No. 11201/VI NAME Japanese Matters. [redacted]

Formerly Mr. McPherson's file 1-9.

11201 VI

[redacted]

[redacted]

Individual

(formerly Mc

Ref. Aug 12/23 Atten - Mr. Mc Phee Dept

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
July 29th, 1949

J-9

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Kiyojiro Maigawa - #13020

Dear Mr. Shears:

We enclose herewith, for your attention, copy of letter received from the Registrar of Titles, Nelson, in regard to property formerly owned by the above-named.

Yours very truly,

K. W. WRIGHT
CHIEF COUNSEL

KWW/JF
Encl.

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
July 29th, 1949

R. G. Simms, Esq.,
Registrar,
Land Registry Office,
Nelson, B. C.

Re: Kiyojiro Maigawa

Dear Sir:

We have for acknowledgment your communication of the 26th instant and wish to advise that copy of your letter has been forwarded for the attention of Mr. F. G. Shears, Director, Office of the Custodian, 506 Royal Bank Building, Vancouver, B. C.

Yours very truly,

K. W. WRIGHT
CHIEF COUNSEL

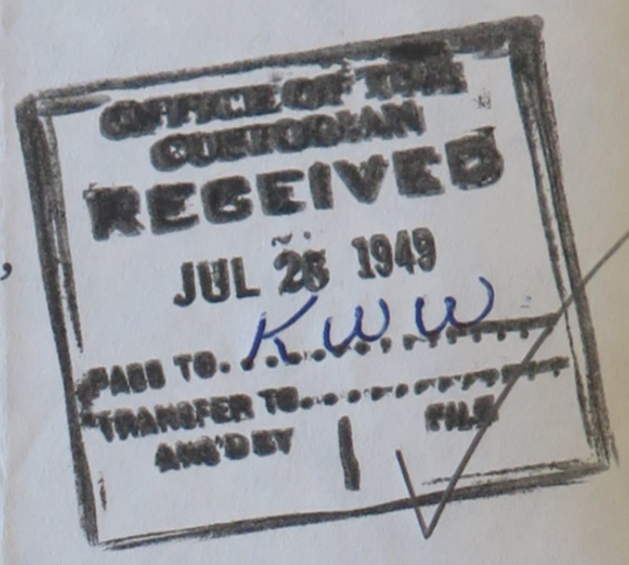
KWW/JF

REPLY

Registrar of Titles.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

Land Registry Office,
Nelson, B.C.
July 26th, 1949.



Department of the Secretary of State,
Office of The Custodian,
Japanese Evacuation Section,
OTTAWA, Ontario.

Sirs:

I have received an application to transfer property formerly owned by Kiyojiro Maigawa, Police Registration No. 13020 and vested in the Custodian by your order of December 10th, 1943. I understand that all such property was released by you under a blanket order. If this is so, can you furnish me with a copy of same.

Yours truly,

REGISTRAR

RGS/IJ

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
May 31st, 1949

J-9
Your Files 7005/7

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Yoichi, Hidesaburo and Manjiro NAGAI

Dear Mr. Shears:

We have for acknowledgment your communication of the 27th instant and enclose herewith, for your information, copy of our letter of the 30th instant addressed to Messrs. M. AND H. Nagai.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
May 30th, 1949

Messrs. M. and H. Nagai,
c/o Graham Sec.,
70 Mile House, B. C.

Re: Yoichi, Hidesaburo and Manjiro NAGAI

Dear Sirs:

Your letter of the 4th instant, addressed to Mr. Keenleyside, has been referred to us for attention.

A report received from our Vancouver Office indicates that the property to which you refer was sold and title has been given by the Secretary of State acting in his capacity as Custodian, to the purchaser. It would therefore not be possible for this property to be returned.

We have also been informed that a cheque for $19,672.21 was issued in the joint names of Yoichi, Hidesaburo and Manjiro Nagai and mailed to you on January 6th, 1949, with the assurance that the acceptance of this cheque would not prejudice the position of the claim before the Commission. This cheque was evidently returned in a letter dated January 18th, 1949.

Your claim for additional compensation will be considered by Mr. Justice Bird in due course.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 7005, 7006, 7007

506 Royal Bank Bldg.,
Vancouver, B.C.,
May 27, 1949.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Bldg.,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright: Re: Yoichi, Hidesaburo and Manjiro NAGAI

I have your letter of the 25th in which you ask whether the funds have been paid out to the parties entitled to receive same.

In addition to the sale of this property for the sum of $16,400.00 referred to in my previous letter, there are other credits in this account, and a cheque for $19,672.21 was issued in the joint names mentioned above, and mailed on January 6th, 1949, with the assurance that the acceptance of this cheque would not prejudice the position of claim before the Commission. This cheque was returned to us by Manjiro NAGAI in a letter dated Jan. 18, 1949, in which he states:

> "I am in receipt of your letter & cheque of Jan. 6th/49 for which I thank you.
> As I am only interested in the return of my property & am not satisfied with this amount I am returning this cheque.
> I trust that a day will come when we will be treated fairly. I shall be looking forward to that day."

I trust this information will be of service to you.

Yours very truly,

F.G. Shears

F.G. Shears,
Director.

FGS/GN

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 7005, 7006, 7007

506 Royal Bank Bldg.,
Vancouver, B.C.,
May 27, 1949.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Bldg.,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright: Re: Yoichi, Hidesaburo and Manjiro NAGAI

I have your letter of the 25th in which you ask whether the funds have been paid out to the parties entitled to receive same.

In addition to the sale of this property for the sum of $16,400.00 referred to in my previous letter, there are other credits in this account, and a cheque for $19,672.21 was issued in the joint names mentioned above, and mailed on January 6th, 1949, with the assurance that the acceptance of this cheque would not prejudice the position of claim before the Commission. This cheque was returned to us by Manjiro NAGAI in a letter dated Jan. 18, 1949, in which he states:

"I am in receipt of your letter & cheque of Jan. 6th/49 for which I thank you.

As I am only interested in the return of my property & am not satisfied with this amount I am returning this cheque.

I trust that a day will come when we will be treated fairly. I shall be looking forward to that day."

I trust this information will be of service to you.

Yours very truly,

F.G. Shears

F.G. Shears,
Director.

FGS/GN

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
May 25th, 1949

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Yoichi, Hidesaburo and Manjiro NAGAI
Your Files 7005, 7006 and 7007

Dear Mr. Shears:

We have for acknowledgment your communication of the 21st instant and note that property owned by the above named was sold for $16,400.00.

You do not mention whether or not these funds have been paid out to the parties entitled and before writing Mr. Nagai, we would be pleased to learn if the funds have been paid to them or if cheques have been refused.

Kindly let us hear from you.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 7005, 7006, 7007

506 Royal Bank Bldg.,
Vancouver, B.C.,
May 21, 1949.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
7 O'Connor St.,
Ottawa, Ont.

Dear Mr. Wright: Re: Yoichi NAGAI
Hidesaburo NAGAI
Manjiro NAGAI

I am in receipt of yours of the 16th instant enclosing copy of a letter written by Mr. Nagai to Mr. H.L. Keenleyside, Deputy Minister of Mines and Resources. I rather fancy that this is a Japanese property you may have inspected. In any case, it was a greenhouse property in the district of Haney.

The Municipal Assessment was	$17,800.00
Appraisal by Brown Bros. & Co.	15,000.00
Appraisal by Ansell	15,500.00
Appraisal by Eddie	16,000.00

The property was included in our catalogue and sold for $16,400.00. A claim made by Mr. Nagai was for $55,849.00 and his evidence was given before Mr. Justice Bird at Kamloops.

Under the formula of settlement now being worked out, there would be an award of $2,472.00. However, this is one of the cases which McMaster considers a special case, and it will be further considered by Mr. Justice Bird presumably in the fall. There is therefore a possibility that the award may be changed from the amount mentioned above.

This property was not sold to the Veterans' Land Act, but sold to a private individual, and title has been given by the Secretary of State to Thomas Wong, Henry Wong and Lee Bing Lim, so that it would not appear possible for this property to be returned as requested.

Yours very truly,

F.G. Shears

F.G. Shears, per G.N.
Director.

FGS/GN

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
May 16th, 1949

H. L. Keenleyside, Esq.,
Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario

Re: M. and H. Nagai

Dear Mr. Keenleyside:

I have for acknowledgment your communication of the 10th instant and wish to advise that I am today requesting Mr. F. G. Shears, Director of the Custodian's Office in Vancouver, to let me have a report concerning the affairs of the above named.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
May 16th, 1949

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

RE: M. and H. Nagai

Dear Mr. Shears:

I enclose herewith copy of communication received from H. L. Keenleyside, Esq., Deputy Minister, Department of Mines and Resources, under date of 10th instant, together with enclosures.

It would be appreciated if you would kindly let us have a report covering this matter.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

CANADA

DEPUTY MINISTER
OF
MINES AND RESOURCES

Ottawa, May 10, 1949.

OFFICE OF THE CUSTODIAN
RECEIVED
MAY 12 1949
PASS TO.....
TRANSFER TO.....
ANSWER BY | FILE

Dear Mr. Mathieu:

I refer to the telephone conversation between yourself and Mr. Wylie of this Department, and attach a letter dated the 4th of May, 1949 from M. and H. Nagai, and a copy of my reply to them.

Yours very truly,

H. L. Keenleyside

H. L. Keenleyside,
Deputy Minister.

Mr. A.H. Mathieu,
Assistant Deputy Custodian
of Enemy Property,
Secretary of State Department,
Victoria Building, 7 O'Connor St.,
Ottawa.

Thank you.

Yours very truly,

M. Nagai + H. Nagai

M. Nagai.
H. Nagai

NVKW/SR

Ottawa, May 10, 1949.

Dear Mr. Nagai:

I refer to your letter of the 4th of May, 1949 concerning the seizure of your property during the war.

