

15618

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

VITAL STATISTICS ACT

2 * * 285

CERTIFICATE OF DEATH

THIS IS TO CERTIFY that the following particulars of Death are on record in the Division of Vital Statistics, Victoria, B.C.:—

Name of Deceased	TAKEZIRO KITAGAWA		
Date of Death	FEBRUARY 14TH, 1921	Sex	MALE
Place of Death	CEDAR VALLEY, Mission City, B.C.		
Date of Birth	* * * *	Age	48 7 * *
Place of Birth	JAPAN		
Residence	MISSION CITY, B. C.		
Occupation	SAWMILL WORK, FRUIT FARMER	Condition	WIDOWED
Name of Father	YOSAYA NAKANISHI		
Maiden Name of Mother	NUME NAKANISHI		
Cause of Death	VALVULAR DISEASE OF HEART, DEATH WAS INSTANTANEOUS AND UNEXPECTED		
Contributory	* * * *		
Doctor in attendance at Death	DR. ALEXANDER J. STUART		
Name of Undertaker	J. H. JONES, MISSION CITY, B.C.		

Given under my hand at Victoria
B.C.

this 25th day of
NOVEMBER, 1944

NO. 27857

J.D.B. SCOTT
Director of Vital Statistics

REAL PROPERTY SUMMARY

File Nos: 5439
14300
15618

JAPANESE NAMES: Yosokichi KITAGAWA - Reg. No. 13104, File 5439
Yaichi KITAGAWA - Reg. No. 08673, File 14300
Takehiro KITAGAWA - Estate of, File 15618
Sale by advertisement and tender,
No. 3978 Cherry Street, Mission, B. C.

PARCEL "A"

LEGAL DESCRIPTION: Lot 12 of the North half of the South East Quarter of Section 29, Township 17, Map 2849, Municipality of Mission, in the District of New Westminster.

TITLE: In the name of Etta May McRae, C.T. 144300-E.

ENCUMBRANCE: Subject to an unregistered agreement of sale, dated 15 December 1919, For \$500.00 in favour of T. KITAGAWA. No other encumbrances indicated on file.

VESTING: Of interest of Yosokichi KITAGAWA, 24384 filed 25 July 1942. ✓

ASSESSED VALUE: 1942 - Land, 5 acres, \$236.00, improvements \$450.00, Total - \$686.00. Taxes \$13.16, arrears \$14.43, total \$27.64.

CLASSIFICATION:

Lot 12 =
Farm of 5 acres operated with Lot 13, 4.75 acres, as one farm, and sold as a single farm. Of the total area of 9.75 acres, $\frac{4}{5}$ acres were in strawberries, $\frac{1}{5}$ acres in loganberries, $\frac{1}{5}$ acre in rhubarb, $\frac{1}{5}$ acre in asparagus and $\frac{1}{5}$ acre in gooseberries, a total in crop of $\frac{4}{5}$ acres. The buildings on the property were a two storey house, 14 x 24 feet, 6 rooms, frame, in fair condition. *A rhubarb house 16' x 20' good. Packing shed 15' x 30' fair. Pickers house 15' x 30' fair. Garage 12' x 16' fair. Shed 20' x 30' poor. Barn 20' x 30' fair. *Lot 13 consists of 5 acres all cleared except about half an acre of light bush. The cleared portion is now in stubble, the tenant claims he put it in grain last year to try and reduce the couch grass, which is very prominent. The only improvement on this property is a barn 20' x 30' which is too close to the highway if serving this property only, and would have to be removed to make available the best building location for a home. The tenant showed me a hole in the ground where he said a well had been sunk for 80 feet without striking water. The property lies well, has a fair quality of soil, has electric light installed in the barn.*

*Orchard 7
30 trees 2nd
most 7 bldgs
Out 70 water
See Hal Hansen
Report Jan 16.45*

*Veget in
house of Yosokichi
Kitagawa*

ADMINISTRATION:

Parcels "A" and "B" (Lots 12 and 13) were leased by Yosokichi KITAGAWA on 4 May 1942 for a period of 9 months from 1 May 1942 to Henry Toews and Gerhard Jansen at a rental of \$450.00, receipt of which sum is acknowledged in lease. The lease provided for a renewal for the year 1943 and to the return of the lesser at an annual rental of \$225.00. Lease included live stock and farm implements. It does not appear that this option to extend the term of the lease was exercised by the lessees. (See letter to Mr. Toews of 14 June 1943). The file shows that some arrangement had been made with Wm. Johnston as to occupation of the property (letter 17 August 1944) during the 1944 season, and a letter to Johnston 12 September 1944 indicates that he was supposed to be in occupation and owing on rent \$60.00. There is no further record as to rentals on file, and the ledger accounts show no credit of any rental revenue.

CLEARING TITLES:

A copy of the unregistered agreement of sale covering Lot 12 is on file, and shows that the agreement was entered into on 5 December 1919 between Edward J. Abbott, as vendor, and Takesiro KITAGAWA, as purchaser, the consideration of \$500.00, bearing no interest, to be paid \$200.00 cash and \$100.00 on the 5th December in each of the years 1920, 1921, and 1922. Upon the death of Edward J. Abbott the property devolved under his will to his wife Charlotte Ann Abbott, and upon her death by will to her daughter Mrs. Etta May McRae. The balance owing on this agreement with interest amounted on 20 July 1945 to \$390.71 as per her affidavit, ~~and was~~ and was paid to her on 20 June 1945. A deed executed by Etta May McRae conveying to Takesiro KITAGAWA was received by the Custodian on 31 May 1945. This deed was registered 3 August 1945.

Takesiro KITAGAWA having died on 14 February 1921, Mr. J. M. Streight, official administrator at New Westminster was requested on 24 January 1945 to administer his estate and letters of administration issued in February 23rd, 1945. Copy of certificate of death dated 25 Nov. 1944, of Takesiro KITAGAWA is on file, *(but no copy of letters of administration. res. Feb 23. 45 Certificate Copy)*.

The heirs of the deceased were his two sons Yosokichi KITAGAWA and Yaichi KITAGAWA, evacuees, whose interests in this land were vested by a special vesting certificate filed as 24384 on 29 March 1945.

PARCEL "B"

LEGAL DESCRIPTION:

Lot 13 of the North half of the South East quarter of Section 29, Township 17, Map 2849, Municipality of Mission in the District of New Westminster.

TITLES:

In name of Yosokichi KITAGAWA, C.T. 102330-E.

ENCUMBRANCES:

71565C - "29th October 1932 Mortgage in Fee to Mabel Vaughn Peacock for the sum of \$300.00 with interest at the rate of 10% per annum."
83975C - "25th July 1941 Assignment of above Mortgage No. 71565C to Yaichi KITAGAWA".
82836C - "7th January 1941 Mortgage of Equity to Yaichi KITAGAWA FOR the sum of \$500.00 with interest at the rate of 6% per annum."

VESTING:

~~Of interest of Yaichi KITAGAWA in mortgage 71565C by assignment registered 83985C filing 27481 filed 10 January 1945.~~

Of interest of Yaichi KITAGAWA in mortgage of equity registered as 82856C by filing 27481 filed 10 January 1945.

ASSESSED VALUES:

1942 - Land \$224, improvements \$450.00 Total - \$674.00.
Taxes \$12.84, arrears \$14.12 total - \$26.96.

CLASSIFICATION:

See Parcel "A" - Page 1.

ADMINISTRATION:

See Parcel "A" - Page 1.

CLEARING TITLE:

The mortgage to Mabel Vaughn Peacock (now Mrs. W. L. Card), (on file) was assigned on 25 July 1941 to Yaichi KITAGAWA whose interest was vested as above. In a letter to this office 18 September 1942,

CLEARING TITLES
(con't)

Mrs. Card states the mortgage was taken over by Mr. T. KITAGAWA'S brother who "paid the mortgage up and took over the property to protect Mr. KITAGAWA from some lawsuit". The interest of the assignee, Yaichi KITAGAWA was vested by a special certificate in the Custodian as above, and was transferred to the Secretary of State by request to the Registrar dated 29 May 1945 filed 3 August 1945. On same date a discharge of the mortgage by the Secretary of State was also registered.

