESS: NORRIS
VANCOUVER, CANADA

MADE BY ROYAL CANADIAN MOUNTED
600 HASTINGS STREET WEST

Vancouver, B.C.

July 7, 1951.

The Custodian of Enemy Property,
675 West Hastings St.,
VANCOUVER, B. C.

Dear Sir: Re: No. 1, District Fishermen's
Association,
Your File No. ⁶⁵4561.

On Sept. 29, 1948 and Jan. 11, 1949 I
wrote to you in this matter, putting forward some
certain claims on behalf of Mr. M. Noguchi.

Mr. Noguchi is claiming for his salary
from April, 1942, since which time he has been
acting as Secretary of the Association, and for
certain expenses incurred by him in Toronto, at the
request of the National Executive Secretary of the
Japanese-Canadian Citizens' Association.

I would much appreciate it if you would
look into this matter and advise me as to the
position which you take.

Yours very truly,

T.G. NORRIS
Per:

C.P. Daniels
C.P. DANIELS.

CPD:jlh.

EVACUATION SECTION	
Rec'd	JUL 9 1951
File No.	4651

July 11, 1951.

T. G. Morris, Esq., K.C.,
Bank of Nova Scotia Building,
602 Hastings St. West,
Vancouver, B.C.

Attention, C. P. Daniels, Esq.

Dear Sirs:

Re: No. 1. District Fishermen's Association

We have for acknowledgment your letter of July 7th in which you refer to your previous letters of September 29, 1948 and Jan. 11, 1949.

Insofar as your letter of September 29, 1948 is concerned, your Mr. Baldwin was advised that it was our understanding that the Association had instructed Messrs. Wyness & Grant to take action to wind up the Association. Mr. Baldwin was also advised that the consent of the solicitors for the Association would be required to pay out the funds on hand, but that the matter of an escheat to the Crown of the proceeds of the sale of the realty, had to be taken into consideration. Apparently Mr. Wyness did not continue to act, and as recently as June 11th of this year we were advised by Mr. W.W. Lefebvre that he was acting for the Association, and he asked us to hold all matters in abeyance until the Association was restored to the Register.

Our own solicitors have previously advised us that it would be necessary to restore the Association, in order that they would be in the position to receive monies and give a proper discharge.

We are not prepared to consider any claim made by Mr. Noguchi for secretarial duties from April 1942, in view of the fact that the Association was struck from the Register prior to evacuation, namely, the 18th of December, 1941. Any claim he may have will have to be dealt with after the Company has been restored and the Association is in a position to deal with its funds.

With regard to your letter of Jan. 11th listing Noguchi's claim for expenses in connection with the presentation of the Association's claim before the Commissioner, our records show that this claim was presented through The Co-Operative Committee on Japanese Canadians. A sum approximately equivalent to 5% of the total amount awarded in cases handled by the Committee, has been paid to them to cover expenses apart from legal fees. This office has no funds or any authority to pay any further sum.

T. G. Norris, Esq., K.C.

- 2 -

July 11, 1951.

As indicated above, we are not in a position to disburse any funds until they are paid to the Solicitor appointed by the Association after the matter of a Release from the Province has been dealt with.

Yours truly,

F. G. Shears,
Director.

FOS/GN

T.G. Norris, K.C.
BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

TELEPHONE PACIFIC 5254
CABLE ADDRESS "NORRIS"
VANCOUVER, CANADA

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST

Vancouver, B.C. EVACUATION SECTION

REF: File No. 4651.

Rec'd	JUL 13 1951
File No.	4651
Ans.	
Referred	<i>M. Shears</i>

July 12, 1951.

Department of the Secretary
of State,
Office of the Custodian
Japanese Evacuation Section,
508 Royal Bank Bldg.,
VANCOUVER, B. C.

Dear Sir:

Attn: Mr. F.G. Shears

Re: No. 1, District Fishermen's
Association.

Thank you very much for your letter of
July 11th, setting out your position in this
matter.

Yours faithfully,

T.G. NORRIS
Per:

Paul Daniels
C.P. Daniels.

CPD:jlh.

REC - 2 1947

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

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

4651
9067

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

- (1) NAME No. 1 DISTRICT FISHERMEN'S ARMY (RCMP) Reg. No. _____
(2) Pre-Evacuation Address STEVESTON B.C.
(3) Present Address 9 M. NOGUCHI, 130 DELHI ST. GUELPH, ONT.
(4) REAL ESTATE
(a) Street Address (if any) 7TH AVE. STEVESTON B.C.
(b) Legal description (lot number, block number, section number, etc.)
LOTS 1, 6A, 7, 8, 9 & 10/15/10/B3N/RTW/249
DISTRICT NEW WESTMINSTER.
(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) WHARF.
(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 \$ _____
(ii) Buildings \$ _____
(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) \$ 7,000.00
(v) Amount at which Custodian sold property and credited your account \$ 4,750.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv)) \$ 2,250.00
(5) PERSONAL PROPERTY
(a) Place or places at which property was left by the claimant at date of evacuation
TYPEWRITER AT OFFICE - PUMP AND HOSES AT WHARF
(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
AS ABOVE.
(c) How stored or packed at time of evacuation
TYPEWRITER WAS LEFT WITH MR. THOS. KING WHO WAS THEN CUSTODIAN'S AGENT AND WHO WAS USING IT.
PUMP WAS INSTALLED ON WHARF FLOOR.