As this matter does not come within the scope of this Department I am forwarding your letter to the Custodian of Enemy Property and no doubt you will hear from him within a few days.

Yours very truly,

H. L. KEENLEYSIDE,
Deputy Minister.

Mr. M. Nagai,
c/o Graham sec.,
70 Mile House,
British Columbia.

Thank you.

Yours very truly,

M. Nagai + H. Nagai

M. Nagai.
H. Nagai

Dept. of Mines & Resources
OTTAWA
MAY 9 A.M.
DEPUTY MINISTER

c/o Graham sec.,
70 Mile House, B.C.
May 4, 1949

Mr. H.L. Keeneleyside,
Deputy Minister of Mines & Resources,
Ottowa Ontario.

Dear Sir:

Regarding my property I will appreciate very much if you will kndly help me in anyway to get my property back so that I may go back to my beloved home and spend the rest of my life there. That is also the wishes of many othere, I am sure, who had their properties seized by the Custodian.

At the time of evacuation I, like all other Japanese people had been promised by the Custodian that they would look after our properties for the duration of the war and return them to us at the end of war. Thus we were forced to evacuate from our home to unknown lands.

I had first evacuated to Lillooet, a self supporting project and have stayed self supporting ever since. In the meantime the Custodians had seized our properties and sold them very cheap, without the knowledge or permission of its owners, to the other white citizens. I believe that is an unlawful thing to do. However that was during war.

It is now 4 years since the end of war but our properties have remained as in the duration of war. I am still patiently waiting to return to my home and land where I spent the prime of my life building it up. Especially now that I am too old to start anything anew but to go back and continue where I have left off. Although I understand everything will not be exactly as I left it, I will be happy to return and continue my work on my farm rather than be out of work and depend upon relief from the Canadian Gov't.

I trust you will understand my situation and will greatly appreciate your kindness and your help regarding return of my property of Haney, B.C. I would like my <u>property</u> returned rather than the amount of money for what the property is worth.

Will also appreciate a reply at your earliest convenience.
Thank you.

Yours very truly,

M. Nagai + H. Nagai

M. Nagai.
H. Nagai

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
October 22, 1948

J-9

Alexander Pearlstone, Esq.,
Barrister and Solicitor,
394 Bay Street,
Toronto, 1, Ontario

Re: Minoru Nishimura

Dear Sirs:

We have for acknowledgment your communication of the 21st instant and wish to advise that the provisions of Order in Council 946, dated February 5, 1943, which prohibited persons of the Japanese race from acquiring land or growing crops in Canada, have been revoked.

There is, therefore, no objection to the sale of property in Canada to a person of the Japanese race who now resides in Canada.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

ALEXANDER PEARLSTONE
Barrister, Solicitor and Notary Public
394 BAY STREET

PHONE ADELAIDE 3804

TORONTO 1,
ONTARIO

October 21st, 1948.

Custodian of Alien Property,
Ottawa, Ontario.

Dear Sir:

I act for a party by the name of Minoru Nishimura, a Japanese who has made an offer to purchase property in the City of Toronto in the sum of $6,850.00 as a residence for himself and his family. The amount of cash being paid is $2200.00, and the balance is covered by mortgages.

My client is a natural born Canadian having been born in the City of Vancouver on the 22nd day of July 1927 and during the war, with other Japanese under government supervision, he was stationed at Lemon Creek in British Columbia.

Can you please advise me by return mail if it is in proper order the title be taken in the name of my client without any vesting of his interest in the Crown.

Yours very truly,

A Pearlstone

A. Pearlstone

ap/i

OFFICE OF THE CUSTODIAN
RECEIVED
OCT 22 1948
PASS TO.....
TRANSFER TO.....
ANS'D BY | FILE

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
December 1st, 1947

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: W. T. Scott - Agreement for Sale -
T. Tsuyuki - Your File No. 7003

Dear Mr. Shears:

We have for acknowledgment your communication of the 26th ultimo.

We note that the balance outstanding is $6,500.00 and that Mr. Perkins is willing to pay the overdue interest and tax arrears. There would appear to be no objection to your assuring Mr. Perkins that the Custodian will not take steps to repossess, provided tax and interest payments are kept up and provided the balance due under the Agreement is discharged by way of annual payments of $1,500.00, with balance in four years. Such assurances are to be without prejudice to the Custodian's rights under the original Agreement in the event that the purchaser fails to carry out the new arrangement.

I feel we have been very fortunate in collecting balances due under Agreements for Sale and in this case the purchaser, having paid one-half the purchase price, will no doubt discharge the entire obligation if the added time for payment is granted.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

VIA AIR MAIL

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 7003

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

November 26, 1947.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Bldg.,
Ottawa, Canada.

Dear Mr. Wright: Re: W.T. Scott - Agreement for Sale
T. Tsuyuki

We sold a greenhouse property to Mr. W.T. Scott ~~in an~~ under Agreement for Sale, for $13,000.00, $3,000.00 in cash and the balance under two payments of $5,000.00 each in August, 1945 and 1946. This agreement has fallen into arrears and at the present date $6,500.00 in principal remains outstanding.

Mr. M.G. Perkins who purchased the Nagai greenhouse properties, is prepared to come to the assistance of Mr. Scott and pay the interest due under the agreement, up to date, and also take care of taxes, and will arrange to pay possibly $1500.00, but not less than $1,000.00 each year hereafter.

I do not wish to burden you with too much detail regarding the Vancouver office administration, but it would be appreciated whether in the circumstances, you consider it would be advisable for us to consent to this arrangement.

With one other exception, all sales made under an Agreement for Sale, have been kept up to date. You will understand that we are not making any specific arrangements with Mr. Perkins other than to assure him that if his proposal is lived up to, that we will give him the assurance that his expenditures will not be prejudiced by foreclosure proceedings.

Yours truly,

F.G. Shears

FGS/GN

F.G. Shears
Director.

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 1680

Your file J-9

506 Royal Bank Building,
Vancouver, B.C.

20th October, 1947.

OCT 22 REC'D

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Tokojiro Kobayashi
Lot 20, Block 44, of Lot 1, Alberni
District, Plan 197-B

I have your letter of October 17th re the above matter and enclose herein copy of letter I have today written to Mr. H.J. Crane.

Yours very truly,

F.G. Shears

F. G. Shears,
Director.

FGS/PMH

encl.

1680

20th October, 1947.

H.J. Crane, Esq.,
Registrar,
Land Registry Office,
Victoria, B.C.

Dear Sir:

Re: Lot 20, Block 44 of Lot 1,
Alberni District, Plan 197-B

Copy of your letter of October 4th addressed to the Office of the Custodian at Ottawa, has been forwarded to me together with Mr. K. W. Wright's reply to you of October 17th.

Our vesting of the interest of Tokojiro Kobayashi was made on information supplied by our Investigating Agent. We were subsequently advised that the deed from the registered owner, Theodore Lebrun, was not in favour of Tokojiro, but of his wife, Suma. Our file also shows that this Japanese, Suma Kobayashi, had resold to Nezar and Kehar Singh under a deed dated 17th March, 1942.

With this information we were prepared to withdraw our vesting of Tokojiro's interest and our letter to you of March 21st,1945, advised you that the Custodian had no objection to the registration of documents submitted for registration.

We appreciate the point you raise, namely, that notwithstanding the non-filing of a vesting of Suma's interest, any interest which she actually had vested in the Custodian.

Will you please take this letter as sufficient advice that the Custodian has no objection to the registration of the documents in favour of Suma Kobayashi nor from Suma Kobayashi to Nezar and Kehar Singh.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
October 17, 1947

J-9

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Tokujiro Kobayashi,
Your File No. 1680

Dear Mr. Shears:

Enclosed herewith you will find copy of communication received from Mr. Crane, Registrar, Victoria, under date of 4th instant, together with copy of our reply.

Will you be kind enough to communicate with Mr. Crane as soon as possible, with copy of your letter to this office in order that our records may be complete.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
October 17, 1947

H. J. Crane, Esq.,
Registrar,
Land Registry Office,
Victoria, B. C.

Re: Land Registry Office Application
45945-N and Lot 20, Block 44 of Lot 1,
Alberni District, Plan 197-B

Dear Mr. Crane:

We have for acknowledgment your communication of the 4th instant.

Persons of the Japanese Race are now permitted to hold land in Canada, but if interests in real property are acquired in the Protected Area of British Columbia, the writer is of opinion that the Regulations would apply and such interests would vest in the Custodian.

We have no information in this office in regard to the above matter and are therefore sending a copy of your communication to Mr. F. G. Shears, Director, Office of the Custodian, 506 Royal Bank Building, Vancouver, B. C., in order that he may examine Mrs. Koboyashi's file.

It appears that a Vacating Certificate was filed in respect to the interest of Tokujiro Kobayashi and no doubt Mr. Shears will write you indicating that there is no objection to the registration of the conveyance from Mrs. Koboyashi to Nazar Singh and Kehar Singh.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

ADDRESS ALL COMMUNICATIONS TO
THE REGISTRAR

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

IN YOUR REFLY
PLEASE REFER TO JVD

LAND REGISTRY OFFICE
VICTORIA

October 4th, 1947

OFFICE OF THE CUSTODIAN
RECEIVED
OCT 8 1947
PASS TO.....
TRANSFER TO.....
ANS'D BY | FILE

Office of the Custodian,
Japanese Evacuation Section,
Department of the Secretary of State,
Ottawa, Ontario.

Dear Sir: Your file No. 1680 and Land Registry Office Application 45945-N and Lot 20, Block 44 of Lot 1, Alberni District, Plan 197-B

On the 12th day of December 1942 the interest of Tokujiro Kobayashi in the above land was vested in the Custodian and on the 21st March 1945 the certificate of vesting was vacated.

The applications before me are to register a deed dated 3.10.38 from Theodore Lebrun to Suma Koboyashi, wife of T. Koboyashi, and a deed dated 17.3.42 from the said Suma Koboyashi to Nazar Singh and Kehar Singh.

