

1749

BUREAU HASTINGS PARK

FILE NO. 1749

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, Yoshie

HOME ADDRESS: P.O. Box 23, Ueluelet, B.C.

REGISTRATION NUMBER 11998

SEX: Male

AGE: 31

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: SHIZUKO 772

ADDRESS OF WIFE OR HUSBAND: P.O. Box 23, Ueluelet, B.C.

NAMES OF ANY LIVING CHILDREN MIYOMI (M) MASAHIRO (M)

ADDRESS OF CHILDREN: P.O. Box 23, Ueluelet, B.C.

AGE OF CHILDREN: 3, and 1 yrs.

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

1. LOCATION AND DESCRIPTION: Lots 6 of Section 21, CLAYOQUET DISTRICT, Plan 1116.
Alberni Assessment District

2. BUILDINGS AND OTHER IMPROVEMENTS:

None 3 room house frame buildings, shingle roof.

3. INSURANCE (Give particulars; state where policies are)

None

4. TAXES (Amount and where payable) \$12.85 per yr., Alberni Assessment District
1941 paid

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

None

6. OCCUPANCY AND LEASES (If vacant so state)

None

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Certificate of title #116885-1
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 P.O. Box 23, Ueluelet, B.C.
2. LANDLORD'S NAME AND ADDRESS: Self
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
None
4. STATE WHEREABOUTS OF LEASE: None
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)
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:
1 Motor boat "Amphitrite" reg. #1430, Victoria, B.C. value \$1,800.00, in custody
at New Westminster, B.C. Sold See 20/4/44
Stove and heater left in house and key given to local police
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS
None
3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

4. INSURANCE CARRIED ON ABOVE PROPERTY: None5. 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, K-4A260533, \$25 War Savings Certificates, all
in owner's possession8. BANK ACCOUNTS: None9. LIFE INSURANCE: Sun Life Assurance Co. Ltd, Vancouver Branch, policy #2045880
Cashed in - May/42 - \$1101.25
\$2,000.00, beneficiary wife SHIZUKO NITSUI. In owner's possession

10. INTEREST IN ANY ESTATES OR TRUSTS

None11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None2. TRADE DEBTS: NoneREMARKS: 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 4th day of April 1942.

(Signature)

Samuel
Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE Jan. 25, 1942.

Our File No. 1749

Full Name NITSUI, Yoshio.
(Surname in Block Letters)

Registration No. 11998

☒ Male - Female
(Check)

Age Aug. 25, 1911.

Former Address P.O. Box 23, Ucluelet, B.C.

Date Evacuated May, 1942. Naturalized - Canadian-Born - National
(Check) ☒

Present Address Lillooet, B.C. ☒ (14/5/42)

☒ Married - Single
(Check)

Name of Wife NAKAGAWA, Shizuko ^{nee} #11999

Name of Husband _____

Name of Mother USHIRODE, Isuru ^{nee} #11953

Name of Father Jonozo - #11954

Names of Children under 16 Kiyomi (M) 31/3/1939 - Masahiro (M) 21/1/1941.

Requested by P. Hunter

Registered with Custodian Yes.
(Yes or No)

Additional Information Fisherman - owns house and Boat.

✓

REAL PROPERTY SUMMARY

Catalogue No. 512.

File No. 1749.

Name: Yoshio NITSUI.

Reg. No. 11998.

Address: House No. 6, Fraser's Bay, Uclualet, B. C.

Legal Description: Lot 6 of Section 21, Clayoquot District, Plan 1116.

Classification: 3-room, frame, Dwelling.

Registered in the name of: YOSHIO NITSUI.

State of Title (No. 116885-I): Clear.

Title received:

*Requested
Oct. 27/44*

Sold to: WILLIAM WESNEDGE, Jr. for \$750.00 (Cash).

As at: October 24th, 1944.

Title (No. 148088-I) delivered to new Registered Owner on: February 21st, 1945.

Net proceeds (\$743.63) released to credit of Yoshio NITSUI on: February 3rd, 1945.

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

Insurance: Transferred to Purchaser (Jan. 16/45).

Chattels: Not involved.

Administration: This property (Cat. 512) consists of a 3-room Bungalow (built in 1937 and known as House No. 6) on a 40' x 100' lot, situated on the steep foreshore of Fraser's Bay in Uclualet Inlet, Barclay Sound, V. I. The owner made his own rental arrangements with his tenant, who eventually became the purchaser of the property.

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

28th June, 1947.

[Signature]

RGB/P.

SUMMARY TAKEN FROM VESSELS RECORDS

Date: April 20, 1944

Name: NITTSUI, Yoshio

Reg. No. 11998

File: 1749

Boat File No.: JFVDC 764

Name of Vessel: "Amphitrite"/"Y.N." 32'x7'x4' (1930) Vivian 15 HP

Lic. or Reg. No.: Victoria 1430

Naval No.: V.037-R

Owner's Valuation: \$1,800.00

JFVDC Valuation: 633.00 - Survey #126

Custodian Valuation: None

Date of Sale: August 20, 1942 - Boat released June 27, 1942

Purchaser: Fraser River Fish Co. Ltd.

Signature on Sales Papers: Y. Nitsui

Selling Price: \$635.00

Paid to JFVDC ~~on Custodian~~: 635.00

Supervision Costs: 8.85

Balance due Owner: 626.15

Paid to: Yoshio NITTSUI, August 25, 1942

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.:

Repairs: Star Shipyard Job #214 - \$27.27 (Paid)

Assignment of claim to purchaser, who filed no claim.

Additional Information:

Fraser River Fish Co.
June 10/47

MEMORANDUM

September 13, 1943.

TO: File No. 1749

FROM: Specified Articles Department.

RE: NITSUI Yoshio, Reg. No. 11998

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRaised VALUE</u>
CAMERA	Box type ZEISS IKON Lense 4.5 #1277681 Serial No. 1229832 Complete with film pack carrier	<i>RCMP# 880</i>

13/4/44 Handed over to B C Security Commission
Jm

CLAIM

FILE: Y 1749

Nov. 9, 1944

CREDITOR: Yoshio NITSUI, 11998

DEBTOR: Canadian Government

AMOUNT: \$12.25

Expenses incurred in connection with the seizure and removal from Barclay Sound to Fraser River of the M/V "Amphitrite".

Em

Paid - 10/4/1945

Survey No. 126 - New Westminster

Y. N. Troller

Condition - Good

Damage - Heavy (\$80 -100)

Boat

Engine V.15

Ex

Estimated Value New - \$2,000.

" " 1942 - \$550.

Estimated - 12 years old

Port quarter stove in above water line.

Boat partly rebuilt - fair condition.

The foregoing words are a true copy of an excerpt taken from the note book of the appraiser for the Japanese Fishing Vessels Disposal Committee. The note book is among the records of the Japanese Fishing Vessels Disposal Committee now in the possession of the Custodian.

June 30, 1948

J. Matheson

The appraiser for the Japanese Fishing Vessels Disposal Committee was Mr. O. W. Phillipson, who was employed in that capacity during March and April, 1942.

The JFVDC Suggested Negotiating Price was \$633.00

/TM

GW.

✓

GENERAL SUMMARY

File 1749.

Yoshio NITSUI

Reg. No. 11998.

This 31-year old Canadian-born Fisherman from Ucluelet, B. C., signed a Custodian "JP" declaration form on the 4th April, 1942. He was evacuated in May, 1942.

His wife, Shizuko (File 2772) signed a Custodian "No Property" card on the 4th April, 1942. She was evacuated on the 21st May, 1942.

The following is a summary of the contents of this file as disclosed by a review made today.

Real Property: See Real Property Summary for particulars of Fraser's Bay, Ucluelet, property (Cat. 512) sold (Oct. 24/44) for \$750.00 Cash; net proceeds (\$743.63) being credited to this account Feb. 3/45.

Personal Property: See Chattels Schedule of today's date for particulars of Chattels disclosed in file, which evacuee complained (June 7/47) netted him "less than 10% of actual value".

Specified Articles: See Fishing Vessel Summary, dated Apr. 20/44, for particulars of F.V. "Amphitrite" sold (Aug. 20/42) through Japanese Fishing Vessels Disposal Committee for \$635.00; net proceeds (\$626.15) being paid direct to owner on the 25th August, 1942.

A Zeiss Ikon Camera turned in to the B. C. Police, Ucluelet, and subsequently turned over to R.C.M.P., was later (Apr. 13/44) released to B. C. Security Commission for delivery to owner.

Bills Receivable: Refund of transportation expenses in connection with delivery of F.V. "Amphitrite" was received from Canadian Government, and credited (Apr. 10/45) to this account, in the sum of \$12.25.

Bonds, Shares, etc.: A Victory Bond (\$100.00) and War Savings Certificates (\$25.00) declared to be in owner's possession, did not come under the administration of this office.

Bank Accounts: None.

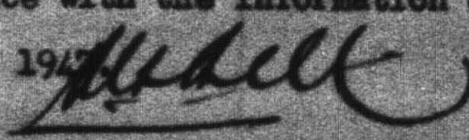
Life Insurance: A cheque for \$1,101.25 in favour of this evacuee and his wife, representing Cash Surrender Value of Sun Life Insurance policy No. 2,045,880, was mailed direct by Insurance Company to Payees, with the permission of this office (see Sun Life letter, dated Oct. 6/43).

Liabilities: There are no claims recorded in this file.

Funds: None in Custodian's hands. The bulk of this evacuee's funds (\$700.00) was remitted to him on Aug. 20/45, and final balance of \$88.44 on May 15/47.

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

28th June, 1947



RGB/P.

CHATELS SCHEDULE

File 1749.

Yoshio NITSUI

Reg. No. 11998.

"JP" Form (Apr. 4/42):

Shipped

Sold

Stored

Remarks

(1) Stove		(5)	
(2) Heater		(6)	

Agent's (H. G. Hinton)
Report (July 18/42):

(3) Load (265 lbs.)		29/5/42	
---------------------	--	---------	--

Way Bill (July 31/42):

(4) Radio (1 ctn.)		31/7/42	
--------------------	--	---------	--

Mrs. W. Wesnedge (tenant)
Letter (Aug. 15/42):

(5) Kitchen range		15/8/42	
-------------------	--	---------	--

Auction Sheet (July 25/44):

(6) Duo Therm Oil Heater	25/7/44
(7) Chairs (6)	25/7/44
(8) Round Table	25/7/44
(9) Kerosene Lamps (2)	25/7/44
(10) Ironing Board	25/7/44
(11) Baby bath	25/7/44
(12) Washing board & buckets	25/7/44
(13) Beds (2)	25/7/44
(14) Dishes	25/7/44
(15) Peavies (2)	25/7/44
(16) Dolls	25/7/44
(17) Silverware	25/7/44
(18) Platter	25/7/44
(19) Toys	25/7/44
(20) Box	25/7/44
(21) Dresser	25/7/44
(22) Miscellaneous	25/7/44
(23) Freezer	25/7/44
(24) Door	25/7/44
(25) Kindergarten set	25/7/44
(26) Table	25/7/44
(27) Kiddie Car	25/7/44
(28) High Chair	25/7/44
(29) Trays (2)	25/7/44
(30) Violins (2)	25/7/44

(Over)

CHATELS SCHEDULE...Page 2.

File 1749.

Evans's letter (Sept. 1/44):

Shipped

Sold

Stored

Remarks

(31) Electrical engineering
books (5)

(62)

Mrs. Wessedge's letter (Feb. 27/45):

(32) Gramophone records (100)

(33) Photograph

(34) Electrical Engineering Diploma

(35) Aladdin lamp

See
pgs

Inventory (enclosed with Morris &
MacLennan's letter of Apr. 16/45):

(36) Duo Theru Oil Heater

(6)

(37) Kerosene Stove

(38) Coleman Camp Stove

(39) Lavatory Set

(40) Window Shades (6)

Fixture

(41) Curtain Rods (7)

Fixture

(42) Round Table

(8)

(43) Chairs (6)

(7)

(44) Rocking Chair

(45) Aladdin lamp

(35)

(46) Table

(26)

(47) Cardboard Garment Closet

(48) Baby chair

(28)

(49) Ironing Board

(10)

(50) Storage Battery

(51) Extension wire

(52) Baby bath

(11)

(53) Wash board

(12)

(54) Buckets (5)

(12)

(55) Picture Frames (2)

(56) Door Mats (2)

(57) Earthen Ware (1 ctn.)

(14)

(58) Earthen Ware & utensils (ctn.)

(14, 17 & 18)

(59) Trays (1 ctn.)

(29)

(60) Children's Festival Decorations

(2 ctns.)

(16)

(61) Fishing gear (3 ctns.)

(62) Electrical Engineering Books

(3 ctns.)

(63) Utensils (1 ctn.)

(64) Anchor (Galv.)

(65) Tin Grease

(Over)

CHATEL SCHEDULE....Page 3.

File 1749.

Inventory (enclosed with Norris & MacLennan's letter of Apr. 16/45):		Shipped	Sold	Stored	Remarks
(66)	Manila Rope (40 fath.)				
(67)	Boat Mattress (3 pcs.)				
(68)	Comforters (3)				
(69)	Pipe Wrench				
(70)	Double Axe				
(71)	Deck Brush				
(72)	Pike Pole Point				
(73)	Galv. Pipe (3 lengths)				
(74)	Lead Line (80 lbs.)				
(75)	Sinkers (10 @ 5 lbs.)				
(76)	Sinkers (7 @ 3 lbs.)				
(77)	Sinkers (12 @ 2 lbs.)				
(78)	Sinker (35 lbs.)				
(79)	Sinkers (2 @ 30 lbs.)				
(80)	Sinkers (4 @ 15 lbs.)				
(81)	Pig lead (100 lbs.)				(3)
(82)	Lubricating Oil (3 gals.)				
(83)	Stanchions (2) with 8 blocks				
(84)	Anchor with 25' chain				
(85)	Compass				
(86)	Trolling Floats (6)				
(87)	Hand Saw				
(88)	Hammer				
(89)	Hatchet				
(90)	Cedar Lumber (16 pcs. 2 x 6)				
(91)	Cedar Lumber (1 pc. 1 x 6)				
(92)	Fir Lumber (1 pc. 2 x 12)				
(93)	Oil Drum (15 gals.)				
(94)	Oil Can (5 gals.)				
(95)	Work Bench				
(96)	15' sq. Carpets (2)				
(97)	Aluminum Level				
(98)	Comforters (2)				
(99)	Phonograph records (100)				(32)
(100)	Loud Speaker				
(101)	Portable Phonograph				
(102)	Bed Table				
(103)	Antenna (1 set)				
(104)	Clothes line				
(105)	Glass Case				
(106)	Dish Pan				
(107)	Mop				
(108)	Dust pan				
(109)	Garment Hangers (22)				
(110)	Glass Jars (2 @ 1 gal.)				

CHATELS SCHEDULE....Page 4.

File 1749.

- NOTES: (A) - This evacuee did not declare his chattels and refused to supply an inventory of those left in his house under the care of his tenants. See Chattels Department letters of March 12th and April 24th, 1945, on this subject. Some of the articles listed in the inventory sent in by evacuee's attorney (Apr. 15/45) were fixtures and included in sale of real property and some would have been discarded as of insufficient value to justify the expense of such handling. The collection and removal of chattels to the large, well-advertised auction held at Ucluelet on July 25th, 1944, was done with care under the personal supervision of Mr. H. F. Green.
- (B) - On February 27th, 1945, Mrs. William Wesnedge, tenant, and subsequent purchaser, of this evacuee's Fraser's Bay property, requested permission to ship to Yoshio NITSUI certain articles (Nos. 32-35). On March 12th, 1945, this office authorized Mrs. Wesnedge to make this shipment and any other small sundry personal items asked for, and we therefore presume these articles were sent to owner.



42-6
EXHIBIT No. _____
DATE 15 Jan. 1948
FILED BY R. J. McMaster

Re: Mitsui. Yoshio. Reg. No. 11998

File No. 1749.

The following chattels were sold by public auction at Uncluelet, B. C.
on July 25, 1944.

Duo Thera Oil Heater	\$ 40.00
6 Chairs	2.50
1 Round Table	3.00
Kerosene Lamp	.50
"	.25
Ironing Board	.25
Baby Bath	.50
Washing Board and Buckets	.50
Bed	.50
Bed	.50
Dishes	4.25
Dishes	3.25
Dishes	1.00
Peavey	2.25
Peavey	2.00
Dolls	4.50
Dolls	1.50
Doll	1.75
Silver Ware	7.25
Platter	1.50
Toys	9.75
Toys	3.50
Silverware	2.50
Silverware	1.50
Silverware	3.00
Silverware	.25
Toy	1.75
Box	2.00

Total Carried Forward

\$ 102.00

C. McHugh

MITSUI, Yoshio

Registration No. 11998

File No. 1749

The following chattels were sold by public auction at Ueluelet, B. C.
On July 25, 1944.