- (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")

WITH CUSTODIAN

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

- | | | |
|---|--------------------|--------------------|
| 1. TYPE WRITER (REMINGTON - No. L.A. 20224) | Estimated Value \$ | 50. ⁰⁰ |
| 2. PUMP AND HOSES | Estimated Value \$ | |
| 3. PUMP - #18 PARAMOUNT CENTRIFUGAL WITH | Estimated Value \$ | |
| 4. BASE AND FLEXIBLE COUPLING DIRECTLY | Estimated Value \$ | |
| 5. CONNECTED (SER. #2799-B) | Estimated Value \$ | |
| 6. MOTOR, 3/4 H.P. 110/220 VOLT, 60 CYCLE MOTOR | Estimated Value \$ | |
| 7. (SER. #L.B. 5257) 1725 R.P.M. SINGLE PHASE MASTER | Estimated Value \$ | |
| 8. HOSES 2 - 50 FT EACH, 1 1/2" RUBBER AND CANVAS | Estimated Value \$ | |
| 9. | Estimated Value \$ | |
| 10. PUMP AND HOSES. PAID \$150. ⁰⁰ USED 2 MOS. | Estimated Value \$ | 105. ⁰⁰ |

30% DEPRECIATION
TOTAL CLAIM FOR PROPERTY LOSS \$155.⁰⁰

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

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e)) - - - - - \$240.50

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

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

TORONTO

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,

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

of

TO WIT;

I, M. NCGUCHI

of GUELPH

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 GUELPH

in the PROVINCE of ONTARIO

this 27TH day of NOVEMBER,

A.D. 1947.

M. NCGUCHI
SECRETARY TREASURER
of the CITY

in the PROVINCE OF ONTARIO

[Signature]
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.

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IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

BEFORE

HIS HONOUR, JUDGE J.A. MCGIBSON, SUB-COMMISSIONER.

Toronto, Ontario,
December 1, 1948.

IN THE MATTER OF THE CLAIM OF
NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

PROCEEDINGS AT HEARING

APPEARANCES:

K.A. CHRISTIE, ESQ., K.C., appearing for the
Dominion Government.

F.A. BREWIN, ESQ., appearing for the
Claimant.

A. SMITH, ESQ., Secretary,

G.H.R. UPTON, ESQ., Official Interpreter,

A.G. VEITH, ESQ., Official Reporter.

M. Noguchi
Exam.

CASE NO: 1512

NO. 1 DISTRICT FISHERMEN'S ASSOCIATION

---M. Noguchi, representing No. 1 District Fishermen's Association.

M. NOGUCHI, having been first duly sworn,
testified as follows:

DIRECT EXAMINATION BY MR. HERWIN:

Q. You are the secretary of the No. 1 District Fishermen's Association?

A. I am.

Q. Is that correct?

A. Yes.

Q. I am not sure I have the legal situation correct, but that is a co-operative incorporated under the laws of British Columbia?

A. It was incorporated under the Society Act of British Columbia.

Q. And I understand that there were roughly about 450 different members of the Association?

A. Yes. 400 members are fishermen and 50 members are fish buyers. Altogether about 450 members definite but 50 members sometimes more or less.

Q. And it was, I assume, operated on co-operative principles?

A. It was

run by co-operative systems.

Q. What was the nature of the Association's business?

A. That

Association more or less was kind of a labour union, and as part of its activity we did a certain amount of business.

Q. What type of business?

A. Buying and selling fish.

1 Q. With respect to the members of the Association,
2 were they, as the title indicates, fishermen?

3 A. Yes, they are fishermen.

4 Q. And were you in the wholesale fish business?
5 Is that what you call it? Did you buy fish from the
6 fishermen who were members?

7 A. Well, it is not a wholesale; just 400 fisher-
8 men deliver their fish according to our instructions.

9 Q. To whom do you sell the fish?

10 A. To the canning companies.

11 Q. In other words, you represent in a sense the
12 fishermen in looking after the sale of their fish to
13 canning companies and other concerns?

14 A. Exactly.

15 Q. Of your 400 members were most of them resident
16 in Canada?

17 A. The
18 majority of them are still living in Canada.

19 Q. By "majority" do you mean a substantial
20 majority?

21 A. Yes.

22 Q. And I suppose that would have been true in
23 the last two years consistently that a substantial
24 majority lived in Canada. Is that right?

25 A. Yes.

26 Q. And is it like every co-operative association
27 that each individual member only owns one share?

28 A. It was owned on a membership basis. They
29 were not putting up any money, so there were no
30 shares at all.

31 Q. You have authority from the Association to
32 present this claim?

33 A. Yes.

1 Q. You have consulted the other directors?

2 A. Yes.

3 Q. Have you written authority?

4 A. Well, in the last meeting before evacuation
5 we had a directors' meeting. At that meeting a
6 resolution was passed that all the association's business
7 is entrusted to me until the war is over. That means,
8 in other words, until they returned to B.C. again.

9 Q. I should ask you this question: Your original
10 claim included a claim for real estate and also for
11 certain chattels?

A. Yes.

12 Q. But I understand you are not presenting the
13 claim for the chattels?

14 A. I want to withdraw that. ✓

15 Q. So that the only claim we have here is in
16 regard to real estate?

A. Yes.

17 Q. Your claim in respect of the real estate
18 consists of a number of lots. Have you a survey or
19 sketch of the lots?

20 You are producing what appears to be a plan of
21 part of block 15, section 10, block 3 north, lane 7 west,
22 New Westminster District?

A. Yes.

23 Q. This plan is made by Burnett and MacGowan,
24 surveyors of New Westminster, apparently made in 1922
25 and shows the lots which were the property of the
26 Association and in respect of which you are claiming.
27 Is that right?

A. Yes.

28 Q. I see it says that the work done in black
29 ink was carried out on June 21 and 22, 1937. I
30 suppose that means the survey was brought up to date?

1 A. Yes.

2 Q. The No. 1 District Fishermen owned Lot 1
3 shown in the northwest corner of the plan, I understand.
4 Is that right?