It is understood that it is in order after the 23rd January 1947 to register any transfer of interest in real property to a person of Japanese origin without a licence from the Minister of Labour for such transfer.

However it is submitted that notwithstanding the non-filing of a vesting certificate in respect of Suma Koboyashi that her interest vested in the Custodian and accordingly the following questions arise:-

1. What effect, if any, did Order-in-Council P.C. 946 have on this vesting?
2. Is the formal release of the Custodian required in respect of the interest of Suma in order to give her at this date a good safe holding and marketable title?

I have taken the liberty of writing you direct instead of making my requisition on the applicant as I would appreciate your opinion on these points so that I may have a precedent for use on any similar applications which may be submitted in the future for registration.

Thanking you I remain

Yours truly,

JVD/LS

H.J. Crane
Registrar

per

VIA AIR MAIL

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 3804-1

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

7th March, 1947

OFFICE OF THE CUSTODIAN
RECEIVED
MAR 10 1947
PASS TO.....
TRANSFER TO.....
ANS'D BY | FILE

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Eikichi NAKASHIMA
668 East Cordova Street

I am enclosing copy of a letter I wrote recently to Mr. MacLennan. You may be interested in his reply, copy of which is enclosed herein.

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS/PMH

encl.

C
P
Y

3rd March, 1947.

Messrs. Norris & MacLennan,
Barristers & Solicitors,
602 West Hastings Street,
Vancouver, B.C.

Dear Sirs:

Re: Eikichi NAKASHIMA
668 East Cordova Street

Mr. Eikichi Nakashima has again written in regard to the sale of the above property. His letter reads as follows:

"Received your cheque for $20.-

I would like to sell my house for $1,500.- so if you find any buyer please let me know.

Also if you could not put it on sale with me getting released from the lawyer please let me know as I will write to the lawyer about it."

We understand from Mr. Thornthwaite of Messrs. Richard, Akroyd & Gall that Mr. Nakashima has also written to them asking them to dispose of this property.

In July last when Mr. Nakashima stated that he was prepared to sell for the sum of $2,000.- we advised you that if the Petition of Right was withdrawn we would endeavour to negotiate a sale to the best advantage and we will be glad to do so at the present time.

We shall be glad to hear from you in this connection.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

COPY

NORRIS & MacLENNAN

Bank of Nova Scotia Building,
602 Hastings Street West,
Vancouver, B.C.

6th March, 1947.

The Custodian,
Royal Bank Building,
Hastings & Granville Streets,
Vancouver, B.C.

Dear Sir:

Re: Eikichi NAKASHIMA
668 E. Cordova Street

We acknowledge your letter of the 3rd instant and have also been in touch with Mr. Thornthwaite.

The position simply is that none of the persons whose property is the subject of the Test Cases can at the present time deal with the property. The instructions for the Test Cases have come from the Japanese Property Owners' Association and it would be a breach of faith on that Association's behalf if even they were to authorize the disposal of any of the properties before the decision had been rendered by the Exchequer Court.

This is so because we have not been able to arrange with the Department of Justice for the properties to be sold without prejudice to the pending decisions. To dispose of the properties now would be to dispose of the necessity for any decision ever being rendered.

Actually, we feel the Japanese owners of the properties in question have not been prejudiced because their properties would have been sold a long time ago at sacrifice prices (compared at any rate with present day prices), and when the time comes for the owners to be able to sell, it is felt they will be in a better position to realize a proper price than they would have been had the properties originally been sold by the Custodian during the war.

We appreciate your willingness to negotiate a sale to the best advantage if the petition of right did not stand in the way, and when the decisions have been made, it may be that the owners will request your co-operation then.

Thanking you, we are,

Yours truly,

NORRIS & MacLENNAN,

Per: "J.A. MacLennan"

JAM:A

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 9, 1947

Fred W. Barry, Esq.,
Barrister and Solicitors,
Fisher Block,
Kimberley, B. C.

Re: Roy Schogi

Dear Sir:

We have for acknowledgment your communication of the 3rd instant.

Order in Council P.C. 5973, dated 14th September, 1945, reads in part as follows:

"3B. (1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the twenty-fourth day of February, 1942, during the continuation of the state of war now existing to acquire or hold land or growing crops in Canada.

(2) No conveyance made or executed after the twenty-fourth day of February, 1942, shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company any land or growing crops in Canada.

(3) (a) Nothing in this Regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the twenty-fourth day of February, 1942, or acquired by such person or company after the twenty-fourth day of February, 1942, pursuant to the terms of a written contract or agreement executed before the twenty-fourth day of February, 1942, or under a will or intestacy.

(b) Nothing in this Regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Labour may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a license to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this Regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms".

You will note from this that the Minister of Labour may grant a licence to a person of the Japanese race to acquire land.

Your application should be addressed to the Department of Labour, Japanese Division, Vancouver, B. C.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

TELEPHONE 20

FRED W. BARRY, LL.B.
Barrister, Solicitor,
Notary Public

FISHER BLOCK,
KIMBERLEY, B. C.

January 3rd,1947.

Custodian of Enemy Property,

Ottawa, Canada.

Dear Sir:

One of my clients wishes to sell his real Estate, a house property at Revelstoke, B.C. to one Roy Schogi, a Canadian Japanese.

I am in some doubt about whether a Japanese can presently hold property and so am writing to you whether it is safe to proceed to have the consideration change hands and the Deed submitted to registration.

Your reply to the above will be appreciated, at your convenience. Thank you.

Yours truly,

Fred W. Barry

Fred W. Barry

/B

OFFICE OF THE CUSTODIAN
RECEIVED
JAN 7 1947
PASS TO Mr. Wright
TRANSFER TO
ANSWER
FILE

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
December 24, 1946

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Yorisaburo UCHIDA

Dear Mr. Shears:

We have for acknowledgment your communication of the 20th instant.

This matter was brought to the attention of the Deputy Custodian on the first of November last and it was decided that action should be deferred until decisions on Japanese problems are reached by the Committee appointed by the Cabinet. I have already advised you that a meeting took place on the 13th instant and the Committee is to meet again on the 8th proximo, which I will attend. Items on the agenda include future policy of relocation and controls and existing Orders in Council relating to the Japanese will be under review. I will be in a better position to advise you on this subject after that meeting, and will do so.

Dr. Coleman and Mr. Burbridge leave for the Old Country the end of this week and I spoke to Dr. Coleman about this case yesterday. He indicated that the matter should stand until the questions are determined as to continuing powers required to carry out decisions of policy to be arrived at by the Cabinet.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

20th December, 1946.

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 9873

Your file J-9

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Yorisaburo UCHIDA.

The above file was B.F'd. for today and unless a reply from you has been mislaid it would appear that we have not heard from you in response to our letter of the 30th October.

For your convenience I enclose copy of our previous letter and enclosure.

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS/PMH

encl.

encl.

COPY

506 Royal Bank Building,
Vancouver, B.C.

30th October, 1946.

9873

Your file J-9

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Yorisaburo UCHIDA.

Referring to your letter of the 21st instant in which you ask to be advised of the reply received from Mr. Hann in regard to the disposition of the above property I enclose herein a copy of my letter to Mr. Hann and his reply just received.

You will note that Mr. Hann wishes to be relieved of his Trusteeship and the question raised in my letter to you of the 15th instant was whether this property should now be advertised and sold by the Custodian in accordance with the overall policy of liquidation.

Your instructions in this regard will be appreciated.

Yours very truly,

"F. G. Shears"
Director.

FGS/PMH

encl.

COPY

FRANCIS M. HANN

602 Hastings Street West,
Vancouver, B.C.

Oct. 29th, 1946.

"In regard to the house at 1629 East 3 rd Avenue, I saw Mr. Uchida in Montreal in September, where he is located with his family and suggested to him that now was the time, if at all, to sell the house, which would command a better figure than it is ever likely to get again. However, at the moment he seems to feel that he is getting a better revenue from it than he could hope to get by investing the money in any other channel.

He told me that he is applying for a permit to travel to Vancouver, B.C. in the near future, with the idea of taking whatever is required of the household effects in storage in the basement of the house and selling the remainder by auction. If he does not come, I understand that his brother-in-law Mr. Shimotakahara will come and attend to the matter. I suggested to him therefore, that at that time, he make up his mind what to do with the property, as I would like to be relieved of the trusteeship. As you recall, I only assumed it on account of the fact that we are close friends of twenty years standing.

Mr. Uchida's address at this time is 3451 Prudhomme Avenue, Montreal, Quebec."

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
November 27th, 1946

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Dear Mr. Shears: Re: K. FUKAMI - File 2851

We have for acknowledgment your letter of the 20th instant, with enclosure, and wish to advise that the funds returned should be credited back to Mr. Fukami's account with the Custodian.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 2851

506 Royal Bank Building,
Vancouver, B.C.

20th November, 1946.

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

I wrote to you on November 15th referring to the item in the New Canadian regarding the return of cheques.

I am enclosing copy of a letter just received from Mr. K. Fukami.

As mentioned in my previous letter, I suppose the only thing we can do is to credit this amount back to Mr. Fukami's account and let the matter rest.

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS/PMH

encl.

C
O
P
Y

November 15, 1946.

Kipp, Alberta.

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

Dear Sir:

Received your letter of the 1st enclosed therein a cheque of $12.31.

Am returning this cheque to you because I cannot accept such a paltry sum for my property. Buildings alone on this property have a value of three times this amount, plus improvements.

Also in your letter you requested that I surrender the Title to my property to you, as my property had been sold. I cannot understand how my property, or any property of a Canadian citizen can be sold without the order or the permission of its owner.

Therefore, I cannot accept the cheque, nor surrender the Title to my property, until such time as I receive an amount acceptable to me.