	Brought Forward:	
Dresser		\$102.00
Miscellaneous		10.25
Presser		3.75
Door		1.00
Kindergarden set		2.25
Toy		4.00
Table		1.50
Kiddle Car		3.00
High Chair		4.00
2 Trays		2.75
Violin		2.00
Violin		5.50
		<u>5.00</u>
Total	(Auctioneer's Fee: \$14.70	\$ 147.00
Less Expenses: (Advertising	-	
(Moving: 20.35		<u>35.05</u>
Net Proceeds Credited		<u>\$ 111.95</u>

Members of Custodian Staff Present

Extracted from Auctioneering List No. Ueluelet, B. C.

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

May 13, 1948.

C. MacChesney

CLAIMS STATEMENT

File 1749.

Yoshio NITSUI

Reg. No. 11998.

NO OUTSTANDING CLAIMS ON FILE.

Correct summary of position at this date.

21st August, 1945.

Michael

202/7.

THE CUSTODIAN
DEPARTMENT OF THE SECRETARY OF STATE
45A CENTRAL CHAMBERS
OTTAWA, CANADA

THE CUSTODIAN
REGULATIONS RESPECTING
TRADING WITH THE ENEMY (1939)
FORM "D"

Ref. No. Sun Life . . . Insurance
From the Company of Canada
Date of Discovery. . April 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. 2,045,380

Life Insured - Name Yoshio Nitsui
Born August 25, 1911
Address P.O. Box 23, Ucluelet, B.C.

Owner - if third Name
party insurance - Address -

Beneficiaries - Names Shizuko Nitsui
Addresses -
Relationship to
Life Insured Wife

Record of Current Assignments
(other than to company for -
policy loan)
- give names and addresses -

Date of Policy (i.e. due date of first regular premium) Dec. 1, 1929

Plan of Policy 20 Yr. endowment

Sum Assured or Amount of Annuity Can. \$2,000

Premium - Amount Can. \$100.10
How Payable Annually
Due Dates Dec. 1st.

Policy Loans (automatic or otherwise) -

Approximate Cash Value, if any, including dividends, after deducting all policy indebtedness Can. \$1,100.02

Nature of Automatic Non-forfeiture Provision Automatic premium loan

Approximate Cancellation Date under Automatic Non-forfeiture Will carry to maturity

Special Notes:

OUR FILE
YOUR FILE
ADDRESS YOUR REPLY

TO



1749
OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
APR 22 1942

Alberni, B. C.,
April 21, 1942.

Jan McPherson
C. L. Drewary, Manager,
Department of the Secretary of State,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Building,
VANCOUVER, B. C.

Dear Sir:

Replying to your letter of the 16th instant with list attached I beg to submit the following information:

1. Lot 6 of Section 21, Plan 1116, Clayoquot District, in the name of Yoshio Nitsui, Certificate of Title number 116885-I.

Assessed value of Land \$100.00;
Improvements \$400.00;
1942 Tax - Improvements and Land \$5.00;
School Tax \$13.80, total \$18.80;
Taxes unpaid at this date.

2. Block 12, Subdivision of D. L. 795, Plan 2971, Clayoquot District, in the name of Kintaro Mochitsuki, Certificate of Title number 55346-I.

Assessed value of Land \$100.00;
Improvements \$175.00;
1942 Tax - Improved Land \$2.75,
School Tax \$5.00, total \$7.75;
Taxes paid March 23, 1942.

With regard to the assessments of the Nitsui property I might say that there is included value of Personal Property for \$2000.00, being boat and fishing gear and assessed for school purposes for which amount of School Tax is included in the levy of \$13.80. There is likewise included a value of Personal Property in the Mochitsuki Assessment of \$500.00 for School purposes, being fishing boat and gear. The School Tax on this value is included in the amount of School Tax of \$5.00.

Trusting the information given is satisfactory.

Yours truly,

W. H. Boothroyd
W. Harry Boothroyd
Provincial Assessor.

RS/ET

Albion Assessment District
Clayport Land District
Mass Bay Wharf Rd

Catalogue No 512
Lot 6 Pl 21

Frame dwelling approx 24 x 40'
concrete chimney on brackets
House in fair shape

Value \$850.00

W H Winters

EXHIBIT No. 42 - 2
DATE 15-Jan. 1948.
FILED BY R. J. McMaster.

Re: Yoshio Nitsui Reg. No. 11998

July 18, 1942.

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

Attention Mr. R. P. Alexander.

Dear Sir:

Re: Yoshio Nitsui, Reg. No. 11998,
My File No. 82.

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:

"Lots 6 of Section 21, Clayoquot District, Plan 1116,
Alberni Assessment District.
3 room house frame buildings, shingle roof."

Personal Property:

"Stove and heater left in house and key given to local police."

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 commands an excellent view of Ucluelet 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, Reg. No. 12355, My File No. 79.

Land and Buildings:

Land: The legal description of the property is Lot 6, Section 21, Clayoquot District, Plan 1116, Ucluelet. (Lot is 40 feet wide and 100 feet deep.)

According to the Provincial Collector's office at Alberni, B. C. the assessed owner is Yl Nitsui. The assessed values are:

Land	\$100.00
Improvements	-
Taxes are paid for 1942.	

I hold a Certificate of Encumbrance showing that Yoshio Nitsui is the registered owner, Indefeasible Title No. 116, 885-I.

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

May 13, 1948.

(2)

Buildings: (House No. 6)

This is a one-storey, wood frame building, three-roomed house with attic, shingle roof, brick chimney. Water piped into kitchen. Small shed at side. The house is clean and in fair condition. The possible realizable value of the property is \$900.00 to \$1,000.00.

When I inspected the property in June last the house was rented to Mr. William Wesnedge, Junior, who stated that he was paying rent at the rate of \$24.00 per month unfurnished, which included the use of stoves. From recent advices I understand that he is still living in the house.

Mr. Wesnedge informed me that he entered into a verbal agreement with the Japanese owner prior to evacuation that in the event of the house being put up for sale he would have the first option to buy. No price was mentioned.

Agent:

For some reason or other the owner did not appoint Mr. Ronald Matterson as his agent. Wesnedge informed me that he had accounted direct to the owner for all rents owing up to 1st June, 1942. I asked Mr. Wesnedge if he was able to produce receipts. Mr. Wesnedge claimed to have lost these in moving. Upon further questioning him if there was any reason why he should not pay the rent to Mr. Matterson in the same manner as the other Fraser Bay tenants, Mr. Wesnedge replied that he preferred to account direct. Under the circumstances I advised him that he should send the money direct to your office and not to the owner. Mr. Wesnedge lodged a complaint that he considered the rent too high.

Personal Property:

As shown on Registration Form:

The stove and heater were in the house at the date of my inspection.

Not Shown on Registration Form:

The tenant informed me that the owner had left in his care certain articles for storage and that these were in the house. When the Japanese owner was evacuated an inventory was made and Mr. Wesnedge receipted for the contents. I understand that the owner left instructions with Mr. Wesnedge regarding the sale of certain articles.

Insurance:

No details are given.

Property Realized:

My representative found outside the house about 265 pounds of lead. This was sold and realized - \$7.95.

The above amount was remitted to you.

Recommendations:

I recommend:

- (1) That the owner be asked to confirm to what date the rentals have been paid by Mr. Wesnedge.
- (2) That consideration be given by the Custodian's office to the appointment of Mr. Ronald Matterson as agent for the Custodian to collect rentals and to account for any sales of the owner's property disposed of by Mr. Wesnedge.
- (3) That the tenant be asked to state what goods he now holds in storage on behalf of the owner.

Yours faithfully,

(Signed) "H. G. Hinton."

EXHIBIT No. 42 - 4
DATE Jan. 15, 1948.
FILED BY R. J. McMaster.

Re: Yoshio Nitsui Reg. No. 11998

CANADA)
County of Nanaimo,) UCLUELET
Province of British Columbia)

STATEMENT REGARDING THE PROPERTY OF YOSHIO NITSUI

I, Yoshio Nitsui, Fisherman, Ucluelet, Province of British Columbia due to the present emergency making it necessary for me to evacuate this Protected Area under orders of Extra contained in the Canada Gazette, No. 174, dated Ottawa, Monday, February 2nd, 1942, hereby turn over my property described as follows:

Lot No. 6, Section 21, Plan 1116, Alberni Assessment District, Clayoquot Land District.

to William Wesnedge, Junior, Ucluelet, Province of British Columbia, under the following conditions:

(a) That William Wesnedge, Jr., forwards to me as rental monies for this property on the first day of each month while he is tenant the sum of twenty-four dollars (\$24.00), to whatever place I designate.

(b) That while William Wesnedge, Jr. is the tenant of my property he will look after the general welfare of same and be responsible for all necessary repairs and upkeep.

(c) That if William Wesnedge, Jr. and his family vacates from my property, he will not sub-let this property to any other person, but will turn same over to the constable in charge of the British Columbia Police of this district, who in turn will appoint an agent of good character, who will dispose of it as he sees fit, notifying me of these arrangements.

(d) That I, Yoshio Nitsui, will allow fifteen days of grace to William Wesnedge, Jr. 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 William Wesnedge, Jr. fails to carry out above clauses (a) (b) (c) (d).

SIGNED - "Yoshio Nitsui"

I, Donald Harris Howell, of Ucluelet, County of Nanaimo, Province of British Columbia, Constable British Columbia Police, make oath and say that I did personally see the above statement signed and sealed and delivered in the presence of witnesses, by Yoshio Nitsui,

"K. Hamanishi" (Witness)

"William Wesnedge" (Witness)

"D. H. Howell" (Witness)

That I know said party.

That I know said party to be over the age of 21 years.

42-5

EXHIBIT No.

15 Jan. 1948

DATE

FILED BY

R. J. McMaster

Re: Yoshio Mitsui Reg. No. 11998

March 6, 1942.
Ucluelet, B. C.

- 1 Only Duo Therm Oil Heater
- 1 " Kitchen Range Comp. with Burner
- 1 " Kerosene Stove
- 2 " Coleman Camp Stoves
- 1 Set Bed with spring
- 1 " Complete Baby Crib
- 1 " Complete Lavatory Set
- 6 " Window Shades
- 7 " Curtain Rods
- 1 " Round Table
- 6 " Chairs
- 1 " Easy rocking chair
- 1 " Alladin Lamp
- 1 " Table Lamp
- 1 " Card board Garment Closet
- 1 " Baby Chair
- 1 " Ironing Board
- 1 " Storage Battery
- 1 " Extention Wire
- 1 " Baby bath tub
- 1 " Wash Board
- 5 " Galv. Buckets
- 2 " Picture frames
- 2 " Door Mats
- 1 " Tricycle
- 1 Box Earthen ware
- 1 " Earthen ware and utensils
- 1 " Tray
- 2 Box Child's Festival Decoration "Dolls"
- 3 " New and used fishing gears
- 2 " Electrical Engineering Books
- 11 bottles Japanese Shoyu
- 1m Box Utensils
- 1 Only Galv. Anchor
- 1 tin Cup Grease
- 40 fthm Manila Rope
- 3 pcs. Boat Mattress
- 3 only Camforters
- 1 " Pipe wrench
- 1 " Double Axes
- 1 " DecknBrush
- 1 " Pike Pole head
- 3 pcs. Galv. Pipe
- 80 lbs. Lead line
- 10 pcs. 5 lbs. cannonball sinkers

EXHIBIT No. 42-5
DATE 15 Jan. 1948
FILED BY R. J. McMaster

- 2 -

7 pcs. 3 lb. sinkers	}	" 265 lbs. sold to Brand (Re Custodian's Statement) 165 " still left stored,"
12 " 2 " "		
1 " 35 " "		
2 " 30 " "		
4 " 15 " "	)	
100 lbs. Piglead		
3 Gals. lubricating Oil		
2 pcs. Stauchion with 8 blocks		
1 " 25# Anchor with 4 Fth Chain		
1 only Compass		
6 pcs. Trolling Floats		
1 only Hand Saw		
1 " Hammer		
1 " Hatchet		
16 2x6 Cedar Lumber		
1 " 1x6 " "		
1 " 2x12 Fir "		
1 " 15 Gal. Oil Tank		
1 " 5 Gal. Oil Can		
1 " Work Bench		
2 " 15' Each Carpets		
1 " Aluminum Level		

THE ARTICLES MENTIONED ON THIS PAGE HAVE BEEN LEFT IN MY CARE (WILL WESNEDGE JR.)
TENANT OF MY PROPERTY WHO WILL LOOK AFTER SAME AND ALL THESE ARTICLES WILL BE
TURNED BACK AT ANY TIME I SEE FIT. INVENTORY CHECKED AND FOUND CORRECT.

Signed: "William Wesnedge"

"Yoshio Nitsui"

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

May 13, 1948.

R. J. McMaster

Yoshio Nitsui:

March 9, 1942.
Ucluelet, B. C.

1 only Baby Crib Mattress
2 " Comforters
100 pcs. Records
1 only Loud Speaker
1 " Portable Phonograph
1 " Bed Table
1 " Antenna
1 " Cloth-line
1 " Glass Case
1 " Enamel Dish Pan
1 " Dusting Mop
1 " Dust Pan
22 pcs. Garment Hangers
2 pcs. 1 Gal. Glass Jar

¶ (Couple of cartons of small personal effects also stored but not mentioned in above list. Left at last minute. Marked articles are disposed by myself.)¶

THE ARTICLES MENTIONED ON THIS PAGE HAVE BEEN LEFT IN MY CARE (WILLIAM WESNEDGE JR.) TENANTS OF MY PROPERTY WHO WILL LOOK AFTER SAME AND ALL THESE ARTICLES WILL BE TURNED BACK AT ANY TIME I SEE FIT. INVENTORY CHECKED AND FOUND CORRECT.

Signed "William Wesnedge"

"Yoshio Nitsui"

C. McHughan

42 - 7

EXHIBIT No. _____
DATE 15 Jan. 1948
FILED BY J. W. G. Hunter

1749

Re: Yoshio Nitsui, Reg. No. 11998.

Mr. Yoshio Nitsui,
Reg. No. 11998,
Lilloet, B. C.

Dear Sir:

In connection with your property at Ucluelet which you rented to Mr. W. Wesnedge, Jr., we are informed that Mr. Wesnedge has paid you \$24.00 per month for two months and for June and July we have received from Mrs. Wesnedge the sum of \$12.50 per month which she states is the rental agreed upon with you. Will you kindly advise us in regard to this.

In your declaration to us, you stated that you left a stove and a heater in the house, which we understand the tenants are using, in addition to this, our agent advises us that you left certain articles in the house for storage and that you had given Mr. Wesnedge instructions to sell some of these. Would be kind enough to supply us with an inventory of the articles which are to be stored and those which are to be sold.

As there is no fire insurance on the house, we are issuing a policy for \$1,000.00 to cover these premises.

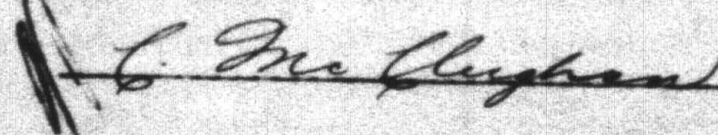
Yours truly,

GCM/GH

F. G. Shears
Assistant Manager

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

May 14, 1948.



42 - 0

EXHIBIT No.

15 Jan. 1948,

DATE

FILED BY

J. W. G. McMaster.

Re: Yoshio Nitsui, Reg. No. 11998.

1749

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

Lillooet, B. C.
July 28, 1942.

Dear Sir:

In answering to your letter regarding my property at Ueluelet I sure have received \$24.00 in advance as rental for April and May and the amount you received for June and July from Mrs. Wesnedge is the exact amount I agreed with them through correspondence.

Of the articles I left in the house I instructed Mr. Wesnedge to keep everything except kitchen range complete with oil burners which I noticed by letter from Mr. Wesnedge that he had sold it already, but before he collect the money your agent has taken over the transaction, so he couldn't collect the money, so please take up the matter and send me the money. This goes the same with rental fee because we are the one of self-supporting evacuees and our living is partly depends on the rental fee which I think we have a right to receive.

I also noticed by letter that the Navy had seized 250 lbs. of made up leads out of the lot i stored in the house, so please kindly check up on this.

As I have written before, I want to keep the whole works as I left so I'm not going to send any inventory.

Yours truly,

"Yoshio Nitsui" (Signed)

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

May 14, 1948.