In respect to the mortgage of equity given by Yosokichi KITAGAWA to Yaichi KITAGAWA and registered as charge 82836C, the same procedure was followed by filing a special vesting certificate and by transfer of the interest of the mortgage to the Secretary of State on 3 August 1945, and on same date a discharge of the mortgage by the Secretary of State.

Against Title to Lot 13 is registered a judgment in the Supreme Court on 18 December 1940 filed in Land Registry as No. 9271 on 24 January 1941. In this action Cassady & Lewis as solicitors recovered judgment on behalf of Lorna Irene Johnson, an infant, by Alexander S. Johnson against Yosokichi KITAGAWA for \$2,351.10 for debt and \$382.00 costs. An appeal was dismissed and of the costs \$168.10 Yosokichi KITAGAWA paid \$150.00. As at date of appeal judgment (3 April 1941) the balance owed was \$2,751.20, which bears interest at 5%. When sale of the Lot 13 was under consideration Messrs. Cassady & Lewis were advised, 15 May 1945, of the proposed consideration and also, in general, of the claims registered against the title. This judgment was registered 24 January 1941. Both mortgages were of prior registration, that of Yosokichi to his brother Yaichi on 7 January 1940. In view of the mortgage indebtedness, the Custodian required of Cassady & Lewis as to a release of the judgment in order that the sale might be made. Mr. Lewis replied on 19 May 1945 that his client agreed to give a release.

After considerable communication with Mr. Lewis he reported on 31st August 1945 that the release had been registered 1 August 1945. On 1947 18 July a letter from him contains the followings

"The execution and registration of this release was done on the distinct understanding that the above mentioned judgment creditors of Yosokichi KITAGAWA would rank first against the half interest of the said Yosokichi KITAGAWA in the estate of Takesiro KITAGAWA."

PARCELS "A" & "B"

APPRAISAL:

Mr. Hal Mensies, of Haney, was requested to report on the value of Lot 12, which he did on 16 January 1945, his estimated market value being \$700.00 for the land and \$100.00 for the barn, a total of \$800.00. Lot 13 was appraised by Mr. Mensies at \$1,600.00. His report is not on file. (From Mr. Wright's memo 23 January 1945 - value of Lots 12 and 13 combined - \$2,400.00)

Lot 12 - 1600
Lot 13 - 800.00

PARCELS "A" & "B"**ADVERTISING:**

With the approval of the official Administrator the two parcels, Lots 12 and 13, operated as one farm, were advertised for sale by tender in the News-Herald, 14 January 1945, Sun, 16 January 1945, and Daily Province, 17 January 1945.

OFFERS:

The only tenders received were from Frank Horvath \$2,500.00 cash
D. Haffner \$2,500.00 "

Mr. Haffner withdrew his offer on 21 May 1945. The offer of Frank Horvath was reported to the official administrator on 22 May 1945. Approval of sale of Lot 12 at \$200.00 does not appear on file, but it would seem by his letter of 18 August 1945 that such approval had been given by telephone on 23 May 1945.

SOLD:

To Frank Horvath for \$2,500.00 cash, as at 14 April 1945. Sale approved by the Advisory Committee on 25 June 1945.

TITLE:

C.T. 190262-E issued 1 October 1945 in name of Frank Horvath, covering Lots 12 and 13 of the North half of South East quarter of Section 29, Township 17, Map 2849, District of New Westminster. The C.T. was sent by registered mail to Frank Horvath on 5 November 1945 and receipt acknowledged 6 November 1945.

FUNDS:**Parcel "A":**

To be released to the credit of Yosokichi KITAGAWA - one-third of sale price (in proportion of valuations made) \$833.33; less disbursements of Certificate of Encumbrance \$1.00, insurance \$11.75, taxes \$68.96, advertising \$11.84, registration \$4.68, appraisal \$7.50, -Total \$105.73. Net amount to be released \$727.60.

Parcel "B":

To be released to the joint credit of Yosokichi KITAGAWA - two-thirds of sale price of Lots 12 and 13 (in proportion of valuation made) \$1,666.67 plus closing adjustments \$35.55, total \$1,702.22; less Certificate of Encumbrance \$2.00, insurance \$23.80, taxes \$157.36, interest on agreement of sale \$37.36, legal (discharge of judgment) \$5.00, advertising \$23.68, registration fees \$26.25, appraisal \$15.00, total - \$290.45. Net amount to be released to joint credit \$1,411.77.

In the distribution of these funds the following is to noted: —

Funds derived from Lot 12, Estate of Takesiro KITAGAWA, are to be transferred to Mr. J.M. Streight, official administrator of the estate, New Westminster.

Funds derived from Lot 13 (Yosokichi KITAGAWA owner) are subject to claims in the order of priority:

- (a) mortgage to Mabel Vaughn Peacock, assigned to Yaichi KITAGAWA.
- (b) mortgage of equity to Yoichi KITAGAWA, provided the transaction was bona fide and not with the object of defrauding creditors of Yosokichi KITAGAWA.
- (c) Judgment in favour of Lorna Irene Johnson.
- (d) various claims of debt, of which a list is on file under date of 2 September 1944. These claims have not been confirmed.

A complete list should be given to Mr. Streight.

Relative to the mortgage Yosokichi KITAGAWA to Yaichi KITAGAWA, it is to be noted that the judgment in favour of Lorna Johnson was given in the Supreme Court on 18 February 1940. The mortgage to Yaichi KITAGAWA was given on 7 January 1941 and registered the same date. The Johnson judgment was not registered against the land until 24 January 1941. The judgment would be in effect as against Yosokichi KITAGAWA as from date of judgment. Further as to Yaichi KITAGAWA'S claim Yosokichi KITAGAWA in a letter to the Custodian received 6 November 1947 states that "principal and interest was left untouched". Due to the disturbance of the evacuation, though his evacuation did not take place until 2 May 1942, over a year later, and in his J.P. declaration of 21 April 1942 he states that he had no bank account. If the money was "untouched" and not to his bank credit some further investigation is in order. It may be that Mrs. Card's surmise (18 September 1942) that the purpose of the mortgage was against other creditor claims has some basis of fact, and if so the Johnson judgment may have some value to be recognized when distribution of funds is made. This is a matter for legal opinion.

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

Ian MacPherson
Ian MacPherson

March 9th, 1948.

IMac/GH

15619
Legal Section

509 Royal Bank Building,
Vancouver, B.C.,
January 24th, 1945.

J. M. Streight, Esq.,
Official Administrator,
New Westminster, B.C.

Dear Sir:

Re: Takehiro KITAGAWA, Deceased

The above named died at Mission City on February 14th, 1921, and we attach the Certificate of Death supplied by the Division of Vital Statistics, Victoria, B.C.

We do not have full information in regard to the family of the deceased except that he was a widower. We understand that Yosokichi KITAGAWA c/o K. C. Russell, Diamond City, Alberta and Yaichi KITAGAWA, c/o W. Fieland, Iron Springs, Alberta, are sons of the deceased.

The deceased was the owner by virtue of an unregistered Agreement for Sale from the late Edward J. Abbott of the property described as Lot 12 of the N. $\frac{1}{2}$ of the S. E. $\frac{1}{4}$ of Sec. 29, Twp. 17, Map 2849, N.W.D., located on Cherry Street, Mission City, B.C. The registered title to the property has passed from Edward J. Abbott, deceased, to his widow, also deceased, to his daughter Mrs. Etta May McRae who advises us that the sum of \$370.42 was owing under the Agreement for Sale as at December 31st, 1944. Taxes amounting to \$56.60 are in arrears. An independent appraisal on our file indicates a value of \$1600.00 for this property. We are enclosing a copy of the Agreement for Sale and valuation.

Yosokichi KITAGAWA is the owner of the adjoining property known as Lot 13 of the N. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Sec. 29, Twp. 17, Map 2849, N.W.D. and it would appear advisable to offer these properties for sale at one time. We understand that Yosokichi KITAGAWA has occupied both properties since his father's death in 1921.