A. Yes.

5 Q. And you are making a claim in respect to Lot 1
6 shown on the plan?

A. Yes.

7 Q. I understand you are also making a claim in
8 respect to Lot 6-4?

A. Yes.

9 Q. Seven?

A. Yes.

10 Q. Eight?

A. Yes.

11 Q. Nine?

A. Yes.

12 Q. And ten?

A. Correct.

13 Q. Shown also on the west side of the plan; is
14 that right?

A. Yes.

15 Q. And I see at the bottom of the plan is shown
16 the Fraser River?

A. Yes.

17 Q. Perhaps I should call your attention to the
18 fact that there is a Lot 11 shown next to the Fraser
19 River and south of lot 10. Is that right?

20 A. Yes.

21 Q. Perhaps we will deal first of all with lot 1.
22 Was it a vacant lot?

23 A. It is a
vacant lot.

24 Q. And I can see that it is separated by some
25 considerable distance from the other lots which you
26 owned?

A. Yes.

27 Q. And it fronts on to Chatham Street?

28 A. Yes, sir.

29 Q. I notice the lot is described here as having
30 a frontage of 23.22 feet?

A. Yes.

1 Q. And a depth of 66 feet? A. That is
2 right.

3 Q. Did you use that lot for any purpose? I
4 mean, did the Association use it at all?

5 A. We were not using that vacant lot for our
6 Association's activities so far but we had intentions
7 to build our offices on that vacant lot.

8 Q. Have you furnished Mr. Best, your solicitor,
9 with some material in regard to ---

10 THE SUB-COMMISSIONER: Are you filing that plan?

11 MR. BREWSTER: Yes.

12 (PLAN, MARKED EXHIBIT NO. 1)

13 Q. Have you furnished Mr. Best with some material
14 in respect to Lot 1?

15 A. On the west side of Lot 1 there was quite a
16 big swampy land on which both buildings, shop is
17 erected.

18 Q. You are telling us that to the west of Lot 1
19 there was first of all some swampy land, and there was
20 a boat building shop somewhere. Is that right?

21 A. Yes. Excuse me. The title shows block 15
22 of section 10.

23 Q. Do you remember block 15, section 10? You
24 were saying that to the west here was this swampy
25 ground and then this boat building shop. Is that what
26 you call it?

A. Yes, sir.

27 Q. Have you completed this form with respect to
28 real estate other than farm, dealing with lot 1?

29 A. Yes, sir.

30 Q. Is that --

A. That is my signature.

1 A. And are the facts stated there true to the
2 best of your information and belief?

3 A. Yes.

4 Q. I do not know whether it would be convenient
5 to put in all of these three at the same time. Have
6 you done the same with respect to lots 8-A and 7?

7 A. Yes.

8 Q. And also lots 8, 9 and 10? A. Yes.

9 Q. In each case these are your signatures?

10 A. Yes.

11 Q. And to the best of your knowledge are the
12 facts stated there correct? A. Yes.

13 (PARTICULARS OF REAL ESTATE OTHER THAN FRM -
14 3 FORMS - MARKED EXHIBIT NO. 3)

15 MR. HENRY: I wonder if my friend would like at
16 this stage to produce the valuations?

17 MR. CHRISTIE: I am tendering as Exhibit 3 a
18 valuation of Johnson, Reeve & Watson, dated June 27,
19 1944. This valuation is of lot 1, Block 15, section 10.
20 The appraised value is \$200;

21 And an appraisal of Johnson, Reeve & Watson again
22 dated June 27, 1944, lots 8-A and 7, and the appraised
23 value is \$350.

24 As I have said, that deals with lots 8-A and 7,
25 your honour.

26 There is a lengthy appraisal of Johnson, Reeve &
27 Watson dated June 27, 1944, and it is an appraisal of
28 lots 8, 9 and 10. The total appraised value is
29 \$3,000 - that is, \$1,000 for the land and \$2,000 for
30 the improvements.

(APPRAISALS, MARKED EXHIBIT NO. 3)

1 MR. BROWN: Q. Dealing with lot 1, again, Mr.
2 Noguchi, I see you state it was a good site for a
3 house or business property. Why would you say that?

4 A. Because the location of that property is
5 right at the end of Chatham Street, right on the
6 corner, and that is what we call a corner lot, and it
7 is very close to the Canadian Pacific ferry boat.

8 Q. I wonder if you would point out to us where
9 the Canadian Pacific ferry boat goes from the plan?

10 A. Here is the Canadian Pacific ferry boat.

11 Q. It is written in, "Canadian Pacific Railway"?

12 A. Yes.

13 Q. That is apparently lot 12 ---

14 A. Very close to here.

15 Q. --- on the south part of the plan? A. Yes.

16 Q. That is where the ferry was? A. Yes.

17 Q. And you come down 7th Avenue ---

18 A. It is only about 200 feet away.

19 Q. This is in Steveston, of course. To where
20 does the ferry go?

21 A. Running between Victoria and Steveston, and
22 running twice daily.

23 Q. You say it was a very useful and valuable
24 location in your opinion because of it being on
25 Chatham Street and close to the ferry? A. Yes.

26 Q. Anything else?

27 A. There is no access to the boat builders' shop
28 on the west side of the property.

29 Q. Do you mean by that that lot 1 should be used
30 as access to it? A. Yes.

1 Q. Perhaps you will give that in a little more
2 detail. Where is the swamp of which you are speaking -
3 practically all down the west side?

4 A. Yes.

5 Q. Of this plant? A. Yes.

6 Q. Is that right? A. Yes.

7 Q. Where is the boat building shop?

8 A. On the waterfront.

9 Q. It is on the waterfront? A. Yes.

10 Q. On the front of what is described here as
11 section 9?

A. This
12 waterfront going this way (indicating).

13 Q. You say "this way." The waterfront on the
14 Fraser runs along the south of the whole plan?

15 A. Yes.

16 Q. And the property to the west of what is shown
17 in this plan?

A. Yes.

18 Q. And right on the waterfront? A. Yes.

19 Q. Is where this boat building shop is?

20 A. Yes.

21 Q. And you are telling us that lot 1 would be
22 useful to get access to it. Would you not have access
23 along Graham Street here?

