

1458

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

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

PERSONAL INFORMATION

NAME: NITSUI, Michi

HOME ADDRESS: Ucluelet, B. C.

REGISTRATION NUMBER 12000

SEX: Male

AGE: 26

OCCUPATION: Fisherman

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Self

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Michiko

ADDRESS OF WIFE OR HUSBAND: Ucluelet, B. C.

NAMES OF ANY LIVING CHILDREN: Shigekagu (M) Fumiko (F)

ADDRESS OF CHILDREN: Ucluelet, B. C.

AGE OF CHILDREN: 5; 1;

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

1. LOCATION AND DESCRIPTION: Lot 2, of Section 21, Clayoquot District, Plan 1116.
Lot 40' X 100' Nearest village is Ucluelet, B. C.

2. BUILDINGS AND OTHER IMPROVEMENTS: 1 storey frame building, 4 rooms.

Key held by Steve Rideout of Ucluelet, B. C. to whom this house is rented and is now living in it. Copy of the lease agreement herewith.

3. INSURANCE (Give particulars; state where policies are) \$700 fire insurance with North

West Fire Insurance Co., Vancouver, B.C. Branch #206018 held by declarant. Paid up to July 1st., 1943. Actually issued by Tanaka Ins. Agency 415 Powell St., Van. B.C.

4. TAXES (Amount and where payable) Approx. \$7 per year to Alberni Assessor paid to June 1942

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

None

6. OCCUPANCY AND LEASES (If vacant so state) Leased on monthly status to

Steve Rideout of Ucluelet, B. C. Lease held by declarant and copy attached herewith.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: In owner's possession
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None
9. IF FARM LAND STATE CROPS SOWN None

STATEMENT OF REAL PROPERTY OCCUPIED

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

STATEMENT OF PERSONAL PROPERTY OWNED:

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

As per lists attached, packed up and stored in declarant's dwelling house at Ucluelet, B. C. in custody of present tenant, Steve Rideout. Approx. Value \$1800.
(Silver Spring licence 3220 N.W.)
Also fishing boat in custody at New Westminster, B. C. value about \$4,000

- 1 trunk, 1 sewing machine, 1 ^{clothes} ~~size~~ bag, 2 box clothing, 1 box milk, 3 milk box of canned goods, 1 box canned goods in care of brother-in-law, Masayoshi Oye, Steveston, B. C.
- 7 boxes canned goods, 1 sk. rice, 1 box kitchen utensils, 2 sets of bed complete, 2 clothes bags (mattress), 2 clothes bags of clothing at C. P. R. Wharf, Vancouver, B. C.
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS

None

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

(The Insurance) FILE NO.

4. INSURANCE CARRIED ON ABOVE PROPERTY: \$300 with North West Fire Insurance Co.,
 (Actually issued by London Life Agency, 415 Small St, Vancouver, B.C.)
 Vancouver Branch, #205018, Premiums paid up to July 1st, 1945. Policy on person.

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

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

None

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

\$100 Victory Bond 1951 maturity. \$25 War Saving Certificate both on person.

8. BANK ACCOUNTS #2034 (?) Royal Bank of Canada, East End Branch, Van. B.C. Approx. \$200
 Current Acct. at same bank but balance unknown.

9. LIFE INSURANCE (A) \$1000 Sun Life Assurance Co., Vancouver, B.C. Branch next premium due
 Sept. 1942. Policy #2500212 held by declarant.

(B) \$2000 same company, same branch Policy #2045883 held by declarant, next premium
 due Sept. 1942. Beneficiary in both cases, wife Michiko

10. INTEREST IN ANY ESTATES OR TRUSTS.

None

Cash Surrender Value
 paid by same life in
 May/42

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None

2. TRADE DEBTS: None

REMARKS: None

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

Dated this 25th day of March 1942.

(Signature)

U. Nitsein

Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.O.M.P.

DATE May 5, 1943.

1458.

NITSUI

Ukichi

(Surname in Block Letters)

ation No. 12000.

Male - Female
(Check)

Age Mar. 23, 1915.

Address

McLure St. BC.

to Evacuated

May 21, 1942.

Naturalized - Canadian-Born - National
(Check)

Present Address

Lillooet, BC.

d - Single
(Check)

Name of Wife

Michiko

Name of Husband

Mother

USHIRODE

#11953.

Name of Father

Tanaka - #11954.

Children under 16

Shigekazu (M) 3/10/1938 -

ko (F) 25/11/1940

Riko Francis (F) 25/9/1942.

by

L. Torayth

Registered with Custodian

Yes
(Yes or No)

Information

Fisherman. Owner of Boat and

96/370/32

1458

Form 200

ROYAL CANADIAN MOUNTED POLICE

EXHIBIT REPORT

No.

HEADQUARTERS File No.

DIVISION & File No. 42E.269/2/1-218

Vancouver Island Section

SUB/DIVN. & File No.

Victoria, B.C.
DETACHMENT & File No.

DATE June 11th, 1942

Re: U. NITSUI, O.Reg.No. 12000, Ueluelet, B.C. under D.O.C.H.
(Name of File)

On 28-5-42 1 Const. H.D.A. Brabant
(Date) (Member's Name)

Came into possession of the following described goods by receiving same from the B.C.F. Police
of Ueluelet, B.C. who had same surrendered to them.
(State Authority from whom seized and place of seizure)

No. of Exh.	No. of Packages	Qty. or Size	DESCRIPTION OF EXHIBITS
1	one		Camera, Folding type ZEISS IKON Lense 4.5 Serial No. 225597 (JEARETTE CAMERA)

CERTIFIED CORRECT

(SGD)

Const.

H.D.A. Brabant Reg. No. 11204
(Signature of member submitting report)

SUMMARY TAKEN FROM VESSELS RECORDS

Date: June 29, 1944

Reg. No. 12000 File: 1458

Name: NITSUI, Ukichi

Boat File No.: JFVDC 901

Name of Vessel: "Silver Spring" 35'x9'x4.10' (1940) Chrysler 94 HP (1940)

Lic. or Reg. No.:

New Westminster 3220

Naval No.:

None

Owner's Valuation:

\$4,000.00

JFVDC Valuation:

None

LLOYD'S VALUATION: \$3,750.00

Custodian Valuation:

None

Date of Sale:

Requisitioned - B/S August 19, 1942

Purchaser:

Dept. of Munitions & Supply (R.C.A.F.)

Signature on Sales Papers:

H. Fukuyama, Att'y for Ukichi NITSUI

Selling Price:

\$3,750.00

Paid to JFVDC ~~on cost of~~

3,750.00

Supervision Costs:

42.50

Balance due Owner:

3,707.50

Paid to:

Ukichi NITSUI, Dec. 8, 1942

Location of Boat at Sale:

New Westminster

Claims Against Canadian Govt.:

None

Additional Information:

Received
Dec. 4, 1945
Jm

W. A. L. L.

ROYAL CANADIAN MOUNTED POLICE

No. 879

EXHIBIT REPORT

HEADQUARTERS File No.

SUB-DIV'N and File No. Vancouver

DIVISION and File No.

DETACHMENT and File No. C.I.B.

(J.R. 12000)

DATE May 25th. 1944.

Re:

Ulrich MITOUX (Mitoux) (Formerly of Valuelot, B.C.)
(Name of File)

On

July 30th. 1943

I

F.R. Jefferson, Cst.

(Member's Name)

Came into possession of the following described goods by

Handed over by the R.C.M. Police, Victoria, B.C.
(State Authority from whom seized and place of seizure)

No. OF EXHIBIT	No. OF PACKAGES	CAPACITY OR SIZE	DESCRIPTION OF EXHIBITS
	1.		Zeiss-Ikon folding type camera. #225597 & 50912. MR. F.G. SHEARS OFFICE OF CUSTODIAN, 506 Royal Bank Bldg., Vancouver, B.C. COPIES FOR YOUR INFORMATION. SUD. SUPT. (C.K. GRAY.) Officer Commanding "R" Division Vancouver, B.C. May 27th. 1944 FRJ/CKP File 1458

REMARKS: Handed over to the B.C. Security Commission.

(State briefly disposition)

DATE

May 26 1944

CERTIFIED CORRECT

(Signature of Receipt & Witness)

F.R. Jefferson, Cst. #10559.

(Signature of Member)

please file

(Information supplied by Ins. Co.)

LIFE INSURANCE

Name Mr. Ukichi Nitsui

File No. 1458/1

Reg. No. 12000

Company Sun Life

Agency Vancouver Agency

Policy No. 2300212

Premium - \$ 68.90

Payable: ☒ Annually, ☐ Semi-annually or ☐ monthly

Month September Day 20

REMARKS:

34

letter sent 10/9/43

File No. 1458

CLAIMS DEPARTMENT

October 14th, 1943.

Onichi NITSUI - Reg. No. 12000

CREDITORS:-

NO CLAIMS ON FILE, at this date.

/ND

94

✓

REAL PROPERTY SUMMARY

Catalogue No. 509.

File No. 1458.

Name: Ukichi NITSUI.

Reg. No. 12000.

Address: House No. 8, Fraser's Bay, Ucluelet, B. C.

Legal Description: Lot 2 of Section 21, Clayoquot District, Plan 1116.

Classification: 4-room Bungalow.

Registered in the name of: UKICHI NITSUI.

State of Title: Clear.

Sold to: STEPHEN RIDEOUT for \$1,615.00 (Cash).

As at: September 23rd, 1944.

Title delivered to new Registered Owner on: February 26th, 1945.

Funds (\$1,656.76 net) released to credit of Ukichi NITSUI on: February 19th, 1945.

Completed statement to Evacuee sent on: March 23rd, 1945.

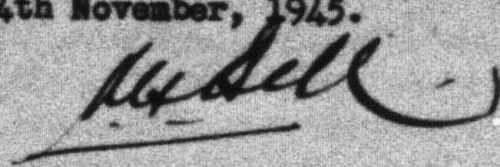
Chattels: Not involved. (See "Administration" below).

Insurance: Transferred to Purchaser (January 11th, 1945).

Administration: This property was leased (9th March, 1942) by the owner to Steve Rideout, the rent being \$18.00 per month (first year being paid in advance) plus taxes and fire insurance (\$1500.00). A large quantity of furniture, fishing gear and personal effects were left on the premises in the care of the tenant, who eventually (23rd September, 1944) became the purchaser. The ownership of some of these articles is now the subject of correspondence between the parties concerned.

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

14th November, 1945.



NITSUI, Unichi

FILE NO. 14-50

Transferred to Purchaser

Mr. Green's answer received of him
on H. A. P. not required
22/4/45
X.T

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

4th December, 1945.

December, 1945.

RGB/P.

LIABILITIES SUMMARY

File 1438.

Uichi NITSUI.

Reg. No. 12000.

NO CLAIMS RECORDED IN THIS FILE.

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

14th November, 1945.

[Signature]

12/7.

MEMORANDUM

September 13, 1943.

TO: File No. 1458

FROM: Specified Articles Department.

Re: NITSUI Ukichi, Reg. No. 12000

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
CAMERA	Folding type ZEISS IKON Lense 4.5 Serial No. 225597 JEARETTE CAMERA	

*Released to BC Security Commission
May 26, 1944
JW*

RS

THE CUSTODIAN
DEPARTMENT OF THE SECRETARY OF STATE
VICTORIA BLDG., 7 O'CONNOR STREET
OTTAWA, CANADA

THE CUSTODIAN
REGULATIONS RESPECTING
TRADING WITH THE ENEMY (1939)

FORM "D"

Ref. No. As
From the . Sun Life . . Insurance
Company of Canada
Date of Discovery. . May 1942 . .

Particulars of Life Insurance Policies and Annuity Contracts on Life of an Enemy

N.B. Separate forms should be used for each policy
or annuity contract for each "enemy"

Policy No.	2,300,212	Date of Policy (i.e., due date of first regular premium)	September 20, 1940
Life Insured	- Name Ukichi Nitsui Born March 23, 1915 Address P.O. Box 23, Ucluclet, B.C.	Plan of Policy	15 year endowment
		Sum Assured xxx	Can. \$1,000
		Amount of Annuity	
Owner - if third party insurance	- Name - Address -	Premium - Amount	Can. \$68.90
		How Payable	Annually
		Due Dates	September 20th
Beneficiaries	- Names Michiko Nitsui Addresses - Relationship to Life Insured wife	Policy Loans (automatic or otherwise)	-
		Approximate Cash Value, if any, including dividends, after deducting all policy indebtedness	-
Record of Current Assignments (other than to company for policy loan)	-	Nature of Automatic Non-forfeiture Provision	Automatic premium loan
- give names and addresses -		Approximate Cancellation Date under Automatic Non-forfeiture	September 1946

Special Notes:

THE CUSTODIAN
DEPARTMENT OF THE SECRETARY OF STATE
VICTORIA BLDG., 7 O'CONNOR STREET
OTTAWA, CANADA

THE CUSTODIAN
REGULATIONS RESPECTING
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N.B. Separate forms should be used for each policy
or annuity contract for each "enemy"

Ref. No. As
From the . . . Sun Life . Insurance
Company of Canada
Date of Discovery. May 1942 . .