Yours very truly,

(signed) "K..FUKAMI"
Registration No.13175

File No. J-9

November 1st, 1946

MEMORANDUM TO: MR. A. H. MATHIEU

FROM: MR. K. W. WRIGHT

RE: Yorisaburo UCHIDA

On March 26, 1942, Mr. Uchida signed a Deed of his property at 1629 East 3rd Avenue, Vancouver, B. C., to Mr. Francis Hann, the consideration being $1.00. This Deed was registered and the title is therefore in the name of Mr. Hann. On the 31st of March, 1942, Mr. Uchida gave a Power of Attorney to Mr. Hann to administer his affairs. The evidence on file is that Mr. Hann holds this property 'In Trust'.

Under date of September 27, 1945, Mr. Hann wrote, in part, as follows:

"He has now moved to Montreal with his family and has written me as to the matter of selling the house and letting him have the proceeds. Will you please advise if this is in order, and if any cognisance should be taken by the Department of the Secretary of State".

In our reply it was pointed out that the property was held by him 'In Trust' and that the Custodian would have no objection to the property being sold on behalf of Uchida, provided he supplied full information regarding the deal and remitted the proceeds to the Vancouver Office. In accord with our request, Hann submitted statements of revenues, etc., which indicated that the surplus was being sent to Mr. Uchida. There is no objection to this as the Custodian is not interested from the point of view of claims, none having been filed.

In the course of review the question arose as to whether at this time there is any reason why this particular property should be treated any differently from other Japanese Real Estate and held at the discretion of the Japanese, or whether our policy of liquidation should be made effective. Under date of 21st ultimo, I wrote to Mr. Shears and pointed out that Hann had received instructions from the owner to sell the house and that these instructions should be fulfilled. In reply, Mr. Hann states that he saw Mr. Uchida in Montreal a month ago and had recommended sale by reason of favourable market conditions. Uchida took the stand that he was getting a better revenue from the property than he could hope to obtain by investing the money in any other channel. He also stated that he was applying for a permit to travel to Vancouver for the purpose of removing household effects in storage in the basement and that he did not come, his brother-in-law, Mr. Shimotakahara was going to attend to the matter. Mr. Hann now wants to be relieved of the Trusteeship, pointing out that he only assumed it on account of the fact that they were close friends of 20 years' standing.

Mr. Shears asks for instructions.

It is interesting to hear for the first time that Shimotakahara is in the picture. He moved to Montreal some days before evacuation orders were issued, leaving his store on Granville Street under the management of two white employees. This business is known as Modiste Limited and non-liquidation has been a controversial subject for some time. The Custodian has not interfered and the situation is made more difficult by reason of Shimotakahara's boasting to his fellow countrymen and they do not understand why he should be placed in a preferred class.

If we fail to adhere to the general policy of liquidation in respect to Uchida's assets, further criticism may arise and since the Vancouver Office was established, we have done our utmost to avoid all such issues.

Under the circumstances, I recommend that a period of three months be given to the Trustee and the owner to liquidate the parcel and if they fail, the Custodian should then take over, have the property valued and offered for sale by public tender. If you agree, I will instruct Mr. Shears to write to Mr. Hann and Mr. Uchida to this effect.

Attached you will find Mr. Shears' letter of October 30th, together with enclosures.

Recommended
for approval

K.W. WRIGHT

KWW/JF
Attach.

2/11/46

N.B. In view of the Ministers undertaking to Commons not to dispose of Jap. ppty in the future in the absence of owners approval no action should be taken herein.
24-6-47 K.W.W.

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

30th October, 1946.

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 9873

Your file J-9

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Yorisaburo UCHIDA.

Referring to your letter of the 21st instant in which you ask to be advised of the reply received from Mr.Hann in regard to the disposition of the above property I enclose herein a copy of my letter to Mr. Hann and his reply just received.

You will note that Mr. Hann wishes to be relieved of his Trusteeship and the question raised in my letter to you of the 15th instant was whether this property should now be advertised and sold by the Custodian in accordance with the overall policy of liquidation.

Your instructions in this regard will be appreciated.

Yours very truly,

F.G.Shears

F. G. Shears,
Director.

FGS/PMH

encl.

FGS/PMH

COPY

9873

26th October, 1946.

Mr. Francis M. Hann,
602 West Hastings Street,
Vancouver, B.C.

Dear Sir:

Re: Yorisaburo UCHIDA
1629 E. 3rd Avenue.

In a review of the above file it has been brought to my attention that the property at 1629 East 3rd Avenue still remains unsold. While this is registered in your name it is held by you on behalf of Mr. Uchida.

We advised you on September 29th, 1945, that we would have no objection to your arranging for a sale in accordance with the wishes of Mr. Uchida. Will you please let me have a report from you as to the possibility of an early sale.

We received a Statement from you dated July 16th, 1946. This, however, did not start with the balance at credit as shown on your Statement of April 10th. Will you kindly let me have a Statement starting from this balance of $127.43 so that our records may be continuous.

As I am requested to report to Ottawa in regard to the disposition of the above property, will you kindly give your immediate attention to this matter and let me have your reply.

Yours truly,

(signed) "F.G. SHEARS"

Director.

FGS/PMH

C
P
Y

FRANCIS M. HANN
General Agent

602 Hastings Street West,
Vancouver, B.C.

Oct. 29th, 1946.

Mr. F.G. Shears,
Director,
Japanese Evacuation Section,
508 Royal Bank Building,
Vancouver, B.C.

Dear Sir: Your file 9873 - Y. Uchida.

As requested in your favor of the 26th October, we hand you herewith a statement in duplicate covering the account from the last statement rendered you in April, and which showed a balance of $127.43 at his credit. I have at this time therefore, $41.05 of his money on hand, and he has received his original bonds.

In regard to the house at 1629 East 3rd Avenue, I saw Mr. Uchida in Montreal in September, where he is located with his family and suggested to him that now was the time, if at all, to sell the house, which would command a better figure than it is ever likely to get again. However, at the moment he seems to feel that he is getting a better revenue from it than he could hope to get by investing the money in any other channel.

He told me that he is applying for a permit to travel to Vancouver, B.C. in the near future, with the idea of taking whatever is required of the household effects in storage in the basement of the house and selling the remainder by auction. If he does not come, I understand that his brother-in-law Mr. Shimotakahara will come and attend to the matter. I suggestedto him therefore, that, at that time, he make up his mind what to do with the property, as I would like to be relieved of the trusteeship. As you recall I only assumed it on account of the fact that we are close friends of twenty years standing.

Mr. Uchida's address at this time is 3451 Prudhomme Avenue, Montreal, Quebec.

Kind regards,

Yours truly,

(signed) "F.M. HANN"

FMH/EM

FRANCIS M. HANN

(20TH YEAR OF INSURANCE SERVICE)

INSURANCE

602 WEST HASTINGS STREET

VANCOUVER, B.C., Oct. 29th., 1946

IN ACCOUNT WITH

M Y. Uchida, Esq.,
c/O Dept. Sec. of State,
506 Royal Bank Building,
Vancouver, B. C.

TELEPHONE: MARINE 3626

POLICY No.	NAME OF ASSURED	AMOUNT	TERM	DR.	CR.
March 31st., 1946	Balance				127.43
April 16th.,	By rent, Steinhauer				37.50
	To repairs to stove pipes			2.35	
May 15th.,	By rent, Steinhauer				37.50
20th	To Check 1540, Taxes			70.11	
June 21st.,	To Check 1613 to Yuchida			100.00	
30th.,	To express on cabinets			2.42	
17th	By rent, Steinhauer				37.50
July 15th.,	By do				37.50
25th.,	To check 1728 - water rates			7.00	
Aug. 19th.,	By rent, Steinhauer				37.50
Sept. 11th.,	To check 1792 Uchida, Montreal			100.00	
17th.,	By rent, Steinhauer				37.50
	To outlay, hot water Tank			20.25	
	To Utah Fire policy 5-6103			20.50	
Oct. 17th.,	By rent, Steinhauer				37.50
31st.,	To services , April to October, incl.			26.25	
	Balance			41.05	
				389.93	389.93

SEND THIS BILL IN TO BE RECEIPTED WHEN PAYING

J-9

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
October 21, 1946

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Re: Yorisaburo UCHIDA
Your File No. 9873

Dear Mr. Shears:

We acknowledge with thanks your communication of the 15th instant.

Your reply to Mr. Hann, under date of September 29, 1945, was definitely in order. Apparently Mr. Hann received instructions from the owner to sell the house and he should do this and follow the advice which you put forward.

You might now write to Mr. Hann and ask for a report as to the possibility of an early sale, and would like you to send us a copy of his reply.

It is noted that you are not interested in the proceeds of the sale from the point of view of claims; also that the revenues so far derived have been for the owner's account.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. 9873

506 Royal Bank Building,
Vancouver, B.C.

15th October, 1946.

K.W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Yorisaburo UCHIDA.

On March 26th, 1942, Mr. Uchida signed a Deed of Land of his property at 1629 East 3rd Avenue, Vancouver, to Mr. Francis Hann, the consideration being $1.00. This deed was registered and the title is in the name of Mr. Hann.

On March 31st Mr. Uchida gave a Power of Attorney to Mr. Hann to administer his affairs including the continuance of his insurance business if deemed advisable.

The evidence on file is that Mr. Hann holds this property in trust. A letter from Mr. Hann dated September 27th, 1945, reads as follows:

> "In May, 1942, Mr. Y. Uchida left with his family for Minto City with the self supporting group of Japanese and deeded me the captioned dwelling to hold in trust for him. I notified your office at the time of the transaction, Mr. Uchida being a sub-agent of mine in the insurance business.
>
> He has now moved to Montreal with his family, and has written me as to the matter of selling the house and letting him have the proceeds. Will you please advise if this is in order, and if any cognisance should be taken by the department of the Secretary of State.
>
> Thanking you in anticipation of your advices,"

and I replied on September 29th as follows:

> "Your letter of the 27th instant addressed to Messrs. Frederick Field & Co., has been handed to this office for attention.
>
> Our file indicates that while you are the registered owner of this property it is being held by you in trust.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 9873

K.W. Wright, Esq. 15th October, 1946.