24 A. No. This is the end of the street.

25 Q. That is the end of the street?

26 A. Yes. There are houses on these lots.

27 Q. You say the access to this boat building plant
28 is blocked by the fact that any other lots on the west
29 side of this plan are built up?

30 A. That is right.

1 Q. Now, in fact, did they get to the boat building
2 shop? A. They were actually using

3 Lot 1 as access, and are now.

4 Q. But at the time you were there ---

5 A. That boat building shop was built in 1941.

6 Q. The boat building shop was built in 1941?

7 A. That is right.

8 Q. But, did they have any arrangement with you,
9 with your association in 1941, as to the use of Lot 1
10 for access? A. My idea was

11 unless we decided to build the office on Lot 1 we
12 would have been willing to let them use it.

13 Q. I think Mr. Reeve refers to that situation.

14 He says:

15 "To the west of the property there is a boat
16 "building plant, on section 7. I understand
17 "that there is no convenient access to this
18 "plant, and believe that to avoid the expense
19 "of building a bridge over the drainage ditch
20 "to the north of the plant, the owners of this
21 "part of section 9 might be interested in buying
22 "this lot as a means of direct access from 7th
23 "Avenue and the west end of Chatham Street."

24 He then goes on to say that he thinks a fair value
25 is \$200, with which you obviously do not agree, but
26 you do agree with his other comment?

27 A. Yes.

28 Q. The only thing he could do would be to build
29 a bridge? A. Yes.

30 Q. You say that in fact you understand they are

1 using lot 1?

A. Yes.

2 Q. For that purpose?

A. Yes.

3 Q. Since you have left?

A. Yes.

4 Q. In respect to lots 8-A and 7, am I right in
5 my recollection that there was a building on there?
6 Was there a building on lots 8-A and 7?

7 A. Yes; just an old building.

8 Q. An old building?

A. Yes.

9 Q. It is described by you as a saltery building?

10 A. Yes. Actually it was not used for salting
11 purposes.

12 Q. And it was your intention to pull down that
13 building?

A. Yes, sir.

14 Q. And erect what sort of building in its place?

15 A. After we got more production we are going to
16 use that place as our warehouse.

17 Q. You were going to use it as a warehouse?

18 A. Yes.

19 Q. Mr. Reeve says:

20 "The land is outside the dyke but is level with
21 the road, 7th Avenue ----"

22 A. Yes.

23 Q. He says:

24 "It is subject to flooding at high tide."

25 What do you say about that?

26 A. That part will never be submerged under the
27 water.

28 Q. It would never be submerged under the water?

29 A. No.

30 Q. Was it ever submerged while you were there?

1 A. No, not that I know of.

2 Q. I understand you have been a fisherman for
3 50 years? A. I, myself, am
4 not a fisherman but I was in the fishing business for
5 50 years.

6 Q. Were you familiar with this property before
7 you went there? A. Yes.

8 Q. And would you be likely to have heard if it
9 had been flooding there in previous years?

10 A. Not for 50 years, anyway. That place, 6-A and
11 7, never go under water.

12 Q. You know for the past 50 years, at any rate,
13 6-A and 7 were not under the water?

14 A. No.

15 Q. How high did the tide come?

16 A. How do you mean?

17 Q. We have a plan with lots 6-A, 7 and 8, 9, 10
18 and 11? A. Yes.

19 Q. I would like you to say what was about the
20 highest the water came at high tide?

21 A. I cannot quite get you. What do you mean
22 "high"?

23 Q. How far up you can see in relation to these
24 lots? A. It comes up as far north
25 as lot 7.

26 Q. What part of lot 7? A. Just on
27 the front part.

28 Q. When you say the front part, your finger is
29 pointing to the boundary between Lots 7 and 8?

30 A. Yes. There is a big high bank there.

1 Q. Between the two lots? A. Yes.

2 Q. Which would show approximately the margin
3 of the two lots? A. Yes.

4 Q. And beyond that high bank the water did not
5 come. Is that right? A. That is right.

6 Q. And does that mean that lots 8, 9 and 10
7 would be submerged at high tide?

8 A. Not only at high tide but always under water,
9 8, 9 and 10.

10 MR. CHRISTIE: That is the third valuation?

11 MR. BREWIN: Q. But you definitely would not
12 agree with Mr. Reeve's statement that they are subject
13 to flooding at high tide, referring to lots 8 and 9?

14 A. It cannot be.

15 Q. I would like to ask you in respect of these
16 other lots, 8, 9 and 10, what was on them? You said
17 they were submerged but did you have any floating
18 buildings or anything of that sort there?

19 A. We had a wharf and warehouse.

20 Q. You had a wharf and warehouse?

21 A. Yes; on 8, 9 and 10.

22 Q. With respect to Lots 8, 9 and 10, where were
23 the wharf and the warehouse?

24 A. The wharf covers 8, 9 and the middle part
25 of 10.

26 Q. Where is your warehouse?

27 A. Alongside these two; north, on this side
28 (indicating.).

29 Q. The warehouse was on the east side of these
30 lots? A. Yes.

1 Q. And extended down to the middle of lot 107

2 A. Yes.

3 Q. And, the wharf? A. Alongside this
4 wharf there (indicating).

5 Q. You are pointing towards the other side of
6 the lot? A. Yes, sir.

7 Q. Were the wharf and the warehouse used by the
8 Association? A. Yes, in 1940 and 1941.

9 Q. What would you say as to the suitability of
10 this location for a wharf and warehouse?

11 A. It is the most suitable location in that
12 fishing town of Steveston because it is located far
13 west of the town and it is nearest to the fishing
14 grounds, so it is very handy for the fishermen to deal
15 with the fish and, at the same time, it is very handy
16 for us to ship out all our production by steamer.

