

2865

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: NISHIYAMA Kiyuji
 HOME ADDRESS: Hurd Road, R.R. No. 1, Mission City B.C.
 REGISTRATION NUMBER 13237 SEX: Male AGE: 55
 OCCUPATION: Farmer

(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? Widower

NAME OF WIFE OR HUSBAND: none

ADDRESS OF WIFE OR HUSBAND: none

NAMES OF ANY LIVING CHILDREN: Kiku (F) Kyoko (F) Kenji (M)
Hisao (M)

ADDRESS OF CHILDREN: Hurd Road, R. R. No. 1, Mission City B.C.

AGE OF CHILDREN: 19, 17, 14, 12.

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

1. LOCATION AND DESCRIPTION: Township 17, Section 20, Block 5,
District of Mission. B.C.

(See confirm of ownership)

2. BUILDINGS AND OTHER IMPROVEMENTS: 9 Roomed, 2 Storey Stucco
Dwelling house. Barn, Stucco Garage, 4 Sheds, Rhubarb House

3. INSURANCE (Give particulars; state where policies are) \$1200.00 Fire Insurance
California Insurance Co. (On House) and \$150.00 on Garage. \$500.00 on Rhubarb
House, \$250.00 on Sheds. North West Fire Insurance Co. in own possession

4. TAXES (Amount and where payable) \$34.35 Payable at Mission City Hall, 1941 Paid

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)
Canada Permanent Mortgage Co.
M. Nishiyama Mortgage, \$950.00 Yet to be paid. (See confirm of ownership)

6. OCCUPANCY AND LEASES (If vacant so state) none

Occupied by owner. Leased on
Crop share to Annie Gauthier.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS. In declarant's possession
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST. none
9. IF FARM LAND STATE CROPS SOWN Hops, Strawberries, Raspberries, Loganberries
Blackberries, Asparagus, Potatoes, Peas, Lettuce, Rhubarb, 250 Fruit and Nut Trees
Grapes

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Township 17, Section 20, Block 5.

2. LANDLORD'S NAME AND ADDRESS. none

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: none

4. STATE WHEREABOUTS OF LEASE. none

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) none

none

6. IF FARM LAND, PARTICULARS OF CROPS SOWN. See Section 9, as Above.

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES,
EQUIPMENT AND MACHINERY STOCK IN TRADE AND PERSONAL EFFECTS:
located at 574 Park St. Boston
Sewing Machines, Chesterfield 3 Piece, Dining Room Set, 2 Small Tables, Gramophone
Vacuum Cleaner, Electric Heater, Kitchen Stove, 20 Chairs, 1 Book Case, Ultra Violet
Ray Treatment Apparatus, Diabetes Insulin Equipment, 9 Beds, 7 Rugs, 3 Carpets.
1 Box of Carpenters Tools, Lawn Mower, Box of Garden Tools, 2 Cultivators, 1 Bp
Plough, 1 Harrow, 3 Barts, 158 Empty Fruit Crates, 12 Cords, Wood, 26 Cedar Posts
1 Sledge, Hurd Road, R.R. No. 1, Mission City, B.C. Old Ford Truck, Immovable
License already forwarded to the B.C.S.C. Vancouver B.C.
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS
8 Chickens, 2 Rabbits with Bunnies, 1 Horse to be leased, Name of person to
whom horse is leased is unknown.

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: \$650.00 California Insurance
Co. Fire Insurance. on household furniture. *in own possession*

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

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)
none

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
\$25.00 War Savings Certificate. In declarants possession.

8. BANK ACCOUNTS: none

9. LIFE INSURANCE: Mutual Benefit Association, \$1000.00 Policy No. 1868
Beneficiary Masako Kobuke. Policy in declarants possession.

10. INTEREST IN ANY ESTATES OR TRUSTS: none

11. SAFETY DEPOSIT BOX: none

LIABILITIES:

1. PERSONAL DEBTS: none

2. TRADE DEBTS: none

REMARKS: none *Household goods will be stored
in one room of 574 Hurd Rd. Mission and left
in care of tenant. Tools in barn & back house*

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 7th day of April

1942

(Signature)

A. J. McComb

Witness

H. T. Tishigama

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date August 19, 1944.

Our File No. 2865

Full Name NISHIYAMA, Kiyuji (Mr.)
(Surname in Block Letters)

Registration No. 13237

☒ Male - Female
(check)

Age May 9, 1886

Former Address Hurd Rd. R. R. #1 Mission, B. C.

Date Evacuated April 11, 1942 Naturalized - Canadian-Born - National
(check)

Present Address c/o Mr. John Knoch, R. R. #1 Nobleford, Alta.

☒ WIDOWER
☐ Married - Single
(check)

Name of Wife (Kitagawa) Ito (Dec'd)

Name of Husband _____

Name of Mother Nishiyama, Moto (Dec'd) Name of Father Nishiyama, Kiyuzaemon (Dec'd)

Names of Children under 16 Kenji 7/11/27

Hisai 3/11/29

Requested by [Signature] Registered with Custodian (Yes or No)

Additional Information Farmer: Owns 10 acres and building, also car.