E. McHugh

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

Committee:

THE HONORABLE MR. JUSTICE SIDNEY SMITH
CHAIRMANCOMMANDER S. L. JOHNSON, D.S.O., R.C.N.R.
KISHIZO KIMURA

A. E. McMASTER, EXECUTIVE ASSISTANT

1888 MARINE BUILDING
VANCOUVER, B.C.

August 4th, 1942.

Mr. Yoshio Nittsui,
LILLOET, B. C.EXHIBIT NO. 47-10
DATE 15 Jan 1948
FILED BY J. W. Hunter

Dear Sir:

Re.M.V. "AMPHITRITE" (Y.N.) VIC 1430 V 037R

For a period of over 5 months this Committee has operated facilities, designed to assist Japanese fishing vessel owners, to dispose of their vessels at fair prices.

In this period over 1000 vessels have been released through the offices of the Committee; and it has now become vitally necessary to promptly dispose of the remaining vessels in order that the Navy personnel, occupied in their custodianship, be relieved for other duties.

Having received an offer for your vessel "AMPHITRITE" (Y.N.) License No. VIC 1430, which is considered a fair value, the Committee has sold this vessel for the sum of \$635.00 in accordance with the attached Bill of Sale.

Please sign the attached Bill of Sale, together with the Claim Assignment form, also attached, and return to us.

On receipt of these documents properly executed, we shall remit the net value of the sale, with a statement thereof, to any address designated by you.

Yours very truly,
JAPANESE FISHING VESSELS DISPOSAL COMMITTEE.

A. E. McMaster,
Executive Assistant.

P. S. Please send us the license for this vessel

ALL COMMUNICATIONS TO BE ADDRESSED TO THE COMMITTEE

Agreement for Sale of Vessel

BETWEEN:

YOSHIO NITSUI

(hereinafter called the "Vendor")

OF THE FIRST PART

EXHIBIT NO. 42-12

DATE Jan. 15, 1948

FILED BY J. M. J. Hunter

AND

FRASER RIVER FISH COMPANY

(hereinafter called the "Purchaser")

OF THE SECOND PART

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

Name of Vessel: "AMPHITRITE" (Y. N.) VIC 1430 V 037R

Port of Registry: VICTORIA

Official Number: VIC 1430

Length: 32'

Breadth: 7'

Depth: 4'

Propelling power: VIVIAN 15 HP

For the price or sum of \$635.00 (SIX HUNDRED AND THIRTY FIVE DOLLARS)

Payable as follows: CASH

^IFURTHER, we the said YOSHIO NITSUI
for my heirs, covenant with the said FRASER RIVER FISH COMPANY and THEIR assigns,
that ^Iwe 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

day of *Aug* A.D. 1942.

SIGNED, SEALED and DELIVERED
in the presence of:

[Signature]

[Signature]

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE
VANCOUVER, B.C.

June 27th 1942

\$ 635.00

RECEIVED from BRITISH COLUMBIA PACKERS LIMITED

the sum of SIX HUNDRED AND THIRTY-FIVE AND - - - 00 DOLLARS
100

on account of sale of Vessel "AMPHITRITE" (Y.N.) VIC 1430 V 037R

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

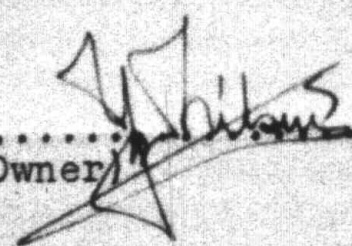
PER

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

ASSIGNMENT OF CLAIM

Whilst in Naval Custody, my boat ~~..AMPHITRITE..~~ (Y. N.) VIC 1430
Official No...VIC.1430..... suffered damage as set forth
in the surveyors' report. V 037R

If the Dominion Government will allow me \$.....
to make good that damage, including missing inventory, I agree
that I shall not make further claim of any nature whatsoever
against the Dominion Government, and hereby authorize the
Japanese Fishing Vessels Disposal Committee to pay the sum so
allowed to...FRASER RIVER FISH COMPANY.....

.....
(Boat Owner) 

The damage claim of \$..... is fair and just.

.....
Surveyor for Japanese Fishing
Vessels Disposal Committee.

.....
Surveyor for Naval Service

DATED at Vancouver, B. C.

.... August 4th.....1942.

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

Committee:
THE HONORABLE MR. JUSTICE SIDNEY SMITH
CHAIRMAN
COMMANDER B. L. JOHNSON, D.S.O., R.C.N.R.
KIMURO KIMURA
A. E. McMASTER, EXECUTIVE ASSISTANT

1528 MARINE BUILDING
VANCOUVER, B.C.

June 27th, 1945.

**To The Registrar of Shipping
Vancouver, B.C.**

Sir:

Re Ex-Japanese Fishing Vessel: "AMPHITRITE" (Y.N.) VIC 1430 V 037R

Length: 32' Breadth: 7' Depth: 4'

Engine: Vivian 15 H.P.

The owner of this vessel, YOSHIO NITSUI
declines to sell at a reasonable price.

FRASER RIVER FISH COMPANY, whose signature,
for identification purposes, appears below, has offered to purchase the vessel for the sum of
SIX HUNDRED AND THIRTY-FIVE AND 00/100 - - - - - Dollars (\$ 635.00),
which sum is considered reasonable and has been accepted as the purchase price by this Committee,
and is being held in trust by the Committee, pending completion of Bill of Sale.

You are requested to permit the purchaser, FRASER RIVER FISH COMPANY
to operate this boat until the presently licensed owner, YOSHIO NITSUI
completes the execution of Bill of Sale, or some other provision has been made.

This letter is issued in duplicate, one copy of which is to be retained in your files, the other to
be in the possession of FRASER RIVER FISH COMPANY
for clearance and navigation purposes.

Yours faithfully,

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE.

A. E. McMASTER,
Executive Assistant.

Signature of:

ROYAL CANADIAN MOUNTED POLICE

EXHIBIT REPORT

Vancouver Island Section

HEADQUARTERS File No.

SUB/DIVN. & File No.

DIVISION & File No. 42E.269/2/1-219

Victoria, B.C.

DETACHMENT & File No.

DATE June 11th, 1942.

Re Y. NITSUI, O.Reg.#11998, Ueluelet, B.C.

Radios & Cameras seized

under D.O.C.R.

On 28-5-42

Const. H.D.A. Brabant

Came into possession of the following described goods by Receiving same from B.C.P. Police
of Ueluelet, B.C. who had same surrendered to them.

No. of Exh.	No. of Packages	Qty. or Size	DESCRIPTION OF EXHIBITS
1.	one		Camera, Box type Zeiss Ikon, Lense 4.5 #1277681, Serial No. 1229832. Complete with film pack carrier

CERTIFIED CORRECT

(SGD)

Const.

H.D.A. Brabant, Reg. No. 11204

1749.

October 27, 1942.

Mr. W. H. Borthroyd,
Provincial Assessor,
Alberni, B. C.

Dear Sir:

Re: Yoshio NITSUI

Attached please find a copy of the letter received from the above regarding the taxes on his property described as Lot 6, Section 21, Clayoquot District, Plan 116, Alberni Assessment District. We would be glad to have your explanation on the questions asked in this letter so that we may reply to it.

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

Yours truly,


G. H. Peers,
Administration Department.

GHP/P.
Encl.

OUR FILE
YOUR FILE 1749
ADDRESS YOUR REPLY



Cur

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
NOV 2 1942

Alberni, B. C.,
October 30, 1942.

Mr. G. H. Peers,
Administration Department,
Office of the Custodian,
506 - Royal Bank Building,
VANCOUVER, B. C.

Re: Yoshio Nitsui.

Dear Sir:

I am in receipt of your letter of the 27th instant enclosing a copy of letter from the above regarding the taxes on his property described as Lot 6, Section 21, Plan 1116, Clayoquot District, and the contents noted.

Upon checking over the points raised by Mr. Nitsui I beg to state the following:

1. During the course of a recent inspection of properties at Ucluelet we found a difference in the assessed value of improvements in the various properties owned by Japanese with a result that certain increases were assessed in our July Supplementary Roll. Notices of Assessment were addressed to the Japanese concerned, c/o The Office of the Custodian, Japanese Evacuation Section, 506 Royal Bank Building, Vancouver. The one covering Nitsui's property was included with the others, so that the point raised in his letter that no other Japanese owning property in the Subdivision received a Notice of Assessment in respect to the additional levies on the Supplementary Roll can be explained in stating that we have no knowledge of the present whereabouts of the Japanese who formerly resided within our Assessment District and all Notices of Assessment were duly forwarded to your office for two reasons, that Japanese properties are administered in your office

*What N.
Ans on house raised from
\$400. to \$1000
Apprec. of value
if do not consider house
worth \$1000
Other notes.*

Mr. G. H. Peers

-2-

October 30, 1942.

and we endeavour to acquaint you with the assessed values and taxes on the properties and it is our only means of collection of the taxes from the Japanese through your Department.

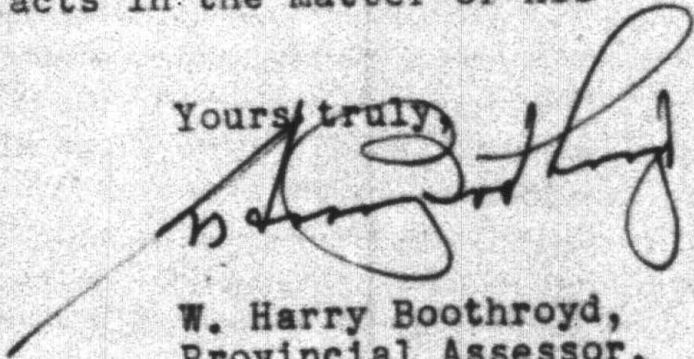
2. Yoshio Nitsui's brother, whom we believe to be Ukichi Nitsui, is owner of Lot 2 of the same Sub-division and was likewise assessed for an additional amount in our July Supplementary Roll and a Notice of Assessment was mailed to your office with the others on July 16th last.

3. There was no personal property located on Yoshio Nitsui's properties during our recent inspection and consequently he has not been assessed for same but rather an increase in the value of Land \$50.00 and improvements \$600.00. The latter comprises a shingled four-room house and bathroom which we believe to be valued for \$1000.00 and formerly assessed for \$400.00 or an increase in the value of \$600.00. All taxes on Yoshio Nitsui's property have been paid up to date.

We are busy engaged in the preparation of our 1943 Assessment Roll which will show the value of Yoshio Nitsui's improvements \$1000.00. Notice of Assessment will be mailed on January 15th to your office and providing that he feels the same way as he does now regarding the over-assessment he will be entitled to appeal to the Court of Revision by stating his reasons for making the appeal on the back of the Notice of Assessment and to submit the same to this office within fourteen days from the date of mailing Notice of Assessment.

We trust the information given you will enable you to acquaint Yoshio Nitsui with the facts in the matter of his assessment.

Yours truly,


W. Harry Boothroyd,
Provincial Assessor.

RS/ET

UNORGANIZED TERRITORY

Extract from report of Capt. D. H. Howell, in charge Ucluelet Detachment, B. C. Police, dated 23rd March, 1942, respecting Japanese at Ucluelet, Frasers Bay, Maitland Island, Spring Cove, Port Albion, Leeches Bay and Tofino.

REPORT

re: JAPANESE PROPERTY - Disposal of. Ucluelet and Tofino.

UCLUELET

Q 7-7-7

Frasers Bay - Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13, Section 21, Plan 1116, Clayoquot Land District, Alberni Assessment District:

Koyama, Tsunetaro	3 lots and house	- value	\$800.
Ikari, Masao	1 " " "	- "	500.
Sakai, Shinichi	1 " " "	- "	500.
Sakai, Kabe	1 " " "	- "	1,000.
Oye, Masayoshi	1 " " "	- "	1,000.
Oura, Tatsuo	1 " " "	- "	1,200.
Yamanaka, Teizo	2 " " "	- "	200.
Nitsui, Uikichi	1 " " "	- "	1,500.
Nitsui, Yoshio	1 " " "	- "	900.
Matsubo, Sebei	1 " " "	- "	1,200.

1749 With the exception of Yamanaka's lots, and the two last mentioned Nitsui houses, they are all being rented through Ronald Matterson. Rents for all houses with the exception of Koyama's are 24 dollars per month. Koyama's house is renting for 18 dollars a month. Little property left in house, most of it having been sold. Inventories of furnishings etc. left, on file at this office. Uikichi Nitsui's house rented directly to a local fisherman, S. Rideout. Rideout's arrangement is that he will pay the taxes, fire insurance, and the sum of 18 dollars per month. Yoshio Nitsui's house rented to W. Washedge, Jr., local fisherman, direct for 24 dollars a month.

NOV 13 1942

H-20-7.0

STATEMENT OF JAPANESE HOUSES SITUATE AT

FRASERS BAY, LEECHES BAY, SPRING COVE, AND SHIMIZU BAY

FRASERS BAY

<u>Name of Owner</u>	<u>Description of Property</u>	<u>Assessed Value</u>	
		<u>Land</u>	<u>Improvements</u>
Nobuo Matsuba(9216)	Lot 1 of Section 21, Plan 1116	\$150	\$1200
Ukiehi Nitsui(1458)	Lot 2 of Section 21, Plan 1116	150	1800
Tatsuo Hamanishi(11996)	Lot 3 of Section 21, Plan 1116	150	1500
Tomizo Yamanaka and(743)	Lot 4 of Section 21, Plan 1116	150	
Ikari Senichi(N.R.)			
Tomizo Yamanaka(743) and	Lot 5 of Section 21, Plan 1116	150	
Ikari Senichi(N.R.)			
Yoshio Nitsui(1749)	Lot 6 of Section 21, Plan 1116	150	1000
Masayoshi Oye(Int. 873)	Lot 7 of Section 21, Plan 1116	150	1500
Kahe Sakai(3345)	Lot 8 of Section 21, Plan 1116	150	1100
Shinkichi Sakai(1666)	Lot 9 of Section 21, Plan 1116	150	700
Nasao Ikaro(N.R.)	Lot 10 of Section 21, Plan 1116	150	500
Tsunstaro Koyama(3929)	Lot 11 of Section 21, Plan 1116	150	500
Tsunstaro Koyama(3929)	Lot 12 of Section 21, Plan 1116	150	
Tsunstaro Koyama(3929)	Lot 13 of Section 21, Plan 1116	150	

The above named Japanese are owners of houses as well as the land.

LEECHES BAY

<u>Name of Owner</u>	<u>House No.</u>	<u>Value</u>	
		<u>Land</u>	<u>Improvements</u>
Toshio Matsubara(3157)	1	\$	500
Kenichi Isowa(2288)	2		400
Mazuo Hamanishi(7661)	3		400
Kikichi Koyama(33-37)	4		400
Fumito K. Koyama(900)	5		275
Toshio Murao(Int. 627)	6		400
Kumekichi Koyama(Int. 203)	7		250
Takeo Yoshida(3026 or 1430)	8		675
Fufujiro Koyama(5889 or 7751)	9		350
Risuke Hamada	10		350
Ueluelet Fishing Co.	11	1000	
(School) Int. 224			
Shotaro Sakai(12236)	12		250
Ueluelet Fishing Co.	13	1000	
(Teacher's House) Int. 244			
Hirokichi Hama	14		250
Itaro Terashita(1586)	15		250
Shisuo Maeda(Int. 485)	16		250
Takeo Kariya(8250)	17		350
Takeo Itani(1570)	18		400
Tomizo Yamanaka(743)	19		350
Kanoe Maekawa(886)	20		475

The above are situate on Part Lot 282 and the land owned by Mrs. Littleton, Executrix of Will of A.H. Lyche, Ueluelet, B.C.

SPRING COVE

Ucluelet Fishing Company (Int. 224) - House situate on land owned by Miss Elizabeth O. Kennedy, c/o G.E. Smith, 548 Toronto St., Victoria, B.C.

Assessed value of House - \$1800. According to information on file the land is leased by Miss Kennedy to the Ucluelet Fishing Company until 1945.

Toshiro Shimizu(2388) - 4-roomed house valued at \$450.00 which is situated on land owned by Mr. W.E. Sagers and described as "Parcel A" of Section 1, Plan 877 O S, Barclay District situate in Clayoquot District."

Shimizu has been paying Mr. Sagers rental for the land and we understand the latter made a settlement with Shimizu at the time of evacuation and Mr. Sagers is now the owner of the house.

SHIMIZU BAY (PORT ALBION)

All Japanese houses situate on "Parcel A" of Section 83, Alberni District situate in Clayoquot District" of which the land is owned by the Nootka-Banfield Packing Company Ltd. According to Leases as between the various Japanese and the Company that when the houses are vacated they would revert to the Company.