17 Q. And, was the rest of the waterfront around
18 that area occupied? A. Pardon?

19 Q. Was the rest of the waterfront in that area
20 occupied?

21 A. Yes. They
22 were all occupied by the big canning company.

23 Q. And supposing anybody had wished to purchase
24 waterfront property for the purpose of wharfage and
25 using it to bring in fish or in connection with
26 fisheries, was there other similar property available?

27 A. I think it is absolutely impossible to
28 purchase even one foot of frontage in the town of
29 Steveston because they are all owned by canning
30 companies.

Q. You mean waterfront lots?

1 A. Yes, waterfront lots.

2 Q. And I understand that you had - or, as I
3 right - after you bought this property, renovated it,
4 referring to the company when I say "you"?

5 A. Yes, we did.

6 Q. When was that done? When was the renovation
7 completed?

A. Pardon?

8 Q. I was asking you about the renovation?

9 A. That building was a kind of old one so right
10 after we occupied that building we re-shingled the
11 roof and repaired all of the east side of the ware-
12 house so that we could use that, and also we did
13 repairing of the front of the wharf.

14 Q. I notice that south of lot 10, which you own,
15 was lot 11?

A. Yes.

16 Q. Do you know who owned lot 11?

17 A. The Anglo-British Columbia Packing Company.

18 Q. And that, of course, was totally under water?

19 A. Yes.

20 Q. Did their ownership of lot 11 interfere in
21 any way at all with the use of your wharf or access
22 to your wharf?

23 A. Not a bit, because it is under water I
24 should say about 20 feet, so that there is no
25 objection at all.

26 Q. I see that Mr. Reeve says:

27 "The property appears to have a frontage on
28 "the Fraser River and has, as far as I can learn
29 "been used as water frontage for a long time."

30 A. Yes.

1 Q. Do you know, yourself, how long?

2 A. Ever since the Burrard Fishing Company was
3 there it was, I should say about 30 years, there was
4 no objection about that.

5 Q. And he says:

6 "Nevertheless lot 11, which is south of the
7 "property in question and which is continuously
8 "under water, is owned by somebody else. Being
9 "contiguous to the navigable channel of the river,
10 "lot 11 may legally control access to the
11 "navigable water, in which case lot 10 should not
12 "be considered as a water frontage lot.

13 "I have interviewed a representative of the
14 "owner of lot 11 and understand that the use of
15 "the water by the owners of lot 10 has been
16 "permitted for many years not by agreement but
17 "by lack of protest. I do not know long such
18 "use has continued by the present owners and
19 "the former owners, the Burrard Packing Company,
20 "the latter having been out of existence for
21 "many years."

22 You say that it was at least 30 years?

23 A. There was no objection at all.

24 Q. For how long was there no objection?

25 A. So far as we are concerned, ever since we
26 occupied that building there was no objection.

27 Q. And it is Mr. Reeve's understanding that
28 lots 9 and 10 were sold by the present owner of lot 11
29 to the Burrard Packing Company?

30 A. Which I do not know.

1 Q. And:

2 "If they were sold as water frontage there may
3 "have been an implied conveyance of the right
4 "of access."

5 All you know is that the right of access was never
6 questioned while you were there?

7 A. Not that I know of. In fact, the Canadian
8 Pacific ferry boat is passing on that lot every day.

9 Q. He suggests:

10 "Probably a prospective purchaser would inves-
11 "tigate this aspect of the title. It may not be
12 "worthwhile for you to go to the expense of
13 "doing so."

14 "Apart from the legal aspect, I consider
15 "that, as water frontage, the value of the
16 "property is limited, because the frontage is
17 "only about 96 feet. This is too small for
18 "anything but minor usage."

19 What is your view about that, as a man who has been
20 in the fishing business for 30 years?

21 A. It is quite a suitable size for a small
22 sized cannery. We could bring in a small steamer to
23 take out the canned and assorted food. It is quite
24 large enough.

25 Q. Have you ever known of any difficulty because
26 it was too small?

27 A. No inconvenience whatsoever.

28 Q. Then, Mr. Reeve tells us that:

29 "I have made enquiries and am informed that at
30 "certain stages of the tide there is a con-

1 "considerable surge or tide-rip which makes the
2 "mooring of boats somewhat hazardous at this
3 "point."

4 Do you know anything about that? Have you any comment
5 to make?

6 A. The Fraser
7 River -- for the last 30 years I never know such
8 things has ever happened in that particular district.

9 MR. CHRISTIE: Does he understand the question?

10 MR. BREWSTER: Mr. Reeves says:

11 "At certain stages of the tide there is a con-
12 "siderable surge or tide-rip which makes the
13 "mooring of boats somewhat hazardous at this
14 "point."

15 A. No, sir.

16 Q. You do not agree with that. Whoever Mr.
17 Reeves made enquiries from you think did not know very
18 much, perhaps.

19 And, he says:

20 "According to the map of the Underwriters'

21 "Association these are noted as old and dilapidated.

22 "From what can be seen of the wharf I judge

23 "that the upper part of the piling and the

24 "capping or beams have deteriorated badly."

25 Do you agree with that?

26 A. Yes; quite an old wharf.

27 Q. And:

28 "I estimate that the remaining useful life of the

29 "wharf will be very short, not more than 10 years."

30 A. I quite disagree with that. I think I could
use it longer than that.

Q. And:

"The warehouse will, of course, have no longer a
"life than the wharf, however well it may be
"maintained. I was told by a man working at a
"building across the road that the roof was re-
"shingled in 1941, also that the east wall was
"renewed at the same time. The west wall of the
"building is in poor condition."

Do you agree with these statements?

A. Yes.

Q. Did you have these properties leased before
the evacuation -- and when I say "you" I should say
the Association?

A. Yes.

Q. I am showing you a document dated January 26,
1942, between No. 1 District Fishermen's Association
and Francis Millard and Company Limited. That lease
covers all of these lots which we are discussing
except one lot. Am I right?