> "We have no objection to this property being sold by you on behalf of Uchida. It will be necessary, however, for you to supply us with full information regarding any deal which you make and the proceeds be remitted to this office. We would then withdraw the Vacating Certificate which the Custodian now has on this property in the Land Titles Office and release the funds to Mr. Uchida's credit.
>
> Our file also indicates that an account of the administration was to be rendered and so that our file may be complete will you kindly let us have a statement of rentals received and disbursed during the period Mr. Uchida was evacuated."

In reviewing this file the question arises whether, at this time, there is any reason why this particular property should be treated any differently from other Japanese real estate and held at the discretion of the Japanese or whether our policy of liquidation should be made effective.

We are not interested in the proceeds of any sale from the point of view of claims and according to the statement received from Mr. Hann revenues from the above property have been used on behalf of Mr. Uchida.

Your advice in regard to this matter would be appreciated.

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS/PMH

C O P Y

Lemon Creek,
Slocan, B.C.,
July 3, 1946.

Norris & MacLennan,
311 Bank of Nova Scotia Bldg.,
Vancouver, B.C.

Dear Sir:-

We have been living up to government's preconcerted plan and the repatriation upon us is to be near. Well, I have been paying much regard to my case and through the good offices of you I should think the finale is already in your hand. (I have volunteered to sail on the third boat)

Under such assumption as my position is above the same, I would like to request that you shall have good reward of my case from the claim and the balance be forwarded to me at your first convenience because of past 4 years of detention camp life, I have exhausted all my pocket money so I am in need of some cash at present as preparation for resettlement.

For your information in regard to the Custodian at first, my debt has been recorded as $160.00 for 2 claims, but one claim of $100.00 has been paid up already and there is a credit of $12.00 (in Custodian) from the Canadian Navy and so the balance is $48.00 accordingly and this will be bargained between the parties concerned.

Yours truly,

"KIUROKU SHIMIZU"

COPY

Lemon Creek,
Slocan, B.C.,
June 13, 1946.

Norris & MacLennan,
Bank of Nova Scotia Bldg.,
Vancouver, B.C.

Dear Sir:-

In accordance with your letter of June 8th, I herein reply as follows.

I have fully understood the purport of your letter and I am very regretable that I have to concede considerable claims at the point of view of Law, but there is no alternative for it, so I leave the matter entirely to you so that you may dispose it at your best will.

Thank you.

Yours truly,

"KIUROKU SHIMIZU"

C O P Y

June 8th, 1946.

Kiuroku Shimizu, Esq.,
Lemon Creek,
Slocan, B.C.

Dear Sir: re Nootka-Banfield Packing Co. Ltd.,
and Kiuroku Shimizu

Further to our correspondence herein we have written to Messrs. Lawson & Lundell demanding settlement in this matter on your behalf and they have replied that the property is now owned by the Canadian Fishing Company Limited and have sent that Company a copy of our letter for their reply. We have not heard from the Canadian Fishing Company Limited and it is apparent that they are not prepared to recognize your claim.

It does seem to us that you would have considerable difficulty in establishing your claim in a Court of Law. We feel that you will not succeed in receiving any monies apart from the original offer which was made to settle the matter for $200.00. If you like we can try to settle for somewhere in the neighborhood of $300.00 or $400.00 with a possibility of succeeding but we do not think you will be able to recover $1,300.00.

You might let us have your final instructions in this connection.

Yours truly,

NORRIS & MacLENNAN,

per "J. A. MacLENNAN"

JAM/CW

VIA AIR MAIL

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 1464

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

4th September, 1946.

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Kiuroku SHIMIZU, Reg.#12112.

With reference to your letter of the 26th August in which you returned Quit Claim documents for correction.

It will not be necessary for us to send any documents for the signature of the Custodian as Messrs. Norris & MacLennan have just advised that Mr. Shimizu is in town and has himself executed a similar Quit Claim Deed which they have forwarded to the Solicitors of the Bamfield Packing Company Limited. This of course will be satisfactory to us.

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS/PMH

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

August 26, 1946.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Mr. Shears:

Re: Kiuroku SHIMIZU, Reg.No. 12112

Upon my return to the office today I received your communication of the 16th instant enclosing documents submitted by Messrs. Norris & MacLennan.

It will be necessary for them to revise the documents in accord with the amendments made.

Please have the documents returned as early as convenient for signature of the Assistant Deputy Custodian.

Yours very truly,

K. W. Wright
Counsel to the Custodian

KWW/FC.

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 1464

506 Royal Bank Building,
Vancouver, B.C.

August 16, 1946.

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

Dear Mr. Wright:

Re: Kiuroku SHIMIZU, Reg. No. 12112.

I am enclosing documents prepared by Messrs. Norris & MacLennan, who have acted on behalf of the above Japanese, and also copies of some correspondence. Mr. Bell, who has been handling this file, considers this settlement very satisfactory and was doubtful whether the Japanese would have recovered anything. The Banfield Packing Co. Ltd. have agreed to pay $600.00 when they receive the Quit Claim Deed.

Mr. MacLennan informed me that Mr. Shimizu had returned to Japan on the last boat. I find however, that this is not correct, although he was listed to return and presumably he may be going on the next boat. If he remains in Canada would it be better for the Quit Claim Deed to be signed by himself, or if signed by the Secretary of State would reference to Order in Council P.C. 7355 be in order?

Would you kindly check over the recitals and if the document is satisfactory kindly have it executed.

Mr. MacLennan will be deducting fees for his legal services but as he has been acting for the Japanese, we will receive the net amount and credit it to Shimizu's account for remittance to him either in Canada or as and when possible after his return to Japan.

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS:AS
encl.

C O P Y

NORRIS & MacLENNAN

Bank of Nova Scotia Bldg.,
602 Hastings St. W.,
Vancouver, B. C.

August 14, 1946.

The Custodian,
Royal Bank Bldg.,
Hastings & Granville Sts.,
Vancouver, B.C.

Attention Mr. Shears

Dear Sir: re Kiuroku Shimizu - Registration No. 12112 - formerly of Lemon Creek, B.C.
Your File 1464

We have had some correspondence, in connection with this matter, with your Mr. Bell of the Administration Department but are addressing this for the attention of Mr. Shears because of subsequent telephone conversations we had with him.

Mr. Shimizu has authorized us to make any settlement we could with the Banfield Packing Company Limited and we have now settled the claim for $600.00 which we received from Messrs. Lawson & Lundell, on condition that we provide a satisfactory Quit Claim Deed whereby Shimizu will release them for further claims arising from the buildings in question.

We are enclose, herewith, for your information, copies of letters from Mr. Shimizu to our firm, dated April 15, July 3 and June 13, 1946, together with copy of our letter to Mr. Shimizu of June 8th, 1946.

We are also enclosing, herewith, in duplicate, Quit Claim Deed which we would ask you kindly to have executed by the Secretary of State of Canada in order that we may deal with the $600.00 which is now in our Trust Account.

Yours truly,

NORRIS & MacLENNAN,

Per "J.A.MacLennan".

JAM/CW
Encls.

C O P Y

Lemon Creek,
Slocan, B.C.,
April 15, 1946.

Norris & MacLennan,
311 Bank of Nova Scotia Bldg.,
Vancouver, B.C.

Dear Sir:

I am writing to express my regret for delaying the reply that it should be done as quickly as I possibly can in reference to your letter of April 4th.

In fact I was absent on a journey to my friend being dispersed to eastern Canada when your letter arrived.

Now, in regard to your question I state hereunder.

I have reported to the Custodian's office for $1300.00 as my minimum house value on the basis of following particulars that house materials cost at least $800.00 (estimated by the manager of the Company) that in general, carpenters wages used to be appraised as 80 percent of materials and in my case the house was 80 percent upon completion. Therefore $500.00 comes as a result, but as I had no intention of selling off the house at that time, the value of my labour was not minute, for instance the following particulars has not been counted:

1. Clearing the bush for construction.
2. Transportation of materials.
   Etc.

By reason of above mentioned strictly speaking the estimation of $1300.00 is rather small.

As I leave this matter entirely at your discretion please continue your favours toward me.

Yours truly,

"KIUROKU SHIMIZU"

Ottawa, February 11, 1946.

Dear Sir: Re: CHIBA, Kisaburo, NISHIMURA, Chozo & TANAKA, Toraichi

You referred to the Department of Labour and to the Custodian's Office, three communications from the Consul General of Switzerland in charge of Japanese interests, No. 27/10(C), No. 27/10(T) and No. 27/10(N), and all bearing date of January 21, 1946. These communications related to the sales of property.

I have had reports made from the Director of our Vancouver Office in each of these cases and enclose copies of these reports.

All of the parcels were sold to the Director, Veterans' Land Act. The Director, Veterans' Land Act had the advice of an advisory committee and the Custodian, on his part, also had the advice of another advisory committee with the view of assuring the proper valuations of the properties as they stood at the time of the sale. The sales by the Custodian were made on the advice of the advisory committee presided over by His Honour Judge Whiteside.

Yours very truly,

E. H. COLEMAN

Under Secretary of State
for External Affairs,
Ottawa, Ontario.

The letters from the Consul General of Switzerland were returned with this letter to External Affairs.

RGB/P.

EHC/FC.

Ottawa, February 11, 1946.

Dear Mr. Shears:

Your letter of February 7th has been received, together with the correspondence which was forwarded to you and your reports on the particular properties involved.

Your co-operation in this matter is greatly appreciated.

Yours very truly,

E. H. COLEMAN

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

RGB/P.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

1946 FEB 11 PM 2:00

UNDER SECRETARY OF STATE

506 Royal Bank Building,
Vancouver, B.C.

7th February, 1946.