- 2 -

J. H. Streight, Esq.,

January 24th, 1945.

We have no record of any liabilities of the deceased.

Will you kindly undertake the administration of this estate and when Letters of Administration are issued to you please forward a certified copy for our records at which time we can discuss the method of offering the properties for sale. It is understood that you will advise the Custodian before making distribution to those entitled.

Kindly acknowledge receipt of this letter and enclosures.

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

GHP/O'B
Encl.

Copies on files 5439 and 14300

HAL MENZIES
Real Estate and Insurance
Nancy, B.C.

File # 5439
Evacuee Section

January 16, 1945.

Mr. K. W. Wright,
Counsellor to the Custodian,
509 Royal Bank Bldg.,
Vancouver, B.C.

Dear Sir:

Re: Lot 12, of N. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Sec. 29, Twp. 17,
Map 2489, Municipality of Mission, N.W.D. and
Lot 13 of N. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Sec. 29, Twp. 17
Map 2489, Municipality of Mission, N.W.D.

I have inspected the above property, and I find it consists of two 5 acre lots situated on a side road over two miles North East of the town of Mission.

The property has been developed as you know, as one property with most of the buildings and all the orchard on Lot 12. I understand that you wish me to deal with them separately.

Lot 12:

Containing 5 acres of fair quality of soil fairly level and all cleared, contains 2 acres of old raspberry canes from which the canes, posts, and wire, would have to be removed as it would be of no use until replanted as the raspberries are perished, and it is badly grown up with couch grass. There is an orchard of about 30 trees.

The dwelling of 4 rooms is of very little value, being very old and weather stained, having never been painted. It is on a light post foundation which is in very poor condition, and requires a new roof. The kitchen portion leaks so badly it is being used only as a store house.

There is a rough garage 18' x 18', berry packing shed 10' x 24', and hen house 16' x 24'. The only valuable building on the property is a rhubarb forcing house built on low cement walls. Part of the building is two story, being finished with good siding. It appears in very fair condition for the purpose for which it was intended, but would not be easily converted into any other useful farm building as it is in the wrong position for a poultry building, which would be the most likely use. Electric light is installed in the main buildings.

I would value this lot at \$750.00 for the land, and \$850.00 for the buildings and orchard etc., total \$1600.00.

I am advised that water can not be obtained on the property itself, and that the system which was originally installed from an adjoining farm has been dismantled through instructions from your office, so you will know whether water service is available for this property from that source.

Yours truly,

"Hal Menzies"

HM:SP

March 26th, 1945.

MEMORANDUM

TO: MR. K. W. WRIGHT

FROM: MR. G. H. PEERS

RE: Estate of Takesiro KITAGAWA and Yosokichi KITAGAWA

Re: Lot 12 of the N. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Sec. 29, Twp. 17, Map 2849, Municipality of Mission.

Title: Etta May McRae. Subject to unregistered Agreement for Sale in favour of Takesiro KITAGAWA. (Balance approx. \$436.00)

Letters of Administration issued J. M. Streight February 23, 1945.
Special vesting filed at Land Registry Office.

Valuation: Hal Mensies, January 16, 1945 - \$1600.00 *Less 750. Blag 850.*

Re: Lot 13 of the N. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Sec 29, Twp. 17, Map 2849, Municipality of Mission.

Title: Yosokichi KITAGAWA.

Mortgage \$300.00 October 29/32 M. V. Peacock assigned to Yaichi KITAGAWA, July 25/41.

Mortgage of Equity Jan. 7/41 \$500.00 Yaichi KITAGAWA.

Judgment Jan. 23/43 Lorna Irene Johnson, infant, by Alex S. Johnson \$2733.10. (Renewal of Judgment filed Jan. 24/41.

Vesting Order filed #27481.

Valuation Hal Mensies Jan. 16/45. \$800.00.

These properties comprise one farm and it is suggested by our farm department that they should be offered for sale as a unit.

Mr. A. L. Lewis of Cassady & Lewis, Solicitors in regard to the Johnson judgment wrote Mr. Streight on March 2, 1945, in connection with his client's claim. See copy on file 15618.

Legal owner
Yosokichi KITAGAWA and Yaichi KITAGAWA (holder of the mortgage against Lot 13) are brothers and sons of the deceased.

GHP/O'B

G. H. PEERS

15618 & 5439
Evacuee Section

509 Royal Bank Building,
Vancouver, B. C.,
March 28th, 1945.

J. M. Streight, Esq.,
Official Administrator,
New Westminster, B. C.

Dear Sir:

Re: Estate of Takesiro KITAGAWA and Yosokichi KITAGAWA and
Lot 12 of the H. 1/2 of the S.E. 1/4 of Sec. 29, Twp. 17,
Map 2849, Municipality of Mission.
Title: Etta May McEae. Subject to unregistered Agreement
for Sale in favour of Takesiro KITAGAWA. (Balance
approximately \$436.00.

Letters of Administration issued J. M. Streight, February, 1945.
Special Vesting filed at Land Registry Office.
Valuation: Hal Menzies, January 16th, 1945 - \$1600.00.

Re: Lot 13 of the H. 1/2 of the S.E. 1/4 of S. c. 29, Twp. 17,
Map 2849, Municipality of Mission.
Title: Yosokichi KITAGAWA.
Mortgage: \$300.00 October 28/32 H. V. Pencock
assigned to Y-ichi KITAGAWA, July 25/41.
Mortgage of Equity Jan. 7/41 - \$500.00 Y-ichi KITAGAWA.
Judgment: Jan. 23/43 - Lorne Irene Johnson, infant, by
Alex S. Johnson \$2733.10. (Renewal of
Judgment filed January 24/41.)
Vesting Order filed \$27481.
Valuation Hal Menzies January 16/45. \$800.00.

In connection with the property owned by the deceased, Takesiro
KITAGAWA, we have now filed a Special Vesting at the Land Registry Office,
New Westminster, covering his interest, copy of which we attach.

15618 & 5439

March 28th, 1945.

We are informed that the two properties noted above comprise one farm and to sell at the best possible price they should be offered as a unit.

We desire, subject to your approval, to advertise these properties for sale by tender and submit all offers received, to you for your decision.

In regard to the Johnson Judgment registered against Lot 13, we will, no doubt, have to negotiate in this matter, but we feel that we would be in a better position to do so if we have a definite offer to purchase.

We would be pleased to have you advise us of your wishes in this matter.

Yours truly,

K. W. BRIGHT
COUNSEL TO THE CUSTODIAN

CHP/O'B
ATTACH.

April 13th, 1945.

MEMORANDUM

TO: MRS. A. MACARTHUR

FROM: MR. K. W. WRIGHT

**RE: Estate of Takesiro KITAGAWA and Yosokichi KITAGAWA
Re: Lot 12 of the N. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 29,
Twp. 17. Map 2849. Municipality of Mission.**

The above noted property is included in our advertisement to be inserted in the local papers on the 14th, 16th, and 17th offering real property for sale with tenders to close noon May 5, 1945.

This property is offered as a unit as it comprises one farm. Lot ¹³12 is owned by Yosokichi KITAGAWA and Lot ¹²13 by Takesiro KITAGAWA, deceased.

In this case all offers which are received must be referred to Mr. J. E. Straight for his decision before being placed before the advisory board. The matter of the division of the proceeds of the sale will also be subject to arrangement with Mr. Straight. Before acceptance of any offers an arrangement regarding the Johnson Judgment will have to be made through Mr. Lewis of Cassady & Lewis, Barristers & Solicitors, New Westminster.

Valuations of the properties made by Mr. Hal Mensies are on file.

We have advised Mr. William Johnston, R.R. #1, Mission, and Mr. Roscoe Page, 194-14th Avenue, Haney, both of whom had made enquiries regarding the sale of the properties, of our advertisement.

K. W. WRIGHT

GHP/O'B

DEPARTMENT OF THE SECRETARY OF STATE

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:

CITY OF VANCOUVER

PARCEL A: Lot 8, Block 59, District Lot 196, New Westminster District, Plan 196, known as 640 East Cordova Street, upon which is situate a one-storey frame factory building.