Kasekichi Tsumuichi(7829)
Ichiji Miyashita(Int. 426 and 2216)
Iwakichi Yoshida(5369)
Shigeo Nishi(4755)
Kiuroku Shimizu 250 and 1100

\$ 100
100
100
50
1350

1749 & A/63.

May 6th, 1943.

Mr. F. Wessmidge,
House No. 6,
Fraser's Bay,
Uluvalot, B. C.

Dear Sir:

Re: Yoshio NISHI - Reg. No. 11998.

We appreciate the promptness and regularity with which you have met your rental obligations and this is only to advise you that we are advising all tenants of properties vested in the Custodian that we require rents remitted direct to this office in future.

Rents are payable in advance. In the case of outports like Uluvalot, remittances must be made in time to reach this office by the 10th of the month, and we feel sure you will conform to this general rule.

Mr. Matterson is still our Agent at Fraser's Bay, with authority to perform the functions of an Agent in so far as care of the property and the interests of owners are concerned. All commitments connected with the property will be handled by this office, as in the case of rents, and you are invited to communicate with us on such matters, and to co-operate generally with this office and its agent on the spot.

Yours truly,

R. G. Ball,
Administration Department.

RGB/P.

c.c. to Mr. R. Matterson,
Uluvalot, B. C.

SUN LIFE ASSURANCE COMPANY OF CANADA
HEAD OFFICE: MONTREAL

VANCOUVER BRANCH
A.L. WRIGHT, G.L.U. BRANCH MANAGER
H.A. FAIRBAIN, ASSISTANT MANAGER
C.E. HAY, BRANCH SECRETARY

ROYAL BANK BUILDING
VANCOUVER, B.C.

October 6, 1943.

IN ALL CORRESPONDENCE ABOUT POLICIES
PLEASE REFER TO THEIR NUMBERS

Mr. S. M. Gibson,
Insurance Dept.,
Office of the Custodian,
506 Royal Bank Building, Vancouver, B.C.

EVACUATION SECTION	
Rec'd	OCT 9 1943
File No.	2772-1249
Referred	Gibson

Re: Policy #2,045,880-Nitsui

Dear Mr. Gibson:

In May, 1942, we issued our cheque in favour of Yoshio Nitsui and Shizuko Nitsui in the sum of \$1101.25. This cheque was released to Mr. Nitsui who called at this office after we had received authority from your department by telephone. So that our Head Office records may be complete in respect to this transaction, they have asked us to obtain a letter from you signifying your approval for our releasing of the cheque. Will you please let us have such a letter at your convenience.

Yours faithfully,

C. E. HAY
BRANCH SECRETARY

WCH:BJ

per:

K. Hansen

1749
2772

October 23, 1943.

Sun Life Assurance Company of Canada,
Royal Bank Building,
Vancouver, B. C.

Dear Sirs:

Re: Pol. No. 2045880-Yoshio MITSUI
Beneficiary-Shizuko MITSUI

In reply to your letter of October 6th, we wish to confirm that permission was given by this office in May, 1942, to pay direct to your assured the Cash Surrender Value of \$1101.25 under the above policy.

Yours truly,

S. M. Gibson,
Insurance Department

SMG:JS

Note: Mr. Housley (Sun Life) states he received permission from Mr. Alexander by telephone in May 1942 to deliver cheque representing Cash Surrender Value direct to the Assured.

The Japanese had with him his Evacuation Card with his picture attached.

There is no notation of this on file.

MEMORANDUM

File No.: 1749

February 28th, 1944

To: FILE

From: Mr. Green

Re: Yoshio NITSUI

This Japanese declared besides his motor-boat, only a stove and heater left in the house. Some items were shipped to him and some lead sold for his account.

The tenants in the house, Mr. and Mrs. Wesnedge, are those put in by him and in his letter of July 28th, 1942 he told them to keep everything except the kitchen range which they were to sell. This has been done and \$35.00 received and credited to his account.

In the last paragraph of the same letter, the Japanese writes, "I want to keep the whole works as I left so I am not going to send in an inventory." It seems unnecessary for the time being to have any inventory taken by the tenants and this matter may be left until the house comes up for sale.

HFG:IF

32 1749

Levee Indian's Office
Vancouver, B.C.

Lilbert B.C.

May 1, 1944

EVACUATION SECTION	
Rec'd	MAY 4 1944
File No.	1749
Ans.	
Referred	Bell

Dear Sir:—

Re: PROPERTY, LOT No 6, SECTION 21, PLAN 1116,
ALBERNI ASSESSMENT DISTRICT, CLAYOQUOT LAND DISTRICT

Recently I happened to know that my property in Kelowna has been advertised for sale. I have received any notification of any kind, are you carrying on the action in secret? As a property owner I think I have a right to know about it before advertisement.

Beside I remember I have read the postponement of sales of alien properties ordered by federal government. Are you custodian's officials are taking the action which federal government are not wishing?

/ Even though I have to sell my property, I am not going to sell to other party than present William Macdougall Jr. I have a promise with him that I'll let him have a property when I have to sell it.

Hoping to hear your explanation for above in near future.

Yours truly
J. N. Tsoi #11998

File No 1749

MEMORANDUM

File No. 1749.

TO: Mrs. McArthur.

FROM: Mr. R. G. Bell.

May 5th, 1944.

Re: Yoshio NITSUI - Reg. No. 11998.

The following is the property discussed with you today in connection with the question of "options" or "first refusals".

Catalogue No. 512: Lot 6 of Section 21, Clayoquot District, Plan 1116, (otherwise known as House No. 6, Fraser's Bay, Uclualet).

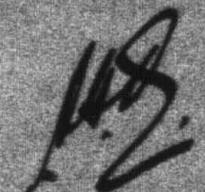
The tenant (William Wesnedge, Jr.) advised our agent (H. G. Hinton, 18/7/1942) that his agreement with the owner was a verbal one and included the understanding that in the event of the property being sold he would have the "first option to buy".

The owner (Yoshio NITSUI) is emphatic in his confirmation of this understanding, in his letter of the 1st instant, writing: "Even though I have to sell my property, I am not going to sell to other party than present tenant, William Wesnedge, Jr. I have a promise with him that I'll let him have a property when I have to sell it."

In replying to the above letter I desire to know to what extent such "options" are recognized by the Custodian, and whether the following wording would be in order under the circumstances outlined:

"All the properties included in the catalogue recently published have been widely advertised for sale under instructions from Ottawa, in conformity with the Government's policy of orderly liquidation of such properties. Under the terms and conditions outlined in the catalogue, sales are subject to existing leases and while a verbal agreement is not legally binding, our records carry sufficient evidence of intent to justify us in giving your tenant the opportunity implied in your verbal agreement to the extent of inviting him to meet the best offer we receive for the property, and this will be done."

RGB/P.



File #1749

MEMORANDUM

May 9th, 1944.

TO: MRS. A. G. HEARTHUR

Re: Yoshio NITSUI - Reg. #11978.

FROM: MR. K. F. WRIGHT

I have read the memo of the 5th instant addressed to you by Mr. Bell and approve the reply to Nitsui.

The Custodian will afford the tenant an opportunity to meet the best offer received in response to the advertisement calling for tenders, provided of course that the highest offer equals or exceeds the independent appraisal. The tenant should not file a bid, but correspondence following opening of tenders must be submitted to the Advisory Board in the usual way.

Mr. Bell asked to what extent options are recognized by the Custodian and the answer to this is that so long as these options do not conflict with the best interests of the estate and so long as they are in keeping with the general policies of the Custodian (e.g. liquidation) we will carry them out. The properties must be advertised, however, in accordance with Departmental rules. The offers received establish a competitive value and usually support an independent appraisal and the Custodian is then in a position to justify an accepted offer if his action is attacked.

We justify the practice of giving the tenant the right of refusal on the grounds that the verbal arrangement made by the Jap is an incentive to the occupant to expend more money on the premises which he occupies and he frequently does much more in the way of improvements to a property than he would do if he were lessee without such an option.

KFW/W

K. F. WRIGHT

Lillooet B.C.
May 25, 1944.

Mr. R. G. Bell
Administration Dept.
Lundin's Office, Van. B.C.

EVACUATION SECTION	
Rec'd	MAY 27 1944
File No.	1749
Ans.	
Referred	Bell

Dear Sir:—

By your letter of 16th ult.
you said you advertised the sales under
instructions from Ottawa, but I can't
understand this, for once they ordered
the postponement and in other hand they
ordered the liquidation.

By the recent paper I noticed that the
hearing at Exchequer's Court will take place
on 29th of this month so I'm anxious to
know the result of this case. In the meantime
I sincerely beg you to hold this matter.

Ever since my birth I tried hard to be a
loyal citizen of this country, and the said
property is the crystal of my bloody sweat, so
I'm not going to part with it until everyone
of us people part with their's. Even the sales did
take place in recent days I'm not going to sign the
legal papers. If you still force the sales I'll appeal this
to the federal authority and see what they have in
their mind. So please kindly be in my position and
think the situation.

Yours truly
J. N. 1050, #11998

File No. 1749

1749.

May 30th, 1944.

Mr. Yoshio NITSUI,
Registration No. 11998,
Lillooet, B. C.

Dear Sir:

Re: Sale of Ucluelet Property.

We are in receipt of your further letter, of the 25th instant, on the above subject.

This department is not aware of any change in the Government's policy, past or present, in connection with the orderly liquidation of properties in the protected areas of British Columbia.

Care is being exercised to see that best possible prices are realized and we would assure you that you should have no cause for apprehension on this account.

The sentiments expressed in your letter under reply do not appear to be consistent with those expressed in your letter of the 1st, but, as advised in our letter of the 16th to Mrs. Wesnedge, copy of which was sent you, we are giving effect to your wish that your tenants be given the opportunity of purchasing the property.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.

Hillcrest Bldg.
June 20, 44.

Mr. R. G. Bell
Administration Dept.
Guardian's office, Van Bldg.

EVACUATION SECTION	
Rec'd	JUN 22 1944
File No.	1749 <i>MB</i>
Ans.	
Referred	<i>Bell</i>

Dear Sir:

I have received a letter from Mrs. William W. Wadge (my tenant) that she had made a bid for my property. I don't know what the bid is, but whatever the bid is (if it's a reasonable one) she's the only one going to have my property when the time comes.

I don't know how the decision of Ketchikan's court comes out, but I'm going to stick to it. If it's an unlucky one and I have to part with my property, I have to get a permission to go to Belvidere to box up my personal belongings which were just pile up in attic in flimsy paper cartons. In the meantime I want them that way in case of my trusted tenant.

Yours truly
J. H. H. #11998

File No. 1749.

Orig. Am.
12-3-1944

NAME WITSUI, Toshio

REGISTRATION NO. 11998

FILE NO. 1749

The following chattels were sold by public
auction at Salinas, N.C. on July 23, 1944.

Two Therm Oil Heater	- \$ 40.00 ✓
6 Chairs	- 2.50 ✓
1 Round Table	- 3.00 ✓
Kerosene Lamp	- 0.50 ✓
"	0.25
Ironing board	0.25 ✓
Baby bath	0.50 ✓
Washing board & buckets	0.50 ✓
Bed	0.50
"	0.50
Dishes	4.25 ✓
Dishes	3.25 ✓
Dishes	1.00 ✓
✓ Pantry	2.25
"	2.00
Dolls	4.50 ✓
Dolls	1.50 ✓
Doll	1.75 ✓
Silver ware	7.25
Platter	1.50
Toys	9.75
Toys	3.50
Silverware	2.50
Silverware	1.50
Silverware	3.00
Silverware	0.25
Toy	1.75
Box	2.00
Total carried forward:	<u>\$102.00</u>

Handwritten notes: 50, 2, 10, 1, 2, 1, 5, 7.75, NoT H15

~~Less expenses:~~

~~Net proceeds credited:~~

~~Number of auctioneer's staff present.~~

~~Expected from auctioneering List No.~~

~~REMARKS.~~

NAME WISNUT, Yoshie

REGISTRATION NO. 11998

FILE NO. 1749

The following chattels were sold by public
 auction at Ueluelet, B.C. on July 25, 1944.

	Brought forward:	
X Dresser		\$ 102.00
Miscellaneous		10.25
X Freezer		3.75
X Bear		1.00
X Kindergarden set		2.25
Toy		4.00
Table		1.50
Kiddie Car		3.00 ✓
High chair		4.00
2 Trays		- 2.75 ✓
Violin		2.00 ✓
X Violin		5.50
		5.00

Total

(Auctioneer's Fee: \$14.70

Less Expenses: (Advertising: - - -

(Moving: 20.35

Net Proceeds Credited:

\$ 147.00

\$ 35.05

\$ 111.95

Members of Custodian Staff Present.

Extracted from Auctioneering List No. Ueluelet, B.C.

Remarks. no list on file - see Mr. Green's memo
 of 22/2/44.

147.00
 35.05
 111.95

Lillies Bl.
Aug. 6, 44.

Custodian's Office
Van. B.C.

EVACUATION SECTION	
Rec'd	AUG 9 1944
File No.	1749
Ans.	17-8 h
Referred	<i>[Signature]</i>

Dear Sir:-

I have received a letter ^{sent to Bell} from my tenant
Mrs. W. S. Sledge (House #6 Lillies Bl.) and
noticed that your officers have auctioned off
everything stored in my house.

The action you have taken ^{has} grieved me
very much, for you didn't notify me
previously. If the auctioned off goods are
such as furniture and fishing gear it won't
hurt me very much, but you have done
too much when you touched the personal
belongings without any words. Within them
there are many things replaceable. So if
you have a heart, please stop selling any more
of personal belongings. If you have to get

did of them and them to me.

Hoping to hear from you concerning the
above action you've taken.

Yours truly
G. Nelson

File # 1749

Hillcrest Bldg.
Sept 1, 44

Mr. Greene
Lew. Adams office
Van, B.

EVACUATION SECTION	
Rec'd.	SEP 6 1944
File No.	1749
Ans.	89
Referred	Green

ans. to Mr. Beal
on a request

Dear Sir:

Re: Personal belongings stored in house
No. 6 Uchuhar. Bldg.

I have received a letter from Mrs. Wessnedge, my tenant
writing me about the above-mentioned property.
I understand you have auctioned off quite a bit, but I
think you could not clear them all. If so, and if you still
have them in your hand and if you want, and have
to get rid of them why can't you send them to
me. I suppose it doesn't make any difference as
long as you get rid of them. Even any junk
is worse a lot to me, but when you have them
auctioned off, its value is almost nothing. So please
kindly send me what's left. In time like this when
things are scarce its a great help to me, because we
are off supporting women and money means a lot to
us. So please kindly take up the matter and arrange
to send me the goods if possible.

I don't know whether you have sold or not, the five
volumes of electrical engineering books (correspondence
course of Lecker's school of Chicago). If you have
I want you to trace who bought them, for I want
them badly and losing means end of my training

if not sold yet I want you to send them in along with
other goods.

Hoping you will do me a favor and fill in
my wish. Hoping to hear from you the satisfactory
return.

Yours truly
J. Watson. 11998

Date... October 11th, 1944.

REAL PROPERTY MEMORANDUM

File No. 1749.

Name..... Yoshio NITSUI..... Registration No. 11998...

Re: Catalogue No. 512.

Address: House No. 6, Fraser's Bay, Ucluelet, B. C.

Legal Description: Lot 6, Section 21, Map 1116.
(Dwelling)

TITLE AND ENCUMBRANCES.

A. Certificate of Title No. 116885-I Whereabouts: Owner's possession.

Registered owner: Yoshio NITSUI Reg. No. 11998

Property: Lot 6 of Section 21, Clayoquot District, Plan 1116.

B. Charges.

Registered: Nil.

Vesting: 50876.

Unregistered: No evidence of any.

Taxes: \$17.09 (1944) Unpaid. Certificate applied for.

Water: —

Insurance: \$1000.00 expiring 22/7/1945.

Assessed Value: Land: \$150.00.

Improvements: \$1000.00.

Valuation by Appraiser: \$850.00.

Amount of Bid: \$750.00.

Approved by Advisory Committee: 7/10/1944.

Paid as shown in attached letter: \$750.00 - paid in full.

Name of transferee as attached letter: William Wesnedge, Jr., Fisherman, Ucluelet, B.C.

ADMINISTRATION.

Tenancy: Monthly tenure (state consideration & whether including or excluding furniture or equipment)

Rented at \$12.50 per month on a month-to-month basis to W. Wesnedge, Jr., who becomes owner if above bid is accepted.

