

1948

OFFICE OF THE CUSTODIAN JAPANESE SECTION

To be completed by persons of the Japanese race having no property in any protected area.

NAME: NISHIMURA, Mitsue

HOME ADDRESS: 566-Powell St., Vancouver, B. C. REGISTRATION No. 01606

SEX: Male AGE: 18 MARRIED: No

OCCUPATION AND EMPLOYER: Clark Father Mr. J. NISHIMURA
Asai-Grocery Store: 566 Vancouver, B. C.

NAME OF WIFE OR HUSBAND: ADDRESS:

NAMES OF LIVING CHILDREN: ADDRESS:

ADDRESS:

ADDRESS:

I certify that the above information is true and complete and state that I have no property of any kind whatsoever in any protected area in British Columbia.

Dated this 8th day of April 1942.

WITNESS:

Geo. J. Hall

(Signature)

M. Nishimura

INFORMATION FROM R.C.M.P.

DATE Oct. 14/43

r File No. 1948

all Name NISHIMURA, Mitsuo
(Surname in Block Letters)

Registration No. 01606

^V
Male - Female
(Check)

Age Sept. 17/23

Former Address 566 Powell St., City

Date Evacuated May 18/42

^V
Naturalized - Canadian-Born - National
(Check)

Present Address

Westwood, B.C. 40 Coldstream Road, Vernon B.C.

^V
ried - Single
(Check)

Name of Wife

Name of Husband

nee
of Mother (ONO) Shige #10157

Name of Father NISHIMURA, Jutaro #10156

of Children under 16

d by M. Campbell

Registered with Custodian yes
(Yes or No)

Information Clerk for father in grocery- 566 Powell St.,

October 24th, 1947

Re:- Mitsuo NISHIMURA,
Reg. No. 01606

ASSETS: - No Realty interest of Mitsuo NISHIMURA is indicated in the file.

PERSONAL PROPERTY: -

LIFE INSURANCE: - No life Insurance is declared by Mitsuo NISHIMURA in his registration dated April 8, 1942. However, the file indicates that payments of Premiums on Sun Life Assurance Company of Canada Policy #846899 were made at various times on request to do so. Sometimes the payments were made from the account of his father Jutaro NISHIMURA and sometimes from his own on our books.

SHARES

The file indicates ownership by Mitsuo NISHIMURA of 3 shares in the capital stock of Vancouver Shoya Manufacturing Ltd. On the 29th March 1945 the sum of \$120.00 was received from Killam & Shakespeare, Barristers, for account of Mitsuo NISHIMURA from sale of capital stock of this Company. He was so advised by letter of April 4, 1945.

**SPECIFIED
ARTICLES**

The file indicates the receipt on July 11, 1944 from the R.C.M.P. Exhibit report #213 of 1 Autoflex Camera and Case Serial No. 816741. Memo (Spain) May 2, 1945 indicates that the Camera "could not be found". Further notation of Green's assumes that it was stolen during December 1944 burglary of the warehouse. The file per memo (Matheson) July 26/45 represents the appraised value as \$65.00 and still "Missing from that Warehouse".

NOTE - Letter of May 2, 1945 to Mitsuo NISHIMURA by B.C. Security Commission returns the R.C.M.P. Camera receipt to him.

No ~~Summery~~, radios, Fire Arms, Vessels, Motor Vehicles or other Cameras are revealed on the file.

No other Personal Property of Mitsuo NISHIMURA is revealed on the file.

LIABILITIES:

No indebtedness of Mitsuo NISHIMURA is revealed on the file.

NOTE: - General Statement of account has been supplied Mitsuo NISHIMURA. In our letter of the 16th February 1947 we reviewed his file, sent him the statement with our cheque for \$52.07 closing the account on our books.

The above Summary is certified to be in accordance with the information on file,
October 24th, 1947.

B.R. Dusenbury
B.R. Dusenbury,
Office of Custodian

SPECIFIED ARTICLES
MEMORANDUM

File No. 1948

July 26, 1948

Re: Mitsuo NISHIMURA, Reg. 01606

<u>Article</u>	<u>Description</u>	<u>Appraised Value</u>
Camera	Autoflex Camera and Case Lens- No. 816741	\$65.00

Surrendered to the RCMP, March 9, 1942, and listed under RCMP No. 413, this camera was handed over to the Custodian July 11, 1944.

This camera was stored at 992 Powell Street, and is now missing from that warehouse.