PARCEL B: Lots 17 and 18 in the West $\frac{1}{4}$ of Subdivision "C" of District Lot 328, Group 1, New Westminster District, Plan 2204, known as 1025 Kent Street, upon which is situate a chicken house and shed. Building used as dwelling not included.

NORTH VANCOUVER

PARCEL C: Lot 17, Block 4 of Blocks 2 and 5, District Lot 616, Group 1, New Westminster District, Plan 2990, being a Vacant Lot on 17th Street between William and Rupert Avenues.

WEST VANCOUVER

PARCEL D: Lot 6, Block 12 of Blocks 7 to 12, District Lot 775, Group 1, New Westminster District, Plan 4595, known as 2152 Marine Drive, upon which is situate a dwelling with a store front.

MATSQUI

PARCEL E: Part (The North Westerly 29.975 acres more or less) of the North $\frac{1}{4}$ of the South East $\frac{1}{4}$ of Section 11, Township 14, as shown and lettered "B" on sketch deposited 1110, Save and Except part 7.5 acres as shown on sketch deposited No. 5250, Group 1, Municipality of Matsqui, in the District of New Westminster, being a Farm Property of 22.475 acres, more or less, near Mt. Lehman Road, upon which is situate a five-room dwelling and outbuildings.

PARCEL F: Lot 2 of the North West $\frac{1}{4}$ of Section 16, Township 16, Map 3296, Municipality of Matsqui, in the District of New Westminster, being a Farm Property of 4 $\frac{1}{2}$ acres, more or less, on Ware Road, Abbotsford, upon which is situate a six-room dwelling, barn and poultry house.

MISSION

PARCEL G: Lots 12 and 13 of the North $\frac{1}{4}$ of the South East $\frac{1}{4}$ of Section 29, Township 17, Map 2849, Municipality of Mission, in the District of New Westminster, being a farm property of 10 acres more or less, known as 3978 Cherry Street, on which is situate a dwelling, barn and outbuildings.

PITT MEADOWS

PARCEL H: Lot "B," Block 2 of Lot 3 of Lot 12 of Section 36, Block 6 North, Range 1 East, Map 6328, Municipality of Pitt Meadows, in the District of New Westminster, on Advent Road, containing 2 acres, more or less, on which is situate a community hall and cottage.

SURREY

PARCEL I: Lot 3 of the North West $\frac{1}{4}$ of Section 30, Township 2, Map 1607, Municipality of Surrey in the District of New Westminster, being a Farm Property of 6.3 acres, more or less, known as 410 Scott Road, upon which is situate a 7-room dwelling, chicken houses and sheds.

DELTA

PARCEL J: Lot 40 of the North East $\frac{1}{4}$ of the North East $\frac{1}{4}$ of Section 25, Township 4, Map 1416, Municipality of Delta, in the District of New Westminster, on Bailey Road, on which is situate a one-storey frame hall building.

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 deposit 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, 500 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 of the existence or non-existence of any 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 5th day of May, 1945. Further particulars may be obtained during office hours any day up to Noon on the 4th day of May, 1945, and arrangements made with the undersigned to inspect the said premises.

DATED AT VANCOUVER, BRITISH COLUMBIA, this 14th day of April, 1945.

THE CUSTODIAN

500 Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

May 9th, 1945

MEMORANDUM

TO: MRS. A. G. MCARTHUR

FROM: MR. K. W. WRIGHT

RE: Lots 12 and 13 of the N $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Section 29,
Township 17, Map 2849, Municipality of Mission,
known as 3978 Cherry Street

Lot 12 - Title - Etta May McRae. Subject to unregistered Agreement for Sale in favor of Takeziro KITAGAWA, Deceased. Balance owing approximately \$440.00.
Letters of Administration issued to J. M. Streight, February 23, 1945.
Valuation: Hal Menzies, January 16, 1945 - \$1,600.00

Lot 13 - Title - Yosokichi KITAGAWA.
Mortgage - \$300.00, October 29, 1932. M. V. Peacock assigned to Yaichi KITAGAWA, July 25, 1941.
Mortgage of Equity - January 7, 1941. \$500.00 - Yaichi KITAGAWA.
Judgment - January 23, 1943 (Renewal of filing January 24, 1941) Lorna Irene Johnson, infant, by Alex S. Johnson - \$2,733.10.
Cassady & Lewis, Solicitors for Johnson.
Valuation - Hal Menzies, January 16, 1945 - \$800.00

These properties were offered as a unit as they comprise one farm.

Arrangements must be made with the Judgment holder if an acceptable offer is obtained. See copy of Lewis' letter to Streight, March 2, 1945.

Tenders must be submitted to Mr. Streight for his approval before acceptance. Valuations should be submitted to Mr. Streight and the suggestion that division of the proceeds of sale on the basis of the valuations put forward.

Two identical tenders of \$2,500.00 have been received for these properties and the matter of acceptance or refusal should be discussed with Mr. Shears.

GHP/JF
CC: MR. SHEARS


K. W. WRIGHT

*Mr Wright says to
leave in abeyance for
the present.*

File Nos. 15415 and 15472 (Dead)

May 11th, 1945

MEMORANDUM

TO: MR. F. G. BREARS

FROM: MR. E. S. WRIGHT

RE: Lots 12 and 13 of the E2 of the S.E.1/4 of
Section 25, Township 17, Range 24N, Municipality
of Mission, Iowa on 37th Street

This property was advertised for sale and tenders closed on Saturday last.

Lot 12 was valued by Mr. Edl Wendler on January 16, 1945, at \$1,600.00, and Lot 13 was valued by Mr. Wendler on January 16th, 1945, at \$800.00.

Title to Lot 12 stands in the name of Edna May Waller, subject to an Agreement for Sale in favor of Theodore KITAHARA, deceased, and the balance owing under the Agreement is approximately \$440.00. Theodore KITAHARA died prior to execution and in compliance with our request, Mr. Straight took out letters of administration, February 23, 1945.

Title to Lot 13 is recorded in the name of Yoshitaki KITAHARA, son of the above named deceased, and according to the information on our files, the deceased was a widowed lady who was and they will divide the estate. Lot 13 is subject to a Mortgage for \$700.00, made October 29, 1932, in favor of E. F. Penick, who assigned the Mortgage to the other son, Takaki KITAHARA, July 25, 1941. A second Mortgage in favor of the same son, amounting to \$500.00, also appears against the title.

In addition to these two Mortgages, a Judgment was recorded on January 23, 1945, being a renewal of filing, January 24, 1941. This judgment was obtained by Laura Irene Johnson, Infant, by Alan S. Johnson, to secure the sum of \$2,733.10, and Messrs. Cassidy & Lewis acted for Mr. Johnson.

The properties were offered as a unit for the reason that they comprise one farm. Two identical tenders of \$2,500.00 have been received for the property, one from Dave Hoffman, Mission, D. C., and the other from Frank Harvath, Mission, D.C. Both offers are on a cash basis and requirement as to payment of 10% deposit has been made in both cases.

The matter of recommendation, leading up to acceptance must now be considered. When a decision is reached, we will report to Mr. Straight and obtain his approval and when this has been accomplished, we must then come to some arrangement with the holder of the Judgment, as the encumbrance on Lot 13, valued at \$800.00, stands in arrears of \$1,500.00. As the judgment is against one of the heirs of Theodore KITAHARA, deceased, we believe that some arrangement can be made with the judgment holder.

The first step, however, is to determine disposition of the offers made by Harvath and Hoffman.

E. S. WRIGHT

15618 & 5439
Evancuse Section

509 Royal Bank Building,
Vancouver, B. C.,
May 12th, 1945.

Mr. Dave Hoffner,
Mission, B. C.

Dear Sir:

Re: Lots 12 and 13 of the $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of
Section 29, Twp. 17, Map 2849, E.M. of
Mission, known as 3978 Cherry Street.

We beg to acknowledge receipt of your tender offering to purchase the above noted property at a price of \$2500.00 and enclosing a deposit amounting to \$250.00. We are also in receipt of a tender for an identical amount to yours from Mr. (Frank Horvath, of Mission, B. C.