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
MAY 28 1942

Policy No.	2,045,883	Date of Policy (i.e., due date of first regular premium)	December 1, 1929
Life Insured	- Name Ukichi Nitsui Born March 23, 1915 Address P.O. Box 23, Ueluelet, B.C.	Plan of Policy	25 year endowment
		Sum Assured xxx	Can. \$2,000
		Amount of Annuity	
Owner - if third party insurance	- Name - Address -	Premium - Amount	Can. \$80.70
		How Payable	Annually
		Due Dates	December 1st
Beneficiaries	- Names Michiko Nitsui Addresses - Relationship to wife Life Insured	Policy Loans (automatic or otherwise)	-
		Approximate Cash Value, if any, including dividends, after deducting all policy indebtedness	Can. \$803.36
Record of Current Assignments (other than to company for policy loan)	-	Nature of Automatic Non-forfeiture Provision	Automatic premium loan
- give names and addresses -		Approximate Cancellation Date under Automatic Non-forfeiture	Will carry to maturity

Special Notes:

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I

Name UNIKI NITSUI

Address UCLURET, B. C.

Occupation FISHERMAN

do hereby make, nominate, constitute and appoint

Name HIDEO FUKUYAMA

Address 1809 VENABLE STREET, VANCOUVER, B. C.

Occupation SALES MANAGER

my true and lawful attorney for me and in my name, place and stead and for my sole use and benefit, to sign and execute all bills of sale, mortgages or releases of mortgage, all discharges and releases and all chattel mortgages or releases of chattel mortgages, AND IN PARTICULAR to execute all documents of any nature whatsoever which may be required by the Japanese Fishing Vessels Disposal Committee relative to the transfer of the vessel to owners who are not of Japanese origin, and/or to execute all documents of any nature whatsoever in connection with the sale, transfer, release or discharge of the vessel

Name of vessel "SILVER SPRING"

Port of registry or license NEW WESTMINSTER, B. C.

Official number or license 3880 H.V.

and for all and every of the purposes aforesaid do hereby give and grant unto

HIDEO FUKUYAMA, said attorney, full and absolute power and authority to do and execute all acts, deeds, matters and things necessary to be done in and about the premises, and also to commence, institute and prosecute all actions, suits and other proceedings which may be necessary or expedient in and about the premises as fully and effectually to all intents and purposes as I could do if personally present and acting therein, and also with full power and authority for

HIDEO FUKUYAMA, said attorney, to appoint a substitute or substitutes, and such substitution at pleasure to revoke I hereby ratifying and confirming, and agreeing to ratify, confirm and allow all and whatsoever my said attorney or such substitute or substitutes shall lawfully do or cause to be done in the premises by virtue hereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal the 4th day of April A.D. 1942, at Vancouver in the Province of British Columbia.

SIGNED, SEALED AND DELIVERED
in the presence of:

K. Kimura Unichi Nitsui

517 Dunlevy Avenue,

Vancouver, B. C.

[REDACTED]

Carbon copy of Lloyd's Certificate is
from the records of Lloyd's Register of
Shipping, and is to be returned to Mr.
Robert Rennie, Lloyd's Register of Shipping,
Marine Building, Vancouver, B. C.

[REDACTED]

COPY.

Lloyd's Register of Shipping

Port Vancouver, B. C.

April 22nd, 1942.

No. C-1033

This is to Certify that

ROBERT BENNIE

the undersigned Surveyor to this Society did at the request of the Director of Marine Services, examine the Single Screw Wood Fishing Vessel "SILVER SPRING" of New Westminster, Licence No. N.W.B.C. 3220 (also marked No. 3124) of 9 tons gross owned by Ukichi Nitsui of Uelueloet, B. C., with a view to ascertaining her present value.

This fish boat was built by S. Kishi, Richmond Boat Works, Steveston, B. C. in 1940; dimensions, length 35'.0", breadth 9'.0", depth 4'.10", and is propelled by a six cylinder Chrysler Crown gasoline engine 3-3/8" bore by 4" stroke rated at 85 B.H.P. installed new in 1940.

The undersigned examined the Vessel dry and afloat at Chappell Bros. Shipyards, Vancouver, B. C., on the 14th April, 1942, and on subsequent dates.

The general condition of the hull, machinery and equipment is efficient and the arrangements and accommodation suitable for this class of Vessel. The engine cylinder block was removed before the survey for frost damage stated to have been sustained after requisitioning.

After making due allowance for age and condition, including the new cylinder block, I have fixed the

This Certificate is issued upon the terms of the Rules and Regulations of the Society, which provide that:

The Committees of the Society use their best endeavours to ensure that the functions of the Society are properly carried out. It is to be understood that neither the Society nor any Member of any of its Committees is under any obligation to be held responsible for any inaccuracy in any report or certificate issued by the Society or any entry in the Register Book or other publication of the Society, or for any error of judgment, or for any loss or damage sustained by any of its Committees or any Member thereof, or the Surveyors, or other Officers or Agents of the Society.

"SILVER SPRING"

value of the "SILVER SPRING" at the time she was
registered at THREE THOUSAND SEVEN HUNDRED FIFTY DOLLARS
(\$3,750.00).

No appreciation due to the emergency of
war is included in this valuation.

A handwritten signature in dark ink, appearing to be "H. H. [unclear]", written over a horizontal line.

CONVEYOR TO LLOYD'S REGISTER.

COPT

MEETING OF THE DOMINION ADVISORY BOARD
RE REQUISITIONING OF PACIFIC COAST VESSELS
HELD IN THE COURT HOUSE, VANCOUVER, B.C. ON
7TH AND 9TH JULY, 1942.

PRESENT:

1458

HONOURABLE MR. JUSTICE SIDNEY SMITH, Chairman.

MR. GEORGE E. HOUSSEY.

MR. H. G. ROBINSON, Senior Steamship Inspector,
Vancouver, B.C.

RE "SILVER SPRING"

We, the Advisory Board, recommend that the valuation be
set as of the date when the vessel was requisitioned at
\$3750.00.

We further recommend that compensation be paid at the
rate of \$34.50 per month.

In arriving at the foregoing recommendations we have been
guided by the formula recommended by the Department of National
Defense.

DATED at Vancouver, B.C. this 10th day of July, 1942.

(Sgd.)

Sidney Smith

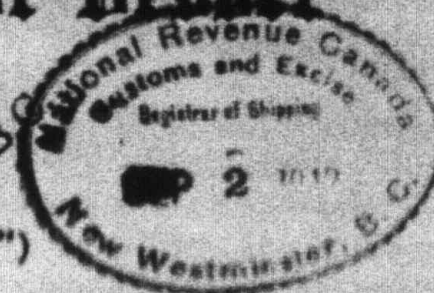
George E. Houssey

H. G. Robinson

*Maximum under formula = 12 1/2% of valuation
\$34.50 per month = \$414 per annum = 11% of \$3750 valuation*

BETWEEN:

Agreement for Sale of Vessel



OF THE FIRST PART

as represented by the Minister of Munitions and Supply,
Ottawa, Ontario, Canada.

(hereinafter called the "Purchaser")

OF THE SECOND PART

In Consideration of the sum of \$1.00, the receipt of which is hereby acknowledged, we agree to the sale and purchase of the vessel hereunder described:

Name of Vessel: Silver Spring

Port of Registry: New Westminster, B. C.

Official Number: 5820 N.W. B.C.

Length: 55' Breadth: 9'

Depth: 4' 10"

Propelling power: Chrysler Motor 94 Horsepower

For the price or sum of \$ 3750.00

Payable as follows: Cash

FURTHER, we the said Ukichi Nitsui

for my heirs, covenant with the said His Majesty The King and His assigns,

that we have power to transfer in the manner aforesaid, the premises hereinbefore expressed to be

transferred, and that the same are free from encumbrances, except as hereunder set out:

~~BALANCE of purchase price to be secured forthwith by mortgage on the vessel~~

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 19th

day of August, A.D. 1942.

SIGNED, SEALED and DELIVERED

in the presence of:

K. Kimura
217 Dunlevy Ave,
Vancouver, B.C.

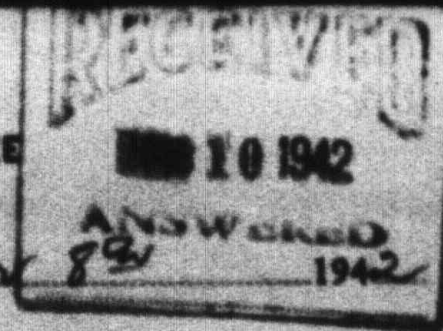
Ukichi Nitsui,

(Signed) H. Fukuyama

Atty.

SM-3-45

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE
VANCOUVER, B.C.



December

\$370⁵⁰/₁₀₀

RECEIVED from the JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

the sum of Three hundred and seventy and 50/100 DOLLARS

on account of sale of Vessel

CR# 1026-1/28

N 901 CB67

Certified Correct

Ukichi Nishimura

UNION MITSUB

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

<u>As Shown on Declarant's List:</u>	<u>In Rideout's possession</u>	<u>Navy</u>	<u>Sold by my Agent</u>	<u>In Storage</u>	<u>Comments</u>
50 sq. yds. Barret Wall Felt, 12 oz.	X				
2 rolls Barret Impervious Spruce (72 wth. 800 sq. ft.)	X				
Inlaid Linoleum 3rd Grade (8' x 10') (10' x 3 1/2') (18' x 2')	X				
1 only Baby Toddler	X				
2 only Children's Tricycles	X				
1 only Baby Walker	X				
6 only Charts	X				
1 only Presto-lite Storage Battery (19 plates - 6 volt)	X				
1 only Coyle Storage Battery (11 plates - 6 volt)	X				
1 bundle 3 3/8 x 10 ft. V. Joint				X	
50 fthms. 1/2" Cotton Rope		X			
6 Gaff Hooks with Handle	X				
2 only Ice Shovels D Handle	X				
2 only Mattocks	X				
2 only Buoys with plank and grip	X				
40 ft. 1/2" Water Hose				X	Rideout claims he purchased these and has a receipt.
1 only 60-lb. Galv. Navy Anchor		X			
1 only 30-lb. Kedge Anchor		X			
1 only 15-gal. Wooden Barrel (Buoy)				X	
6 only Trolling Holder for wire	X				
1 only Glass Buoy with 5" Brass Ring	X				
1 only 44-lb. Galv. Kedge Anchor		X			
1 only 1/2" Wing Pump	X				
5 fthms. 1/2" Galv. Anchor Chain		X			

UNICHI NITSUI

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

	<u>In Rideout's possession</u>	<u>Navy</u>	<u>Sold by my Agent</u>	<u>In Storage</u>	<u>Comments</u>
<u>As Shown on Declarant's List:</u> (continued)					
6 small boxes containing Fishing Gears and Lines		X		X	Some moved to storage.
150 fthms. $\frac{3}{4}$ " pure Manila Rope (new)		X		X	
100 fthms. $\frac{1}{2}$ " pure Manila Rope		X		X	
40 lbs. & 40 fthms. pure Manila Rope		X		X	
10 pos. 5" Gurdy Blocks			X		Sold by my agent to tenant for \$10.00.
6 pos. 3" Gurdy Blocks		X (5)		X (1)	
1 only Life Belt				X	
2 pos. Bent Pipe for Block Holder	X				
3 only Peaveys				X	
4 pos. Rubber Mats		X (1)		X (3)	
50 fthms. 5/16" Raging Cable		X			
4 spool Gurdies		X			
1 only Duo Therm. Oil Heater	X				Rideout has a receipt for a kitchen stove for which he paid \$100.00.
2 only 45-gal. Galv. Drums	X (1)			X (1)	
3 only Bed Mattresses	X				
1 only Lavatory Seat complete with accessories	X				This is an installation.
1 only Water Tank				X	
1 only 115-lb. Galv. Anchor		X			
300 lbs. 5/8" Iron Chain		X			
12 only Kitchen Chairs	X				Tenant claims he purchased these from the owner.
2 cartons of Chinaware (dishes, pots and sauces)	X				
1 only Wash Tub	X				
8 bundles of Lead Line		X			
3 boxes Lead Line with Sinkers		X			
8 boxes Trolling Gear (swivel, tubes, spoons and leaders)		X			

UNICHI NITSUI

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

<u>As Shown on Declarant's List: (continued)</u>	<u>In Rideout's Possession</u>	<u>Navy</u>	<u>Sold by my Agent</u>	<u>In Storage</u>	<u>Comments</u>
1 only Coleman Gas Stove				X	
1 box Kitchen Utensils (spoons, forks, dishes, pots and pans)	X				
1 complete Bed Set (mattresses, spring and frames)	X				
1 complete Baby Bed Set	X				
1 only Record Player	X				
3 only Boat Mattresses	X				
1 only Ironing Board	X				
2 only 5-gal. Oil Containers				X	
10 Galv. Pails and Aluminum				X (5)	3 no trace. 5 in storage. Rideout claims to have purchased "2 Aluminum Buckets" and has a receipt.
1 only Basement Stove	X				
2 bundles Shingles				X	
10 boxes Empty Soda Water Bottles	X				
1 only 35-lb. Galv. Anchor		X			
4 sets 5/8" Cables and Ropes complete for boat		X			
1 only Boom Pole with Bulb and Shade				X	
4 pes. Bow Poles and 5 Main Poles	X (2)		X (2)		Rideout purchased 2 pes. Bow Poles and 5 Main Poles from my agent.
1 only 12-gal. Drum	X				
1 only 15-gal. Drum				X	
3 sacks Coarse Salt	X				
1 box Iron Goods	X				
300 lbs. old Manila Rope		X			
100 lbs. old Net				X	
30 pes. Wharf Spikes	X				No trace.
3 only Pipe Poles					
2 pairs Oars and Rowlocks	X (1 pr.)			X (1 pr.)	