A. Yes.

Q. And it is for one year; is that right?

A. Yes.

Q. And the rental is \$500 a year? A. Correct.

Q. This lease was made by you at the outbreak
of war when you probably realized that it would not
be possible to carry on the operations of the
Association?

A. That is right.

(LEASE, JANUARY 26, 1942, MARKED EXHIBIT NO. 4)

MR. BIRWIN: Now, I have read through the corres-
pondence on the file of the Custodian and it would
appear that this property was sold, all of these

1 properties were sold by the Custodian for the sum, I
2 think, of \$4,750. Is my recollection correct?

3 MR. CHRISTIE: That is correct.

4 MR. BREWIN: And it would also appear from the
5 correspondence - and my friend will probably argue
6 about this in more detail than I will - that you were
7 informed about this proposed sale and that you on
8 behalf of the majority of shareholders expressed your
9 approval of the sale being made for \$4,750. You were
10 at that time living where?

11 A. In Slesan City, British Columbia.

12 Q. And have you any explanation as to why, if
13 you were satisfied and if the other shareholders were
14 apparently satisfied with the sale at \$4,750., at
15 that time, you now say that the market value is some-
16 what higher than that?

A. Yes.

17 Q. The fair market value is somewhat higher
18 than that?

A. At that
19 time I thought.

20 THE SUB-COMMISSIONER: Does he express approval
21 of the sale of the property and now come back and want
22 more money? I never heard of it.

23 MR. BREWIN: Perhaps your honour has not had an
24 opportunity to go into the terms of references as fully
25 as we have. One might approve of a sale, in the nature
26 of a trustee --

27 THE SUB-COMMISSIONER: He approved of the sale.

28 MR. BREWIN: We are not here trying to set aside
29 the sale or complaining that the sale was made; we are
30 trying to get the difference between the fair market

1 value and the price for which under the circumstances
2 it had to be sold. If your honour had the same
3 opportunity as I had to go into these terms of
4 reference you would know this situation arose on a
5 number of occasions.

6 MR. CHRISTIE: My friend is not suggesting any
7 duress on the part of the Custodian ^{to} obtain the consent,
8 or anything of that sort?

9 MR. BREWIN: I am not suggesting duress at all;
10 I am suggesting the claim and those he represents
11 might well consent to a sale at less than the fair
12 market value under the conditions which existed. The
13 Government has now provided that they should get the
14 fair market value.

15 Q. What do you say about that?

16 A. At that time of course I thought that property
17 was valuable but at that time I was thinking that
18 \$4,750. made a good value as a salvage price, because
19 there was no possibility of our fishermen going back
20 to British Columbia again and so I accepted it at
21 \$4,750. as a salvage price.

22 Q. Where were you employed at that time?

23 A. I was employed by the B.C. Security Commission.

24 MR. BREWIN: I suppose my friend will produce
25 the correspondence.

26 Q. Elocan is in the interior of British Columbia?

27 A. Yes.

28 Q. I think that is all.
29
30

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. I am showing you a copy of a J.P. form dated May 29, 1944.

A. Yes.

Q. Were you authorized to sign the original of this on behalf of the No. 1 District Fishermen's Association? It is typewritten. Of course, this is just a copy.

A. Yes. This is typewritten. I do not remember --

Q. Do you remember signing any J.P. form on behalf of the No. 1 District Fishermen's Association?

A. I did.

Q. And you were authorized by the regulations or by-laws of this Association to sign on their behalf?

A. Yes.

MR. CHRISTIE: I file this as Exhibit 5.

(J.P. FORM, MARKED EXHIBIT NO. 5)

At this stage I will ^{file the} offer to purchase the property. The first is dated December 15, 1944, by Francis Millard and Company Limited to the Custodian.

It says:

"We lease this property and made, at our own expense, some improvements. Since we have had it we drove the piles and put in the wharf on the west side of the building. Last September we offered the owners as follows:

" 'Regarding your wire September 18th we offer

" '\$2,500, paying \$500 cash and paying \$500

" 'every six months until balance is paid,

" 'interest on unpaid amount at 5% a year.'

"This appeared to be satisfactory, the difficulty

1 "about finalizing being the getting to Vancouver
2 "of one of their number. We now repeat this
3 "offer. However, if it is necessary that the
4 "balance be cash we offer \$2,100."

5 In other words, it is an offer for \$2,500 by instal-
6 ments or \$2,100 if it is cash.

7 And this is a tender by Nelson Brothers Fisheries
8 Limited. It is in the amount of \$4,750. I believe
9 the property was sold to the Nelson Brothers Fisheries
10 for this amount.

11 (OFFER TO PURCHASE, DECEMBER 15, 1944;
12 TENDER, DECEMBER 15, 1944; MARKED EXHIBIT NO. 6)

13 Q. In regard to lot No. 1, I think you told my
14 friend that it might be valuable for a building, to
15 build on it?

A. Yes.

16 Q. And I think you also said that it might be
17 used as an access to a boat building shop?

A. Right.

18 Q. Well, I am suggesting to you that if you did
19 use it or sell it as a building lot, it then could
20 not be used as access to the boat building shop.
21 Would that be correct?

22 A. That would be correct. May I add a few
23 words to that?

24 Q. Yes.

25 A. Lot 1 is valuable as
26 a building site as well as access to the boat builders',
27 so it is not decided whether we are going to build a
28 house on that lot or not. Are you listening to me, sir?

29 Q. I asked you the question, not any more.

A. I am sorry.

30 Q. When did your Association buy this property?

1 A. In 1943 - excuse me; in 1939.

2 Q. And were the various buildings on it at that
3 date?

A. On which lot?

4 Q. Well, all the buildings on the different lots.
5 With respect to lots 8, 9 and 10, were the different
6 buildings on it at the date of purchase?