As these tenders are in line with our valuation, we wish to recommend acceptance of one of them and would suggest that you contact Mr. Horvath, and come to an arrangement between yourselves to withdraw one of the tenders. If you are unable to come to an agreement in this matter, we would ask you to kindly make an appointment to come to this office with Mr. Horvath, so that the matter can be further discussed.

We would like to have you attend to this matter as promptly as possible so that we may proceed with the arrangements for a sale.

Yours truly,

K. F. WRIGHT
COUNSEL TO THE CUSTODIAN

GHT/O'B

15618 & 5139
Evacuee Section

509 Royal Bank Building,
Vancouver, B. C.,
May 12th, 1945.

Mr. Frank Horvath,
Box 39, Mission, B. C.

Dear Sir:

Re: Lots 12 and 13 of the N $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of
Section 29, Twp. 17, Map 2849, Municipality
of Mission, known as 3978 Cherry Street.

We beg to acknowledge receipt of your tender offering to purchase the above noted property at a price of \$2500.00, and enclosing a deposit amounting to \$250.00. We are also in receipt of a tender for an identical amount to yours from Mr. Dave Hoffner, of Mission, B. C.

As these tenders are in line with our valuation, we wish to recommend acceptance of one of them and would suggest that you contact Mr. Hoffner, and come to an arrangement between yourselves to withdraw one of the tenders. If you are unable to come to an agreement in this matter, we would ask you to kindly make an appointment to come to this office with Mr. Hoffner, so that the matter can be further discussed.

We would like to have you attend to this matter as promptly as possible so that we may proceed with the arrangements for a sale.

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

CHP/O'B

15612 & 5439
Vancouver Section

509 Bay Bank Building,
Vancouver, B. C.,
May 15th, 1945.

Messrs. Cassidy and Lewis,
Barristers and Solicitors,
713 Columbia Street,
New Westminster, B. C.

Attention: Mr. Lewis

Dear Sirs:

Re: Judgment Lorna Irene Johnson, infant by Alexander S.
Johnson against Yasochichi KITAGAWA \$2733.10 and
Lots 12 and 13 of the S. 1/2 of the S. E. 1/4 of Section
29, Township 17, Map 1849, Municipality of Mission,
known as 3778 Cherry Street.

The above noted property was advertised for sale with tenders to close on the 5th instant, and we are in receipt of two identical offers to purchase, amounting to \$1500.00 in each case. The matter of the identical offers is being dealt with and in view of a valuation of \$1600.00 for Lot 12 and \$800.00 for Lot 13, we desire to recommend acceptance of one of these offers.

However, before recommending acceptance, we wish to place this matter before you as Solicitors for the Judgment Creditor in order that you may consider releasing your Judgment. Lot 13, against which your client's Judgment is registered, is encumbered by way of a mortgage for \$300.00, dated October 29th, 1932, in favour of E. V. Peacock, which was assigned on July 25th, 1941, to Yaichi KITAGAWA, brother of the registered owner, and also by a mortgage of equity, registered on January 7th, 1941, amounting to \$800.00 in favour of the same Yaichi KITAGAWA. In a division of the proceeds of sale on the basis of the valuations and after paying arrears of taxes, there would be no surplus above the principal amounts of these mortgages to be applied on your client's Judgment.

Lot 12 is registered in the name of Etta May McRae, and is subject to an unregistered agreement for sale in favour of Takehiro KITAGAWA, deceased, and a balance of approximately \$400.00 is owing in this connection. Letters of Administration were issued to Mr. J. E. Straight, Official Administrator, in the matter of the estate of Takehiro KITAGAWA on February 23rd, 1945.

15618 & 5439

Messrs. Cassidy and Lewis:

May 15th, 1945.

After payment of the balance owing to Mrs. McKee, approximately \$1200.00 from the sale price of this portion of the farm will be available to the Administrator. Our information indicates that Yosokichi KITAGAWA, against whom your client has Judgment, has a one-half interest in the estate of Takesiro KITAGAWA, and this interest after payment of administration costs will, we believe, amount to approximately \$500.00.

In view of the possibility of your client making some recovery from Yosokichi KITAGAWA's share of his father's estate, is your client prepared to remove the registration of his Judgment from the title to Lot 13.

We will be pleased to discuss this matter further with you, if you so desire, and give you any information you require in connection with the proposed sale.

Yours truly,

K. V. BRIGHT
COUNSEL TO THE CUSTODIAN

GP/0'S

A. L. LEWIS
BARRISTER & SOLICITOR

ENEMY SECTION
Rec'd MAY 21 1945
File No. 15618
Ans'd
Referred to Mr. Piers
523 WESTMINSTER TRADING BUILDING
713 COLUMBIA STREET
NEW WESTMINSTER, B.C.
May 19th, 1945

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

Dear Sirs: re Your file Nos. 15618- and 5439 (Evacuee Section)
re Judgment-Johnson vs. Yosokichi Kitagawa, and
Lots 12 & 13 of North $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 29,
Twp. 17, Map 2849, Mission.

I acknowledge receipt of your letter of the
15th instant and I beg to advise that the Judgment creditor,
A.S. Johnson will be prepared to remove registration of his
judgment from the Title to Lot 13 in order that the proposed
sale of Lots 12 and 13 may be proceeded with and completed
by you.

Yours very truly,

A. L. Lewis

ALL:F

May 31st, 1945

MEMORANDUM

TO: MR. W. J. JOHNSTON

FROM: MR. G. H. PEERS

RE: Sale of Lots 12 and 13 of the North Half of the South
East Quarter of Section 29, Twp. 17, Map 2849,
Mun. of Mission, known as 3978 Cherry Street to
Mr. Frank Horvath.

When the executed documents are returned from Ottawa and the Judgment filed against Lot 13 is withdrawn at the Land Registry Office, the documents of conveyance, discharges of the mortgages and the Deed from Mrs. McRae to Takeziro KITAGAWA, should be handed to Mr. Cramer for filing.

When notified that filing has been made, Mrs. McRae should be paid the balance owing to her and the statement of adjustments prepared for submission to the purchaser. The date of adjustment should be the date on which full payment was received.

When title has been issued in the purchasers name the funds in the joint account should be divided between the estate of Takeziro KITAGAWA and Yosokichi KITAGAWA, using the valuation as a basis for the division.

The funds in the estate account should then be remitted to the Administrator with a statement attached. The proceeds of the sale of Lot 13 should be used as far as possible for the payment of the mortgages held by Yaichi KITAGAWA.

Care should be taken when making a division of the funds to see that expenses of the sale including taxes, legal fees, registration costs and other expenses are charged against the correct parcel.

GHP/O'B

Noted 2/6/45
[Signature]

G. H. PEERS

June 16th, 1945

MEMORANDUM

TO: FILE NO. 15618

MINUTES OF ADVISORY COMMITTEE MEETING
HELD AT NEW WESTMINSTER, FRIDAY,
JUNE 15, 1945

RE: Estate of Takesiro KITAGAWA

Mr. Wright reported that the property described as Lots 12 and 13 of the North Half of the South East Quarter of Section 29, Township 17, Map 2849, NWD, Municipality of Mission, was advertised for sale by tender on April 14th last, and two identical tenders of \$2,500.00 were received from Mr. Dave Hoffner and Mr. Frank Horvath. Mr. Hoffner later withdrew his offer in favour of Mr. Horvath, and the documents of transfer in favour of Mr. Frank Horvath have been signed by the Minister and the sale will be closed in the course of the next week.

The sum of \$2,500.00 has been received from the purchaser.

Mr. Hal Mensies, in his report of January 16, 1945, valued this property at \$2,400.00.

K. W. WRIGHT

KWW/JF

October 12th, 1945.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cramer

Yasokichi KITAGAWA
Takesiro KITAGAWA
Municipality of Mission
Lots 12 and 13 of N. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of Sec. 29,
Twp. 17. N. 2849. D. N. E.