Dr. E.H. Coleman, K.C., C.M.G.,
Under Secretary of State,
West Block,
Ottawa, Ont.

Dear Dr. Coleman,

We are in receipt of your letter of the 29th January in which you enclosed three notes from the Consul General of Switzerland.

This correspondence is returned herein and separate replies have been written covering each particular property.

You will note that these enquiries all refer to properties which were sold to the Veterans' Land Act.

Yours sincerely,

F. G. Shears,
Director.

FGS/PMH
encl.

R. G. Bell,
Administration Department.

RGB/P.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE
PLEASE REFER TO
FILE No. 3333

1946 FEB 11 PM 2:00

UNDER SECRETARY OF STATE

506 Royal Bank Building,
Vancouver, B.C.

7th February, 1946.

Dr. E.H. Coleman, K.C., C.M.G.,
Under Secretary of State,
West Block,
Ottawa, Ont.

Dear Dr. Coleman:

Re: Kisaburo CHIBA.

Referring to your letter of the 29th January in which you enclosed letter from the Consul General of Switzerland dated 21st January.

The information on our file is as follows:

The Municipal assessment on this property is Land $800.- and improvements $400.- Yearly taxes $24.80. It consists of 39 acres of land of which very little was broken. There was only a few neglected fruit trees on the property and a two-room shack and woodshed.

This property was not tenanted after Kisaburo Chiba was evacuated in view of the fact that there was no cultivated land and the poor condition of the shack.

This property was included in the sale to the Director of the Veterans' Land Act and was sold to them at the valuation of $241.00.

There is a letter on file from Corporal L. Clarke who was interested in making an offer on this property in April 1942. He states that "Kisaburo Chiba offered to sell the land to my father for $650.- two years ago but he will not talk now just says expect to go any day but that he will be back here very soon".

As at that time no sales were being made by the Custodian without the consent of the Japanese owner nothing materialized regarding this tentative offer.

Yours sincerely,

F. G. Shears,
Director.

FGS/PMH

R. G. Bell,
Administration Department.

RGB/P.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE
PLEASE REFER TO
FILE No. 7040

1946 FEB 11 PM 2:00

UNDER SECRETARY OF STATE

506 Royal Bank Building,
Vancouver, B.C.

7th February, 1946.

Dr. E.H. Coleman, K.C., C.M.G.,
Under Secretary of State,
West Block,
Ottawa, Ont.

Dear Dr. Coleman,

Re: Toraichi TANAKA.

With reference to your letter of the 29th January in which you enclosed letter from the Consul General of Switzerland dated the 21st January.

The information on our file relative to this matter is as follows:

The Municipal assessment is Land $1,185.- and improvements $800.- Yearly taxes $23.17.

When Toraichi Tanaka registered his property with us he listed a three-room house, a barn and a stable.

This property was included in the sale to the Director of the Veterans' Land Act and was sold to them at the valuation of $448.- from which amount deductions were made for arrears of taxes prior to the date of sale.

At the time of evacuation this Japanese listed a certain amount of household effects. When our fieldmen visited this place they reported that the property had been vacant and was in a desolate location and there was nothing left on the property but junk. A few small items were sold by public auction and realized $2.57.

Yours sincerely,

F. G. Shears

F. G. Shears,
Director.

FGS/PMH

R. G. Bell,
Administration Department.

RGB/P.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 9599

1946 FEB 11 PM 2:00

UNDER SECRETARY OF STATE

7th February, 1946.

Dr. E.H. Coleman, K.C., C.M.G.,
Under Secretary of State,
West Block,
Ottawa, Ont.

Dear Dr. Coleman:

Re: Chozo NISHIMURA.

Referring to your letter of the 29th January in which you enclosed letter from the Consul General of Switzerland dated January 21st.

The information on our file in connection with this matter is as follows:

The Municipal assessment is $250.00 on the land and $1,300.00 on the improvements.

It was the wish of the owner that this property should not be rented and it remained vacant throughout the time of our administration.

This property was included in the sale to the Director, the Veterans' Land Act and was sold at the valuation of $1,031.00.

This office recently received a letter from Mr. Nishimura and a copy of our reply to him is enclosed herein, in which we deal with the matter of relationship between the Municipal assessment and the actual selling value of the property to which he refers.

Yours sincerely,

F. G. Shears,
Director.

FGS/PMH
encl.

R. G. Bell,
Administration Department.

RGB/P.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

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

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 9599. (S.S.B.)

February 7th, 1946.

Mr. Chozo NISHIMURA,
Registration No. 08692,
Tashme, B. C.

Dear Sir:

Re: Your Chemainus Property (Lot "A" of Section 16, Range 5, Chemainus District, Plan 4656).

We are in receipt of your letter of the 8th ultimo from which we note that you desire to have an explanation of the disparity between the assessed (tax) and actual sale value of the above property.

Our experience is that the assessed value of properties is not always a reliable index of current market values, particularly with regard to Improvements (buildings). Such assessments are made at somewhat widely spaced intervals and the condition of buildings tends to fluctuate, depending on care and upkeep. For this reason we have found it necessary to have all properties appraised by qualified appraisers.

As advised on the 2nd June, 1944, this property was one of a large number taken over by The Director, Soldier Settlement & Veterans' Land Act, the price received being based on the appraised value of each individual property. Our records show there were two dwellings on your land, the one occupied by yourself being in very fair condition, the other being only partly finished and hardly fit for habitation without considerable work being done on it. The inclusive price for the land and these buildings was $1,031.00, as shown in the statement mailed you on the 29th January, 1945.

It is appreciated that the sale of any property is a matter of concern to the owner, but, as you are aware, the policies in regard to the management and subsequent liquidation of properties were decided on by the Government of Canada and while the problem was a difficult one for all concerned we can assure you that it has been the aim of this office to carry out those policies in as careful and fair a manner as possible.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

March 21st, 1945.

Malcolm MacLennan, Esq.,
Notary,
Insurance Exchange Building,
276 St. James Street West,
Montreal, 1, Quebec.

Dear Sir:

Re: Alfred Yamashita.

I have your letter of March 17th.

If the above party resides in Toronto and has not been interned and the property is located in the City of Montreal, the Custodian is not interested in the sale of same.

Yours truly,

GWMcP/MEM

G. W. McPherson,
Executive Assistant.

MALCOLM MacLENNAN
NOTARY

RECORDS OF
NORVAL DICKSON, NOTARY

MARRIAGE LICENSES ISSUED

TELEPHONE HARBOUR 2977

INSURANCE EXCHANGE BUILDING
276 ST. JAMES ST. WEST
MONTREAL, I

March 17, 1945.

The Custodian of Enemy Property,

Ottawa,

Ontario.

Dear Sirs :-

I have been requested to prepare a Sale from Alfred Yamashita of a property in Montreal. Before I proceed with this Sale, I wish to know if he is free to dipose of this. Mr. Yamashita is at present in the City of Toronto. I would appreciate an early reply.

Yours truly,

M. MacLennan

MM/FP

OFFICE OF THE CUSTODIAN
RECEIVED
MAR 19 1945
PASS TO.....
TRANSFER TO.....
ANSWER | FILE

December 14, 1944.

MEMORANDUM FOR MR. MATHIEU

Re: Liquidation of Japanese Assets

In a letter to Dr. Coleman from Mr. McPherson, dated December 12, 1942, he recommended a policy of liquidation in connection with all property formerly owned by Japanese and left in the Protected Areas of British Columbia.

On January 11, 1943, at a meeting of a special committee of the Cabinet held in the Hon. T. A. Crerar's office, a policy of liquidation was approved, and Order-in-Council P.C. 469, dated January 19, 1943, states -

"Wherever, under Orders in Council under the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, the Custodian has been vested with the power and responsibility of controlling and managing any property of personsof the Japanese race evacuated from the protected areas, such power and responsibility shall be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell, or otherwise dispose of such property; and for the purpose of such liquidation, sale or other disposition the Consolidated Regulations Respecting Trading with the Enemy (1939) shall apply mutatis mutandis as if the property belonged to an enemy within the meaning of the said Consolidated Regulations."

The Special Committee of the Cabinet also approved of the setting up of two advisory committees - one on urban properties in Greater Vancouver and the other on rural properties.

The urban property committee consisted of -

Mr. Justice Sidney Smith, Chairman
Alderman Charles Jones
Mr. Kishizo Kimura.

Mr. Kimura has since resigned and not been replaced.

The rural property committee consisted of -

His Honour Judge Whiteside, Chairman
Mr. D. E. McKenzie
Mr. J. J. McLellan
Mr. Hal Menzies
Mr. Yamaga

Mr. McLellan has since resigned and been replaced by Mayor Mott of New Westminster. Mr. Yamaga has also resigned and Mr. McKenzie is now deceased but these two representatives have not been replaced.

All real estate has been catalogued and tenders called for, and all tenders are submitted to the proper committee for approval, the approval being based on valuations placed on the properties by independent appraisers. Chattels are being disposed of by auction sales under qualified auctioneers.

Dr. Coleman
I think this should be replied to over the Minister's signature
16/12/44

F. Carroll

COPY

Rosebery, B.C.,
Dec. 1/44.

Department of the Secretary of State,
Ottawa.

Dear Sir:

Please kindly inform me if there is such policy as liquidation of alien property (although we are naturalized Canadian) for we have not heard or seen that there was such policy in force till I have received a letter from Office of Custodian asking where abouts of the part of the machine which we have put into the care of Custodian and also saying they have arranged to sell our machine without our permission.

All along we have acknowledged Custodian as the protection of the property but not as auctioneer or confiscator. We were quite surprised that Democracy could do such things!!

Enclose you will find the copy of the letter we have received from the Custodian written in my hand.

Thank you,

Yours truly,

(Signed) Miss S. Tomonaga.