UNICHI NITSUI

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

	<u>In Rideout's Possession</u>	<u>Navy</u>	<u>Sold by NY Agent</u>	<u>In Storage</u>	<u>Comments</u>
<u>As Shown on Declarant's List: (continued)</u>					
1 only Row Boat (12 ft. approx.)	X				
5 only 5-gal. empty Oil Containers	X				
1 complete set Sink for Kitchen	X				This is a fixture.
25 pcs. $\frac{3}{4}$ " Galv. Pipe	X				
1 set Lavatory complete	X				This is installed.
1 only Baby Chair	X				
2 room Inlaid Linoleum (14/15) and (10/16)	X				
4 pcs. Wall Picture	X				
1 Axe and Sledge Hammer	X				
2 sacks Cement	X				
1 only 60 lb. Navy Anchor with 5 fthms. of galv. Chain		X			
1 only 30-lb. Kedge Anchor		X			
60 lbs. $1\frac{1}{2}$ " Nails				X	
40 lbs. 4 " Nails				X	
1 Kitchen Set of Table	X				Tenant claims he bought these from the owner.
1 Bedroom Table	X				Tenant claims he bought this from the owner.
7 Curtain Rods (7 window shades)	X				Tenant claims he bought these from the owner.
1 wooden box (torch, paint brushes)	X				
1 wooden box (hooks, oregon leaders and other fishing gears)	X				
1 paper box Trolling Wire, 3 spool main wire	X				
1 paper box Trolling Gears	X				
3 big bags Clothing	X				
1 only 2-gal. Pottery Pot with cover	X				
3 doz. (safety seal) Bottles	X				
1 paper box Mechanics goods (wrenches, screw nails)	X				

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

<u>As Shown on Declarant's List: (continued)</u>	<u>In Rideout's Possession</u>	<u>Navy</u>	<u>Sold by my Agent</u>	<u>In Storage</u>	<u>Comments</u>
1 paper box Kitchen Utensils (5 pans & 1 kettle, 1 cake tin, thermos bottles)	X				
2 boxes Canned Goods	X				
1 tool box (3 hammers, 1 square, 3 planes, nail puller, hacksaw, 2 pliers, pipe wrenches, screw drivers, 4 chisels, 2 hand saws)	X				
1 only Coleman Lamp				X	
1 only Alladin Lamp	X				
2 only new Windows (24 x 24)	X				
1 Ice Cream Freezer					No Trace.
2 V Pulleys with shaft				X	
11 Window Curtain Rods, 7 shades	X				
1,100 lbs. Sinkers	X				Tenant claims he bought these from the owner.
<u>Not Shown on Declarant's List:</u>					
1 Cork Life Belt				X	
1 2-burner Gas Camp Stove				X	
1 5-gal. Oil Container with approx. 4 gal. Oil				X	
1 can Gear Chain, 2 pcs.				X	
1 4-gal. sq. can containing saw handles, rowlocks, lead line, etc.				X	
1 small box Fish Hooks, loaded				X	
1 cardboard carton misc. goods, knives, forks, fish gear, etc.				X	
1 box Wharf Spikes				X	
13 Trolling Floats				X	

UNICHI NITSUMI

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

	<u>In Rideout's possession</u>	<u>Navy</u>	<u>Sold by my Agent</u>	<u>In Storage</u>	<u>Comments</u>
The following is a list of Articles delivered to the Navy:					
1 only 30-lb. Navy Anchor with Chain		X			
1 only 60-lb. Kedge Anchor		X			
1 only 35-lb. Kedge Anchor		X			
1 only 115-lb. Kedge Anchor		X			
2 only 25-lb. Kedge Anchors		X			
1 only 80-lb. Navy Anchor		X			
1 only 55-lb. Navy Anchor		X			
1 only 1" Anchor Chain		X			
1 only 3/8" Anchor Chain		X			
624 lbs. Lead Line		X			
4 only 3" Gurdy Blocks		X			
5 only 3" Gurdy Blocks		X			
1 coil 40-lb. 1/2" Rope		X			
2 coils 70-lb. 1/2" Rope		X			
1 roll Rubber Mat		X			
1 spool Copper Wire		X			
1 coil 75-lb. 1/2" Tarred Manila Rope		X			
1 coil 40-lb. 1/2" Rope		X			
1 coil 45-lb. 1/2" Rope		X			
1 coil 40-lb. 1/2" Rope, 40 fathom		X			
1 coil 38-lb. 1/2" Rope		X			
1 coil 25-lb. 5/8" Rope		X			

UNICHI NISHII

Personal Property as per list attached
to Declaration Form showing disposition
of items therein.

	<u>In Rideout's Possession</u>	<u>Navy</u>	<u>Sold by NY Agent</u>	<u>In Storage</u>	<u>Comments</u>
After the Navy receipted for certain Rope there remained in Storage the following:					
5 bundles 1" Rope, approx. 90 lbs.				X	
1 bundle 2" Rope, approx. 30 lbs.				X	
1 bundle 2" Rope, approx. 90 lbs. good shape				X	
1 bundle 1 1/2" Rope, approx. 20 lbs.				X	
1 bundle 1/2" Rope, approx. 20 fthm.				X	

K

C

D

1458

May 28th, 1942.

Mrs. S.R. Rideout,
Ucluelet, B.C.

Dear Madam:-

re Nitsui, Ukichi

We have your letter of the 13th instant in which you refer to arrangements made for renting the property of the above. We have a copy of the lease on our files and note that your arrangements were made directly with Mr. Nitsui while he was still here and prior to his registration with us.

With regard to your inquiry as to what price we would accept for this property, we can only advise you that it is not the policy of the Custodian to sell property unless with the consent of the owner, or special circumstances call for such action.

The lease agreement gives you a first option to purchase, and if you are prepared to make a definite offer we would have no objection to contacting Mr. Nitsui and finding out if he would be willing to accept your offer.

At the moment we have no report on file from our investigating agent, but the affairs of Mr. Nitsui seem to have been taken care of in a satisfactory manner.

Yours truly,

R.P. Alexander
Assistant Manager

FGS:EB.

1458 Extract from Inventory List of H. G. Hinton, July 10, 1942.

Goods stored in House No. 5, Fraser's Bay, Ucluelet.

Ukichichi NITSUI. #12000.

- 1 45-gallon oil drum
- 1 15-gallon oil drum
- 1 15-gallon water tank
- 1 2-burner gas camp stove
- 2 bdl. #3X Shingles
- 1 pair boat oars
- 3 peavies
- 2 cork life belts
- 1 5-gallon wood sand buoy
- 1 coil rubber hose, about 24 ft., $\frac{3}{4}$ "
- 1 coil, 2 pcs. rubber hose with nozzle, 20 ft.
- 3 5-gallon oil containers with approx. 4 gals. oil
- 1 ship boom pole with light
- 1 bdl. lumber, part V-joint
- 2 gurdy spools with line
- 5 aluminum pails
- 1 can gear chain, 2 pcs.
- 1 2-ft. shaft with 2 V pulleys ✓
- 3 bdl. rubber mats
- 1 4-gal. square can containing saw handles, row locks, lead line, etc.
- 1 1-burner Coleman gas stove
- 3 bdl. short cable
- 5 bdl. 1" rope, approx. 90 lbs.
- 1 bdl. $\frac{3}{4}$ " rope, approx. 30 lbs. good shape
- 1 bdl. 2" rope, approx. 90 lbs. good shape
- 1 bdl. $1\frac{1}{4}$ " rope, approx. 20 lbs.
- 1 bdl. $\frac{1}{2}$ " rope, approx. 20 fthm.
- 1 small box fish hooks, leaded 1 box line
- 1 small box fish hooks, leaded 1 box line
- 1 cardboard carton miscellaneous goods knives, forks, fish gear, etc.
- 2 kegs nails and spikes, approx. 70 lbs. ✓
- 1 cardboard box wharf spikes
- 13 trolling floats
- 1 bdl. approx. 100 lbs. old fish net
- 1 gas lantern. ✓

1458

July 30th, 1942.

Mr. Ukichi Nitsui,
Reg. #12000,
Lillooet, B. C.

Dear Sir:

With reference to your property at Fraser's Bay, Ucluelet, B. C, described as Lot 2, of Section 21, Plan 1116, Clayoquot District, which you leased to Mr. Steve Rideout, prior to your departure from Ucluelet, for the sum of \$18.00 monthly, plus taxes and premium on \$1500 fire insurance.

In regard to this property our agent reports that Mr. Rideout claims to have paid you the sum of \$460 in settlement of the below listed goods and rental:-

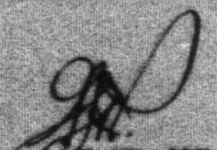
Kitchen stove.....	\$100.00
Bedroom Set, Radio and Dining-room Set.....	150.00
2 Logs.....	10.00
Pig Line Buoy.....	9.00
2 Aluminum Buckets.....	2.80
Paints.....	10.00
1 year's rent at \$15.00 pr.month	<u>180.00</u>
	<u>\$461.80</u>

Is this statement correct and is the rent of your property paid for one year from March 9, 1942?

We are today writing to Mr. Rideout asking him to send to us the receipted tax bill showing payment of taxes required to be paid by him under his lease and also the \$1500 fire insurance policy premium of which is also required to be paid by him under the terms of the lease.

Thanking you in anticipation of your early reply, we remain,

Yours truly,


GMP:ND

F. G. Shears
Assistant Manager

1458

July 30th, 1942.

Harold G. Hinton, Esq.,
809 Bank of Toronto Bldg.,
Victoria, B. C.

Dear Sir:

Re: Ukichi NITSUI

We beg to acknowledge, with thanks, your report of the 20th instant on the above.

We are today writing to Mr. Rideout regarding the taxes and the fire insurance required to be paid for by him under the terms of the lease.

We are not appointing Mr. Matterson as agent for this property until the matter of his commission rate has been settled.

We are writing Ukichi Nitsui asking him to confirm the monies paid by Mr. Rideout for the purchase of certain personal property and for the prepayment of rent. We are also writing him for confirmation of the information set out in your inventory.

Thanking you for your co-operation in this matter, we remain,

Yours truly,

F. G. Shears
Assistant Manager

GP AND

20th July 1942.

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

Attention Mr. R. P. Alexander.

Dear Sir:

re: Ukichir Nitsui. Registration No. 12000.
My File No. 38.

In accordance with your instructions I have investigated and taken control of the property of the above man as recorded on his registration form as follows:

Real Property:

"Lot 2, of Section 21, Clayoquot District, Plan 1116. Lot 40' x 100'. Nearest village is Ucluelet, B. C.

1 storey frame building, 4 rooms.
Key held by Steve Rideout of Ucluelet, B. C., to whom this house is rented and is now living in it. Copy of Lease agreement herewith."

Personal Property:

"As per lists attached, packed up and stored in declarant's dwelling house at Ucluelet, B. C., in custody of present tenant, Steve Rideout. Approx. Value \$1,800."

In connection therewith I have to report as follows:

Location:

Ucluelet is a village on Barclay Sound on the West Coast of Vancouver Island, B. C., about sixty miles west of Port Alberni, B. C. There is a Japanese settlement at Fraser's Bay adjacent to the village. The settlement consists of nine houses built on the foreshore or on land close to the high water mark. The location

Location: (continued)

commands an excellent view of Ueluelet Harbour. The approach to the settlement is by a rough trail from the village, by water, or along the foreshore.

A rough plan of the subdivision and index of property owners is attached to my report on Tomizo Yamanaka, Registration No. 12355, My File No. 79.

Land and Buildings:

Land:

The legal description of the property is Lot 2, Section 21, Clayoquot District, Plan 1116, Ueluelet. (Lot is 40 feet wide by 100 feet deep).

According to the Provincial Collector's office at Alberni, B. C., the assessed owner on 4th May 1942 was U. Nitsui. The assessed values are:

Land	\$ 100.00
Improvements	\$ 400.00.

Taxes amounting to \$18.80 were owing for 1942.

A Certificate of Encumbrance shows that the declarant, Ukichi Nitsui, is the registered owner, Indefeasible Title No. 121907-I.

Buildings: (House No. 8)

This is a one-storey wood frame, four-roomed house, newly painted, shingle roof. Bath and toilet inside. Built on piling on the foreshore well above the high water mark. Full basement and plumbing. Brick chimney. Chicken house and garden. Float and landing in front of the house. House is in good condition and the best one in the settlement.

In comparison with the other houses I would judge that the approximate selling price of the property is \$1,600.00 to \$1,700.00.

Land and Buildings:

Buildings: (House No. 8)

When I inspected the property in May last Mr. S. Rideout was the tenant. A copy of the lease agreement is attached. Mr. A. C. McCulloch, Solicitor, Port Alberni, B. C., acted for Mr. Rideout in preparing and approving of certain transactions between the Japanese and Mr. Rideout and is familiar with the transactions entered into by Mr. Rideout and the Japanese owner in respect to prepaid rentals and the sale of certain furniture left in the house. Mr. Rideout informed me that he made a cash offer to purchase the property but a deal was not completed. A lease agreement was therefore entered into which embodied an option to purchase.