With reference to the above property which was recorded in the
New Westminster Land Registry Office, August 3rd, 1945, we attach herewith
the following documents in connection therewith.

1. Copy of application for Registration of Charge, No. 96900 -
Transmission of Mortgage No. 828360.
2. Copy of application for Cancellation of Charge, No. 38526 -
Discharge of Mortgage.
3. Copy of application for Registration of Charge, No. 96901 -
Transmission of Mortgage Nos. 715650 and 839750.
4. Copy of application for Cancellation of Charge, No. 38527 -
Discharge of Mortgage.
5. Post card acknowledgment from Registry Office, Nos. 969000 and
969010, dated August 7th, 1945.
6. Statutory Declaration dated May 26th, 1945 - Etta May Nelson.
7. Copy of application number 190259-E, dated August 3rd, 1945,
registering Deed from Etta May Nelson to Takesiro KITAGAWA.
8. Copy of application number 190260-E, dated August 3rd, 1945,
registering Lot 12 in the name of the Custodian (Transmission).
9. Copy of application number 190261-E, dated August 3rd, 1945,
registering Lot 13 in the name of the Custodian (Transmission).
10. Copy of application number 190262-E, dated August 3rd, 1945,
registering the property in the name of Frank Horvath (Deed).
11. Release of Registration of Judgment, dated 26th July, 1945.
12. Duplicate of Transmission dated May 29th, 1945, covering Lot 12.
13. Duplicate of Transmission dated May 29th, 1945, covering Lot 13.

SEE OVER

Baswell
File Nos. 5439 & 15618

July 9th, 1945

MEMORANDUM

TO: MR. W. A. ANDERSON

FROM: MR. K. W. WRIGHT

RE: Yosokichi KITAGAWA

We have already spoken to you regarding release of Judgment 'Johnson vs. Yosokichi KITAGAWA'. Please refer to letter of June 19th, 1945 received from A. L. Lewis.

As the release has not been received, I telephoned Mr. Lewis' office this morning to find that he is out of town, so telephoned Mr. Cassady. He tells me there is a letter in this morning from F. S. Taylor, Real Estate Agent, Haney, indicating that Johnson is willing to sign a release of the Judgment, provided he is assured by letter of receiving the full amount of the Judgment. //

Please note our letter of May 15th, 1945 and Mr. Lewis' reply of May 19th, 1945, wherein Mr. Lewis said that Johnson was prepared to remove the Judgment in order that the sale may be proceeded with. Mr. Cassady intimated that he was quite willing to have you see Mr. Taylor and Mr. Johnson and explain the entire situation. There is no possibility of receiving the full amount. In view of Mr. Lewis' letter we have proceeded with a sale to Horvath and he wants his title. //

Will you be kind enough to review correspondence and take the matter up at the earliest possible date.

I think it would be advisable for you to see Horvath and explain the situation, but I suggest that you see Mr. Taylor first.

K. W. WRIGHT

KWW/O'B

5439 & 15618
Evacuee Section

509 Royal Bank Bldg.,
Vancouver, B. C.
May 22nd, 1945

J. M. Streight, Esq.,
Official Administrator,
New Westminster, B. C.

Re: Estate of Takesiro KITAGAWA and
Lots 12 and 13 of the North Half of the South East
Quarter of Section 29, Twp. 17, Map 2849, Municipi-
ality of Mission, known as 3978 Cherry Street

Dear Sir:

Further to our letter of the 15th instant, we beg to advise you that a sale of the above noted property to Frank Horvath has been arranged at a price of \$2,500.00, and the full amount of the purchase price is in our hands.

We propose to make a division of the sale price on the basis of Mr. Hal Menzies' valuations of \$1,600.00 for Lot 12, and \$800.00 for Lot 13. We forwarded a copy of the valuation to you in our letter of January 24, 1945.

We are writing to Mrs. Etta May McRae requesting a Deed to Lot 12, in favour of the deceased and also have asked her to supply us with proof of her claim covered by a Statutory Declaration, which will be forwarded to you when received.

Mr. A. L. Lewis has advised us that his client, Mr. Johnson, is prepared to remove the registration of his Judgment from the title to Lot 13, so as to facilitate this sale.

Will you kindly write us, signifying your approval, or otherwise, of the proposed sale and payment to Mrs. McRae of the balance owing under the Agreement for Sale, covering Lot 12, so that we may prepare the necessary documents of conveyance for execution by the Custodian in Ottawa, after approval by the Rural Advisory Board.

Yours truly,

K. F. WRIGHT
COUNSEL TO THE CUSTODIAN

GHP/JF

5439 & 15618
Evacuee Section

509 Royal Bank Bldg.,
Vancouver, B. C.
May 22nd, 1945

Mrs. Etta May McKee,
Mission City, B. C.

Re: Takeziro KITAGAWA, Deceased, and
Lot 12 of the North Half of the South East
Quarter of Section 29, Township 17, Map 2849,
Municipality of Mission, known as 3978 Cherry St.

Dear Madam:

A sale of the above noted property has been arranged and we are now in a position to make payment to you of the balance owing under the Agreement for Sale, dated December 5, 1919, in favor of Takeziro KITAGAWA, upon receipt of a Deed from you, in his favor.

Proof of your claim should be supported by a Statutory Declaration as to the amount owing, which we understand to be \$353.35, plus interest from November 30, 1943. You may also include in this amount the usual fee for drawing the Deed.

We will be pleased to have you give this matter your attention as soon as possible so that the sale of the property may be completed without undue delay.

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

CHP/JT

5439 & 15618
Evacuee Section

509 Royal Bank Bldg.,
Vancouver, B. C.
May 22nd, 1945

A. L. Lewis, Esq.,
Barrister and Solicitor,
713 Columbia Street,
New Westminster, B. C.

Re: Judgment - Johnson vs. Yosokichi KITAGAWA
and Lot 13 of the North Half of the South East
Quarter of Section 29, Twp. 17, Map 2849, Muni-
cipality of Mission, known as 3976 Cherry Street

Dear Sir:

Further to our letter of the 15th instant, and your reply of the 19th, we beg to advise you that a sale of the above noted property, along with the adjoining Lot 12, has been arranged at a total price of \$2,500.00, and we will be pleased to have your client remove the registration of his Judgment from the title to Lot 13.

When advising us that the Judgment has been removed, you may submit your bill covering fees and disbursements in connection with the removal of registration, so that you may be re-inbursed in this connection.

Yours truly,

K. F. WRIGHT
COUNSEL TO THE CUSTODIAN

GHP/JF

15618 & 5439
Evacuee Section

509 Royal Bank Bldg.,
Vancouver, B. C.
May 25th, 1945

G. W. McPherson, Esq.,
Executive Assistant to the
Secretary of State of Canada,
Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario

Re: Takejiro KITAGAWA, Deceased, and
Yosokichi KITAGAWA and Lots 12 and 13,
of the North half of the South East quarter
of Section 29, Township 17, Map 2849, N.W.D.,
Municipality of Mission

Dear Mr. McPherson:

We attach hereto two (2) Transmissions and Discharges of Mortgages together with Transmission and Deed of Land for signature of the Assistant Deputy Custodian.

This property was advertised for sale by tender on April 14th, 1945, in response to which we received an offer from Mr. Frank Horvath, the Grantee named in the attached Deed, to purchase this parcel at a price of \$2,500.00.

Title to Lot 13 is encumbered by two Mortgages held by Yaichi KITAGAWA, totalling \$800.00, which will be discharged from proceeds of sale.

Mr. Hal Menzies, in his report of January 16, 1945, valued this property at \$2,400.00.

We have received the full amount of the offered price and recommend acceptance of Mr. Horvath's offer.

Your kind attention to this matter would be appreciated.

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

5439 & 15618.

July 26th, 1945.

REGISTERED MAIL

Mr. Alexander S. Duncan,
Barrister and Solicitor,
500 Westminster Trust Bldg.,
New Westminster, B. C.