This appears to be the camera declared by Juzo NISHIMURA, File 1856, brother of Mitsuo NISHIMURA.

F. Maclean

ROYAL CANADIAN MOUNTED POLICE

Form 146A

No. 413

EXHIBIT REPORT

HEADQUARTERS File No.

SUB-DIV'N and File No. Vancouver

DIVISION and File No.

DETACHMENT and File No. C.I.B.

J.C. No. 02606

DATE July 13th. 1948.

Re: Mitsuo HAMAMURA - 566 Powell St. Vancouver, B. C.

On Mar. 25th. 1948

(Name of File)

D. J. MacLaren Cst.

(Date)

(Member's Name)

Came into possession of the following described goods by

Handed over by owner.

(State Authority from whom seized and place of seizure)

No. OF EXHIBIT	No. OF PACKAGES	CAPACITY OR SIZE	DESCRIPTION OF EXHIBITS
	1		Autoflex Camera and case, Serial No. 314741. <i>Reported missing June 1945</i> <i>File no 1948</i>

REMARKS: Handed over to Custodian of Alien Property.

DATE July 11th. 1948.

(State briefly disposition)

Asst. P. J. MacLaren for Custodian
(Signature of Receiver or Witness)

CERTIFIED CORRECT
P. J. MacLaren Cst.
(Signature of Member)

DEC - 2 1947

1948

DOMINION OF CANADA
PROVINCE OF BRITISH COLUMBIA
TO WIT:

IN THE MATTER OF
Persons evacuated from the Protected
Area of British Columbia and who
resided in Canada on July 18th, 1947

- and -

IN THE MATTER OF
the claim of MITSUO NISHIMURA, pur-
suant to Federal Order-in-Council
P.C. 1810.

I, MITSUO NISHIMURA, of Coldstream Ranch, near the City of
Vernon, in the County of Yale, in the Province of British Columbia,
DO SOLEMNLY DECLARE THAT:-

1. I am a person of Japanese Race, Registration No. 01606,
who was evacuated from the Protected Area of British Columbia, and
that I resided in Canada on July 18th, 1947.
2. At the time of my evacuation I resided at 566 Powell Street,
Vancouver, British Columbia.
3. I am now residing on the Coldstream Ranch, aforesaid, near
Vernon, British Columbia.
4. At the time of my evacuation as aforesaid, I was the owner
of an Auto Flex Kodak Camera in a leather case, having a value of
Eighty (\$80.00) Dollars, for which I have received nothing, and I
claim my loss to be the said sum of \$80.00.
5. (a) The aforesaid Camera was left by me in the care of the
R.C.M.P. in Vancouver on March 9, 1942.
(b) Receipt signed by A.R. Campbell, R.C.M.P. Reg. #13938
(c) The said Camera is described in detail as: One (1) Auto
Flex Kodak Camera in leather case, value \$80.00
serial No. 316741.
(d) My loss herein is \$80.00 as hereinbefore declared.

And I make this solemn Declaration conscientiously believing
it to be true, and knowing that it is of the same force and effect as
if made under oath, and by virtue of the Canada Evidence Act.

DECLARED BEFORE ME at the City of
Vernon, in the Province of British
Columbia, this 28 day of November,
A.D. 1947

A NOTARY PUBLIC in and for the
Province of British Columbia.

Mitsuo Nishimura

File 1948

EXTRACT

January 12, 1944

VANCOUVER SHOYU MFGS. LTD.

The Japanese noted below holds 3 shares in the above company. NISHIMURA, Mitsuo - registration # 01606.

1948

April 4, 1945

Mr. Mitsuo NISHIMURA,
Reg. No. 01606,
Westwold, B. C.

Dear Sir:

We have received from Killam & Shakespeare
the sum of \$120.00, being the money due you from
the sale of the capital stock of the Vancouver
Shoyu Manufacturers Ltd.

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

MEMORANDUM

File No. 1948

May 2nd, 1945.

TO: The File

FROM: Mr. G. B. Spain

RE: Mitsuo NISHIMURA
Camera

Mr. McDonald, of the B. C. Security Commission, presented himself at our warehouse, 992 Powell St., with an H.C.M.P receipt for the above person's camera.

The camera could not be found.

GBS:LBM

Mr. G. B. Spain

*Noted - assume stolen during
recent (December 1944) break-in; arrange
complete check.*

*See 1044
9320
11198
1554*

1945

MEMORANDUM

File No.: 1948

May 17th, 1945.