Leasehold: (State period, consideration & unusual clauses and whether including or excluding furniture or equipment)

Chattels: Particulars of those stored on the premises.

All sold.

Named Agent: R. Matterson, Ucluelet, B. C.

R. G. Bell.
R. G. Bell.

1749

October 24, 1944.

Mrs. Wm. Wesnedge, Jr.,
Uclualet, B. C.

Dear Madam:

Re: Catalogue No. 512
No. 6 Fraser's Bay, Uclualet Inlet
Lot 6, Section 21, Map 1116

This will acknowledge receipt of your letter of October 16th in which you enclosed your cheque for \$102.50. We have now received a total of \$750.00, being the full amount of the purchase price for the above property, after transferring \$47.50 which was originally applied on Catalogue No. 511 and transferred by you to the purchase of the above property.

We note that you wish this property to be registered in the name of William Wesnedge, Junior, Fisherman, Uclualet, B. C., British Subject.

The necessary documents will be forwarded to the Secretary of State at Ottawa, and if our recommendation is acted upon, the documents will be signed and returned.

After the documents have been registered a statement of adjustments of taxes, etc. will be prepared, including registration fees, and forwarded to you. Adjustments will be calculated as of the date of this letter.

Yours truly,

F. G. Shears,
Director.



File No. 1749.
Catalogue No. 512.

November 8th, 1944.

MEMORANDUM

TO: Mr. L.W. Wright

FROM: Mr. Lee Macpherson

Leslie MITCHELL - Reg. No. 11998
Lot 6 of Section 21, Claycoquet
District, Plan 1116.
Certificate of Vesting No. 30876.

We enclose herewith the following documents in
connection with the sale of the above described property:

1. Original Certificate of Encumbrance.
2. Transmission in duplicate.
3. Deed in duplicate.....WILLIAM WESMIDAL, JUNIOR.
4. Copy of letter showing to whom sold and price
paid for the property.
5. Memorandum from the Administration Department
confirming valuation, and approval of Advisory
Committee.
6. Real Property Memorandum from Administration Dept.

Certificate of Indefeasible Title No. 11685-1 is in
the owner's possession.

LM
Encs.

Lee Macpherson

November 8th, 1944

REAL PROPERTY MEMORANDUM

FILE NO: 1749

NAME: Yoshio NITSUI

CATALOGUE NO: 512

RE: No. 6, Fraser's Bay, Ueluelet, H. C.
Dwelling

CERTIFICATE OF ENCUMBRANCE:

Description of Property: Lot 6 of Section 21, Clayoquot
District, Plan 1116

Encumbrances: Nil

Taxes: 1944 taxes of \$17.09 paid.

Vested: No. 50876

VALUATION BY APPRAISER: \$850.00

AMOUNT OF BID: \$750.00

APPROVED BY ADVISORY COMMITTEE: October 7th, 1944

AMOUNT RECEIVED BY CUSTODIAN: \$750.00

NAME OF PURCHASER: William Wesnedge Junior

K. W. WRIGHT

KWW/JY
Attach.

1749
sent to Macpherson

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE

PLEASE REFER
TO

FILE NO. 19150

Legal Section

FXAB:F

ENEMY SECTION

Rec'd NOV 18 1944

Ans'd

Refer

MR Gibson

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.
November 11, 1944

Dear Sir:-

On the 12th of May, 1942, I
forwarded you a copy of Form "D" reporting the
policy No. 2,045,880 issued by the Sun Life Assurance
Company of Canada on the life of Yoshio Nitsui, P.O.
Box 23, Ueluelet, B.C.

Kindly let me know if you are
interested in this policy and if you are, give me
the present address of the policyholder.

Yours truly,

F.X.A. Biron
F.X.A. Biron,
for Assistant Deputy Custodian.

K.W. Wright, Esq.,
Counsel to the Custodian,
Royal Bank Building,
VANCOUVER, B.C.

1749

November 28, 1944.

Attention: F. X. A. Biron,

Office of the Custodian,
Victoria Building,
7 O'Connor Street,
OTTAWA, Ontario.

Dear Sirs:

Re: Sun Life Pol. #2045880
Yoshio NITSUI

This man's file only became available
for our use this morning, thus the delay, for
which we apologize.

Please be advised that the above named
is an Evacuee whose address is given as Registration
No. 11998, Lillooet, B. C.

The above numbered policy does not vest
in the Custodian and incidentally it was cashed in
by the assured and a cheque covering the cash sur-
render value was sent to him in May, 1942 by the
Sun Life.

Yours truly,

S. M. Gibson,
Insurance Department

SMG:JS

EXHIBIT NO. 42-9 Wittman Bld.
DATE 15 Jan. 1948 Dec. 17, 48.
FILED BY J. W. J. Hunter

Mr. W. H. Green
Protection Dept.
Lebanon's Office, Wash. D.C.

EVACUATION SECTION	
Rec'd	DEC 18 1948
File No.	1748
Att.	M. J. L.
Referred	Green

Dear Sir:

I am herewith dropping you for ^{last time} to remind you the proceedings of the auction. In your letter of Aug. 17th you wrote me proceedings will be available in short time, but since then I haven't heard from you a single word, ^{concerning} the auction. So I figured, delaying means you still have some of my effects in your hands ^{unwashed}, so I am again asking you to send me the remaining effects. I'll pay the freight charge.

to be
ing
If you are going to object again, please refer to a letter you sent me on Sept. 19th, 1948. By that letter one can understand that my personal belongings are not under your care, but entirely in care of Mr. W. W. Wedge. Since then I have no idea I ever handed the matter over to you. So you have done wrong when you auctioned off my effects without my consent. Between Mr. W. W. Wedge and myself, we have made the legally witnessed and signed inventory. So auction off my effects means breaking of law which Gott. have made.

So please kindly take up the matter and send me
the remaining efforts (if any) along with the
itemized proceedings. (I have in hand some of my grandfather's
efforts, as writing a brief report).

Please note that you haven't done anything with
my brother's efforts which have been taken care just
about as mine, yet you have taken mine over,
what's the difference. I'd like your explanation.

Hoping to hear from you soon.

Yours truly,
John H. H. H.
By. #11748.

By file # 1749

December 22nd, 1944.

Mr. Yoshio NITSUI,
Reg. No. 11998,
Lillooet, B. C.

Dear Sir:-

Thank you for yours of December 12th enquiring about the auction at Ucluelet. We sympathize with your anxiety, but regret to advise that due to illness on the part of the auctioneer, the final accounting has only just been received. It will be a little while yet before exact details are available.

We are afraid, however, that so far as we know, none of your personal property is left unsold.

We note that you refer to our letter of September 19th, 1942 and ask why there has been a change since that was written. You will remember that at that time we stated that for the time being the Custodian had no objection to your arrangement. Since then, however, in accordance with the policy of liquidation, we have auctioned your effects.

Our intention to do so was widely publicized in the New Canadian in the early summer of 1943 and we feel that you must have heard that the policy of liquidation was under way. Moreover, it was felt that in the long period that has elapsed since evacuation, evacuees would have received most of what they required.

You ask why your brother's case was treated differently and think you must refer to Mr. Ukichi Nitsui. His case was different inasmuch as his effects were included in a Schedule to his Lease with Mr. Rideout, whereas in your case, no inventory was given to us and your belongings were merely left in Mr. Wesnedge's care. When the writer was at Ucluelet, he arranged for the liquidation of all Japanese effects there with the exception of your brothers, since Mr. Rideout was absent. However, your brother's

- 2 -

effects will be disposed of either by shipment to him or sale at Ucluelet as laid down in the general policy of liquidation decided on by Ottawa.

Yours truly,

H. F. Green
Protection Department

HFG:IF

1749.
Oct. No. 512.

January 10th, 1945.

Mr. Yoshio NITSUI,
Registration No. 11998,
Lillooet, B. C.

Dear Sir:

Re: Our letter of 1/11/1943.

We enclose our cheque for \$10.00, regular monthly remittance for the month of January.

The net proceeds from sale of your property cannot be credited to your account until final adjustments with purchaser are completed and as there are no funds in your account this payment is being made to your debit in the meantime.

The gross sale price was \$750.00, which was in line with the value placed on the property by a qualified independent appraiser, but from this must be deducted the charges incidental to all sales of Real Property and as soon as final adjustments have been made we will send you a complete statement of the transaction showing the net proceeds transferred to your credit.

Yours truly,

R. G. Bell,
Administration Department.

RGB/T.
Encl.

File No. 1749.
Catalogue No. 512.

January 17th, 1945.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cramer

Yoshio NITSUI
Lot 6 of Sec. 21, Clayo-
quot Dist., Plan 1116.

With reference to the above property which was recorded
in the Victoria Land Registry Office, dated December 7th, 1944,
we attach herewith the following documents in connection therewith.

1. Copy of application number 148087-I, dated November 28th,
1944, registering the property in the name of the Custodian
(Transmission).
2. Copy of application number 148088-I, dated November 28th,
1944, registering the property in the name of William
Wesledge, Junior (Deed).
3. Duplicate of Transmission dated November 14th, 1944.
4. Duplicate of Deed dated November 14th, 1944 - Secretary
of State to William Wesledge, Junior.
5. Certificate of Indefeasible Title number 148088-I, dated
December 13th, 1944, covering the above property in the
name of William Wesledge, the younger.

D. A. Cramer

DAC:JS
Atch.

Mrs M. H. Keenedge Jr.
Vancouver, B. C.

February 6th 1940

Custodians of Enemy Properties

506 Royal Bank Bldg.

Vancouver, B. C.

Dear Sirs-

Please find enclosed the papers signed, also a cheque for the amount of ten dollars and fifty nine cents.

I have had my husband sign the paper about goods & chattels of the Japanese but would like to state that there is no furniture here belonging the Japanese as it was all sold to us when Mr Greene was around. There is very little else of any value here belonging the Japanese. Mr Nitsui has written asking me to send that on to him. I hope this meets with your approval.

Yours very truly,

M. F. Keenedge.

Catalogue No. 512
File No. 1749
No. 6 Fraser's Bay
Uluwlet Inlet, B. C.
lot 6/Sec.21/Map1116
Certificate of Title No. 148088-I

File No. 1749

No. 6 Fraser's Bay

Voluelet Inlet, B. C.

lot 6/Sec.21/Map 1116

Certificate of Title No. 148088-I

Control of property covered by Certificate of Title No. 148088-1 and described above is by me hereby acknowledged and it is agreed that all adjustments and incidents connected with the sale to me of property covered by the said certificate have been settled.

Dated at McNuchit B.B. this 6 day of February 1945.

William Wesledge, Jr

Return to the Custodian

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

Dear Sirs:-

Re: No. 6 Fraser's Bay, Uluvalut Inlet

I understand that any Japanese effects and furniture on the premises are not included in the sale. These will be removed by the Custodian as soon as possible but in cases where the furniture is included in the lease to the present tenant it cannot, of course, be removed until he is ready to vacate the premises. I undertake to give the Custodian at least two weeks notice of the date on which the tenant is vacating the premises and to allow the Custodian access to the premises in order to remove the furniture at a reasonable and convenient time following the termination of the lease.

Yours faithfully,

William W. Ward Signed

Return to the Custodian

File 1749

Vancouver, B. C.
February 26/45.

Dept of Secretary of State
Office of Custodians
Vancouver, B. C.

EVACUATION SECTION
RECD FEB 28 1945
FILE 1749

Dear Sir. Cat 512

I wish to acknowledge the receipt of the Certificate of Title No. 148088-1 and also the Insurance policy on the property. And wish to thank you very much for all you have done for us.

Yours very truly,

William W. Wedge, Jr.

March 12th, 1945.

Mr. Yoshio NITSUI,
Reg. No. 11998,
Lillooet, B. C.

Dear Sir:-

Your letter of March 5th has been received and considered.

Our sympathy at the disappointment you may feel at the disposal of your belongings is somewhat obscured by the insinuations you make in your letter. This office has all along taken every precaution to see that the property of the evacuees was disposed of at the best prices that could be obtained.

We are enclosing herewith the auctioneer's statement of effects sold at Ucluelet on July 25th from which you will see that \$111.95 has been credited to your account. The figure shown for moving is represented by the cost of handling on and off the scow and trucking to the auction hall. This was personally supervised by the writer who himself carried a good number of the items. The auction was conducted by an auctioneer of repute who visited Ucluelet with the writer from Port Alberni.

✓ You will recall that you previously refused to send us any inventory of your belongings and we had, therefore, to take what we could find with no list to guide us. The first eight items on our enclosure were sold direct to Mr. Wesnedge, your former tenant. Particularly in the case of the oil heater, this meant a better price since the present regulations restrict the moving and sale of these articles.

We have today authorized Mrs. Wesnedge to ship to you some sundry articles which you had evidently requested of her.

Yours truly,

Enc.
HFG:IF

H. F. Green
Protection Department

March 12th, 1945.

Mrs. N. F. Wesnedge,
Ucluelet, B. C.

Dear Madam:-

Re: Yoshio NITSUI

This letter is to confirm that you will be entirely in order in shipping to Mr. Yoshio Nitsui, Reg. No. 11998, the effects mentioned in yours of February 27th, namely,

About 100 Japanese Gramophone
records

Photographs

Electrical engineering diploma

Aladdin Lamp

Any other small sundry personal
items he may ask for.

We do not know of any number that you need to mark on these articles and it will be quite sufficient if shipment is made either prepaid or collect to the owner at Lillooet. In the former case we can refund the freight charges to you.

There are no restrictions on the shipment to Japanese of their belongings other than those imposed by this office and we think you will find the foregoing letter all you require.

Yours truly,

H. F. Green
Protection Department

Enc.
HFG:IF

1740.
Oct. No. 512.

March 23rd, 1945.

Mr. Yoshio HIRAI,
Registration No. 11998,
Millicent, B. C.

Dear Sir:

Re: Lot 6 of Section 21, Clayoquot District,
Plan 1116.

The sale referred to in our letter of the 27th October, 1944, has been completed and for your information we enclose a complete statement of the transaction, showing the net proceeds (\$743.63) transferred to the credit of your account.

We also enclose a statement of your account, including the above item, and showing a balance of \$826.19 standing at your credit.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.
Encl.

c.c. to B. C. Security Commission,
Vancouver, B. C.

Norris & MacLennan

BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

T. G. NORRIS, K.C.

J. A. MACLENNAN, LL.B.

CABLE ADDRESS "NORRIS"
VANCOUVER, CANADA
TELEPHONE: PACIFIC 8884

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS ST. WEST

VANCOUVER, B. C.

April 16th, 1945.

EVACUATION SECT	
RECORDED	17 1945
FILE NO.	1749
ANS.	
REFERRED	Green

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

Attention Mr. Green

Dear Sir: re Your File No. 1749 - Yoshio Nitsui,
Registration No. 11998 - Lillooet, B.C.

Your letter of the 12th ultimo, to Mr. Nitsui,
together with the Internee's Statement which you enclosed
with his letter, has been referred to us for attention. *2 Enclosures*

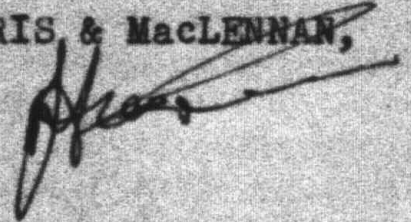
The Statement which you forwarded appears, from
the information which we have, to be entirely erroneous.
Mr. Nitsui had a whole housefull of chattels, as well as
thousands of board feet of lumber. The main contents of
the house have not been shown at all on the Statement,
while some of the articles which you refer to on the State-
ment as having been sold never did belong to Mr. Nitsui.
Apparently his articles have been mixed with others. *no reference - some lumber used for board walks outside house*

We enclose, herewith, for your information,
a copy of the Inventory of the contents of the house at
the time when the Custodian took over. Kindly let us know
whether you have all the remaining articles in your possess-
ion, in storage, or please check your records to see to
whom these have been sold and credit Mr. Nitsui accordingly. *inventory - removed by owner himself*

We have to advise, on Mr. Nitsui's behalf, that
a sale of any of his property is not acceded to, but if you
persist in selling his goods, then he wants an accounting of
the sale of his own goods and not somebody else's. Please
look into this matter and let us have a proper statement in
this connection which we can forward to Mr. Nitsui.

Yours truly,

NORRIS & MacLENNAN,

per 

JAM/CK

April 24th, 1945.

Messrs. Norris and MacLennan,
Bank of Nova Scotia Bldg.,
602 W. Hastings St.,
Vancouver, B. C.

Dear Sirs:-

Re: Yoshio NITSUI -- Reg. No. 11998
Lillooet, B. C.