Lease:

The following is a copy of receipts produced by Mr. Rideout:

Dated 6th March 1942:

Advance rent for one year	\$ 215.00
---------------------------	-----------

Dated 6th March 1942:

Kitchen Stove	\$ 100.00	
Bedroom Set, Radio and		
Dining-room Set	150.00	
2 Logs	10.00	
Pig Line Buoy	9.00	
2 Aluminum Buckets	2.80	
Paints	10.00	
1 year's rent at \$15.00 per month	<u>180.00</u>	\$ 461.80

RECEIVED from Mr. Rideout the sum of \$460.00.

(Signed) 'U. Nitsui' "

The above would indicate that the rent has been paid to 9th March 1943. (See copy of lease herewith).

Land and Buildings: (continued)

Agent:

The owner and Mr. Rideout, acting through Mr. Rideout's solicitor, completed their own arrangements regarding the lease of the property. Mr. Rideout is of the opinion that Mr. R. Matterson, the agent for other Japanese properties at Uluvalet, has no jurisdiction over the property he rents. Mr. Matterson does not consider that as agent at Fraser's Bay for other Japanese properties he has any responsibility for House No. 8 rented by Mr. Rideout, for the contents, the collection of rentals, or accounting for articles sold.

Personal Property:

The declarant states that he left certain personal property with the tenant--Steve Rideout--as per lists attached to his declaration form, a copy of which is appended hereto. This copy shows under various headings the disposition of the items. The items shown under the "Navy" column do not coincide in each case with the items shown on the Navy's receipt due to different descriptions of the anchors and ropes. A copy of the items receipted for by the Navy is shown at the foot of the list, and a list of Rope in Storage is also appended. Where there was some doubt as to any other item I have commented thereon in the "Comments" column.

Fishing Gear and Boat Equipment
Delivered to the Navy

For articles delivered please see attached list. I hold a receipt from the Navy.

Properties Realized:

The following articles were removed from House No. 8, placed in storage, and subsequently sold by my agent to Mr. Rideout:

	<u>Amount Received</u>
4 Trolling Poles	\$ 4.50
3 Side Poles	1.50
10 Gurdy Blocks	10.00
Used Gloves	.50
Lumber	4.00
2 Poles	2.00
	<u>\$23.50</u>

The above amount has been remitted to you.

Insurance:

The North West Fire Insurance Company under date of 10th April 1942, in response to my enquiry, wrote me as follows:

"We have your favour of the 7th instant in reference to the above. This party is insured in the North West Fire Insurance Company for \$700.00 on building, Lot No. 2 of Sec. 21 of L.D. Clayoquot, West side of Ucluelet Harbour, and \$300.00 on Household Furniture in this building. The policy is dated 1st July 1940, to expire on 1st July 1943, and the premium is \$22.00 for a three-year period."

Liabilities:

None are recorded.

Recommendations:

I recommend:

(1) That confirmation be obtained from Ukichi Nitsui (Lessor) and Steve Rideout (Lessee) of the terms of the lease agreement.

(2) That the Lessor be asked to state what moneys he has received from the Lessee for rent and goods sold.

(3) That confirmation be obtained from Ukichi Nitsui that he was the owner of the articles purchased by S. Rideout.

(4) That consideration be given now to the extension of the lease agreement and the exercising of the option.

(5) That, after confirmation has been received, the terms of the lease be approved by your office and that the Lessee be notified in respect thereto.

(6) That Mr. Rideout, the tenant, be asked to confirm:

That he still has the articles in his care as recorded in the first column of the enclosed list.

*month 8
plus taxes &
repairs
Paid that*

month 5/11/42

Recommendations: (continued)

(7) That Mr. H. Matterson, Uoluelet, be appointed agent for the Custodian to account to the Custodian's office for future rentals and the proceeds of any sale of owner's personal effects, and that both Mr. Matterson, the agent, and Mr. Rideout, the tenant, be notified of such appointment.

*Approved
Matterson
Rideout
H. H. Hinton
H. H. Hinton*

(8) That the tenant, Mr. Rideout, be asked to state whether he has carried out the terms of the lease agreement in respect:

- (a) To paying the taxes.
- (b) To the placement of \$1,500.00 insurance on the property.

Yours faithfully,

H. H. Hinton

HGH:LMS

Enclosures:

Q
D
P
X

Ucluelet, Vancouver Island,
British Columbia, March 9th, 1942.

I, UKICHI NITSUI, of Ucluelet, County of Nanaimo, Province of British Columbia, hereby gives sole right to STEVE RIDEOUT, Ucluelet, County of Nanaimo, Province of British Columbia, to rent my house and property situated on Lot 2, of Section 21, Plan 1116, Alberni Assessment District, Glayoquot Land District, on the following conditions:

(a) That Steve Rideout forwards to me, Ukichi Nitsui, the sum of eighteen dollars (\$18.00) on the first of each month as monthly rental fee, to whatever place I might designate.

(b) That Steve Rideout, upon moving into my property, will pay all Taxes due on this property, starting from the date of his moving into my property until the date he vacates same.

(c) That Steve Rideout, upon moving into my property, will take out in my name, Ukichi Nitsui, Fire Insurance on my property, to the amount of fifteen hundred dollars (\$1500.) and that he will pay all premiums on this Insurance Policy until he vacates said property.

(d) That while Steve Rideout is the tenant of my property, he will look after the general welfare of same and be responsible for all repairs necessary on my property and upkeep.

(e) That if Steve Rideout vacates his person and family from this property, that he will not rent out this property to any other person or persons, but turn same over to the Constable in charge, British Columbia Police for this district, who will then notify me, Ukichi Nitsui, and then dispose of the property as the Police sees fit.

(f) That I, Ukichi Nitsui, will allow fifteen days of grace to Steve Rideout to move out of my property, when I return to Ucluelet, B. C., or at any time I may decide to sell my property, or at any time that Steve Rideout fails to carry out the conditions mentioned in above sentence (a) (b) (c) (d) (e).

(g) That if I sell said property, Steve Rideout will be given first option to purchase same.

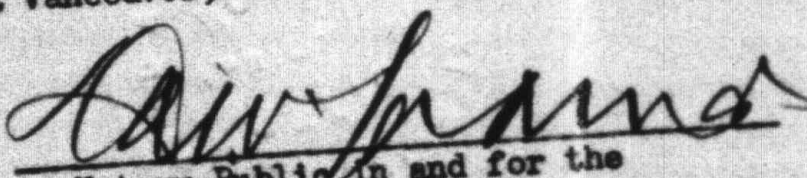
(h) This agreement made with Steve Rideout due to the present emergency, making it necessary for me, Ukichi Nitsui, to evacuate this area, as per an Extra of the Canada Gazette, No. 174, dated Ottawa, Monday, February 2nd, 1942.

"Ukichi Nitsui"
(UKICHI NITSUI) Signed.

"Steve Rideout"
(Steve Rideout) Witness.

I hereby certify that the attached document initialled by me is a true copy of the original document whereof it purports to be a copy.

DATED this 31st day of May, 1944, at Vancouver, B. C.


A Notary Public in and for the
Province of British Columbia.

LAND REGISTRY ACT

FORM R.
(Section 57 (a).)

AFFIDAVIT OF WITNESS

To Wit:

I, Donald Harris HOWELL, of the Hamlet
of Ucluelet, in the Province of British Columbia, make oath and say:-

1. I was personally present and did see the within instrument duly signed and executed by Ukichirō NITSUI and Steve RIDEOUT
the parties thereto, for the purpose named therein.
2. The said instrument was executed at Ucluelet, B. C.
3. I know the said parties, and that they are of the full age of twenty-one years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

Sworn before me at Ucluelet
in the Province of British Columbia, this 13th
day of March, 19 42

"D. H. Howell"

"B. Matterson"
(B. Matterson) Justice of the Peace in and for the County of Nanaimo.
A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits within British Columbia

E. S. Hillard, BC
Feb. 12th 1944

To Office of Canadian
Japanese Evacuation Section
Manager Protection Dept.

EVACUATION SECTION	
Rec'd	FEB 16 1944
File No.	1458
Ans.	17/2/44
Referred	Thorne

Dear Sir:

I have ask my tenant "Glen Kider" to send me the kitchen utensils, carpenter's tools and few other things by charges collect. But he wrote me back to ask Canadian to get the permission, so please kindly give him the letter of permission.

Also I ask my tenant, the pile of mixed lumber, which I pile beside my brother's property (house No. 6) and he also wrote me back that the lumber is gone. When I left Uchubut I gave the list of lumber to Mr. Ronald Metterson and tell him to take care so please kindly find out this matter.

This is the copy of lumber's bill, which is in my hand.

90 pcs.	2x6-16	#1	Com. Cedar Rgb.	1640'	28.00	40.32
35 "	4x4-14'	#1	" "	34S. 653'	26.00	16.98
82 "	2x4-16	#2	" Fir	34S. 875'	23.00	20.12
500 Lm.	1x6	#1	" "	" 250'	23.00	5.75
25 pcs.	4x4-12	"	" "	" 400'	24.00	7.60
				3618'		92.78
					Sale Tax 8%	7.42
						100.20

I am, Sir, very truly,
Yours,
E. S. Hillard

2. 2 Lumber delivered by
Hillard to the office of the
Canadian Japanese Evacuation Section
on Feb. 12, 1944.

400 L. 1x6 #1 Com. Fir S&S. 200' | 35.00
Sales Tax 8%

31
Apr 97

1x12 #3 & Better Common Cedar Rough 1900' | 29.40 44.65
Sales Tax 8% 3.57
Delivery to dock 2.85
51.07

Above list is three lumber bills so please
kindly fork this lumber and please let me
know.

Yours truly
Whitman Wilson

Reg. No 12000

File No 1458

L-120057, BC

Bid No. 1.

Rec'd	JUL 3 1944
File No.	1458
Ans.	
Revised	

Vancouver, B. C.
June 26th, 1944.

509

Office of the Custodian,
506 Royal Bank Building,
675 West Hastings Street,
Vancouver, B. C.

Dear Sirs,

I hereby bid the sum of \$900.00 (Nine hundred Dollars only) for the property (land and building) known as the house occupied by Steve Rideout, at Fraser's Bay, Ucluelet Inlet, and listed for sale in your Catalogue under No. 509.

I also bid \$100.00 (One hundred Dollars only) for the owner's (Ukichi NITSUI) furniture now being used by the tenant.

I enclose \$100.00 (One hundred Dollars only), being the 10% (ten percent) deposit required by you, and would ask you to transfer this deposit to my Bid No. 2 if this bid is not accepted.

Yours very truly,

A. Tomren

A. Tomren.

Address: 336 Boyne Street,
New Westminster, B. C.

A. G. McCULLOCH
BARRISTER & SOLICITOR
NOTARY PUBLIC

Rec'd	SEP 5 1944
File No.	1458
Ans.	✓
Referred	Harrop.

LAW OFFICES: GROLL BLDG
PORT ALBERNI, B. C.

August 31, 1944

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

Dear Sir: Attention Mr. Bell
 Your File No. 1458
 Re- Catalogue No. 509, Fraser's Bay, Alberni, B.C.

I enclose my certified cheque in the sum of \$1,650.00 on behalf of Mr. and Mrs. Steve Rideout, in support of their application to purchase the above described property. I trust that this will be favourably received and if so I will advise you of the names in which they wish the property registered. Mrs. Rideout tells me that they have been paying the rent direct to the Japanese because that was the agreement they had with him, when the Japanese left and they were afraid they would not be permitted to occupy the house if they did not pay the rent according to the agreement. I enclose their receipts for the months ending May 21st and June 21st, 1944 and Mrs. Rideout tells me that she has paid the rent up until August 21, 1944 but the Japanese have not as yet forwarded the receipts to her.

Yours respectfully,

A. G. McCulloch
A. G. McCulloch

AGM:RH

ENC:

SEP 5 1944

Cheque #1615
C.H.H.

*Sum
\$1,650
one thousand six hundred and fifty
dollars*

Accept

1458.
Cat. No. 509.

November 9th, 1944.

Mr. Ukichi NITSUI,
Registration No. 12000,
Lillooet, B. C.

Dear Sir:

We are in receipt of your letter of the 25th ultimo regarding your Real and Personal property at Uelualet.

As you are doubtless aware the Government's policy is one of orderly liquidation of properties in the Protected Areas, and in conformity with instructions from Ottawa, such properties have been, and are now being, offered for sale.

In the case of your property at Uelualet (House No. 8, Fraser's Bay), you made your own arrangements regarding the leasing of the house and the storage and care of furniture and effects. While your interest in this property became vested in the Custodian from date of your evacuation, your arrangements with your tenant, Steve Rideout, were not interfered with, and when all Real Property at Uelualet was advertised for sale effect was given to your wish that your tenant be given first refusal. Mr. Rideout took up his option, filing an acceptable bid, which has been passed by the independent Advisory Committee and the property is now in course of being delivered to Mr. Rideout.