To: FILE

From: Mr. Green

Re: Mitsuo NISHIMURA

With reference to Mr. Spain's memorandum of May 2nd, it seems probable that this camera was stolen when 992 Powell Street was broken into on December 15th, 1944. We were at first only able to trace the theft of four evacuee radios and one owned by a German Internee. Subsequently, however, the thief was picked up and one of the radios recovered. Additionally a search of his premises revealed the presence of two cameras stolen from our warehouse but not previously noted as missing.

An attempt to secure a report from the police has not so far been successful.

HFG:IF

see file 9220 for particulars of this theft

MEMORANDUM

File No.: 1948

May 29th, 1945.

To: Mr. Shears

From: Mr. Green

Re: Mitsuo NISHIMURA

You will note from memorandum of May 2nd on this file that the camera belonging to this Japanese could not be found. It is of particular interest to note that when the thief responsible for removing the radios in December was picked up, an examination of his premises revealed the presence of two cameras evidently stolen at the same time but not previously noted as missing.

This Japanese is now complaining as per his of May 18th attached just received and I will compose a suitable answer.

In order to get everything straight, I have had Mr. Willis take a physical inventory of cameras at 992 Powell Street and have sent this to Miss Matheson as per memorandum of May 25th attached. I will advise you further when we know how many cameras are missing and meanwhile you will see that my memorandum to Miss Matheson is a preliminary to shipment of the cameras to their owners.

HFG:IF

Office of the Custodian
Royal Bank Bldg.
Vancouver B.C.

% Coldstream Ranch
Vernon B.C.

May 18/45

EVACUATION SECTION	
REC'D MAY 25 1945	
FILE NO.	1948
ANS.	31/5
REPORTED	<i>[Signature]</i>

Dear Sir:

Following the suggestion of the B.C.S.C., I am writing in regards to the camera which they state they are unable to locate.

They state, as you notice in the enclosed letter, that this is the first of such a case. Probably it is such a case when it involves anything of value. I could only come to the conclusion that the camera was sold without my permission or disposed in such a way common among themselves. Till now, I have never heard anything favourable. The B.C.S.C. has done, when it comes to the matter of enemy property. In most cases, anything of value was either lost or damaged.

Since my camera comes under the Enemy Property group, I could only expect it to become lost. The camera, as the B.C.S.C. knows, was a thing of value, still in good condition, at

the time it was turned over to the M.P.

I donot see any use in writing to the custodian and I do not see how they might locate it when the B.C. S.C. themselves cannot. Probably they considered it the only way to wash their hands off it.

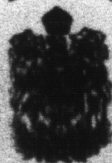
I see no further use in putting a claim in for their irresponsibility and do not think there will be any results from writing to the Custodian. I can only say the Security Commission knowing the cause of its loss, claim falsely. they cannot locate it.

AUTO FLEX CAMERA (in LEATHER CASE)

SERIAL # 816741

Sincerely

Mitsuo Nishimura
C1606



CANADA

BRITISH COLUMBIA SECURITY COMMISSION

360 Homer Street,
Vancouver, B. C.
May 2nd 1945

Mr Mitsuo NISHIMURA,
Registration No. 01606,
c/o H. A. Sigale & Co. Ltd.,
Lumby, B. C.

Dear Sir,

As requested in your recent letter we presented the receipt, which you received from the R. C. M. P for your camera, to the Custodian. They, however, inform us that they have been unable to locate your camera so we are returning the R. C. M. P receipt to you.

Our suggestion would be that you write to the Office of the Custodian direct stating that your receipt had been presented and that you have been notified by us that your camera could not be located.

For your information this is the first case of this description which we have experienced. We very much regret that we were unable to fulfil your request.

Yours truly,

J. H. Lister
General Manager.

enc

1948
1856

June 1st, 1945.

Mr. Mitsuo NISHIMURA,
Reg. No. 01606,
c/o Coldstream Ranch,
Vernon, B. C.

Dear Sir:-

Your letter of May 18th has been received and considered. You yourself never declared a camera but your brother, Juzo Nishimura, did and this is doubtless the instrument to which you refer.

We regret to report that despite all reasonable precautions including the employment of a Commercial Night Patrol to watch our warehouses, there have been several breakings and enterings into Custodian Storage. One of the thieves was recently caught the other day and the return of some radios and cameras secured but yours was not among them.