This is to acknowledge yours of April 16th in which you refer to having received from Mr. Nitsui our letter of the 12th of March, together with "Internee's Statement" enclosed therewith, which would, we think, refer to the auctioneer's statement sent to him with that letter. There is really very little that we can add to what we have written in that and in previous letters to Mr. Nitsui, but for your information we append the following summary of our file.

Mr. Nitsui registered his assets on April 4th, 1942, declaring as to personal property only his motor boat and a "stove and heater left in house and key given to local police". This declaration was signed under the usual clause stating that the information was true and complete and fully disclosed all his property in the protected area.

In a letter of May 14th, 1942, we were advised by Mr. and Mrs. Wesnedge that Mr. Nitsui had rented his house to them before evacuation. This was confirmed by our investigating agent, Mr. Hinton, C. A., of Messrs. George A. Touche and Company, Victoria, who visited Ucluelet in June and reported on this property on July 18th, 1942. He said that the house was rented unfurnished except for the stove and heater, and added "The tenant informed me that the owner had left in his care certain articles for storage and that these were in the house. When the Japanese owner was evacuated an inventory was made and Mr. Wesnedge receipted for the contents. I understand that the owner left instructions with Mr. Wesnedge regarding the sale of certain articles."

On July 22nd, 1942, we wrote to Mr. Nitsui asking him to supply us with an inventory of the articles to be stored and those to be sold. We also wrote to the Wesnedges on the same date for the same information.

Mr. Nitsui answered on July 28th "As I have written before (this office has no record of such a letter) I want to keep the whole works as I left so I am not going to send any inventory."

In June 1944, the writer visited Ucluelet, and together with Mr. Burnip, K.H., auctioneer of Port Alberni, supervised the removal to auction of most of the remaining contents of the Ucluelet house. The writer clearly recalls this particular house since he had to remove a number of articles from the attic. Everything that could be found was removed to auction, care being taken to keep Mr. Nitsui's belongings separate from those of other Japanese which were moved at the same time. The writer actually supervised the grouping of this and other evacuees' belongings on the auction floor, and while it is possible that members of the public in viewing the display before the auction was actually held, may have picked up one or two small articles and put them down in some other man's pile, the writer is confident that the correct identification was carefully preserved.

We have never heard anything about lumber from Mr. Nitsui although we did know that our agent at Ucluelet authorized the use of lumber owned by Japanese in this settlement for the repairing of the board walk running along the foreshore and by which access was gained to the houses.

It is suggested that you telephone the writer and arrange to call at the office at an early date in order that we may give you any further information that you may require.

Yours truly,

H. F. Green
Protection Department

*His letter
approved by J.
Wright & J.
Kearney added
by J.*

HFO:IP

Norris & MacLennan

BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

T. G. NORRIS, K.C.

J. A. MACLENNAN, LL.B.

BANK OF NOVA SCOTIA BUILDING
602 HASTING ST. WEST

VANCOUVER, B. C.

August 15th, 1945.

CABLE ADDRESS "NORRIS"

VANCOUVER, CANADA

TELEPHONE: PACIFIC 8284

EVACUATION SECTION

Rec'd AUG 14 1945

File No. 1749

Ans. 1000

Referred Bill

Office of the Custodian,
Japanese Evacuation Section,
606 Royal Bank Bldg.,
VANCOUVER, B.C.

Dear Sirs:

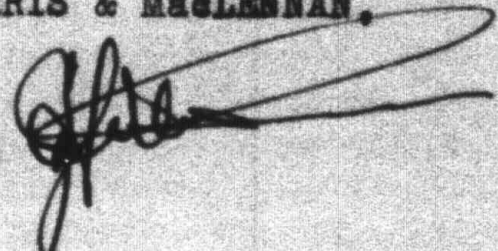
RE: YOSHIO NITSUI
Reg. No. 11998
Your file: 1749

We refer you to our letter
herein of the 11th ult.

Mr. Nitsui has written to
advise that he has not yet received any funds
from you. He is a self-supporting evacuee
and is in need of money at the present time.
We would ask you kindly to forward him such
funds as you are holding to his credit.

Yours very truly,

NORRIS & MacLENNAN,

Per 

JAM:MB

INVENTORY - YOSHIO NITSUI

*Filed under
16/4/45*

1 Duotherm Oil Heater	1 Loud Speaker
1 Kerosene Stove	1 Portable Phonograph
2 Colman Camp Stove	1 Bed Table
1 Laboratory Set	1 set Antenna
6 Window Shades	1 Cloth Line
7 Curtain Rods	1 Glass Case
1 Round Table	1 Dish Pan
6 Chairs	1 Mop
1 Rocking Chair	1 Dustpan
1 Aladdin Lamp	22 pcs. garment hangers
1 Table	2 " 1 gal. glass jars
1 Cardboard Garment Closet	
1 Baby Chair	
1 Ironing Board	
1 Storage Battery	
1 Extension wire	
1 Baby Bath	
1 Wash Board	
5 Buckets	
2 Picture Frames	
2 Door Mats	
1 Carton Garthen Ware	
1 " " " and utensils	
1 " trays	
2 " Childrens Festival Decorations	
3 " new and used Fishing Gears	
2 " Electrical Engineering Books	
1 " utensils	
1 Anchor Galvanized	
1 tin Grease	
40 Fathom Manila Rope	
3 pieces Boat Mattress	
3 " Comforters	
1 Pipe Wrench	
1 Double axe	
1 Deck Brush	
1 Pike Pole Point	
3 Lgth. Gal. Pipe	
80 lbs. Lead Line	
10 pcs. 5 lbs. Sinkers	
7 " 3 " "	
12 " 2 " "	
1 " 35 " "	
2 " 30 " "	
4 " 15 " "	
100 lbs. Pig Lead	
3 gal. Lub. Oil	
2 Stauchion with 8 blocks	
1 Anchor with 25 foot chain	
1 Compass	
6 Trolling Floats	
1 Hand Saw	
1 Hammer	
1 Hatchet	
16 pcs. 2 x 6 Cedar Lumber	
1 " 1 x 6 " "	
1 " 2 x 12 Fir "	
1/15 gal. oil drum	
1/5 gal. oil can	
1 Work Bench	
2 15' square carpet 1	
1 Aluminim Level	
2 Comforters	
100 phono. records	

265 lbs. sold before evacuation

1749.

August 21st, 1945.

Mr. Yoshie NITSUI,
Registration No. 11998,
Lilleoot, B. C.

Dear Sir:

Re: Finances.

Messrs. Morris & MacLennan have passed on your request to have your funds remitted to you.

To avoid the delay that would be involved in making the complete review of your file that is a necessary preliminary to final distribution of assets in our hands, we are enclosing our cheque in your favour for \$700.00 and carrying forward a balance of \$88.44.

Due to the large number of files we are handling it may be some months before your file can be reviewed and a summary of its administration completed but when this is done you will be advised and the balance of your funds will then be available to you.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.
Encl.

c.c. to Messrs. Morris & MacLennan.

Lillouet Pl.
June 7, '47.

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

EVACUATION SECTION
 Rec'd JUN 10 1947
 File No. 1759
 Ans. *[Handwritten signature]*
 Referred *[Handwritten signature]*

Charles:—

Have received your cheque for
\$88.44, the final remittance from your office.
Yours truly,
A. L. ...

As I have written you on every occasion
that I am not satisfied with the action
you have taken. Especially the action of
of my personal belongings without my consent,
netting me less than 10% of the actual value.

Hoping for the coming of time to make
 a claim for my loss.

Yours sincerely
H. Tribune

F. Le N^o 1749.

See H. G. 1's list. of
Apr. 24, '25 to
H. G. Mack. repl.
of June 11, '25

10/6/47 - Copy made
for Mr. Shears.

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

ROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B.C.

OUR FILE NO.
1742-B-105

January 7th, 1948.

The Custodian,
675 West Hastings,
Vancouver, B. C.

Dear Sir:

Re: Japanese Claims and
Re: Y. Nitsui.

If you have not already provided our client with the undated appraisal report by Mr. H. G. Winter which appears in your file, we would ask you to kindly provide us with a copy thereof.

We would ask you to be good enough to produce the following documents:

- | | |
|--|--|
| <p><i>in 91 bag (1/1/44) on Exhibit in envelope.</i></p> <p><i>in 20/7/42 in Exhibit envelope</i></p> <p><i>on 20/7/42 " "</i></p> <p><i>in Exhibit envelope</i></p> <p><i>" " "</i></p> <p><i>1/2/45: 7/6/47: 20/9/48: 6/8/44: 20/9/44: 28/5/44: 14/11/43: 20/9/43: 20/9/43: 26/1/43: 20/1/42: 20/9/42:</i></p> <p><i>on master file.</i></p> | <ol style="list-style-type: none"> 1. Y. N. LET 15/44 referred to in the remarks in your claims analysis. 2. Any written evidence that the claimant refused to supply an inventory. 3. Copy of any document requesting the claimant to supply an inventory. 4. Copy of letter dated 12/3/45 to the claimant referred to in the claims analysis. 5. Copy of letter by claimant to you dated 12/12/44 referred to in the claims analysis. 6. All other letters and documents by the claimant to you. |
|--|--|

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: *R. J. McMaster*

McM:MM



NATIONAL REVENUE, CANADA
CUSTOMS AND EXCISE
REVENU NATIONAL DU CANADA
DOUANES ET ACCISE

Call 42

Port of Victoria, B.C.
Bureau de November 9th, 1948.

F. Matheson, Esq.
Office of the Custodian,
506 Royal Bank Bldg.,
Hastings and Granville Street,
Vancouver, B.C.

Re- M.V. "AMPHITRITE"
Victoria Licence No. 1430

VACATION SECTION	
Rec'd.	NOV 10 1948
File No.	
Ans.	
Retained	

Replving to your letter of the 8th instant, file # 1749 (42)
respecting the above noted.

I wish to advise that licence 1430 was transferred to Mr.
Yoshio Nitsui, Ueluelet, B.C. on April 13th, 1937.

This vessel was originally licensed under licence No. 1430 /
on November 21st, ~~1928~~ 1928, in the name of Tamakichi Nitsui,
Ueluelet, B.C. It would appear from our records that the
vessel was built at Steveston, B.C.

Yours truly,

[Signature]
Asst. Registrar of Shipping.

1749

January 22, 1951.

Mr. Yoshio NITSUI,
Lillooet, B.C.

Dear Sir:

Re: Japanese Property Claims Commission
Case 43 - Uichi NITSUI

An award has been recommended by Mr. Justice Bird in connection with lumber owned jointly by 10 persons in the total sum of \$140.62. Your share in this connection is \$14.07 from which is to be deducted proportion of legal fees \$1.06, and we are pleased to enclose herein our cheque for \$13.01 in your favour.

Yours truly,

F. G. Shears,
Director.

FOS/CH
Encl.

INVENTORY OF PERSONAL PROPERTY

Claimant: Yoshio NISHIKI.

File No. 1749.

Note: Apart from his fishing vessel the only personal property declared by this claimant in his JP form (4/4/42) was a Stove and a Heater. He refused to supply an inventory, our Protection Department having occasion to write him as follows under date of 12/3/45: "You will recall that you previously refused to send us any inventory of your belongings and we had, therefore, to take what we could find with no list to guide us....." The inventory attached to his claim is dealt with below.

Article	Jap. Val.	Sold for	Remarks
Duothers Heater	\$ 100.00	\$ 40.00 ✓	
Kerosene Stove	" 18.00		No trace.
Camp Stove	" 8.00		No trace.
Lavatory Set	" 25.00	(fixture)	
Window Shades	" 6.00	(fixture)	No separate sale value.
Curtain rods	" 1.00	(fixture)	
Round Table	" 5.00	\$ 9.00 ✓	
Chairs	" 6.00	" 2.50 ✓	
Rocking Chair	" 2.00	" 0.50 ✓	No trace.
Aladdin Lamp	" 8.00		
Table	" 2.00	" 3.00	
Cardboard Clothes Locker	" 2.00		No trace.
Baby chair	" 3.00	" 2.75	
Ironing Board	" 1.00	" 0.25	
Storage battery	" 5.00		No trace.
Extension wire	" 0.50		No trace.
Baby bath	" 1.00	" 0.50	
Washboard	" 0.50)		
Buckets (5)	" 2.50)	" 0.50	
Door mats (2)	" 1.00		No trace.
Earthenware (ctn)	" 30.00)		
Earthenware & utensils	" 25.00)	" 8.50	
Trays (8)	" 1.00	" 2.00	
Festival Decorations	" 60.00	" 7.50	
Fishing Gear (3 ctns)	" 300.00		No trace.
Electrical Eng. books	" 150.00		No trace.
Utensils	" 30.00		No trace.
Anchor	" 10.00		No trace.
Grease	" 0.50		No trace.
Manila rope (40 fthms)	" 20.00		No trace.
Boat Mattress (3)	" 15.00		No trace.
Comforters (3)	" 9.00		No trace.
Pipe wrench	" 2.00		No trace.
Double Axe	" 2.00		No trace.
Deck Brush	" 0.50		No trace.
Pike Pole Point	" 1.00		No trace.
Galv. Pipe (3 lengths)	" 6.00		No trace.
Lead, Sinkers &c.	" 38.70	" 7.95	
Lub. Oil (3 gal.)	" 2.70		No trace.
Stanchions & Blocks	" 64.00		No trace.
Anchor & Chain (25')	" 20.00		No trace.
Compass	" 18.00	78.95	No trace.
Trolling Floats	" 20.00		No trace.
Hand Saw	" 2.00		No trace.
Hammer	" 1.50		No trace.
Hatchet	" 1.50		No trace.
Lumber	" 16.00		No trace.
Oil Drum	" 4.00		No trace.
Oil Can (5 gal.)	" 2.00		No trace.
Work Bench	" 2.00		No trace.
Carpets (2)	" 20.00		No trace.
Aluminium Level	" 4.00		No trace.
Comforters	" 5.00		No trace.
Loud Speaker	" 3.00		No trace.
Portable Phonograph	" 30.00		No trace.
Bed Table	" 1.00		No trace.
Antenna (1 set)	" 1.50		No trace.
Clothes Line	" 1.50		No trace.
Glass case	" 1.00		No trace.

INVENTORY OF PERSONAL PROPERTY

Yoshie NITSUI.

File No. 1749.

<u>Article</u>	<u>Jap. Val.</u>	<u>Sold for</u>	<u>Remarks.</u>
Dish pan	\$ 0.50		No trace.
Mop	" 0.50		No trace.
Dust pan	" 0.50		No trace.
Coat hangers (22)	" 2.00		No trace.
Glass Jars (1 gal.)	" 0.50		No trace.
		\$ 78.95	
		" 68.05	Gross auction proceeds of 24 other items removed from same premises, and which may have reference to a sentence in claimant's letter of 12/12/44 reading: "I have in hand some of my friend's effects, so wishing a brief report."
			(27.75)
Total Jap. valuation:	<u>\$1,116.90</u>	<u>\$ 147.00</u>	Total (gross) auction proceeds.

[Handwritten signature]

C-1512

DEC - 2 1947

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

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

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

- (1) NAME NITSUI YOSHIO (COMP) Reg. No. 11998
(Print) Surname Given Name
- (2) Pre-Evacuation Address Uchucklet, B.C.
- (3) Present Address EAST Lillooet, Lillooet B.C.
- (4) REAL ESTATE
- (a) Street Address (if any) ASS. DIST. ALBERNI LAND DIST. CLAYQUET B.C.
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.)
LOT 6 OF SECTION 21 PLAN 1116

(c) Type of Real Property (cross out words which do not apply):

- (i) ~~Farm~~
(ii) ~~Residence~~ Type of business
(iii) ~~Business~~
(iv) ~~Any other type of property (describe)~~

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)

(e) Fair market value at date of sale (estimate this to the best of your ability):

- (i) Land - - - - - \$
(ii) Buildings - - - - - \$
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$

(v) Amount at which Custodian sold property and credited your account - - - - - \$

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - - - \$

(5) PERSONAL PROPERTY

- (a) Place or places at which property was left by the claimant at date of evacuation
Uchucklet B.C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
ATTIC OF HOUSE
- (c) How stored or packed at time of evacuation PACKED IN WOODEN BOXES AND PAPER CARTONS WITH ROPE AROUND EACH PARCEL.

(over)

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

UNDER CARE OF TENANT (MR. W. WESNERG 12.) LATER
TAKEN OVER AND DISPOSED BY CUSTODIAN.