This transfer of ownership of the Real Property makes it desirable to settle the question of all Personal Property, either (1) by Public Auction, as has already been done with all other personal property in this district, (2) direct sale to tenant, at prices agreed between you by direct negotiations, or on the basis of prices established by independent appraisal, or (3) shipment to you at your expense.

We have your long (7 page) list of Chattels on file and shall be glad to mail you a copy if so desired. We would suggest the use of this list as a basis on which to negotiate direct with Mr. Rideout, and that you advise us of the result of these negotiations in due course.

Applications for travel permits must be obtained through the B. C. Security Commission but we are not aware of any having been issued for the purpose named and we are more than doubtful of an exception being made in your case.

Yours truly,

R. G. Ball,
Administration Department.

RGB/P.
c.c. to Mr. R. Matterson.

November 14th, 1944

REAL PROPERTY MEMORANDUM

FILE NO: 1458

NAME: Ukichi NITSUI

CATALOGUE NO: 509

RE: Fraser's Bay, Ucluelet, B. C.
Small Dwelling

CERTIFICATE OF ENCUMBRANCE:

Description of Property: Lot 2 of Section 21, Clayoquot
District, Plan 1116

Encumbrances: Nil

Taxes: 1944 taxes of \$28.98 paid.

Vested: No. 50909

VALUATION BY APPRAISER: \$1,600.00

AMOUNT OF BID: \$1,615.00

APPROVED BY ADVISORY COMMITTEE: September 8th, 1944

AMOUNT RECEIVED BY CUSTODIAN: \$1,615.00

NAME OF PURCHASER: Stephen Rideout

K. W. WRIGHT

KWW/JF
Attach.

File # 1458

To Office of Custodian

EVACUATION	
Rec'd	NOV 22 1944
File No.	1458
Ans.	7/12
Referred	Bill

Lillooet, B.C.
Nov. 1944

Dear Sir:—

Here I am writing to tell you that, I have ask my tenant Olive Ridout to send me many things so please give him the permission to send it over. Please kindly let me know where about is the storage. which you have it mark x on the chattels or the inventories lists. because I want the Coleman Gas stove and Coleman Lantern to send it over. You only mark storage on the list of Inventories, but I do not know where to get it so please let me know.

Yours Truly

Whitchi Nitsini

Reg. # 12000

Lillooet, B.C.

Storage house #5.

Same sold at auction 8/7/43

Balance - but not all identified, June '44

File No. 1458.
Catalogue No. 509.

January 22nd, 1945.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cramer

Ukiah NITSUI
Lot 2 of Sec. 21, Clayoquot
District. Plan 1116.

With reference to the above property which was recorded in the Victoria Land Registry Office, dated December 18th, 1944, we attach herewith the following documents in connection therewith.

1. Copy of application number 148360-I, dated December 15th, 1944, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 148361-I, dated December 15th, 1944, registering the property in the name of Stephen Rideout (Deed).
3. Duplicate of Transmission dated November 20th, 1944.
4. Duplicate of Deed dated November 20th, 1944 - Secretary of State to Stephen Rideout.
5. Certificate of Indefeasible Title number 148361-I, dated December 21st, 1944, covering the above property in the name of Stephen Rideout.

D. A. Cramer

DAC:JS
Atch.

STATEMENT RE SALE OF:

Catalogue No: 509
 Street Address: Fraser's Bay,
 Legal Description: Helmslet B.C.
 2/21/1116

Name: HITSUI, Uichi
 File No: 1458
 Reg. #12000

Date of Sale and AdjustmentsSept. 23/44.....

Sale Price 1615.00

~~Real Estate Agents Commission~~ 0

Charge for Valuation 7.50

Charge for Advertising 4.00

Land Registry Office Transmission Fee 2.50

~~Summary:~~

~~Unpaid Vendor~~

~~Mortgage~~

~~Interest on Debt~~

~~Other charges~~

Adjustments:

~~Real Estate Commission~~

Taxes

55.75

Water

11.00

1670.75

Net Proceeds credited to your account

1676.75

March 23rd, 1945.

Date:.....

Mr. George Peters

Compiled by:.....

Catalogue No. 509,
File No. 1498,
Fraser's Bay, Valualet, B.C.
Lot 2 of Sec. 21, Clayoquot
District, Plan 1116.

February 15th, 1945.

STEPHEN RIDGOUT

(purchaser)

In account with:

The Custodian of Enemy Property

STATEMENT OF ADJUSTMENT

(as at September 23, 1944)

	DEBIT	CREDIT
Purchase price	\$1615.00	
Cheques received		1615.00
Registration fees on deed - \$1615.00	7.50	
Arrears of 1943 and 1944 taxes	55.76	
Balance owing by purchaser		63.26
	<u>\$1678.26</u>	<u>1678.26</u>

BALANCE OWING BY PURCHASER - 63.26

Catalogue No. 509
File No. 1458
Fraser's Bay, Uluulet Inlet
Lot 2, Sec. 21, Map 1116

Receipt of Certificate of Title No. 148361-1 is by me hereby acknowledged and I agree that all adjustments and incidents connected with the sale to me of this property have been settled.

Receipt is also acknowledged of Queen Insurance Company policy No. 276324 which has been assigned to me.

Dated at Panama this 9th day of March 1945.

Signed

Steve. Rideout.

Return to the Custodian

1458

505 Royal Bank Building,
Vancouver, B. C.,
June 27, 1950.

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

Dear Mr. Wright: Re: Ulrich NITSUK - Case No. 43.

Special Report on claim relating to a
Fishing Vessel held by the Commissioner
to be outside the Terms of Reference.

The above is one of the "16 Special Recommendations"
made by the Commissioner. In the Report he suggests that a prima
facie claim was established as follows:

Charter hire	\$ 910.00
Loss by sale of vessel	230.00
Loss of equipment	<u>382.97</u>
Total	\$1522.97

We have pointed out to the Commissioner that the matter
of equipment was dealt with by himself and that he recommended awards
for the sum of \$156.70 and \$31.30 to cover this claim. These
amounts are shown under Case 43 on Appendix I of "Recommendations
for Payment of Awards."

Mr. Justice Bird desires me to draw this to the
attention of Justice Department so that they may amend his Special
Report on this case by deleting the last paragraph, -

"The claimant further alleges that there was delivered to the Navy, upon surrender of his vessel, equipment to the value of \$392.97 (vide Exhibit 9, Claim No. 43). It does not appear that compensation was paid to him for such equipment. I consider that the claimant has established prima facie a liability on the part of the Government of \$392.97 in respect of this equipment."

The final sentence should then read "The total prima facie liability established - \$1160.00."

Yours very truly,

F. G. Moore,
Director.

ran/un

EVACUATION SECTION

Rec'd JUN 16 1949

File No. 19-28

Ans.

Replied

Lillooet, B.C.

June 15th 1949

Dear Sir: -

I had a letter from Campbell Brazier Fisher & McMaster about the reclaim of certain lumber which I left at Uluahet, at the time of evacuation. Which these lumber have been bought by the community with certain number of people, and these people have given me the authority to claim for it.

If you are able to send me the whole amount, so I am willing to distribute into certain people which were in our community.

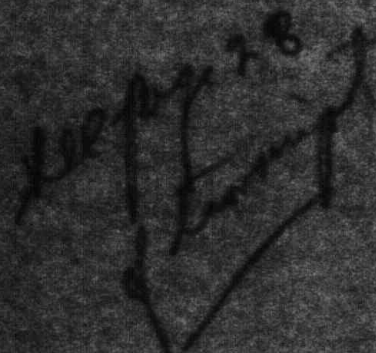
Please take this matter with Campbell, Brazier Fisher & McMaster and reply me early as possible.

Yours truly

Ukichi Tukui

P.O. Box 181

Lillooet, B.C.

See page 28


Blam #43

EVACUATION SECTION	
Rec'd	AUG 2 1949
File No	1523/
Att.	
Returned	

Lillooet, B.C.
July 18/49

Dear Sir — I am replying you the letter
of July 14, connection with the lumber
claim of Fraser Bay. The following names
are the people that has paid for the
lumber before evacuation.

N. Matsuda
N. Nishii
J. Oura
Z. Yamanaka
Y. Nishii
M. Aye
Y. Sakai
S. Sakai
M. Ikari
J. Kagawa

This is about all I could give
you the information on the above claim
Yours Truly
W. Nishii Nishii P.O. Box 181

June 21, 1950.

MEMORANDUM

TO: Mr. F. G. Shears

FROM: Mr. B. Good.

Re: Michi KITSU - Claim Case No. 43

On page 22 of Mr. Justice Bird's Recommendations for Special Consideration of Claims Outside Terms of Reference, you will find that in the above case he recommends an award to the claimant of \$392.97, covering equipment alleged to have been handed over to the Navy and to be now missing without any compensation having been paid the claimant for such equipment.

On the final award sheet covering Case 43 and included in Appendix I, of the Commissioner's Recommendation you will find that Mr. J. A. Macdonald has included under "Missing Boat Equipment", the sum of \$348.24 and under "Nets" a missing amount of 44.73, making a total "Missing" item on which an award has been made, of \$392.97,

the award being - on the boat gear, 45% \$156.70
and on the nets, 70% 23.01
\$189.71

Under the circumstances it might be as well to advise Mr. Justice Bird that a supplementary payment as recommended under his Special Recommendations would be a duplication, and he would probably wish to have Ottawa adjust his recommendation in this case.


B. Good.

P. S. Since writing the above, I thought it better to phone Mr. Justice Bird who says that in this or any similar case we may find, to please have no hesitation in informing Justice Department of our findings, requesting them to amend the amount of his recommendation. He pointed out that his wording "It does not appear that compensation was paid to him for such equipment", should have been called to his attention by both counsel, as he does not keep the files here and depended on counsel to check his figures.



BG/GN

C O P Y

506 Royal Bank Building,
Vancouver, B. C.,
June 27, 1950.

1458

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

Dear Mr. Wright:

Re: Ukichi NITSUI - Case No. 43.

Special Report on claim relating to a
Fishing Vessel held by the Commissioner
to be outside the Terms of Reference.

The above is one of the "16 Special Recommendations"
made by the Commissioner. In the Report he suggests that a prima
facie claim was established as follows:

Charter hire	\$ 910.00
Loss by sale of vessel	250.00
Loss of equipment	<u>392.97</u>
Total	\$1552.97

We have pointed out to the Commissioner that the matter
of equipment was dealt with by himself and that he recommended awards
for the sum of \$156.70 and \$31.30 to cover this claim. These
amounts are shown under Case 43 on Appendix I of "Recommendations
for Payment of Awards."

Mr. Justice Bird desires me to draw this to the
attention of Justice Department so that they may amend his Special
Report on this case by deleting the last paragraph, -

"The claimant further alleges that there was delivered to the Navy, upon surrender of his vessel, equipment to the value of \$392.97 (vide Exhibit 9, Claim No. 43). It does not appear that compensation was paid to him for such equipment. I consider that the claimant has established prima facie a liability on the part of the Government of \$392.97 in respect of this equipment."

The final sentence should then read "The total prima facie liability established - \$1160.00."

Yours very truly,

F. G. Shears,
Director.

FGS/GH

TO: Mr. F. G. Shears

June 21, 1950.

FROM: Mr. B. Good.

MEMORANDUM

File No. 1458

Re: Ukichi NITSUI

Claim Case No. 43

On page 22 of Mr. Justice Bird's recommendations for special consideration of claims outside terms of reference, you will find that in the above case he recommends an award to the claimant of \$392.97, covering equipment alleged to have been handed over to the Navy and to be now missing without any compensation having been paid the claimant for such equipment.

On the final award sheet covering Case 43 and included in Appendix I, of the Commissioner's Recommendation you will find that Mr. J. A. Macdonald has included under "Missing Boat Equipment the sum of \$348.24 and under "Nets" a missing amount of 44.73, making a total missing item on which an award has been made of \$392.97, the award being on the boat gear, 45%

and on the nets, 70%

156.70
31.31
\$188.01

Under the circumstances it might be as well to advise Mr. Justice Bird that a supplementary payment as recommended under his Special Recommendations would be a duplication, and he would probably wish to have Ottawa adjust his recommendation in this case.

P. S. Since writing the above, I thought it better to phone Mr. Justice Bird who says that in this or any similar case we may find, to please have no hesitation in informing Justice Department of our findings, requesting them to amend the amount of his recommendation. He pointed out that his wording "It does not appear that compensation was paid to him for such equipment" should have been called to his attention by both counsel as he does not keep the files here and depended on counsel to check his figures.

Case #3

CLAIM ON REAL & PERSONAL PROPERTY

File No. 1458.

Claimant: Ukichi NITSUI.

<u>Amount</u>	<u>On</u>	<u>Jap. Valuation</u>	<u>Ass. Value</u>	<u>Appr. Value</u>	<u>Sold for</u>	<u>Remarks</u>
(1) \$493.24	Real Property (Cat. 509) at Fraser's Bay, Ucluelet Inlet.	\$2,150.00	\$1,950.00	\$1,600.00	\$1,615.00	(1) This property (Cat. 509), consisting of a well-built bungalow on the waterfront of Fraser's Bay, was leased (9th March, 1942) by owner to a fellow-fisherman (Steve Rideout), under whose care all

household and personal effects were left.