7 A. What do you mean, "the different buildings"?

8 THE SUB-COMMISSIONER: Q. The wharf and the
9 boathouse?

A. Yes.

10 MR. CHRISTIE: Q. And with respect to 8 and 9,
11 they were on it at that time?

A. Yes.

12 Q. Have you any idea of the age of those
13 buildings when you purchased this property?

14 A. I do not know the age exactly, but they were
15 quite old buildings.

16 Q. I do not recall but you may have told my
17 friend, in regard to the saltery building, the
18 appraisal says that the piling was rotten. What do
19 you say about that?

20 A. Not in very bad condition. We could use that
21 as a wharf for quite a few years yet.

22 Q. And he said the building was badly dilapidated.
23 Do you agree with that?

24 A. Kind of bad run-down, yes.

25 Q. Well now, how long is it since you have seen
26 this property? When did you last see it?

27 A. In 1943.

28 Q. In 1943?

A. I should say about June.

29 Q. And previous to that time had you lived in
30 the immediate district - or, where did you live? I

1 understand you were connected with the fishing business
2 for some time but had you lived in the immediate
3 district prior to 1940?

4 A. Steveston and in Vancouver; two places.

5 Q. Would you be to Steveston quite frequently?

6 A. It is my office. I was staying there all day -
7 and all night sometimes.

8 Q. I was wondering how familiar you were with
9 this question of high tide. You observed the tide
10 over a period of years?

11 A. Well, from my own experience I know how high
12 the tide is coming to a certain district. I cannot
13 say how many feet and how many inches. That kind of
14 detail I cannot tell, how many feet. I observed from
15 my own experience how high it is coming to a certain
16 point.

17 Q. Had you ever noticed any surge, or what the
18 appraiser states is tide-rip, where the boats were
19 moored? Had you ever noticed any of this?

20 A. Not so far as our wharf was concerned.

21 Q. Was there any surge or tide-rip at any of
22 the neighbouring wharves?

23 A. Out in the centre part of the river but not
24 on that side.

25 Q. Would that be close to your particular wharf?

26 A. No.

27 Q. Had you known these people to whom you leased
28 the property for some time - the Francis Millard Company?

29 A. I know him the last 20 years.

30 Q. And would they know the values of wharves and

1 buildings very well? A. He may know lots about
2 fish but I do not know about building what amount of
3 knowledge he has.

4 Q. They had been engaged in the fishing business
5 for some period of time? A. Yes.

6 Q. And had they ever operated near Steveston?

7 A. No.

8 Q. Prior to the leasing of this property?

9 A. No, sir.

10 Q. You would think their offer of \$2,100 was
11 pretty low? A. He was leasing my

12 property for \$500 a year and he offered \$2,100 outright
13 to purchase it. I think it is too low.

14 Q. Perhaps he was taking into consideration that
15 he had made some improvements to this building. Do you
16 think that would account for his offer of \$2,100?

17 A. I never looked at it, myself, so I do not know
18 how much improvements he made.

19 Q. You have never seen these improvements that he
20 made? A. No.

21 Q. When you were evacuated I think you told my
22 friend you went to Slocan City?

23 A. Yes, I did.

24 Q. I have here a copy of a telegram sent to the
25 Commission:

26 "Re telegram Noguchi has obtained consent majority

27 "Fishermen's" association now waiting reply from

28 "Koshi at Westwood whom he wired yesterday stop

29 "will advise you immediately reply received."

30 Do you remember someone discussing the question of this

1 sale with you at Slocan City?

A. Yes.

2 Q. And did you get in touch with other members
3 of your Association?

A. Yes; Mr. Koshi.

4 Q. And, anybody else besides him?

5 A. And Mr. Sakamoto.

6 Q. And they agreed with you that the property
7 should be sold?

8 A. They left everything
9 to my own judgment.

10 Q. What position in the No. 1 District Fishermen's
11 Association did Mr. Koshi hold?

A. He was ex-president.

12 Q. He was ex-president?

A. Yes.

13 Q. Well, at this particular time did he hold
14 any office?

15 A. He was appointed by
16 our members as supervisor for sales.

17 Q. And what position did Sakamoto hold?

A. He was the present president.

18 Q. And you consulted him and they agreed to sell
19 to Nelson Brothers?

20 A. No; they did not agree to sell to Nelson
21 Brothers at all.

22 Q. They agreed with the amount?

23 A. They left everything to my judgment and they
24 were quite willing to agree to any disposition that I
25 made.

26 Q. In any event, you advised the Custodian's
27 office, or the Security Commission, that the sale
28 price was acceptable?

A. Yes.

29 MR. CHRISTIE: I will file this copy of the
30 Canadian Pacific telegram, dated January 11, 1945, as

Exhibit 7.

(TELEGRAM, COPY, JANUARY 11, 1945, MARKED
EXHIBIT No. 7)

Q. Do you know Mr. Adams of the Security
Commission?

A. Yes.

Q. He talked this matter over with you on more
than one occasion. Is that correct?

A. Yes.

Q. Did you get any reply to your telegram to
Koshi?

A. By handwriting but not
by wire.

Q. And in this letter which you got from Koshi
he authorized you to go ahead?

A. Yes.

MR. CHRISTIE: I am filing a copy of a letter
as Exhibit 8. It will be subject to proof in Vancouver.
It is written by Yoshio Koshi, and it has the stamp
of "Custodian of Enemy Property" and it is dated
January 12, 1945, and reads as follows:

"Dear Sir:

"I understand that one party wishes to buy
"the Burrard Cannery thru your hand. We were
"noticed the above statement by Mr. M. Noguchi
"yesterday by telegram.

"It is quite all right with me if you sell it,
"but I would like the money, \$4,750 cash, I
"understand, to be put into the Salt, Salmon's
"Account. The cannery belonged to the No. 1
"District Fishermen's Association so I would
"like the money to be put into the Salt account
"and not into anybody's hand. As a president of
"Salt, Salmon Account I would like it as the

"above statement says and I would like to know
"about the rent etc. of this cannery. I also
"would like to hear from you as soon as the
"money is safely in the account because I want
"to be sure, and I would like to be sure, that
"it doesn't go into anybody else's hand.
"Thank you, as Salt, Salmon Account, 'Yoshio
"Kochi'."