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

1. <u>RE. INVENTORY ATTACHED</u>	Estimated Value \$ <u>997.00</u>
2. <u>FISHING BOAT. H.P. AMPHIBITE. No. 142</u>	Estimated Value \$ <u>150.00</u>
3. <u>FISHING GURDY. 30TH ST. & 4TH</u>	Estimated Value \$ <u>300.00</u>
4. <u>20. 1st St. & 5th</u>	Estimated Value \$ <u>2.15</u>
5. <u>20. 1st St. & 5th</u>	Estimated Value \$
6. <u>Blouse</u>	Estimated Value \$
7. <u>Book 1486</u>	Estimated Value \$
8. <u>Trunk 881-90</u>	Estimated Value \$
9. <u>Knitting Sam 235 1116-90</u>	Estimated Value \$
10. <u>20. 1st St. & 5th 2601-90</u>	Estimated Value \$

TOTAL CLAIM FOR PROPERTY LOSS \$ 2193.00

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

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - **\$ 2193.00**)

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

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

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA,
Province of British
Columbia
TO WIT;

I, Yoshio Nitsui
of Lillooet

of the District
in the Province of British Columbia

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the Village
of Lillooet
in the Province of British Columbia
this 10th day of November
A.D. 1947.

Yoshio Nitsui
A Commissioner &c.

A Commissioner for taking
Affidavits within British Columbia

N.B.—THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE
MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN,
ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT
BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. 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
Ottawa, B.C.,
January 15th, 1948.

IN THE MATTER OF THE CLAIM OF
YOSHIO NITSUI

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq., appearing for the
Dominion Government.

R.S. McMASTER, Esq., appearing for the
Claimant.

A. WATSON, Esq., Secretary.
D.J. HANFORD, Esq., Official Interpreter.
T.P. HORROBIN, Esq., Official Reporter.

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Y. Nitsui,
In Chief.

MR. McMASTER: Might I have the claim form, please,
Mr. Watson? We won't require the interpreter in
this case.

YOSHIO NITSUI, the claimant herein, being
first duly sworn, testified as
follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, is this your signature on this claim
form and did you swear the declaration thereon?

10 A Yes.

MR. McMASTER: My lord, I would bring your attention
to the fact that there are three types of claim
involved in this claim; first of all, with
regard to real estate; secondly, with regard to
a vessel and its equipment; and thirdly, with
regard to personal chattels which were on the
vessel. I might say that some of these per-
sonal chattels relate to his fishing operation
but weren't on the vessel in my submission.

20 Q Witness, I produce to you a form. Was that
drawn by your solicitor on your instructions?

A Yes.

Q And is that your signature at the bottom?

A Yes.

Q You know the contents of that form. Do you
swear they are true to the best of your know-
ledge and recollection?

A Yes.

THE COMMISSIONER: They are related to real estate?

30 MR. McMASTER: Yes, my lord. I file the statement as

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Y. Hittani,
In Chief.

Exhibit 1. This was a lot, my lord, in Port
Alberni Land District at Fraser Bay, Holmelet
Inlet, B.C. The material filed in this statement
shows that the lot was purchased as raw land in
1900 by the claimant for \$1200.00 and the plan of
the lot was --

Q 40 by 100? A: 100.

Q 40 by which? A: 100.

10 MR. McMASTER: I am sorry. I have made an error in
drawing this form. The size of the lot is 40
x 100.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: This is a small fishing community, my
lord, up the West Coast of Vancouver Island.
The claim states that he cleared the lot and
built a water reservoir at the back of the lot,
showing the cost and he built a house there in
1940 at an approximate cost of one thousand
dollars.

20 Now I would ask my learned friend to pro-
duce a report to the Custodian dated July 18th,
1942, from Mr. Hinton. This is a report produced,
my lord, from the Custodian's file dated July
18th, 1942, addressed to the Custodian, attention
Mr. R.P. Alexander re this claimant. It commences,
"In accordance with your instructions I have in-
vestigated and taken control of the property of
the above man as recorded on his registration
form as follows:", and then it gives a descrip-
30 tion. "In connection therewith I have to report

Y. Hiss,
In Chief.

as follows". Now he describes the location of the lands in his report and apparently forwarded a map which is not attached to the report and with respect to the buildings gives a description of the buildings in this way. "This is a one-story, wood-frame building, three-roomed house with attic, shingle roof, brick chimney. Water piped into kitchen. Small shed at side. The house is clean and in fair condition."

10 Then he expresses an opinion as to the possible realizable value of the property as from \$900.00 to \$1000.00. As you will notice from the form which I filed as Exhibit 1, the claimant is prepared to agree with the general description of the property and the premises, but he suggests that the valuation is low. Now inasmuch as I wish to refer to that report again, I would ask to file it as an exhibit.

(REPORT MARKED EXHIBIT NO. 2).

20 MR. McMASTER: I would ask my learned friend to admit that the assessed values on these lands and premises -- what year is it?

MR. HUNTER: In 1944 it was \$150.00 for land and \$1000.00 for improvements.

MR. McMASTER: \$150.00 for land, and \$1000.00 for improvements.

Q I produce to you, witness, another statement which you asked Mr. Leckie or myself to prepare, is that correct? A: Yes.

30 Q Is that your signature on the document?

A Yes.

Q Do you swear that the contents are true to the best of your knowledge and recollection?

A Yes.

THE COMMISSIONER: That relates to--?

MR. McMASTER: That relates, my lord, to the fishing vessel and the gear which was left on the vessel, and in that respect, my lord, I would ask for leave to reduce the claim with regard to the fishing gurdy, spot-light, etc., as appears in Section 5(e) of the claim form from \$300.00 to \$235.00.

THE COMMISSIONER: \$235.00.

MR. McMASTER: Yes, I might say, my lord, upon going into this matter with my client, I found he had included in the "etc." certain items which he agreed were the normal marine equipment in the boat and therefore ought not to be shown separately.

20 (STATEMENT MARKED EXHIBIT NO. 3).

Q Now, witness, was this boat your property?

A Yes.

Q And where did you leave it?

A In the hands of the Navy.

Q In the hands of the Navy pursuant to instructions from --
A: From the Navy.

Q --from the Navy, yes. You say that you don't know when the boat was purchased. Will you just explain the reason for it?

30

A It was given to me by my father.

Q Approximately when was it given to you by your father?

A: 1936.

Q And that was because he was retiring from fishing, I understand?

A: Yes.

Q These items which you show on this form, the fishing gurdy, spotlight, and ropes, were they on the boat at the time that you handed it over to the Navy?

A: Yes.

10 Q And are the values here shown on this Exhibit 3 in your opinion fair market values for those things?

A: Yes.

Q I take it that the fishing gurdy is part of your winches and like equipment that you use in fishing?

A: Yes, that you use in fishing.

Q And is an expensive piece of equipment?

A Yes.

20 Q Now you state on the boat you left an anchor and compass and other normal marine equipment?

A Yes.

Q Now with regard to the price that you have stated as the estimated value of the boat, do you consider that to be a fair market price for the boat at the date you were evacuated?

A Yes.

Q Witness, do you have any recollection whatsoever of signing a document such as this which I am now producing to you from the Custodian's files?

30 A No, no recollection.

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Y. Mitsui,
in Chief.

Q None whatsoever?

A: No.

Q This is what is called a Japanese declaration form and it is a form in which you were supposed to declare the property that you had, and you say you have no recollection of signing such a form?

A: No.

MR. McMASTER: I would ask the Custodian if he can produce the original of that J.P. form? This is a copy, not signed.

10 THE COMMISSIONER: This is the J.P. form, is it?

MR. McMASTER: The J.P. form, my lord, yes.

MR. McMASTER: I can't produce it here,

MR. McMASTER: Q: Do you have any recollection, witness, at all of claiming to the Custodian or to any other person that the value of this boat was \$1400.00 at any time?

A No.

Q How would you explain to my lord why you consider that your boat was worth \$1405.00?

20 A How much was it?

Q \$1405.00 is what you have claimed.

A Yes.

Q Now, would you explain how you arrive at that value as being a fair value for your boat?

A Oh, I see. I spent certain money for upkeep.

THE COMMISSIONER: Q: You must speak up, witness, so I can hear you.

A A certain amount of money put into her for the maintenance of the boat and engine overhauls and such, and by the condition of the boat I

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T. Nishii,
In Chief.

Reach that price.

MR. McMASTER: Q First of all, were you engaged actively in fishing prior to your evacuation?

A Yes, out in the Pacific.

Q Did you have occasion while so doing to be aware either particularly or generally of the sale price of boats in the few years preceding evacuation among fishermen?

A You mean that price there?

10 Q No, I mean of any boats that were sold around that time. Did you have any general knowledge of what boats were going for prior to evacuation?

A Oh yes.

Q Have you any specific knowledge of boats of a like kind to your own being sold around that time?

A Yes.

Q Could you give us any specific cases?

A No, I haven't any idea.

Q You haven't any specific cases that you are aware of?

A No.

Q So this is just your estimate?

A Yes.

Q Of what the value of the boat was at the time that you were evacuated?

A Yes.

Q Could you explain to the Commission why you arrive at an odd figure rather than just a rough even figure? I see you say \$1485.00. Why didn't you say \$1500.00?

20 A I count up everything, the equipment and things.

and arrive at that amount.

Q Now was that the normal equipment of the boat that you were counting in on that?

A Yes.

Q Did that estimate include any of the special items you have enumerated here?

A No.

10 MR. McMASTER: My lord, with respect to the personal chattels, I think perhaps I can shorten what may otherwise be a very lengthy procedure as there are a large quantity of chattels involved, by frankly admitting that this defendant did not supply the Custodian with an inventory of his chattels, and not only did not supply him with it but refused to give him one saying to the Custodian that he had left these chattels with the tenant of his house and that an inventory had been made at that time and that he wanted them kept by the tenant and he didn't want them taken by the Custodian.

20 THE COMMISSIONER: In other words, he delivered them into the custody of the tenant at the time he was evacuated?

30 MR. McMASTER: That is correct, my lord. Absolutely, my lord, that is not quite correct. He entered into a tenancy and the tenant didn't take occupation until after he left, but he handed the key to the premises over to the Provincial Policeman and shortly after he left, the tenant went into possession.

Y. Nitsui,
In Chief.

THE COMMISSIONER: That is this man Wessedge, is that his name?

MR. McMASTER: Wessedge is the tenant, yes, my lord.

THE COMMISSIONER: That is the situation? Did the Custodian ever get actual physical possession?

MR. McMASTER: The indication is from the claim analysis and also from the correspondence in the Custodian's file, and my learned friend can correct me if I am wrong, apparently the Custodian did go over there and did, in fact, go into these premises and take possession of certain goods and chattels. The claimant consulted Messrs. Morris & MacLennan concerning the same and letters went back and forth, I think a letter each, between the Custodian's Department and Morris & MacLennan, in which one of the members of the staff of the Custodian's office stated that he had personally been over at this place when the chattels were taken, that he had seen the goods removed from the house, and taken to auction, and that they had been auctioned, and that he was quite sure that nothing had been lost in the process of so doing and that he had checked all the goods that were there. Now, my lord, on the face of it, it looks as if we might, by the terms of reference, be barred to such goods as the Custodian got into his possession or were auctioned.

THE COMMISSIONER: Limited, you mean?

MR. McMASTER: I am sorry. We might be limited to

Y. Nitsui,
In Chief.

10

those things, my lord; however, there are two circumstances with regard to these, the first of them is the report which I have already filed and I would like to refer, if I might, to several items in that report. Now, first of all, Mr. Hinton, in writing his report, says he is acting on instructions and says, "I have investigated and taken control of the property of the above man as recorded on his registration form as follows". He only lists the real property and the two items which are shown on this copy of the J.P. form that my learned friend has produced to me.

THE COMMISSIONER: What was the date of the claimant's refusal to give the Custodian an inventory in terms of the report which you have put in?

MR. McMASTER: The refusal was dated July 28th, 1942.

THE COMMISSIONER: And the report?

MR. McMASTER: The report, July 18th, 1942.

20

Now I proceed, my lord, from that and I take it this man was instructed from his letter to take this man's property into his care and he only referred to those two items, and then at the end of his report he states, "Not shown on Registration Form:" "The tenant informed me

that the owner had left in his care certain articles for storage and that these were in the house. When the Japanese owner was evacuated an inventory was made and Mr. Wessedge receipted for the contents. I understand that

30

Y. Mitsui,
In Chief.

"the owner left instructions with Mr. Wessedge regarding the sale of certain articles."

Then Mr. Hinton makes a recommendation to the Custodian that the tenant be asked to state what goods he now holds in storage on behalf of the owner. Now, as far as I can see from the Custodian's file, that recommendation was never acted upon.

10 THE COMMISSIONER: Was it not acted upon?

MR. McMASTER: It was not acted upon, I submit, until 1944 when they went over there to sell the goods. Then they took the goods and didn't make any inventory, apparently, and I will adduce evidence, my lord, from this witness that many of the goods that appear on the auction form were not his goods so that when Mr. Green says he is quite certain he took only his goods and he kept track of them all the time and can assure us in every detail these goods were looked after where, in point of fact, his goods quite obviously got mixed up with other goods and he is credited in his account with goods that are not his goods --

20

THE COMMISSIONER: But you are overlooking the fact on July 28th just ten days after that report was made, apparently a request was made to the claimant to deliver up an inventory and he refused to do so.

30 MR. McMASTER: I agree that is quite so, but on the

Y. Nisim,
In Chief.

other hand the Custodian in the meantime had taken steps to know where the goods were, and had taken no steps to protect them.

THE COMMISSIONER: The shoe is rather on the other foot, is it not? The claimant, by reason of his stubbornness, may have suffered a loss here.

MR. McMASTER: My lord, with respect, I don't think it is entirely stubbornness. It may have been under a misapprehension as to what his best interests were, but quite obviously at that stage he had greater confidence in his tenant than he had in the Custodian.

THE COMMISSIONER: That is apparent.

MR. McMASTER: I don't think the lack of his confidence in the Custodian at that stage, once the Custodian knew of the existence of these goods, is a matter of concern. The Custodian quite readily could have ascertained that they were there and could have protected them. Then I would submit it doesn't matter very much what the claimant says or does or desires.

THE COMMISSIONER: I am not greatly impressed, Mr. McMaster. You better elicit any evidence from this witness that you can about desire, then we will meet this problem when we come to it.

MR. McMASTER: It may be necessary, my lord, for me later on when I am able to get in touch with the tenant if I can locate him and perhaps call him to give evidence as to what was actually taken by Mr. Green.

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T. Witani,
In Chief.

THE COMMISSIONER: That will be open to you.

MR. McMASTER: Q: Now, witness, about the time you were evacuated from your home, did you enter into arrangements with Mr. Wessedge concerning the renting of your premises?

A: Yes.

Q: And was that a written agreement?

A: Yes.

Q: Who drew that agreement for you?

10 A: A local constable.

Q: Yes, and did that agreement include your goods and chattels --

THE COMMISSIONER: Let the document speak for itself. I think you better put it in.

MR. McMASTER: Q: Will you identify that document, witness?

A: Yes.

Q: Is that the rental arrangement you entered into?

A: Yes.

MR. McMASTER: I file that as Exhibit 4.

20 (AGREEMENT MARKED EXHIBIT NO. 4).

Q: At the same time you entered into that agreement was there an inventory taken of your goods and chattels?

A: Yes.

Q: And how were your goods and chattels stored?

A: Packed in cartons and wooden boxes and put up in the attic of the house.

Q: In the attic of the house?

A: Yes.

Q: Can you identify this document (producing)?

30 A: Yes.

T. Hittani,
In Chief.

Q What is that? A: It is an
inventory of the chattels I left.

Q And is that your signature on that document?

A Yes.

Q And is that Mr. Wessedge's signature?

A Yes.

Q On both of those lists?

A Yes.

10 Q One list was taken March 6th, 1942, and the other
list on March 9th, is that correct?

A Yes.

Q And was the police constable present when those
lists were made and signed?

A Yes.

Q And did he, in fact, make them and type them out
for you?

A: Yes.

Q How many copies of that list were made?

A I believe there were three.

Q And who were the copies given to?

20 A One to Mr. Wessedge and one to the local police,
and one for myself.

Q And were all those goods on your land or property?

A Yes.

Q And were they left there at the date of your
evacuation?

A: Yes.

Q And are those the goods with respect to which
you claim on your claim form in the sum of
a total value of \$1116.90, is that correct?

A Yes.

30 Q And are the values shown on your claim form

Y. Nitsui,
In Chief.

opposite each article in your opinion fair values for the properties listed there?

A Yes.

Q Sales values?

A: Yes.

Q At the date you were evacuated?

A Yes.

MR. MCMASTER: I would file that inventory, my lord,
as Exhibit 5.

(INVENTORY MARKED EXHIBIT NO. 5).

10 Q Now, when you were at Hastings Park after you
were evacuated from your home, did you have that
list with you?

A Yes.