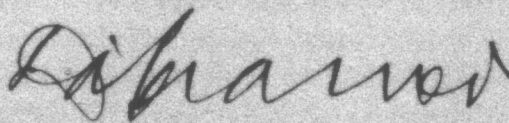
Dear Sir:

Re: Takesiro KITAGAWA, deceased, and
Lot 12 of N. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of Sec. 29,
Twp. 17, Map 2849, Municipality of
Mission, known as 3978 Cherry Street.

With reference to your letter of May 29th, enclosing
a Deed from Mrs. Etta May McRae covering the above described
property, we beg to enclose herewith our cheque No. 7180, in
the sum of \$390.71, being, Principal \$353.35 and Interest
\$37.36. We also enclose our cheque No. 7181, in the sum of
\$5.00, covering your fee for the preparation of the Deed.
We are sorry for the delay in connection with this matter.

If you will be good enough to please let us have
receipts covering the above cheques, we will be greatly obliged.

Yours truly,



D.A. Cramer
(Conveyancer)

DAC:JS
Encl. (2 cheques)

File Nos. 5439 & 15618
378 Cherry Street
Mission, D. C.
12 & 13/15/52 29/17/2849

August 27, 1945.

FRANK BOWEN

(Purchaser)

In account with: The Custodian of Enemy Property

STATEMENT OF ADJUSTMENTS

(As of May 22, 1945)

	DEBIT	CREDIT
Purchase price	\$2,500.00	
Cheques received		\$2,500.00
Registration fees on deed	9.25	
Insurance premium	8.50	
Purchaser's proportion of 1945 taxes paid 221/365 x \$20.00	17.80	
Amount charged to purchaser		<u>35.55</u>
	<u>\$2,535.55</u>	<u>\$2,535.55</u>

AMOUNT CHARGED TO PURCHASER - \$35.55

MEMORANDUM

Files 5439, 14300 & 15626.

TO: Mr. B. Ford.

FROM: Mr. W. J. Johnston,

August 6th, 1907.

**Re: Yoshichi KITAHARA - Reg. No. 13104.
(Lot 13 of 8 $\frac{1}{2}$ of 8 $\frac{1}{2}$ of Section 29,
Township 17, Map 2849, Municipality
of Winona).**

Mr. Yoshichi KITAHARA was the registered owner of the above-mentioned property, prior to it being sold by this office.

Mr. Yoshichi KITAHARA'S brother, Taichi KITAHARA, pursuant to an Assignment of Agreement registered under No. 83775-C, was the registered owner of a Mortgage for \$500.00, made between Yoshichi KITAHARA as Mortgagor to Ethel Vaughn FROCK, as Mortgagee, on said lands and premises above described.

Further, said Taichi KITAHARA was the registered owner of a Mortgage for \$500.00 made between Yoshichi KITAHARA as Mortgagor to Taichi KITAHARA as Mortgagee on the above-described land and premises.

There is some question as to whether or not the second Mortgage for \$500.00 was filed against the property in an effort to protect same from a lawsuit. Until this matter is cleared up, we would ask you to kindly freeze all funds in the account of Yoshichi KITAHARA, No. 5439. Our file also indicates that Yoshichi KITAHARA will share equally with his brother, Taichi KITAHARA, in the distribution of the net proceeds of the Estate of Yumiko KITAHARA and we are especially requesting Mr. J. H. Straight, Official Administrator, to have funds in this connection forwarded to this office.

Will you kindly, therefore, make a notation in the Estate account, No. 15626, and the account of Yoshichi KITAHARA, No. 5439, to the effect that when funds are received from Mr. Straight for the credit of Yoshichi KITAHARA, they should be held for payment on account of the Judgment in favor of Laura Irene JOHNSON (infant) and Alice S. JOHNSON, for \$2,732.10, which resulted from the above-mentioned lawsuit. This Judgment was a registered charge against the above-mentioned property but Mr. A. L. Lewis, Solicitor for the above-mentioned Judgment creditors, obtained and registered a release of

(Over)

INTERVIEW - Page 2.

Files 5430, 14500 & 14502.

of said Judgment in the Supreme Court of British Columbia in order that we could complete the sale of the above-mentioned property. Mr. Lewis has reminded us in a letter, dated July 15th, 1947, that said Judgment Creditors would rank first against the half interest of the said Yasukichi KITAHARA in the Estate of Takemaro KITAHARA, Deceased. We gave our undertaking regarding this matter and therefore wish to make certain that these funds are held.

W. B. Johnston.

WBJ/T.

MEMORANDUM

Files 5479 - Estate of Takesiro Kitagawa, deceased.
15618 - Yosokichi Kitagawa
14300 - Taichi Kitagawa

May 14, 1949.

Re: Lot 12 of the North half of the South East quarter of Sec. 29,
Township 17, Map 2849, Municipality of Mission, B.C.W.

Lot 12 with improvements, registered in the name of Takesiro Kitagawa, deceased, was valued by Mr. Hal Mensies on January 16, 1945, at \$1600.00, being \$750.00 for the land and \$850.00 for the buildings. Lot 13, registered in the name of Yosokichi Kitagawa, was appraised at \$800.00, (land \$700. building \$100) making a total of \$2400.00 for the two lots.

Mr. Streight was requested by the Custodian on January 25, 1945, to administer the Estate of Takesiro Kitagawa and a copy of Mr. Mensies valuation was sent to him at that time. Letters of Administration were issued to Mr. Streight on February 23, 1945.

On March 28, 1945, the Custodian advised Mr. Streight that Lots 12 and 13 had been operated as one farm and that, with his approval, these two lots would be advertised together for sale by public tender.

On April 4, 1945, Mr. Wright interviewed Mr. Streight in New Westminster. Mr. Streight approved this procedure on April 10 and it was arranged that the offers would be submitted to him.

Lots 12 and 13 were advertised in the News Herald, the Vancouver Sun and the Vancouver Daily Province on April 14, 16 and 17 and a copy of the advertisement was sent to Mr. Streight on April 14, 1945.

Two bids were received from F. Horvath and D. Hoffner respectively, in the sum of \$2500.00 each. These were reported to Mr. Streight on May 15, 1945. On May 21 D. Hoffner withdrew his offer. Mr. Streight was advised on May 22, 1945, of the proposed sale to Mr. Horvath and was asked if he would approve of the sale of Lot 12 for the proportion of \$2500.00 on the basis of \$1600. to \$800. valuation of Mr. Mensies. No written approval of the sale at this figure is on file but the Custodian remitted the amount, less adjustments, namely \$1160.65, to Mr. Streight on June 11, 1948, which was accepted by him.

The time lag was due to the necessity of clearing the registered encumbrances from both titles. These were cleared by the Custodian and the conveyance was prepared and title delivered to the purchaser by the Custodian acting in his own right with reference to Lot 13 but as agent for the Administrator as to lot 12.

Mr. Streight has reported to the Custodian that he has completed administration of Takesiro Kitagawa's estate and remitted the shares payable to each of the heirs, Yaichi and Yosokichi Kitagawa, in the sum of \$516.96 and 516.97 respectively, to be credited to their respective accounts in this office. These funds were received by the Custodian on May 3, 1949. These funds, together with other funds which may accrue to these evacuees are being held in their respective accounts until the debts owing by them have been clarified.

NOTE: The debts refer to mortgages and a registered judgment which were discharged (from Lot 13 only) in order to deliver clear title on the definite understanding that they would be settled before the proceeds from sale are disbursed.

AGM/AC



15618, 5439

December 24, 1947.

Mr. Yosokichi Kitagawa,
Registration No. 13104,
Diamond City, Alberta.

Dear Sir:

Re: Lots 12 & 13, of the S.E. $\frac{1}{4}$ of Sec. 29,
Twp. 17. Map 2849. Mun. of Maple Ridge.

Replying to your enquiry concerning disposition of the above described properties, these were advertised for sale and sold jointly for the sum of \$2,500.00. From this sum the unpaid balance on Lot 12 was paid up and the net proceeds have been divided between the Estate of your father, Takeziro Kitagawa, who owned lot 12, and yourself as registered owner of lot 13. The sums so divided amounted to \$1,160.15 credited to the Estate of Takeziro Kitagawa, deceased and \$709.60 to your account.