The only outside bid received for this property, when advertised for sale, was one of \$900.00. This, however, cannot be taken as a completely reliable guide to values as the market for the property was largely the small group of local fishermen who might have been influenced by the known interest of the tenant in the property.

(2) \$450.47	"Delivered to Navy"	(2) Articles taken by the Navy (and not accounted for by them) are listed
(3) \$53.07	Articles in Storage	in enclosure to claimant's letter of November 13th, 1947. In his JP declara-
(4) \$156.24	Lumber	tion (March 25th, 1942) all chattels declared (as per inventory on file) are
\$1153.02	Amount of claim - Real & Personal.	valued at approximately \$1,800.00. There is no evidence on file of the

value of the items taken by the Navy.
(3) Articles in storage were auctioned for a gross total of \$51.25 (nett \$43.88, as per statement of account). (q)

(4) There is an element of doubt with regard to the ownership of the lumber left at Fraser's Bay. The files of the owners of property there point to most of it as having been used by tenants to make essential repairs to board-walks, the houses they occupied, etc.

As mentioned under (1) above, claimant made his own arrangements with his tenant (and ultimate purchaser of his property) including the use and care of all chattels, and, apart from those now forming the basis of his claim, the disposition of these chattels was a matter of direct negotiation between the owner and his tenant.

[Signature]

Vancouver, B.C., January 9, 1948.

*Adams claim -
Said 3/50 - from by someone
no credit for charter money
similar to above*

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 92.

JAPANESE PROPERTY CLAIMS COMMISSION.

B E F O R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER)

10

Victoria, B.C.,

January 16th, 1948.

IN THE MATTER OF THE CLAIM OF
KEIICHI KITAHARA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

R.J. McMASTER, Esq.,

appearing for the
Claimant.

A. WATSON, Esq.,

Secretary.

G.N.R. UPTON, Esq.,

Official Interpreter.

G. HAMILTON, Esq.,

Official Reporter.

30

Discussion.

MR. McMASTER: My lord, with some hesitation, after yesterday's discussion, I would apply for leave to amend the claim in this case to include a claim with respect to the loss of the vessel or the sale of the vessel, as the case may be.

THE COMMISSIONER: Have you the claim, Mr. Secretary?

THE SECRETARY: (Producing).

THE COMMISSIONER: You can always claim.

MR. McMASTER: The "Silver Spring" is the name of the vessel.

THE COMMISSIONER: A motor vessel.

MR. McMASTER: A motor vessel, yes. The claim is that the fair market value was \$4,000.00, and the vessel was sold for \$3,750.00 by someone. That was the gross amount, my lord. I might also say that this case is another case where no credit was ever given for charter money. I think the witness is quite frank that he agreed to sell it for \$4,000.00 although he wanted his charter money, but there is no suggestion that that was a condition of his price. I don't see how he can very well include the charter money in his claim.

THE COMMISSIONER: Are you sure that the vessel was chartered?

MR. McMASTER: My lord, I will adduce evidence on that. It is very similar to the Amari cases in that respect.

THE COMMISSIONER: On this question of charter money, while obviously that is outside the

terms of reference, it perhaps is a matter for comment in any recommendation that I should make.

MR. McMASTER: Very well, my lord.

HEIGEL MITSUI, the Claimant herein,
being first duly sworn,
testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

10 Q Is that your signature on the claim form and
did you swear that declaration?

A Yes.

Q I produce to you, witness, a telegram. Did you
receive that telegram? A: Yes.

THE COMMISSIONER: This relates to the vessel.

MR. McMASTER: Q: And the vessel referred to in that
telegram, the "Silver Spring", is your vessel,
and the vessel that is the subject of claim in
this case?

A Yes.

20 MR. McMASTER: I would just like to read the telegram.
It is a telegram from the Director of Marine
Services addressed to M. Mitsui, "Care Japanese
Fishing Vessels Disposal Committee, Vancouver, B.C.",
dated April 11th, no year shown on the telegram,
my lord.

THE COMMISSIONER: I presume that it was 1942?

30 MR. McMASTER: Presumably 1942, my lord. It reads:
"By authority of power delegated to me by
Minister of National Defence under Defence
of Canada Regulations vessel Silver-Spring

H. Hiscutt,
In Chief.

10 "is hereby requisitioned for service with the RCAP to be delivered without delay to Air Officer Commanding Western Air Command Jericho Beach Vancouver B.C. Stop Vessel requisitioned for hire on bare boat basis and terms of charter hire will be determined later Stop cancel all marine insurance policies from time vessel handed over to RCAP Stop please confirm your understanding these instructions and inform undersigned date and hour vessel handed over."

THE COMMISSIONER: Exhibit 1.

(TELEGRAM MARKED EXHIBIT NO. 1)

MR. McMASTER: Q: I produce to you a letter. Did you receive that letter? A: Yes.

MR. McMASTER: My lord, this is a letter dated June 5th, 1942, addressed to the Claimant, purporting to be from W.C. Stickney, Secretary of Advisory Board on Requisitioning, the Department of Finance. It reads as follows:

"Dear Sir:

I am writing you in connection with the boat 'Silver Spring' which has been requisitioned by the Government.

In order to establish the charter rate of this vessel it will be necessary that you supply me with the following information:-

1. The name of the builder of the boat.
2. A statement showing cost of construction.

5
U. Mitsui,
In Chief.

"3. Particulars of any charters made by you.

4. If the boat was insured, for what value and with what Company.

5. If you made an income tax return, a copy of the last return made.

10 If you are unable to provide any of the above documents, and wish to be represented at the Hearing of the Board, which I anticipate will be held on June 10th, I shall be glad if you will instruct someone to appear for you or notify me whom to get in touch with.

Yours truly.

(LETTER MARKED EXHIBIT NO. 2).

Q I produce to you another letter with a slip attached to it. Did you receive that letter?

A Yes.

20 MR. McMASTER: It is a letter dated July 27th, 1942, written on a memorandum of the Japanese Fishing Vessel Disposal Committee, addressed to the claimant and signed by K. Kimura.

"Re: 'Silver Spring'.

With reference to the above vessel, it has been requested by the Department of Munitions and Supply to find out from the owner:

"The lowest price at which the vessel can be purchased"

30 Therefore, kindly let me know as soon as possible at what price you are prepared to dispose the vessel."

6
U. Nisani,
In Chief.

Then attached to this document is a piece of paper which has on it these words:
"For the purpose of requisitioning the vessel 'Silver Spring' has been appraised at the value of \$3,750.00."

(MEMO AND SLIP ATTACHED MARKED EXHIBIT NO. 3).

Q How did you receive this letter, witness?

A Yes.

10 MR. McMASTER: This is on a memorandum form of the Japanese Fishing Vessels Disposal Committee addressed to the claimant.

THE COMMISSIONER: The date?

MR. McMASTER: August 1st, 1942. "With reference to your telegram of 31st ultimo, I have taken up with the Committee as per confirmation attached herewith. As soon as I have received a reply I shall contact you at once."

THE COMMISSIONER: Who signed it?

20 MR. McMASTER: K. Kimura. I would ask that be marked as the next exhibit, my lord.

(MEMO MARKED EXHIBIT NO. 4).

Q Do you recall what was attached to that letter?

A Can't remember.

Q I produce to you another document. Did you receive that document?

A I can't remember that.

Q Well you produced it to me. I mean where did you get it, do you know?

30 A I think I got it from Mr. Kimura.

Q You think you got it from Mr. Kimura?

A Yes.

MR. McMASTER: This, my lord, is headed at the top, "Confirmation of Telegram". It is dated July 31st, 1942. It has the words, "Canadian Salt Herring Exporters Limited", "Vancouver, B.C." at the top, and the name of the company is crossed out.

Q Do you know with what company Mr. Kimura was associated?

10 A With that Canadian Salt Herring Company, I think.

MR. McMASTER: It is addressed to the claimant, my lord, but there is no signature on it at all, and it says, "Acknowledge receipt of yours dated July 27th in reply I can offer lowest price at Thirty seven hundred fifty dollars for my boat 'Silver Spring'."

It doesn't make sense to me, my lord, but I would put it in, in any event.

(CONFIRMATION OF TELEGRAM MARKED EXHIBIT NO. 5).

20 Q Now are these all of the documents which you received from Mr. Kimura?

A Yes.

Q Do you recall receiving any other communications from him? At No.

Q Did you keep any copies of any correspondence which you wrote to Mr. Kimura?

A No.

Q Do you recall making any suggestion to Mr. Kimura as to what you would be willing to sell your boat for?

30

U. Nisui,
In Chief.

A No.

Q You don't recall?

A No.

Q Do you recall whether you made any reply to his telegrams or requests?

A I remember that I wanted to sell the boat for \$4000.00.

Q You remember having told him that at some time?

A Yes.

10 Q Did you ever receive any charter money for this boat?

A: No, none.

Q How would you be good enough to give my lord a description of the boat, not a detailed one but its general measurements and tonnage, and that sort of information?

A Well I can give you that, approximately.

20 THE COMMISSIONER: Do you think there is any purpose in getting that from the witness when undoubtedly the Government counsel will put in the bill of sale or some document which will accurately describe it?

MR. McMASTER: My lord, providing that the Government counsel finds that information; of course they should be able to get it from the Ships Registry.

THE COMMISSIONER: Yes.

MR. McMASTER: Q: Can you tell us when the boat was built?

A 1940.

Q Where?

A: At Steveston.

30 Q Did you cause it to be built, did you order it

to be built?

At Yes.

Q And who did you have build it?

A Mr. Kirby, boat builder.

Q A boat builder at Steveston? Do you recall what the price of the boat, including the engine, was but leave out the gear at the moment?

A About \$3600.00.

Q About \$3600.00?

At Yes.

Q That is your recollection?

At Yes.

10 Q And can you give us an approximate idea of the cost of outfitting the boat with gear in 1940?

A Well, about \$400.00.

Q So that in all when the boat was delivered to you equipped with gear, it cost about \$4,000.00?

A Yes.

Q Did you have a clear title to the boat?

A Yes.

THE COMMISSIONER: Was the vessel requisitioned with gear?

20 MR. McMASTER: It was one of these "bare boat" requisitions, my lord. I am going to ascertain what a bare boat is, before I argue on that point.

THE COMMISSIONER: In any case you can ascertain from the witness whether the boat was surrendered by him with gear intact.

MR. McMASTER: Yes.

Q Witness, when you surrendered the boat to the authorities in the early part of 1942, was the normal gear of the boat on the boat?

30 A Yes, it was attached.

U. Nitsui,
In Chief.

Q And where did you surrender the boat?

A New Westminster.

Q Approximately what date did you surrender the boat, do you recall?

A December, December 20, somewhere around there. I can't remember.

Q 1941.

A: 1941, yes.

Q So at the time you received that telegram which we put in as an exhibit, you didn't have the boat in your possession?

A: No.

Q How did you use this boat yourself after it was built?

A: Yes.

Q For what purpose?

A: For fishing.

Q In what waters?

A: Deepsea waters.

Q Deepsea waters. What care did you give to the boat subsequent to your using it for fishing?

A Very good care.

Q Was it up on the ways at all after you received it between 1940 and December, 1941?

A No.

Q Did you have any occasion to charter the boat out?

A No.

Q Have you any idea what the daily charter rate would be on a boat of the type of yours?

A Well, I don't know anything about the charter because I haven't chartered my boat, so -- but I think it is approximately around ten to twelve dollars a day.

Q Now having regard to the fact that you paid

U. Nisani,
In Chief.

roughly \$4000.00 to have the boat built and the initial equipment put on it, and that you used it for approximately one year, do you consider that the claim which you make is fair and proper, that the fair market value of the boat was \$4000.00?

A: Well I

put on fishing gear beside that. When I took it to the Coast I got a chance to install my fishing gear in Steveston, so I spent about \$360.00 on the gear at my place in Ucluelst.

10

Q: Was that fishing gear on the boat when you delivered it at New Westminster?

MR. HUNTER: What was that answer?

MR. McMASTER: He said after he took it back to the West Coast that he put fishing gear on it which cost him \$370.00, and it was on the boat when he delivered it at New Westminster.

MR. HUNTER: Is this in addition to the \$400.00 spent here?

20 MR. McMASTER: Yes, that is just the ordinary equipment.

THE COMMISSIONER: Q: The gear that you refer to now, witness, is additional to the \$400.00 value in gear that was installed prior to the delivery by the boat builder, is that right?

A: Yes.

MR. McMASTER: Q: What sort of gear had the boat builder put on for that \$400.00?

A: Well they charge for hatch covers and the things I ordered extra, they charged extra.

30 Q: What sort of things?

U. Nitsui,
In Chief.

A Pplings, and stuff like that, I have got to have for fishing. That is gear.

Q Now, witness, you had a home at Fraser Bay up near Ucluellet at the time you were evacuated?

A Yes.

Q I produce to you a form. Did you instruct Mr. Laskie to draw that form for you and give him the information to place on it?

A Yes.

10 Q Would you be good enough to sign it?

A (Witness complies).

Q Are the statements contained in that form true to the best of your knowledge and recollection?

A Yes.

MR. McMASTER: I file that as an exhibit, my lord.

(STATEMENT MARKED EXHIBIT NO. 6).

MR. McMASTER: Now, my lord, this was a dwelling house; 40 x 120 is the size of the lot at Fraser Bay as shown on this statement, a small fishing community. It was a six-room house with bath and toilet and sink.