COPY

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

Japanese Evacuation Section

Phone PA 6131
Please refer to
File No. 13341

506 Royal Bank Bldg.,
Hastings & Granville,
Vancouver, B.C.

Miss Take Tomonaga,
Reg. No. 09567,
Rosebery, B.C.

Dear Madam:

We are arranging to sell your six power sewing machines and accessories in accordance with our policy of liquidation. We have been unable to find the pressure foot and bobbins belonging to each machine and believe you may possibly have these with you as being articles which might otherwise be mislaid. Please advise us if you ha e them or if you know where they are stored as it will, of course, be necessary for us to include them in the sale.

Yours truly,

(Signed) H. G. Green
Protection Department

HFG/IF.

OFFICE OF THE CUSTODIAN
RECEIVED
DEC 11 1944
FILE No. .....
TRANSFER TO .....
ANSWER | FILE

Roseberry, B.C.,
Dec. 1/44.

Department of the Secretary of State
Ottawa

1944 DEC 11 AM 9:02

UNDER SECRETARY
OF STATE

Dear Sir,

Please kindly inform me if there is such policy as liquidation of alien properly (although we are Naturalized Canadian) for we have not heard or seen that there was such policy in force till I have received a letter from Office of Custodians asking where about of the part of the machine which we have put into the care of Custodian and also saying they have arranged to sell our machine without our permission.

All along we have acknowledged Custodian as the protector of the properly but not as auctioneer or confiscator. We were quite surprise that Democracy could do such things!!

Enclose you will find the copy of the letter we have received from the Custodian written in my hand.

OFFICE OF THE
CUSTODIAN
RECEIVED
DEC 11 1944
PASS TO.....
TRANSFER TO.....
ANS'D BY | FILE

Thank you.

Yours truly
Miss S. Tsuneyasu

File No.
Please address reply to Secretary of State, Ottawa

CANADA
DEPARTMENT OF THE SECRETARY of STATE
OFFICE of THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PA 6131
PLEASE REFER TO
FILE NO 13341

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

Mrs. Take Tomonaga,
Reg. No. 09267,
Roseberry, B.C.

Dear Madam:—

We are arranging to sell your six power sewing machines and accessories in accordance with our policy of liquidation. We have been unable to find the pressure foot and bobbins belonging to each machine and believe you may possibly have these with you as being articles which might otherwise be mislaid. Please advise us if you have them or if you know where they are stored as it will, I assume, be necessary for us to include them in the sale.

Yours Truly,
(signature)
H.F. Green (Green)
Protection Department

HFG:IF

J-9

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

July 31, 1944.

The Commissioner,
Royal Canadian Mounted Police,
Ottawa, Ontario.

Dear Sir:

Re: Yosoya OMOTO, 315 Powell St.,
Vancouver, B.C.

I am enclosing a map which the Custodian's officers found attached to the wall of an attic in a house in Vancouver from which they were removing chattels.

The map appears to give detailed information on mileages, distances and air and naval strength, but whether or not it was owned by Mr. Omoto is unknown to the Custodian.

Yours very truly,

G. W. McPherson
Executive Assistant

GWMcP/FC.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 14658

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

July 25, 1944.

Mr. G. W. McPherson,
Office of the Custodian,
Victoria Building,
7 O'Connor Street,
OTTAWA, Ontario.

Dear Sir:

Re: Yosoya OMOTO (Baker)
315 Powell St.

The enclosed map was found attached to the wall of the attic of a house from which we were removing chattels.

It is dirty and perhaps somewhat old but it may be of interest to you and you may desire to have this examined by the naval authorities. It seems very complete in regard to information as to mileage distances and air and naval strength.

Yours truly,

F. G. Shears,
Director.

FGS:MA
Enc.

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

March 24, 1944.

National Trust Company Limited,
20 King Street East,
Toronto 2, Ontario.

Dear Sirs:

Re: George W. Essery Estate

Your letter of March 18th, addressed to the attention of Mr. Mathieu, has been referred to me for reply.

Insofar as the Custodian is concerned, his Regulations do not prohibit the sale of property in Canada to persons of the Japanese race. However, I understand there is an Order-in-Council which prohibits the sale of property to such persons unless the consent of the Minister of Justice is obtained.

Yours very truly,

GWMcP/FC.

G. W. McPherson
Executive Assistant

National Trust Company
Limited

Toronto Montreal
Hamilton Winnipeg
Edmonton
Cables: "Natrusco"

20 King Street East
Toronto 2,

March 18th, 1944.

no file

OFFICE OF THE CUSTODIAN
RECEIVED
MAR 20 1944
PASS TO.....
TRANSFER TO.....
ANS'D BY | FILE

Attention Mr. A. H. Mathieu

Department of the Secretary of State,
Office of the Custodian,
7 O'Connor Street,
OTTAWA, Ontario.

Dear Sir: George W. Essery Estate

The executors of the above estate, of which this Company is one, have received an offer from Mrs. Moto Morishita and Miss Mariye Morishita to purchase the property at 182 Duchess Street, Toronto for the sum of $2100.00. The terms of the offer provide for a cash payment of $500.00 and the balance to be secured by a five year first mortgage at 5% per annum payable quarterly, together with quarterly principal payments of $30.00 each. The sale is to be closed on March 30th next.

We do not know anything about the purchasers other than that their address is care of Mrs. D. Miki, 48 Cecil Street, Toronto. Before proceeding to close the sale we wish to know if The Custodian is interested and if so what steps will be necessary to secure his consent. We shall be obliged if you will let us hear from you at an early date advising whether or not The Custodian has any objection to our dealing with the purchasers who are Japanese but perhaps not regarded as enemy aliens.

Yours truly,

C. E. Alan Smith
Trust Accountant.

HMS

Victoria Building,
7 O'ConnorStreet,
Ottawa, Ontario.

February 23, 1944.

David B. Goodman, Esq.,
Barrister, Solicitor, etc.,
Suite 319 Federal Building,
85 Richmond St. West,
Toronto 2, Ontario.

Dear Sir:

Re: Associated Cleaners

I have your letter of February 15th and wish to advise that the property of Japanese evacuees situated in the Protected Areas of British Columbia vested in the Custodian at the time of their evacuation, and is being administered by the Custodian's Vancouver office.

I would suggest that if you wish to obtain any information concerning the above property, you write to Mr. F. G. Shears, Director, Office of the Custodian, 506 Royal Bank Building, Vancouver.

Yours very truly,

.

GWMcP/FC.

G. W. McPherson
Executive Assistant

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 478 (Internee)

506 Royal Bank Building,
Vancouver, B.C.

14th February, 1944.

G.W. McPherson, Esq.,
Executive Assistant,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. McPherson:

P/W A-435, Toshio KIKUTA
Re: Cash Register and Mr.D.A. Smith

Referring to your letter of the 25th January.

The closing paragraph of Messrs. P.S. Ross & Sons letter dated January 11th, to which you refer was noticed by myself and by Mr. Wright at the time the letter was received. Mr. Wright asked Mr. Spain to submit a report in regard to this matter and this is on file dated January 13th and reads as follows:

> "Custodian representative Mr. D.A. Smith having duplicate copy of registration form, and in the course of his duties called at the above address soon after the Japanese had been evacuated. He found nothing had been removed from the premises at that time. He remembers that Pembertons disposed of the fruit and vegetables. There were a few articles left, partciularly an old model cash register which he valued at about $25.00. As the store was locked, and primary protection was being given to more urgent matters, and as the few articles remaining at this address appeared to be safe and secure, he did not suggest removal to Custodian Warehouse.
>
> Painters and/or Decorators were working on the building at the time and they had left their equipment stored inside.
>
> If these chattels are not on the premises, they must have been removed by some persons unknown to the Custodian."

I have perused the file and briefly the story is as follows:

The real estate is not owned by Toshio Kikuta.

May 29th, 1942. P.S. Ross & Sons took inventory (only a very few items including Cash Register 1925 - valued at $19.00

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.

G.W. McPherson, Esq.

June 13th, 1942. Advertised for sale.
No offers received.

July 16th, 1942. Internee willing to dispose of goods to Second-hand dealer.

Then follows a number of letters from Mr. Wright to Messrs. P.S. Ross & Sons asking them to bring this matter to a conclusion. (Pembertons request the items be removed - January 18th, 1943.).

Aug. 13th, 1943. Memorandum indicating that Pembertons believe that one of our representatives removed the articles. Investigation at that time does not substantiate this.

Jan. 11th, 1944. Messrs. P.S. Ross & Sons advised us that Mr. Johnson of Pembertons names Mr. Smith as securing the key and removing the Cash Register.

Jan. 13th, 1944. Memorandum as above referred to.

Jan. 31st, 1944. Memorandum from Mr. Smith as follows:

"In company with Mr. Spain, I called at Messrs. Pemberton Realty Corporation and there interviewed a Mr. Goldie Johnson, and endeavoured to establish the date on which the key to 5675 Granville Street was given to me. Mr. Johnson unfortunately had destroyed the key envelope on which a record was kept, but he recalled that several months after the date he had given me the key he had made many phone calls to both the Custodian's office and Messrs. P.S. Ross & Sons, requesting the removal of the chattels from the above address.

From memory I would say that the date I had the key would be some time before the Inventory was taken by Messrs. P. S. Ross & Sons.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE
PLEASE REFER TO
FILE No.

G.W. McPherson, Esq.

There seems to be a case of mistaken identity, as Mr. Johnson of Messrs. Pemberton Realty Corporation thought until this morning's interview that I was a "Mr. Boucher" of Messrs. P.S. Ross.

Mr. Johnson informed us that the owner of the premises has always had the key to this store, which was used by the contractors making repairs to the building and the key in possession of Pemberton's was given out many times after I had it for the purpose of a preliminary inspection.

We are positive that no chattels were moved from this address to any of the Custodian's Warehouses."

From this it would appear that Mr. Smith cannot be implicated.

In view of the age of the Cash Register I am very doubtful if such a machine would find its way to the National Cash Register Company for repair or resale and that in this way it might be traced as suggested by Messrs. P.S. Ross & Sons.