We fully appreciate and sympathize with your disappointment in this matter. We have no instructions at this date which will assist us to deal with a case like this but we have on file a record of the loss you, or perhaps more strictly your brother, have suffered and this question can perhaps be reopened at a later date.

Yours truly,

H. F. Green
Protection Department

HFG:IF

1948

October 5, 1945.

Mr. Mitsuo NISHIMURA,
Registration No. 01606,
c/o Coldstream Ranch,
Vernon, B. C.

Dear Sir:

Your letter of October 1st, in regard to your missing camera has been received, and your remarks noted.

We are very sorry that your camera has been stolen and assure you that we have done what we could to prevent such an occurrence, and are doing what we can toward its recovery.

All reasonable measures for the protection of personal goods have been taken, involving considerable expense in the employment of caretakers, watchmen, and night patrol. In spite of this a certain amount of breaking-in and vandalism has occurred in our storage warehouses.

Burglary and theft, of course, happen sometimes to the most careful property owners even when the owner is in residence and has taken every precaution to prevent such an occurrence.

The police have been advised of the loss of your camera, and should your camera be recovered, we will notify you immediately.

In the meantime, a copy of this letter, together with your letters, will remain on our files and will be available for review at any future time.

Yours truly,

F. Matheson,
Specified Articles Department.

1948

April 11th, 1951

Mr. Mitsuo NISHIMURA,
2589 Yonge St.,
Toronto, Ontario.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 212

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 ... \$ 65.00.

Cheque in your favour is enclosed for \$ 55.24
and we have paid the Co-Operative Committee .. \$ 9.76
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FCS: BK
Encl.

IN THE MATTER OF THE "INQUIRIES ACT."
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 98

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
 (HIS HONOUR, JUDGE M.M. COLQUHOUN, SUB-COMMISSIONER)

10

Vernon, B.C.
 April 28, 1948

IN THE MATTER OF THE CLAIM OF
MITSUO NISHIMURA

PROCEEDINGS AT HEARING

20

APPEARANCES:

D.S. McTAVISH, Esq.,
 R.J. McMASTER, Esq.,

appearing for the
 Dominion Government.

appearing for the
 Claimant.

T.J. MARRION, Esq.,
 G.N.R. UPTON, Esq.,
 G. HAMBLETON, Esq.,

Secretary to Vernon
 Sub-Commission.
 Official Interpreter.
 Official Reporter.

30

M. Nishimura
In Chief

MR. McMASTER: Mitsuo Nishimura, Case 222 on the original list.

MITSUO NISHIMURA, the Claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

10 Q: Witness, did you instruct Mr. Leckie to prepare this statement with regard to the camera for which you are claiming? A: Yes.

Q: Would you be good enough to sign it, please?

A: (Witness complies)

Q: Are the contents of that statement true to the best of your knowledge and recollection?

A: Pardon?

Q: Are the contents of that statement true to the best of your knowledge and recollection?

A: Yes.

20 MR. McMASTER: I would ask to file that as Exhibit No. 1.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: In this case, your honour, I would ask to amend the claim by reducing it to \$65.00. I would ask my friend to admit that the camera was delivered to the Royal Canadian Mounted Police and that it subsequently came into the Custodian's hands and was lost, and that the Custodian had an appraisal made on the camera for \$65.00.

MR. McTAVISH: That is correct, your honour.

30 MR. McMASTER: Your witness.

MR. McTAVISH: No questions. I don't think there is any purpose in any submissions in this case, your honour.

MR. McMASTER: That is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify that the foregoing transcript is a true and accurate report of the proceedings herein.

10

Gordon Hambleton
G. Hambleton
Official Reporter

I hereby certify that the foregoing transcript purports to be an accurate record of the evidence adduced before me.

"M.M. Colquhoun"
Sub-Commissioner

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BRIEF

Notes in Defence

Mitsuo NISHIMURA

File No. 1948

Case No. 212

Chattels Only
Vernon, B.C.
April 28/48.

This claim is for a camera valued at \$65. by the claimant. It was given to the R.C.M.P. before evacuation, later turned over to Custodian, who placed it in his warehouses, from where it was stolen. Before this theft the camera was appraised at \$65. by the Custodian. Government Counsel offered no submission in this case, and it seems certain that the claimant will be successful.

HI/mw

Name of Claimant **NISHIMURA, Mitsuo**Case **212**

Custodian File

1948

<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			
<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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price				
				v Special for camera							65.00
TOTAL RECOMMENDATION											65.00