X Genen name has frequently been incorrectly spelt "KYUJI".

Name of Claimant **NISHIYAMA, Kiyuji**
 Custodian File **2865**

Case **490**

<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		
					2345					1367.25 200.00
<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 & Recorded Now Missing	45% of amount in next preceding column			
125.	31.25									51.25
<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			
366.61	161.65	48.49	44.09	580.84	256.09	421.75	50.61	555.19		
TOTAL RECOMMENDATION										1983.72

REAL PROPERTY SUMMARY

File 2865

V.L.A. B.C. 672-P

JAPANESE NAME: Kiyuji NISHIYAMA - - Reg. No. 13237

CATALOGUE NO: Part of The Director, The Veterans' Land Act first offer.

PROPERTY ADDRESS: 574 Hurd Road, Mission, B. C.

LEGAL DESCRIPTION: Lot 5 of part of the South West Quarter of Section 20,
Twp. 17, Map 905, Municipality of Mission, B.N.W.

TITLE: In name of Kiyuji NISHIYAMA.

ENCUMBRANCE: Vesting in Custodian No. 26811, 4th April 1944.
471560 7th October 1921 Mortgage in Fee to Canada Permanent
Mortgage Corporation for the sum of \$1800.00 with interest
at the rate of 9% per annum.

X 586460 23rd July 1927 Mortgage of Equity to Canadian Bank
of Commerce for the sum of \$700.00.

ASSESSED VALUE: 1942 - 9.56 acres.
Land \$624.00
Improvements \$1250.00 Total \$1874.00 Taxes \$35.72.

CLASSIFICATION: Hop and berry and fruit farm with dwelling. Custodian's
inspector reported 21st May 1942 - 2 acres hops, 2 acres
strawberries, 1 acre loganberries, $\frac{1}{2}$ acre blackberries, $\frac{1}{2}$
acre asparagus and about 250 fruit and nut trees. Also $1\frac{1}{2}$
storey stucco 27 x 27 8 room house, 5 room pickers cabin
24 x 24 fair, rhubarb house 42 x 50 fair, packing shed
20 x 20 fair, pack shed 12 x 20 fair, stucco garage 12 x 16
good, woodshed 12 x 18 good, barn 20 x 22 fair, chicken
house 8 x 12 fair. The owner declared in addition raspberries,
potatoes, peas, lettuce and rhubarb, and the house as a 2
storey 9 room building. Insurance on buildings \$2400.00.

HISTORY OF
ADMINISTRATION:

The property, exclusive of hops sold to Haas Hop Co., was
rented by the owner for the year 1942 to Mrs. Gauthier for
\$500.00, which rent was paid to the owner direct. Returns
for the hops were paid to the Custodian and credited to
owners account.

This lease to Mrs. Gauthier was extended for 1943 by the
Custodian at a rental of \$175.00, and the rental assigned to
The Director, The Veterans' Land Act.

X In the process of clearing the title it was found that the
mortgage given the Canadian Bank of Commerce had been paid up
in full. A discharge of mortgage was procured and delivered
to The Director, The Veterans' Land Act.

The mortgage to the Canada Permanent Mortgage Corporation
standing against the title was paid off with funds deposited
with the Custodian by the purchaser of the property and
discharge sent to The Director, The Veterans' Land Act.
Amount paid to the mortgagee, including interest, was \$952.60.

**HISTORY OF
ADMINISTRATION:**

Insurance was transferred on 21st April 1944 to The Director, The Veterans' Land Act and refund credit of \$43.90 placed to NISHIYAMA'S account.

SOLD:

To The Director, The Veterans' Land Act for \$2343.00 as at 1st January 1943.
Approval by Advisory Committee 1st June 1943.

FUNDS:

Released to the credit of Kiyuji NISHIYAMA-

<u>CREDITS:</u>	Sale price of land	\$2343.00
	Crop of hops and rhubarb	48.44
	Refund of Insurance	43.90
		<u>\$2535.34</u>

DEBITS:

Insurance	\$52.50
Interest on Mortgage	\$58.90
Taxes	\$39.29
Mortgage principal and interest	\$952.60 ✓
Fees: 2 Certificates of Encumbrance	2.00
Registration	3.00
Legal	<u>15.00</u>

\$1123.29

CREDIT BALANCE

\$1412.05

TITLE:

Included in C. of T. 174669-E and payment made to Custodian by cheque dated 28th April, 1944.

The above summary is certified to be in accordance with the information on file and on record by accounting department.

DATED November 17th, 1945.

Jan H. Chapman

IM:ML

REG.
NO.

13237

NAME

WIMMILYAMA, Kiyuji

FILE
NO.