20 THE COMMISSIONER: Well now, is there any need to read that into the record because we have it all here?

MR. McMASTER: Possibly not. There is no need to put it into the record. I would just like to draw attention to the statements here. The Claimant states that he cleared the land and erected the house in 1940 and 1941. It was finished in June, 1941, and it sets out the estimated values which he claims, and also drew

H. Nitsui,
In Chief.

attention to the fact that the premises were rented when he was required to evacuate, and that he agreed to give the first option to the tenant, but no price was stated, the first option to purchase. I will have to address evidence on that point, my lord -- or I will admit it as far as that goes. It might be a matter that my friend might raise.

THE COMMISSIONER: What is this?

10 MR. McMASTER: That he agreed to give a first option to the tenant but there was no price stated. I see it states here that he had this offer from Bidout for \$2000.00.

Q Now I would like to ask you with respect to that statement as to whether that offer from your tenant to purchase the place for \$2000.00 was in writing? A: Yes.

Q Do you have with you the letter which he wrote making that offer?

20 A Well that offer was made between him and I before I evacuated.

Q Before you evacuated? A: When I was leaving.

Q You discussed price? A: Yes, discussed price, and he was willing if I was willing to sell it.

Q So in addition to the agreement contained in the written document that you had, that he would have the first option, you did have some discussion before you left and indicated \$2000.00?

30

2
E. Hiteau,
In Chief.

A Yes.

Q Did you agree that you would sell it to him for \$2000.00?

As Beg pardon?

Q Did you agree that you would sell it to him for \$2000.00 or did he just offer to buy it?

A He just wanted to buy it but I wasn't willing to sell it.

Q I see. Now was there any discussion as to the question if you were ever going to sell it, whether the figure would be \$2000.00?

A Yes.

Q What was that discussion? Do you understand what I am saying?

As Yes.

THE COMMISSIONER: Haven't you got that all covered in your comments in Exhibit 6?

MR. McMASTER: The offer is covered there, my lord, I think.

THE COMMISSIONER: Yes.

MR. McMASTER: I just wanted to make sure it was clear.

THE COMMISSIONER: It is perfectly clear in Exhibit 6.

MR. McMASTER: Very well, my lord.

THE COMMISSIONER: You said something, Mr. McMaster, about a written document. Does that show a price?

MR. McMASTER: No, my lord, it does not. Perhaps I ought to file that. I didn't want to put too much in. I think my learned friend has a copy of this document.

30 Q I produce to you a document. Can you identify

H. Hilsni,
In Chief.

what that document is?

A That is my agreement between my tenant.

Q With regard to --

THE COMMISSIONER: The document speaks for itself.

MR. McMASTER: The document speaks for itself.

It is a rental agreement, my lord.

THE WITNESS: Yes.

MR. McMASTER: It shows that it was a rental of the premises only and had this clause that:

10 "if I sell said property, Steve Rideout will be given first option to purchase same."

(RENTAL AGREEMENT MARKED EXHIBIT NO. 7).

Q Now, witness, did you leave your personal chattels and household effects at Fraser Bay?

A Yes.

Q Where did you leave those?

A My own house.

Q In this house which you had rented to Rideout?

A Yes.

20 Q Was there any understanding between yourself and Rideout as to the care of those goods and chattels?

A Yes.

Q What was that understanding?

A He was to take care of the chattels which I left at the house.

Q Now subsequently did you receive any advice that the Custodian had, in any way, interfered with that arrangement and taken control of the chattels?

A: Well, as

30 soon as I got that inventory from the Custodian,

B. Pitani,
In Chief.

I thought that had been moved into storage by the Custodian.

Q Did you receive an inventory from the Custodian?

A Yes.

Q Do you remember when? A: No.

Q Do you still have the inventory?

A Yes.

MR. McMASTER: Do you have a copy, Mr. Shears, of an inventory which was sent to him?

10 MR. SHEARS: No.

THE WITNESS: The main thing is I received the inventory from the Custodian.

MR. McMASTER: Q: You received the inventory?

A Yes.

Q Did it appear in that form? Was it in letter form, the inventory that you received?

A Well that is the same copy.

Q Did you have a copy of that?

A Yes, the same thing.

20 MR. McMASTER: I file this from the Custodian's file, my lord. It is undated in itself. I think Mr. Shears admits that it is a report of his agent in Victoria. On the back of it is stamped "Office of the Custodian, Japanese Section, received July 29th, 1942".

(INVENTORY MARKED EXHIBIT NO. 8).

Q Were the goods listed in that inventory your property? A: Yes.

Q And were they stored in your premises at Uluvallet -- or Fraser Bay?

30

H. Nitsui,
In Chief.

A Yes.

THE COMMISSIONER: Is that a complete inventory of all the goods left in that house?

MR. McMASTERS: Q: Is this a complete inventory to the best of your recollection of all the goods you left there?

A Yes.

MR. McMASTERS: I would draw your Lordship's attention to the fact that this inventory shows, "Goods as shown on declarant's list", and then "In Rideout's possession", then a heading "Navy", and then a heading "Sold by my agent", and then a heading "In Storage", and then certain comments. Your Lordship will observe on page 6 of the inventory a very large quantity of goods which are shown as "Navy", and the heading at the top of the page is "The following is a list of articles delivered to the Navy".

Q How were these articles that appear on this list shown delivered to the Navy, delivered to the Navy by yourself?

A No.

Q I produce to you a list which you have made yourself, I take it, of the articles which you had been advised were taken by the Navy after you counted?

A: Yes.

Q Is that list -- well, you can't say whether it is correct -- that list is based on this inventory that we have just filed, is it?

A Yes.

B. Nisani,
In Chief.

Q And you set opposite those articles certain figures. What do those figures represent?

A That is the price of each article.

Q Yes. Would you say that those represented a fair market value of the articles at the time you evaluated?

A: Yes.

Q I notice that you stated at the end of the list, "10% less".

A: Yes.

10 Q How would you explain why you took 10% off the price?

A Because the price I have got there is fair but I want to take 10% off to make it more fair.

MR. McMASTER: I file a copy of that, my lord.

(LIST MARKED EXHIBIT NO. 9).

20 MR. HUNTER: My lord, I am not sure that I quite understand the purpose of filing this list. It is a list of articles which were taken by the Navy and a receipt given to the Custodian. It may be that the Custodian should eventually collect from the Navy but I don't quite see how it comes within the terms of reference--these haven't been disposed of, exactly, by the Custodian because the Navy took them.

THE COMMISSIONER: Well, "disposition" is a pretty broad term.

MR. HUNTER: Well it may be, your Lordship, that a requisitioning by the Navy is considered to be a disposition by the Custodian.

30 THE COMMISSIONER: Well, it certainly would be arguable from the point of view of counsel for

H. Niteni,
In Chief.

the claimant. I am not determining it now, but on the face of it, it would appear to me that he could argue with considerable assurance that it was a disposal by the Custodian.

MR. BRYTER: Well, in that event, we should, of course --

THE COMMISSIONER: Remember, I am not attempting to pass upon it at this stage.

MR. McMASTER: Q: Now I produce to you another list, witness. Did you prepare this list?

A Yes.

Q And that list is headed "Articles which I understand the Custodian had in storage".

A Yes.

Q Now did you prepare the items in that list from the inventory to which we referred?

THE COMMISSIONER: Now I suppose this list shows values, does it?

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: Whereas the inventory does not?

MR. McMASTER: That is correct, my lord.

Q And you set out certain values here. Do the comments which you made with regard to the last list we filed apply to the values shown on this list?

A Yes.

Q That they are fair market values?

A Yes.

Q And I see you have also deducted 10% from that?

A Yes.

V. Nitsui,
In Chief.

Q And on this list you have given credit to the Custodian for the net amount received from the sale of certain of these goods or what appears to be the sale of these goods?

A Yes.

(LIST MARKED EXHIBIT NO. 10).

10 Q In the first list that you made with respect to personal chattels, witness, I notice that there are a number of things there which it is alleged were taken by the Navy and would appear to relate to boats. Now were those things things which normally would be on your fishing vessel as part of the normal equipment of the fishing vessel?

A: No.

Q For what purpose did you use those?

A Mostly for deep fishing, fishing gear.

Q It related to your actual fishing operations and not to the boat as an operating boat?

A No.

20 Q Now, witness, you have made a claim on your claim form with respect to certain lumber? You are including in your claim certain lumber which was found at or near your premises at Fraser Bay?

A: Yes.

Q Would you explain to my lord how you came into possession of that lumber?

A Well, I asked our fishing company to buy lumber and I was responsible to pay for the whole lumber, and I had to buy it for the community and collect the money.

H. H. H. H.
In Chief.

Q And for what purpose was the lumber purchased?

A For the sidewalk for the community.

Q Yes. How many persons contributed money to you to make up the purchase price of that lumber?

A Well I am not sure about the number of persons but about nine or ten.

Q Nine or ten? A: Yes.

MR. McMASTER: Would the Custodian be good enough to produce from his file these statements with regard to the quantity of lumber which was delivered?

THE COMMISSIONER: In any case this was lumber that was stored near the claimant's premises?

MR. McMASTER: That is right, my lord. He frankly admits, my lord, that he is a trustee in the sense that he collected the lumber and paid the bill for it and his friends are looking to him to account for it now. I understand he hasn't received the small amount of money which the Custodian got for the lumber. He is quite prepared to have that disbursed proportionately amongst those persons entitled to it. If he succeeds in this claim, he is prepared to have the Custodian distribute the money, or, alternatively, complete his own trust in that respect. He is making the claim as the person responsible for that lumber.

I would produce from the Custodian's file, my lord, a list of lumber from Fraser Bay which shows various items of lumber in one

U. Nitsui,
In Chief.

item -- \$155.26, and then "lumber as follows
for Nobuo Matsuba, Ukichi Nitsui, Tatsuo Gura,"
several Japanese.

(LIST OF LUMBER MARKED EXHIBIT NO. 11)

Q I would like you to look at that list, witness.
Does that refer or appear to refer to lumber
which was purchased by you?

A Yes.

Q And delivered to Fraser Bay?

10 A Yes.

Q Was that lumber on your premises or near your
premises at the time you were evacuated?

A Yes, near my premises.

Q Is that the lumber which you purchased on behalf
of this community group?

A Yes.

Q Who were going to use it?

A Yes.

Q Now, I would also produce to you certain invoices.
Can you identify those invoices?

20

THE COMMISSIONER: This relates to the lumber,
does it?

MR. McMASTER: That is right, my lord.

THE WITNESS: Yes.

MR. McMASTER: Q: Do these invoices relate to this
lumber in question?

A: Yes.

Q Did you yourself pay the moneys indicated in
those invoices?

A Well, I am not sure whether I paid or Matsuba
paid. Either one of them.

30

V. Pitoni,
In Chief.

Q Either yourself or Matsuba paid?

A Either myself or Matsuba paid, I am sure of that.

Q And if Matsuba paid it, where did he get the money?

A: Well I asked him to collect and we all got together and divide it up.

THE COMMISSIONER: Just as a matter of interest, what is the difference between the total invoice price and the total price realized by the Custodian?

MR. McMASTER: My lord, I think the Custodian will perhaps admit that some of the tenants who were left behind at this bay took it upon themselves to help themselves to this lumber, to fix up their own sidewalks and the front steps, and various things. I think there is correspondence in your file, Mr. Shears, that indicates that.

MR. HUNTER: There is correspondence, my lord, that indicates that that happened.

MR. McMASTER: However, he did realize some money from the sale of some of that lumber. Can you tell me the amount at the moment?

THE COMMISSIONER: Well we are not concerned with amounts. Very shortly, what difference was there between the realization and the price?

MR. McMASTER: My recollection is that he realized about \$25.00.

MR. SHEARS: \$25.50.

MR. McMASTER: \$25.50, and the total bills are roughly \$200.00.

THE COMMISSIONER: Thank you. In any case Mr. Hunter concedes that there was pilferage.

MR. HUNTER: No, my lord, not at all; I concede that it was used. But I also will contend and try to prove that this lumber was purchased for the very purpose for which it was used, namely for the board walks and repairing of the houses.

10 MR. McMASTER: Q: Witness, perhaps we might go back to the reason for the purchase of this lumber. Was it for the purpose of putting board walks into the tenants' houses or did it relate to a sidewalk along the waterfront for the whole community?

A Just a sidewalk straight in front of the water-- on the beach, I mean.

Q In other words, it was a common project for a community sidewalk along the beach?

20 A Yes, not for each family.

MR. McMASTER: I would like to file these invoices, my lord. They show the exact cost.

(INVOICES MARKED EXHIBIT NO. 12).

MR. McMASTER: Your witness.

CROSS-EXAMINATION BY MR. HUNTER:

MR. HUNTER: My lord, I should first like to have this claim amended so that the amount which we credit to the claimant is \$1615.00 instead of
30 \$1636.76, which is the actual sale price as

adjusted.

MR. McMASTER: He has over-credited here, has he?

MR. HUNTER: Yes.

THE COMMISSIONER: \$1615.00.

MR. HUNTER: That is the gross sale price, my lord.

MR. McMASTER: My lord, after my friend's generosity, I wouldn't want him to overdo himself. I wonder whether the statement of adjustments accounts for that? I mean did he get \$1656.00?