Mr. Wright will report to Messrs. P.S. Ross & Sons the information given by our Mr. Smith.

Yours very truly,

F G Shears

F. G. Shears,
Director.

FGS/PMH

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario,
January 25th, 1944.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Dear Mr. Shears:- re Toshio Kikuta

I have a copy of a letter, dated January 11th, from P. S. Ross & Sons addressed to the attention of Mr. Wright dealing with the above matter, and the last paragraph of this letter interests me.

Reference is made to Mr. Johnson stating that our Mr. Smith removed the cash register from the store premises. I have no doubt you have discussed the matter with Mr. Smith and I would like to know whether you have located the cash register and what is Mr. Smith's explanation.

Yours very truly,

G. W. McPherson
Executive Assistant

GWM/L

Copy for Mr. G. W. McPherson

fdc

Our File D-15

January 11th, 1944.

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

Attention: Mr. K. W. Wright

Dear Sirs:

Re: Toshio Kikuta

We have now completed an investigation as far as possible regarding the equipment contained in a store formerly occupied by the above mentioned party.

In discussing this matter with Mr. Johnson of Pemberton Realty Corporation Limited he informs us that certain items listed below, which we assumed were part of this equipment when our man visited the store, were in reality the property of a contractor who was making some repairs.

750 lbs. cement in 100 lb. sacks
1 ladder - 24'
1 ladder - 18'

They also state that a sign 15' X 3' belongs to them.

With the exception of one or two items of no particular value this leaves only one cash register, serial no. 2344891. Mr. Johnson is very positive that someone from your office, and he names Mr. Smith, secured the key and removed this cash register. We are taking the matter up with the National Cash Register Company in an effort to trace this machine by means of the serial number and will report to you what we learn in this regard.

Yours faithfully,

P. T. Ross & Co.

VIA AIR MAIL

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 8679

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

30th November, 1943.

file

G.W. McPherson, Esq.,
Executive Assistant,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. McPherson:

Re: Kunizo MORI
Lot 2 of S½ of W½ of Sec. 14, Blk.6, North
Municipality of Pitt Meadows.

I am enclosing copy of a letter I have received from Col. Chandler.

I had Mr. Richardson look up the facts in connection with this and in case this matter should be brought to your attention I enclose copy of our reply.

Yours truly,

F G Shears

F. G. Shears,
Director.

FGS/PMH

encl.

COPY

8679
BC/501P
(JL-419)

518 Rogers Building,
Vancouver, B.C.
November 26th, 1943

The Custodian of Enemy Property,
506 Royal Bank Building,
Vancouver, B.C.

Dear Sir:-

Re: Kunizo MORI - Lot 2 of S½
of W½ of Sec. 14, Blk. 6, North,
Municipality of Pitt Meadows.

Mr. J.P. Zuest, who has a lease from us of the above property, was in to see me this morning with a complaint that one Fred Gee is attempting to remove rhubarb roots from the above property. Mr. Zuest produced to me a letter from your office dated January 23rd, 1943 authorizing Gee to remove 1100 rhubarb roots because the Japanese states that he has sold them to Gee.

I cannot understand how this authority was given in the first place in view of the fact that Mr. Zuest was at that time your tenant, but in any event, will you kindly notify Mr. Gee that the property has been sold to us and that he has no authority whatsoever to remove rhubarb roots and must immediately return any that he has taken.

Yours truly,

W.K. Chandler,
Legal adviser.

WKC/W

COPY

COPY

8679
Your file BC/501P
(JL-419)

November 30, 1943

The Director,
Veterans' Land Act,
518 Rogers Building,
Vancouver, B.C.

Dear Sir:

Re: Kunizo MORI - Lot 2, of S½ of W½ of Sec. 14, Blk. 6, North, Municipality of Pitt Meadows.

We have for acknowledgement yours of the 26th instant relative to subject property, and note your remarks therein.

For your information we wish to advise that the reason we gave Mr. Fred Gee permission to remove eleven hundred rhubarb roots from this property was that Mori sold these roots to Gee, prior to Mori's evacuation from the district, and Mori received payment in full from Gee. Messrs. Zuest and Thompson were the joint lessees of this property in 1942 and we, therefore, wrote to Mr. Thompson December 22, 1942, as he was operating the property, and informed him of Mori's arrangement with Mr. Gee asking if he, on behalf of himself and Mr. Zuest, had any objections to us making arrangements for Mr. Gee to take the rhubarb roots and, unless we heard from him by the end of December, 1942, we would assume that he had no objection. He did not advise us of any objection and we accordingly so informed Gee, as per our letter of January 23, 1943.

Yours very truly,

F.G. Shears,
Director.

RDR/EG

COPY

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 4122

506 Royal Bank Building,
Vancouver, B.C.

3rd July, 1943.

file

G.W. McPherson, Esq.,
Executive Assistant to the
Secretary of State of Canada,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. McPherson:

Re: Bunshichi SHIOZAKI.

We have received a letter from Mr. F. de Kobbe, the Spanish Consul asking for information in connection with one of our files.

In case any reference should be made to your office in connection with this matter, so that you may have some knowledge of the case, I am enclosing copy of my letter to Mr. de Kobbe.

I understand that Mr. J.A. Russell is one of the oldest Barristers in this district and used to command a great deal of respect from the legal profession and other citizens but that it is a case where on account of drink his affairs are not in a very satisfactory position.

Yours very truly,

F. G. Sheārs,
Director.

FGS/PMH

encl.

4122

3rd July, 1943.

F. de Kobbe Esq.,
Spanish Consulate,
Vancouver, B.C.

Dear Sir:

Re: Bunshichi SHIOZAKI

We are in receipt of your letter of the 25th June in which you ask for information in regard to Mr. Shiozaki's affairs in connection with the sale of his house at 1012 Main Street, Vancouver, and the negotiations with Mr. J.A. Russell in regard to same. The facts as they appear on our file are as follows:

Mr. Shiozaki sold his property to Mr. Toy Quong for $2,200.00 under a Conditional Bill of Sale Agreement and received $1,000.00 in cash. The balance was payable at $100.00 per month plus interest.

Mr. Shiozaki appointed Mr. J.A. Russell as his agent for the collection of this amount. The entire balance due by Mr. Toy Quong has, we believe, been collected by Mr. Russell. One installment was paid by Mr. Russell direct to Mr. Shiozaki and the amounts received by this office have been accounted for to Mr. Shiozaki and our statement is enclosed herein.

There appears to be three instalments which have not been remitted by Mr. Russell, either to ourselves or to Mr. Shiozaki. Mr. Russell states that he has retained $100.00 for his own professional services and the other two instalments are said to have been disbursed to a Mr. F.W. Lambert on behalf of Mr. Shiozaki. This, however, is denied by Mr. Lambert.

Our office has had considerable correspondence and interviews with Mr. Russell and failing to get the required satisfaction, the matter was referred to our Solicitors, Messrs. Locke, Lane, Guild & Sheppard, and they wrote to Mr. Russell asking for a settlement, but without result.

Mr. Shiozaki has written to us saying "I am really disappointed in you for being irresponsible and not protecting my interest."

We trust that you will appreciate the fact that Mr. Shiozaki chose his own collecting agent in preference to placing his affairs entirely in our hands at the time he registered with us. Mr. Russell was not appointed by us and we cannot therefore be held responsible for his actions.

The file does not indicate that any definite fee was agreed upon between Mr. Russell and Mr. Shiozaki. Mr. Russell we understand holds a Power of Attorney from Mr. Shiozaki and as previously stated Mr. Russell was retained by him as his Solicitor.

This office feels that we have made every endeavour to obtain a settlement on behalf of Mr. Shiozaki but a decision as to whether definite legal steps should be taken rests with Mr. Shiozaki and according to his letter of the 22nd June, he is not in favour of any expenses being incurred for this purpose.

We trust that the information given herein may be helpful to you and we can assure you that this office will give you the fullest co-operation in our power.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

26th April, 1943.

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 5056

G. W. McPherson, Esq.,
Executive Assistant to the
Secretary of State of Canada,
Office of the Custodian,
Victoria Building,
Ottawa, Ontario.

Dear Mr. McPherson:

Re: Kamekichi OTSU

I am in receipt of your letter of the 20th instant with enclosures of Police Reports regarding the Motion Picture projection machine etc. which was located in the home of the above at Steveston.

On examining this file I find that Mr. Mather reported for us and stated that the house had been leased to Alfred Hipworth by Otsu for the sum of $5.00 per month for the duration of the war.

We have allowed this arrangement to stand and have been receiving the monthly rentals, have made payments of taxes and water rates and at the moment there is a balance of $25.59 on hand.

The correspondence received will be placed on file so that we will have a record of the fact that the items referred to are in the custody of the Royal Canadian Mounted Police and in view of the statements made by Mr. Hipworth to the Police, and the Police reports regarding same, no further action appears necessary at the present time.

Yours very truly,

F G Shears

F. G. Shears,
Acting Director.

FGS/PMH

1347 E 7th
Vancouver B.C.
April 27/42

[redacted] Custodian Enemy Alien property
Ottawa Ont

Dear Sir

Can you use the services of a good practical fruit grower. Accustomed to growing Strawberries & other soft fruits. also tree & bush fruits. Ive had seven years fruit ranching in Wynndel B.C. & am familiar with all branches of the industry as practiced in this province. in connection with growing spraying. pruning. cultivation. irrigation. & preparing for market

I am 52 years of age & in good health. If you can use me in any capacity in connection with your administration of the Japanese fruit ranches. Either in an advisory. inspection. or other capacity. I will be pleased to serve in that way

Yours very Truely

E. M. Martell. Sr.

OFFICE OF THE CUSTODIAN
RECEIVED
MAY 2 1942
PASS TO.....
TRANSFER TO.....
ANS'D BY
FILE