The Estate account will require to be disbursed through Mr. J. M. Streight, Official Administrator, New Westminster, who has been appointed administrator by the Supreme Court of British Columbia. The funds in your account will be subject to a Judgment registered against Lot 13 and this matter will have to be cleared up before disbursement of any money. We will get in touch with Mr. Streight regarding distribution of the Estate funds and communicate with you at a later date concerning your own account.

Yours very truly,

A. G. McArthur,
Office of the Custodian.

AGM/AC

9439 & 19618

REGISTERED A/R

November 5, 1945.

Mr. Frank Horvath,
P. O. Box 39,
Mission, E. C.

Dear Sir:

Re: Ad. April 14/45, Parcel "Q"
3778 Cherry Street, Mission
12 & 13/45 S&A 29/27/2849

Enclosed herewith please find Certificate of Title
No. 190262-E, covering the above property in your name, together with
relevant insurance policy which has been assigned to you.

Yours truly,

George Peters,
Administration Department.

GP:ED
Enc. 2

15618, 5439 and 14300.

June 11, 1948.

J. M. Streight, Esq.,
Official Administrator,
607 Columbia Street,
New Westminster, B. C.

Dear Sir:

Re: Estate of Takesiro KITAGAWA, Deceased.

Enclosed is Custodian cheque in the sum of \$1160.65, being total funds to the credit of the above estate in this office. This credit represents the share of the Estate in the proceeds from sale of Lots 12 and 13 of the North half of the South East Quarter of Section 29, Township 17, Map 2849, Municipality of Mission, B. N. W. As you will recall, Lot 12 was registered in the name of Etta May McRae, subject to an unregistered Right to Purchase in favour of T. Kitagawa. Letters of Administration in the Estate of Takesiro Kitagawa were granted to you on February 23, 1945, and with your consent Lot 12 was sold with Lot 13 and the balance owing under the Agreement for Sale paid. Proceeds from the sale of Lots 12 and 13 have been divided between the Estate and the owner of Lot 13, Yosokichi Kitagawa, son of the deceased, as set out in our letter to you dated May 22, 1945, this division having been agreed to by you in a telephone conversation with Mr. Wright of this office.

As far as we are aware, these funds represent the only asset of the Estate. No claims have been filed against the deceased in this office. According to information available from the R. C. M. P. records, the deceased is survived by two sons, Yosokichi and Yaichi whose present addresses are as follows:

Yosokichi Kitagawa,
Registration No. 13104,
Diamond City, Alberta.

Yaichi Kitagawa,
Registration No. 08873,
Macleod, Alberta.

As claims have been filed against both of the sons of the deceased, we would appreciate receiving any monies which may become payable to them from the Estate of Takesiro Kitagawa, for the credit of their individual accounts in this office.

Yours very truly,

for
A. G. McArthur,
Office of the Custodian.

/AC
Enc. cheque \$1160.65

Yosokichi & Takehiro KITAGAWA

File No. 5439 & 15618
Reg. No. 13104 & Dec'd

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1943 January 22	Land Registry Office - Certificate of Encumbrance	\$ 3.00	\$	
July 5	Fire Insurance premium	8.00		
1944 June 8	Fire Insurance premium	8.00		
1945 May 8	Fire Insurance premium Taxes	8.00 157.36		
May 29	Credit re Sale of Property		2,054.11	
		\$ 184.36	\$2,054.11	

GR \$ 1,869.75

15618, 5439 and 14300

September 16, 1948.

J. M. Streight, Esq.,
Official Administrator,
607 Columbia Street,
New Westminster, B. C.

Dear Sir:

Re: Estate of Takesiro KITAGAWA. Deceased.

On June 11, 1948, we forwarded you Custodian cheque in the sum of \$1160.65, being the balance of funds to the credit of the account of the above Estate in this office.

We would appreciate being advised what progress is being made in the administration of this estate and, as requested in our letter of June 11, we would be pleased to receive any funds which may accrue to the sons of the deceased from this Estate.

Yours very truly,

A. G. McArthur,
Office of the Custodian.

/AG



J. M. STREIGHT
OFFICIAL ADMINISTRATOR

TELEPHONE:
703

607 COLUMBIA STREET
NEW WESTMINSTER, B. C.
February 17th, 1949.

STATEMENT RE:
ESTATE OF TAKEZIRO KITAWA
Your File 15618

		Dr.	Cr.
From June 1948			
to			
Feb. 1, 1949	By Cash Custodian		1160.65
	To Voucher Legal	91.90	
	" " Expenses this office	34.82	
	To Balance in Treasury	1033.93	
		<u>\$1160.65</u>	<u>\$1160.65</u>
1949			
Feb. 17	By Balance in Treasury		\$1033.93

E. & O. E.
This is my Statement
J. M. Streight
Official Administrator

5439

Copy for 15618

May 14, 1949

Mr. Yosokichi Kitagawa,
Diamond City, Alberta.

Dear Sir:

Re: Estate of Takeziro Kitagawa, Deceased.

We wish to inform you that Mr. J. M. Streight, the administrator of your father's estate, has sent us a cheque for your account in the sum of \$516.96, being your distributive share from the Estate of Takeziro Kitagawa, deceased. These funds have been placed in your account in this office.

Mr. Streight has asked that we send you a copy of his statement and the usual release form which should be signed and properly completed and returned direct to him.

Mr. Streight's address is:

J. M. Streight, Esq.,
Official Administrator,
607 Columbia Street,
New Westminster, B. C.

Yours very truly,

A. G. McArthur,
Office of the Custodian.

AGM/AC
Enc. statement
release

March 2nd, 1945

J. H. Straight, Esq.,
Official Administrator,
New Westminster, B. C.

Dear Sir: re Yoshiko Kitagawa Estate.

Pursuant to your request this morning I now enclose certified copy of letters of administration which you require for the Custodian. I shall obtain another copy for the Land Registry Office.

According to my information the beneficiaries of the deceased are his two sons, one of whom is Yosokichi Kitagawa, who owns lot 15, the adjoining property to that of the deceased. Cassady & Lewis acted for one Johnson, who obtained a judgment against Yosokichi Kitagawa a few years ago and was unable to obtain any payment on account of the judgment as Yosokichi Kitagawa mortgaged his property, I think, while the Supreme Court action was pending. I shall be glad if you could find out from the Custodian whether or not Yosokichi Kitagawa is entitled to payment from you of his share in the above estate or whether you are obliged to deliver his share first to the Custodian for subsequent distribution. An extra copy of this letter is enclosed which you might be good enough to ask the Custodian to hold in his file pending any proceedings, if necessary, to realize on account of the judgment debt due on any property to which Yosokichi Kitagawa is entitled.

Yours very truly,

A. L. Lewis

523 Westminster Street W. N.Y.

New Westminster

B.C.

ALL
Encls.

In the SUPREME Court of BRITISH COLUMBIA

In the matter of TAKEJIRO KITAGAWA, deceased,
and

In the matter of the "Administration Act."



DATED THE 23rd. DAY OF February, A.D. 19 45

petition and
UPON reading the affidavits of Jack Milton Streight

, it is ordered,

that Jack Milton Streight

, Official Administrator for the

County of Westminster

, shall be Administrator of all and singular

the estate of Takejiro Kitagawa, deceased,* intestate who
died at New Westminster, B. C., on the 14th day of February, 1921.

and that notice of this Order be published in one
issue of a newspaper circulating in the district in which deceased
resided.

F. O. Wilson, J.



Value of estate \$1600.00
Extracted by A. L. Lewis,
Solicitor.

CERTIFIED A TRUE COPY

[Signature]
District Registrar

★ Insert

This Grant is made upon the condition that no portion of the assets shall be distributed or paid during the War to any beneficiary or creditor who is a National of the German Reich or Italy wherever resident, or to any one on his behalf, or to or on behalf of any person resident in the German Reich or Italy of whatever nationality, or to or on behalf of any subject or citizen of any country at war with His Majesty, without the express sanction of the Crown acting through the Minister of Finance; and if any distribution or payment is made contrary to this condition the grant of probate or letters of administration will be forthwith revoked.