10 MR. CHAIRS: This is a water adjustment, that is the sale; he is entitled to that.

MR. HUNTER: That is correct, my lord.

THE COMMISSIONER: \$1615.00. So that his claim will be --?

MR. HUNTER: \$535.00, I think.

THE COMMISSIONER: \$535.00 instead of \$493.00.

MR. HUNTER: Correct, my lord.

THE COMMISSIONER: And that, of course, doesn't take into account the vessel claim?

20 MR. HUNTER: No, my lord.

MR. McMASTER: My lord, I might draw attention to the fact with regard to the claim for chattels that he has shown here a claim of \$450.47, which allows for the deduction of what he received, and that shows on this statement that I filed. In the case of the lumber I am not sure whether the allowance is made there or not. Do you know?

THE WITNESS: No.

MR. McMASTER: Well I think he gave the Custodian credit for the fact he had received \$25.50 in any event.

U. Nisani,
Cross-Exam.
(Discussion).

THE COMMISSIONER: All right. Proceed, Mr. Hunter.

MR. HUNTER: I believe in Exhibit 10 the claim has been enlarged as to claim for articles in storage— or is this the net?

MR. McMASTER: I am sorry. What are you referring to?

MR. HUNTER: The inventory of the articles in storage, with the values shown opposite.

MR. McMASTER: Yes.

10 MR. HUNTER: Apparently the net from this is \$120.59 whereas the claim is \$53.07.

MR. McMASTER: I am sorry, my lord, I should have amended it. The claimant had originally made lists himself which showed certain goods in storage.

THE COMMISSIONER: Do you want to change \$53.07 to \$120.59?

MR. McMASTER: That is correct, my lord, and then change \$450.47 to \$392.97.

20 THE COMMISSIONER: \$392.97. The \$156.24 is correct, is it, the lumber?

MR. McMASTER: Yes, my lord.

MR. HUNTER: I would like to find out about the lumber. I think it is Exhibit —

THE COMMISSIONER: The invoice, \$156.24.

MR. McMASTER: Does that include the other two invoices, my lord?

THE COMMISSIONER: That is \$100.20, \$4.97, and \$51.07.

30 MR. HUNTER: That is, allowing no credit, is that right?

V. Nitsui,
Cross-Exam.
(Discussion).

MR. McMASTER: That is correct, my lord.

MR. HUNTER: And there is a credit of \$25.50.

MR. McMASTER: Which has never been paid to him.

I take it it is held by the Custodian with some question mark after it to see who it is to be paid to.

MR. HUNTER: It is held in some expense account because we didn't know who to pay it to.

THE COMMISSIONER: I think it should be held and not paid to anybody. M

MR. HUNTER: I think it should be held to clarify this position, that the claimant should get some kind of authorization from the other members of this syndicate appointing him their trustee, or else giving him some authority so that we can pay it, either pro rata to the individuals concerned, or to him as trustee.

THE COMMISSIONER: I think it is desirable that you do that, Mr. McMaster.

MR. McMASTER: My lord, I would suggest -- and I think the claimant would agree -- that the wisest thing is to advise the Custodian who the members of the partnership or co-operative are, whatever it was, and let the Custodian distribute it according to their proportionate interest. I am not exactly clear what will happen in the event of any recommendation being made as to a further payment. It will be made to this claimant, I would take it, and perhaps there ought to be a declaration filed.

B. Nitsui,
Cross-Exam.
(Discussion).

THE COMMISSIONER: I would suggest that you file an authority by the claimant to the Custodian to distribute the recovery under the lumber claim among the various people that he appoints.

MR. McMASTER: Very well, my lord.

THE COMMISSIONER: Yes, Mr. Hunter.

MR. HUNTER: Q: Mr. Nitsui, you estimated the total value of this property of yours as \$2150.00. Have you any actual knowledge at all of sale prices at the time of sale or is this just an estimate of yours based on cost?

A: Yes, that is an estimate on my cost.

THE COMMISSIONER: Well, of course, there is also the additional factor that he has said that he was offered \$2000.00 for it.

MR. HUNTER: Yes, my lord.

Q: And similarly with these valuations shown for the articles taken by the Navy, for the articles taken by the Custodian, I presume you have no actual knowledge of what those articles would have fetched on the market at that time and that these are just an estimate, probably based on cost less depreciation?

A: Yes.

Q: There is another point that occurs to me, Mr. Nitsui. In this agreement for lease which you made with Mr. Rideout, I notice that one of the provisions of that lease is that "Mr. Rideout, upon moving into my property, will take out in my name fire insurance on my property, to the amount of \$1500.00". Why did you limit that

U. Bitani,
Cross-Exam.

amount to \$1500.00, if you considered the house to be worth more?

A Well this is the point; that he is taking care of all my chattels in the house, and I don't want him to pay too much on the insurance, that is why I only told him to put \$1500.00 for the insurance.

Q I am sorry, I don't follow that. You mean you just didn't wish to pay the additional premium?

10 A Yes, I don't want him to pay too much. I don't want to charge him too much while I am not there. I would like him to have my house insured for \$2000.00. At that time I didn't like him to do it. Well, I didn't like him to pay for that premium.

Q I see. A: So I made it \$500.00 cheaper to go easier on the premium.

Q What was the premium for that, do you remember?

A No, I don't. He paid for it.

20 Q It would be very small, wouldn't it?

A I don't know.

Q How much a thousand for three years?

A I can't remember the amount.

Q Did you carry some additional insurance as well?

A Yes.

Q How much did you have? A: \$2000.00.

Q That was really bringing it up to \$3500.00, was it?

A: \$3500.00 --?

30 Q You said you had \$2000.00 and he had \$1500.00;

U. Niteni,
Cross-Exam.

I am just trying to find out what the place would be insured for.

A That is the insurance I had after his insurance finished up.

Q Oh, I see, but at this time this was all that was on it, \$1500.00?

A: Yes.

10 Q So far as the boat is concerned again, you say that you considered the value to be round about \$4000.00. Just what knowledge did you have of the actual market at that time for the sale of boats? Had you had an opportunity to see many sold and the prices they fetched, and compare them with yours, or was this pretty much just an estimate again?

A: Well, it was only a year old and I could tell depreciation and the cost price, what I paid for the fishing gear and the boat equipment, you know, and I could figure up by the year depreciation.

20 Q But you say that it would be in the neighbourhood of, or around \$4000.00. I think you used the word "around" or "about", I think is the word you used. It might actually be two or three hundred dollars one way or the other, isn't that so?

A: Well, it can't be two or three thousand the other way.

Q Two or three hundred?

A: Hundred the other way.

Q I beg your pardon?

A: It can't be

30 two or three hundred either way. I would think about \$50.00 or maybe \$100.00 a way, but it can't

be two or three hundred dollars a way.

Q You think that is too big a difference?

A Yes.

Q But you would say within one hundred dollars?

A I would figure that.

THE COMMISSIONER: You have a cost of \$4360.00 taking
the gear into account?

MR. HUNTER: Yes, my lord. That is all, my lord.

THE COMMISSIONER: Have you any re-examination, Mr.
McMaster?

MR. McMASTER: I would ask my learned friend to admit
the assessed value of this land in 1944 was
\$150.00 on the land and \$1800.00 on the improve-
ments.

MR. HUNTER: That is correct, my lord.

MR. McMASTER: That is all, my lord.

(Witness aside)

(PROCEEDINGS ADJOURNED SINCE DEE)

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

Gordon Hambleton
"G. Hambleton"
Official Reporter.

NB

B R I E F

Lytton, B.C.
16 Jan. 1948

Notes in Defense

Ukichi NITSUI

File No. 1458 ✓

Case No. 43 ✓

Claims:

1. Land & Buildings
2. Boat
3. Personal Chattels.

Claim 1:-

		Sold for	Claim
Land	200.00		
Buildings	1950.00	1615.00	535.00

Trans.P.14 and Ex.6:- Claimant refused offer from tenant to purchase Dec. 1941 at \$2000.00. See also page 28 for Commissioner's comment, and pages 28 - 30 re insurance carried (1500.00). J.P.form dated 25 Mar.1942 states "fire insurance \$700.00 on house, \$300.00 on personal property".

W. M. Winter Apr. 1

Claim 2:-

		Sold for	Claim
Boat	4000.00	3750.00	250.00

Lloyd's valuation

Trans P.2 & 3:- Did not receive charter money.
Commissioner: Charter money while outside terms of reference will be matter for comment in any recommendation.

Trans P.9: Bare boat requisition. Boat cost about \$3600.00, gear about \$400.00. Surrendered with normal gear on it.

Trans.P.20: Things taken by Navy were for deep sea fishing and related to actual fishing operations and not to the boat.

Trans.P.11: In addition to normal gear he put on fishing gear costing 370.00 which was on boat when delivered at New Westminster.

Claim 3:-

Chattels:	737.18	Sold for	
Delivered to Navy	392.97	Left with Agent	See Trans. Page 18
X Articles in Storage	187.97	74.75	40%
Lumber	156.24	25.50	in suspense See p.23,24,28.

Claimant declared on J.P. Form "Personal Property in custody of present tenant Steve Rideout". The lumber was not declared, neither the anchors taken by the Navy.

No submission by Mr. Hunter.

RWN/mw

X 51.25 includes in another place
22.50 " private
73.75 gross

Witnesses
H. S. Hinton
R. Matherson

Name of Claimant NITSUI, Uichi

Case 43

Custodian File

1458

REAL PROPERTY										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
		1615.		12.50						174.00
PERSONAL PROPERTY										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column		Total	
						348.24	156.70		156.70	
NETS										
Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price		Total	
					.00 44.73	31.31	-		31.31	
MISCELLANEOUS CHATTELS										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price		Total	
189.97	74.75	22.42	39.76%	392.97	156.24				140.62 178.66	
TOTAL RECOMMENDATION										681.23

Name of Claimant Ukichi NITSUI

Case 43

Special

Custodian File

1458/12000

REAL PROPERTY									
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total	
PERSONAL PROPERTY									
Motor Vehicles		Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price Silver Spring 3750.	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column		
			Judge's Special on Sales Refund J.F.V.D.C. Charges						250.00
Charter hire 11 April/42 to		19 August/42 - 130		Days @ 20% of \$4000.00					42.50
									285.00
NETS									
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
MISCELLANEOUS CHATTELS									
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price		
TOTAL RECOMMENDATION									577.50

January 22, 1951.

Mr. Uichi NITSUI,
Vancouver, B.C.

Dear Sir:

Re: Japanese Property Claims Commission
Case A3

We have received from the Co-Operative Committee on Japanese Canadians, our form of Release which has been executed by yourself covering the award recommended under the above Claims Commission for the sum of \$681.29.

According to the Commissioner's instructions, this amount should be divided - \$540.67 to yourself and \$140.62 equally between 10 persons (\$14.06 each) for lumber jointly owned.

The amount of the award in your favour is therefore	\$540.67
plus	<u>14.06</u>
	\$554.73

However, the fees payable to The Co-Operative Committee amounted to \$51.01, your share of which would be	\$41.54
As you have already paid this Committee the sum of	<u>22.60</u>
we are deducting.....	<u>18.94</u>
from the above award, and enclosing herein our cheque for	\$535.79.

Payments have been made to each of the other 9 persons for their 1/10 share of the lumber, namely, \$14.06, making a total of.....	126.54
Less their share of legal expenses	<u>9.45</u>
	\$117.09

The following will therefore represent the distribution which has been made of the total award:

Cheque in your favour	\$535.79
Payment to 9 other persons - \$13.01 each	117.09
Balance paid to Co-Operative Committee	<u>28.41</u>
	\$681.29

Yours truly,

FCS/ON
Encl.

F. G. Shears,
Director.

(SEE OVER)

Re Case 43.

File No.

1458	Ukichir NITSUI	\$540.67	plus \$ 14.07			
	less fees	17.89	" 1.06			
		522.78	" \$ 13.01	equals	\$535.79	
1749	Yoshio NITSUI	14.07	less	1.06	13.01	
1662	Tatsuo OURA	14.06	"	1.05	13.01	
9216	Nobuo MATSUBA	14.06	"	1.05	13.01	
XI/1049	Yasuo SAKAI	14.06	"	1.05	13.01	
7599	Masao IKARI	14.06	"	1.05	13.01	
3929	Tsunetaro KOYAMA	14.06	"	1.05	13.01	
12435	Masayoshi OYE	14.06	"	1.05	13.01	
1666	Shinkichi SAKAI	14.06	"	1.05	13.01	
743	Tominiso YAMANAKA	14.06	"	1.05	13.01	
				Repatriate	13.01	Spec. a/c.
					\$652.88	
				Committee's Fees	28.41	
					\$681.29	

1458

March 6th, 1951

Mr. Uichi NITSUI,
Vancouver, B. C.

Dear Sir:

Re: Japanese Property Claims Commission

Case No.

43

We have received from the Co-Operative Committee on Japanese Canadians, our form of Release which has been executed by yourself covering the award recommended under the above Claims Commission for the sum of ...

\$ 577.50.

Cheque in your favour is enclosed for
and we have paid the Co-Operative Committee ..
for legal fees as authorized by you.

\$ 519.75

\$ 57.75

Yours truly,

F.G. Shears
Director

FCS:EK
Encl.