What relation has the Salt, Salmon account to your
Association? A. That is the sales
department.

Q. And he was the supervisor of sales?

A. Yes.

Q. I did not understand.

I will file that as a copy of a letter, dated
January 12, 1945, from Yoshio Kochi to the Custodian
of Enemy Property.

(LETTER, JANUARY 12, 1945, MARKED EXHIBIT NO. 8)

RE-EXAMINATION BY MR. BREWIN:

Q. When you bought this property from whom did
you buy it? A. We bought it from one
Mr. Tanaka.

Q. Was there any reason why he might be willing
to sell it at a relatively low price to you?

A. We had understanding between Mr. Tanaka and
myself that after we acquired that property we will
allocate a certain amount of fish to him, which is
very hard to obtain from outsiders in the canning
company.

1 MR. HOWIN: That is all.

2
3 MR. CHRISTIE: I tender as Exhibit 9 the assess-
4 ment notices for the year 1943.

5 (ASSESSMENT NOTICES, 1943, MARKED EXHIBIT NO. 9)

6 The total assessment for land, that is of all
7 the lots, is \$2,591., for buildings \$3,400., making
8 a total of \$5,991. *1943 629*

9 It is submitted, your honour, that the real
10 property was sold at its fair market value.

11
12 (PROCEEDINGS ADJOURNED SINE DIE)

13
14 I hereby certify the foregoing to be a
15 true and accurate transcript of the
16 proceedings herein.

17 *A.G. Veltch*
18 "A.G. VELTCH"
19 Official Reporter.

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

25
26 *John A. McGibbon*
27 "JOHN A. MCGIBBON",
28 Deputy Commissioner.
29
30

File No.
4651

DEFENSE BRIEF

No. 1. District Fisherman's
Association

File No. 4651

Case #1312

Toronto, Ont.
Dec. 1, 1948
Case #1312

Case 1312
File 4651

REAL PROPERTY CLAIM - GROSS-

Gross Claim

\$7000.00 Total
as original and
Revised claim
as follows:-

Lot 1- \$500.00
Lots 6 & 7 - 1300.00
Lots 8, 9
& 10- 5200.00

Total - \$7000.00

Exhibit #2
3 Pages

Appraisal

\$3550.00
as follows:-
Lot 1- \$200.00
Lots 6 &
& 7- 350.00
Lot 8,
9 - 10- 3000.00
Total-\$3550.00

Exhibit #3
3 pages

Sold for

\$4750.00
at
tender
to
Nelson Bros.
Fisheries Ltd.
as
Jan. 25/45.

Witnesses:- 1. D.W. Reeve
Appraiser

2. F.G. Shears
re appraisal
and
sale

Submissions:-

"Analysis of Real Property claim"
dated July 12/48 on claim file shows
comparative figures relating to this
property. The Analysis indicates
that consent of majority of members
per M. NOGUCHI was received as Jan.
11/45 and consent to sale by Y. KOCHI,
President was received as Jan. 12/45.
P. 26- Lines 24-30 inc. also P.27,
particularly lines 26-28 inc. wherein
it states sale price as acceptable.
P.28 as to reply of Yoshi KOCHI regard
ing sale and price, particularly
lines 19-26 inc.

Particular reference is made to a
memorandum of Feb. 18/49 by "A.G.M."
on claim file regarding disposition
of funds derived from sale of Property

File No.

- 2 -

Case #1312

4651

No. 1. District Fishermen's
Association

PERSONAL PROPERTY CLAIM - GROSS -

Gross Claim

\$155.00 Total
original claim
Nov. 27, 1947

Appraisal

P.4, lines 9-16 inc. of Transcript indicates
withdrawal of chattels claim. Line 14 says
"I want to withdraw that"- meaning chattels.

Sold for

Withdrawn

BRD/DD.

March 14, 1949.

Name of Claimant

NO. 1. DISTRICT FISHERMEN'S ASSN Case 1312

Custodian File

4651

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% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices: % of Amount Total		
		4750.								
		475.00		52.35 00						527.35
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 & 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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										527.35

CLAIM NO. 1312 - NO.1 DISTRICT FISHERMEN'S ASSOCIATION

This Association was registered under the "Societies Act" R.S.B.C. 1948, Cap.311, but it now appears that it had been struck off the Register in or prior to 1941 for default in compliance with the provisions of the Act and therefore had no corporate existence at the date of sale by the Custodian. The "Societies Act" provides for restoration to the Register of societies so struck off.

It further appears that the Custodian proceeded to deal with certain real property of the Association, pursuant to the powers conferred upon him under Orders-in-Council passed relative to the vesting and sale of property of persons of the Japanese race. This property was sold by the Custodian before he ascertained that the Association had been struck off the Register.

A question is now raised by Government Counsel as to my jurisdiction to pass upon a claim made by persons who were formerly members of this Association which is now defunct. I have no doubt that the position taken is technically sound, but it is to be observed that the situation can be remedied by an application to the Court by the Association for an Order restoring it to the Register to permit of the presentation of a claim for consideration on this Inquiry.

I have therefore intimated to Government Counsel that, since the Association undoubtedly in due course will be restored to the Register, it is more practical to proceed with the hearing of the claim immediately than to postpone the hearing until such time as the Association is restored to the Register. Since I anticipate that the Inquiry will be wound up before the end of January, it is more than ever important that all claims presented for consideration should be dealt with before the end of this month.

I have therefore suggested to Counsel that upon Mr. McMaster's undertaking to take steps to restore the Association to the Register at the earliest possible moment, Counsel for the Crown might ~~continue~~ proceed with the inquiry into this claim immediately; further, that any recommendation which might be made in respect to the claim would be made subject to the Association having first been restored to the Register.



Commissioner.

January 11th 1950.