Q And have you had it ever since in your possession?

A Yes.

Q And if you had been asked for a list of your
chattels at Hastings Park, might you or would
you have produced that list? I mean as far as
you can think back to that situation now.

20 A Produce?

Q Shown it to any person at the Park asking what
chattels you left behind?

A No, no.

Q You don't think you would have?

A No.

Q And the reason is the reason set out, I take it,
in your letter to the Custodian, that you had
left them with your friend?

A Yes.

30 Q And expected him to care for them?

Y. Nitsui,
In Chief.

A Yes.

Q Subsequently you ascertained that the Custodian had, in fact, taken some of your goods and had sold them at auction?

A Yes.

Q And you had some communication with the Custodian with regard to it?

A Yes.

10

Q When the Custodian alleged that these were all the goods that they had found on your premises, did you have any correspondence with the tenant?

A Yes.

Q Concerning the missing articles?

A Yes.

Q Would you tell my lord what you wrote to the tenant?

THE COMMISSIONER: Well now, how about the letters? Have you not got the letters?

20

MR. McMASTER: Q: Have you any letters from the tenant?

A Well I believe I have at home. I didn't bring them over.

THE COMMISSIONER: Now if you care to file those letters later, Mr. McMaster, I would be glad to assist you, but in the circumstances if the letters are in existence, his recollection of the contents have not much value.

MR. McMASTER: Correct, my lord.

30

Q To the best of your knowledge has the tenant or any other person sold or disposed of any of

Y. H. H. H.
In Chief.

the chattels in that list which are not accounted for by the Custodian?

THE COMMISSIONER: Q: Do you know where Wernedge is at the present time?

A: He is still in my house or it is his house now but it is the same house.

Q: He bought the house, did he?

A: Yes.

MR. McMASTER: Q: Have you a copy, witness, of the auction sale of this property?

A: You mean the statement from the Custodian?

Q: The statement from the Custodian.

A: The chattels?

Q: Of the chattels, yes.

A: Yes.

Q: Have you it with you?

A: It is right outside there.

MR. McMASTER: May he be permitted to get it, my lord?

THE COMMISSIONER: Yes.

20 MR. HUNTER: My lord, purely as a matter of mathematics, there seems to be some slight discrepancy here. The total value for the chattels contained in the list attached to the claim form appears to be \$2116.90. Is that correct, Mr. McMaster?

MR. McMASTER: That is correct.

MR. HUNTER: Then you make an allowance of the gross received from the sale of \$247.00.

That doesn't seem to end up with \$997.00.

MR. McMASTER: Have you checked the net amount as well?

Y. Nitsui,
In Chief.

MR. HUNTER: Neither the net or the gross gibe.

MR. McMASTER: We will have to come at that, only allowing what he received for his own goods, Mr. Hunter. Could I see those auction reports, witness?

Q Now are these two sheets reports of auctions allegedly of your property which were sent to you by the Custodian?

A: Yes.

10 Q And I notice on these two sheets that there are a number of items which are marked with "X's" in pencil?

A: Yes.

Q Were those your property?

A No.

Q Have you any idea of whose property it was?

A I haven't.

Q Was anybody else's property stored in your premises when you left?

A: No.

THE COMMISSIONER: Presumably Weanedge's own goods would be there at that time, would they not?

20 A No, Weanedge didn't take possession until after he left.

THE COMMISSIONER: Weanedge might have been in possession at the time the Custodian went there.

MR. McMASTER: Yes, but I doubt that Weanedge would let him take his own things away.

THE COMMISSIONER: That is what I say. Weanedge's goods would have been in the house at the time he went in there.

30 MR. McMASTER: Yes. I asked him at the time he was evacuated and he has no knowledge after that

Y. Nitsui,
In Chief.

point. I would ask to have the file after my learned friend has had an opportunity to look at it.

Q Now in your claim form, witness, you gave credit to the Custodian with reference to the moneys received concerning your chattels? How much credit did you give him? I would like to produce the claim form so he might have that for his guidance. You might just explain how you arrive at the net amount for the chattels as attached to the inventory.

A Chattels at Custodian's sales value deducted from the estimated value of my own.

Q In taking the Custodian's sales value, did you take the value of your own property only or the value of the amount credited to you?

A I took the whole amount.

Q You took the whole amount. It apparently doesn't seem to work out. The total of these items is \$1116.90?

A Yes.

Q What credit did you give the Custodian, do you know? A: \$111.00 something.

MR. McMASTER: What was the net amount, Mr. Hunter? THE COMMISSIONER: \$1110.95.

MR. HUNTER: \$1116.90 was the total. That is the total in the claim, my lord. The gross from the sale of all these chattels, including all those he says are not his own, is \$1247.00, my lord, and of that Mr. Shears now states that

Y. Nitsui,
In Chief.
Cross-Exam.

\$27.75 is not his own.

MR. McMASTER: By his own admission.

MR. HUNTER: By his own admission.

MR. McMASTER: They appear to be \$7.75 out, my lord,
on the net amount, taking the whole amount.

Q Were there any other credits to you by the
Custodian?

As No, I don't
remember any other.

MR. McMASTER: It is probably a mathematical error,
my lord. On the basis of the claimant's ad-
missions, the claim will have to be reduced with
respect to those goods which he says are not his
own.

MR. McMASTER: Have you the claim analysis? Your
witness, Mr. Hunter?

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Nitsui, I produce a copy of a letter addressed
to you dated July 22nd, 1942, and signed by
Mr. Shears of the Custodian's office. Would you
tell us whether you received that letter?

A Yes.

THE COMMISSIONER: July 22nd.

MR. HUNTER: Yes, my lord. I will read the letter.
I don't think it need go into the record, how-
ever, as I intend to file it now as an exhibit.
(Reading).

(LETTER MARKED EXHIBIT NO. 7).

Q I produce a copy, or at least the original of
a letter dated July 28th, 1942, addressed to the

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Y. Nitsui,
Cross-Exam.

Custodian, and would appear to be signed by you. Is this your letter?

A Yes.

MR. HUNTER: This is dated July 28th, 1942, my lord. As I intend to file this as Exhibit 8, I suggest when I read it there is no need to put it in the transcript (reading). It is signed by Yoshio Nitsui.

(LETTER MARKED EXHIBIT NO. 8).

10 Q Mr. Nitsui, I produce a letter dated the 1st of May, 1944, apparently from you to the Custodian. Is that your letter?

A Yes.

MR. HUNTER: I am proposing to file that with your consent, my lord, as Exhibit 9, dated the 1st of May, 1944, so, subject to its relevance, I see no need to put it in the transcript (reading). I don't know that it is so relevant really.

20 THE COMMISSIONER: On the face of it, it does not come in here at all.

MR. HUNTER: I don't think it is relevant.

I think we will excuse it. This, I think, has some relevancy, my lord. It is a letter dated December 12th or December 17th, I am not sure which, addressed to Mr. Green, Protection Department, Custodian's Office, and purporting to be signed by the claimant.

Q Is that your letter, Mr. Nitsui?

A Yes.

30 Q Is it December 12th or 17th?

Y. Nitsui,
Cross-Exam.

A The 12th.

MR. HUNTER: I think this will be relevant, my lord, in which case I propose to file it so I see no need to put it in the transcript (reading). I think, my lord, that has some relevance, insofar as the question may come up as to whether the Custodian has acted outside of the scope of his authority and whether some of this claim can be brought within the terms of reference.

10 THE COMMISSIONER: I will receive it in my case.

MR. HUNTER: I don't think any of the rest of this will be relevant at this time, in any event, my lord, in view of the fact it is more in the nature of a reply.

THE COMMISSIONER: Very well.

MR. HUNTER: Q: Mr. Nitsui, you remember receiving a copy of this letter? from the Japanese Fishing Vessels Disposal Committee?

A Yes.

20 Q Or the original letter, of which this is a copy?

A Yes.

MR. HUNTER: This is a copy of a letter dated August 4th, 1942, my lord, from the Disposal Committee to the claimant advising him they have received an offer for his vessel, the "Amphitrite" Y.N. (reading). This is a sort of printed letter, my lord, and I judge it is a form letter they would use in a case after a certain period.

THE COMMISSIONER: Does that relate to the same vessel on which evidence was given earlier?

Y. Mitsui,
Cross-Exam.

MR. McMASTER: I believe so, my lord.

MR. HUNTER: Yes, my lord.

THE COMMISSIONER: The date is August 4th, 1942, is
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MR. HUNTER: August 4th, 1942, my lord. Your Lordship
will recall the 1st of August was the vesting
date under the Order-in-Council. I would like
to file that as an exhibit, my lord.

(LETTER MARKED EXHIBIT NO. 10).

10 Q Mr. Mitsui, this is a letter dated August 20th,
1942, written to the Japanese Fishing Vessels
Disposal Committee and apparently signed by
yourself. Is this your letter (producing)?

A Yes.

MR. HUNTER: This is a letter, my lord, from Lillooet,
B.C., dated the 20th of August, 1942, saying,
(reading).

THE COMMISSIONER: That was sent to the Custodian,
was it, the letter of August 20th?

20 MR. HUNTER: No, my lord, that was addressed to the
Japanese Fishing Vessels Disposal Committee.

MR. McMASTER: I will admit that agreement.

MR. HUNTER: This is a copy of the Agreement for Sale
enclosed which my friend has admitted the sig-
nature. It is dated August 20th and it is
easy to understand the celerity with which my
friend admits the document. I would like to put
the letter in first.

(LETTER MARKED EXHIBIT NO. 11).

30 MR. HUNTER: I will file the Agreement for Sale,

Y. Mitsui,
Cross-Exam.

Exhibit 12.

(AGREEMENT FOR SALE MARKED EXHIBIT NO. 12).

MR. HUNTER: Might I have Exhibit 12 back, please?

Q This Agreement for Sale, Mr. Mitsui, the boat described in that is the boat for which you are now claiming compensation? is it?

A Yes.

Q And the price here is \$635.00?

A Yes.

10 Q Why did you agree to sell this boat for \$635.00?

A I couldn't help it.

Q Why couldn't you?

A: They are priced by the surveyors, and even if I asked more they wouldn't give more.

Q Did you have to sell it?

A: Yes, it was

kind of a forced sale.

MR. McMASTER: My lord, I would like to draw attention to the document which my learned friend has filed, in which the man was advised the boat was sold and would he please execute the bill of sale.

MR. HUNTER: I would also point out to my friend that the Japanese Fishing Vessels Disposal Committee had no power on earth to sell the vessel. All they could do was to arrange a sale and ask the owner to sell it. The letter is filed.

THE COMMISSIONER: Did not one of the preceding letters ask for his authority?

MR. HUNTER: Yes, Exhibit 10.

30 THE COMMISSIONER: Is Exhibit 10 the one that asks

Y. Hironaka,
Gross-Dean.

for authority?

MR. HUNTER: No, my lord, that enclosed a bill of sale.

THE COMMISSIONER: Exhibit 10 is a copy of the letter from the Disposal Committee to the claimant. Have you that there?

MR. HUNTER: Yes, my lord.

THE COMMISSIONER: You see, in this letter of August 4th, they do say, "The Committee has sold this vessel for the sum of \$635.00". They do not ask there for any authority.

MR. HUNTER: I say they had no power to sell it under their Order-in-Council.

THE COMMISSIONER: I think you are entirely right in that, but the fact is they are saying bluntly to this man that the Committee has sold it. That justifies the answer he has just given you now that he had no alternative.

MR. HUNTER: Very well, my lord.

20 THE COMMISSIONER: Once again that particular letter raises a question as to the terms of reference as it relates to sale by the Custodian. Obviously this is not a sale by the Custodian.

MR. McMASTER: My lord, surely if it is vested in the Custodian, after the Japanese Disposal Committee made a sale, they must be deemed to be their agents. They are two branches of the Government.

THE COMMISSIONER: Oh, I do not think that follows at all.

Y. Nitsui,
Gross-Mann.

MR. McMASTER: On the other hand, there has been no sale. That must be the alternative.

THE COMMISSIONER: You see, the terms of reference read in this way, "was disposed of by the Custodian".

MR. HUNTER: Yes, "Was disposed of by the Custodian" are the words I think your Lordship is thinking of. Here is a copy of the combined Orders-in-Council, my lord.

10 THE COMMISSIONER: I have it here, "That real and personal property vested in the Custodian
. . . was disposed of by the Custodian for less than the fair market value". On the face of it, Mr. McMaster, does that not rule you out, whether or not this vessel was vested in the Custodian? On these documents it is obvious he had nothing to do with them.

MR. McMASTER: I would submit, my lord, under P.C. 6247
20 passed July 20th, 1942, which was the Order-in-Council vesting, it recites the fact that these vessels had been under the other Committee.

THE COMMISSIONER: Yes, but am I greatly concerned with that? Here is the point I am putting forward for your submission; under the terms of reference to me I am directed to take into consideration claims arising in relation to real and personal property vested in the Custodian. Now with regard to that, we will go this far that presumably this vessel was vested in the
30 Custodian pursuant to the above-mentioned orders,

Y. Nitsui,
Gross-Exam.

but was it disposed of by the Custodian? It is obvious this vessel was not disposed of by the Custodian.

MR. McMASTER: Yes, my lord, but surely we are entitled to go on to Clause "B". In effect it is lost or destroyed as far as this claimant is concerned. I won't go on to the third one, my lord.

10 THE COMMISSIONER: Well, that is attempting to put a construction on language which I am afraid it would not bear. On the material you have filed on behalf of the claimant, it is apparent to me this claim is one which I may not consider under the terms of reference. There was doubt arising in regard to the other case, the Asari case. It was not there shown who had made the sale, but here it is so clearly shown that it was the disposal committee that made it, even though the vessel, perhaps, was vested in the Custodian.

20 I will be glad to give you an opportunity to give some further consideration to this question and I would be glad to hear from you before we leave Lytton.

MR. McMASTER: Very well, my lord.

30 THE COMMISSIONER: But I can tell you now, as presently advised, I am afraid you are out. There is not any possibility of my considering this claim. However, as I say, I would be glad to hear anything further you have to say after you have had another opportunity to consider it.

T. Hinton,
Clerk-Recorder.

Is that all, Mr. Hunter?

MR. HUNTER: That is all, my lord.

THE COMMISSIONER: Is there any re-examination that
you have, Mr. McMaster?

MR. McMASTER: No, my lord.

THE COMMISSIONER: Very well, we will adjourn now
until 10 o'clock tomorrow morning.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

10

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

J. P. Herrebin
"J. P. Herrebin"
Official Reporter.

20

30

DEFENCE BRIEF

LITTON
15 January 1948

Toshio NISHII

File No. 1749

Case No. 42

REAL PROPERTY CLAIM

1. Claim
\$1250.00

Appraised at
\$850.00

Sold for
\$750.00

Witness: H. G. Winter - Appraiser.

Appraiser (Winter) reports that the house is in fair condition.

2. Boat Claim
\$1485.00

Appraised at
\$550.00

Sale Price
\$635.00

Further information is required by Commissioner from Mr. McMaster as to who actually sold this vessel, the Disposal Board or Custodian.
(Transcript Page 28)

PERSONAL PROPERTY CLAIM

3. Furniture and Fishing Gear

Claim reduced to

\$1116.90

(a) sold for

\$147.00

Claim on Fishing Gear reduced to \$235. as certain articles claimed for belonged to the Boat. (Transcript Page 5).

(b) Goods valued \$277.70 Sold by Auction \$119.25
(c) " " 27.75 Not property of Claimant \$27.75
(d) " " 32.00 Fixtures
(e) " " 779.65 No record at any time

235 - fishing gear
\$44.45 furniture

\$1116.90

Claimant states that goods sold by auction for \$27.75 belonged to a friend of his, for which claimant had received the money.

Claimant refused 28th July 1942 to give Custodian an inventory of personal chattels for which he is claiming, he stated they were stored in the attic of his house.

All goods found on the premises were removed and sold by auction.

Name of Claimant **NITSUI, Yoshio**

Case

42

Custodian File

1749

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices: % of Amount Total		
		750.								150.00 ✓
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
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			
<u>MISCELLANEOUS CHATTELS</u>										
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			
277.70	119.25									
		35.77								35.77 ✓
TOTAL RECOMMENDATION										185.77 ✓

1749

October 20th, 1950.

Mr. Yoshio MITSUI,
Lillooet, B. C.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 42

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 ... \$185.77.

Cheque in your favour is enclosed for \$175.02
and we have paid the Co-Operative Committee .. \$ 10.75
for legal fees as authorized by you.

Yours truly,

FCS/js
1 encl.

F.G. Shears
Director