2365

PROPERTY

COMPANY

North West Fire
Insurance Co.

POLICY NO.

205967

AMOUNT

22,400.00

EXPIRATION

MONTH

DAY

YEAR

Sept. 23

45

East Side of Hurd Road
Between Loughhead Highway &
Sliverdale Rd. Mission, B.C.

LIABILITY SUMMARY

File No. 2865

7th March, 1947.

Re: Kiyuichi NISHIYAMA - Reg. No. 13237

The above Japanese declared no liabilities when registering with this office.

On the 26th October, 1943, NISHIYAMA authorised payment of two claims, forwarded through the B.C. Security Commission:-

St. Michael's General Hospital	\$60.45
Drs. Bigelow & Fowler	125.00

These were paid direct by the B.C. Security Commission as there were insufficient funds in NISHIYAMA's account at the time to make settlement. The B.C. Security Commission were reimbursed on the 14th February, 1944, by this office from NISHIYAMA's account.

A further claim of \$44.00 by St. Michael's General Hospital, submitted through the Dept. of Labour, on the 17th October, 1945, was paid direct by this office on the 19th October, 1945.

This file reveals no other liabilities.

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

/s/

X H. Amey X

C O P Y

PERSONAL PROPERTY SUMMARY

File No. 2865

7th March, 1947.

Ret. Kiyuichi NISHIYAMA - Reg. No. 13237

CHATELS: The above Japanese when registering with this office on the 7th April, 1942, declared leaving household furniture, farm implements, carpenters tools, ultra violet ray apparatus and diabetes insulin equipment, 12 cords of wood, and an old Ford truck (immovable) on his property on Hard Road, Mission.

Our fieldmen inventoried this property on the 21st May, 1942, and also made a further inspection on the 22nd July, 1942, making some additions to their first inventory. The 12 cords of wood reported by NISHIYAMA, were not mentioned on our fieldmen's inventory, but they listed about 2000' of mixed lumber stored under the barn.

Most of the farm implements, including NISHIYAMA's horse, were included in the lease to the tenant, Mrs. Gauthier.

A copy of our fieldmen's inventory was sent to this tenant on the 4th September, 1942, for her to sign, acknowledging her responsibility for the chattels. On the 25th September, we received a letter from James M. Campbell, Barrister of Mission, stating that Mrs. Gauthier would only accept responsibility for goods mentioned under lease, but asked if she could have the use of duster, hand sprayer, and 2 kitchen stoves. This was granted. It is noted on the file at this time that all the goods not used by the tenant were locked in a shed.

On the 9th February, 1943, NISHIYAMA wrote to this office stating that he had left a Beatty Irrigation pump and 800 ft. of pipe at the Pacific Co-operative Union, and a large amount of electric wiring at his house, which he requested sold. The P.C.U. advised us that NISHIYAMA wanted \$500.00 for the pump, which they thought was too high, suggesting \$300.00, as being a reasonable amount. It was appraised by Wm. Windebank of Mission at \$250.00. On the 4th March, 1943, we wrote to NISHIYAMA telling him of the P.C.U.'s suggested price, but he replied that he wished his electric wiring sold with the pump and pipe, altogether, for not less than \$500.00. He wrote again on the 27th April, that he did not want them sold.

In October, 1943, NISHIYAMA requested shipment to him through the B.C. Security Commission, of his insulin and equipment, bed, vacuum cleaner, gramophone, and records, and miscellaneous small articles. These were shipped to him, and freight charges were taken care of by a deposit made by him with the Custodian.

On the 14th January, 1944, the bulk of the goods being used by the tenants under their lease, were sold to them by appraisal, through Lawrences Auctioneers, for the net of \$112.72. At the same time approximately 800 ft. of lumber was sold to the Pacific Co-operative Union for \$10.00. These amounts were credited to NISHIYAMA's account.

On the 19th January, 1944, all saleable goods locked in the shed were removed and sold by auction for the net sum of \$112.85. A few articles noted on file, were abandoned on the property as not being worth the expense of handling. It is also noted that a crow bar and some berry crates were missing. Six boxes of personal goods are stored at the Buddhist Temple, Mission.

NISHIYAMA advised us on the 7th March, 1944, that he would agree to the sale of his electric pump at \$350.00. We had at that time an offer of this amount, but when contacting the prospective purchaser, found that he had changed his mind.

The electric wiring that NISHIYAMA had originally requested to be sold with this equipment, was sold as a fixture with his property.

In Mr. Anderson's memo of the 30th October, 1944, he states that the Pacific Co-operative Union informed him that the greater proportion of the pipe connected with the pump had disappeared, but the pump and tank were in excellent condition, as well as the 60 feet of remaining pipe. These new would cost \$314.00 and \$12.00 respectively.

This equipment was advertised for sale by tender in the Columbian weekly on the 30th April, 1945, and in the Fraser Valley record on the 3rd May. No tenders were received. It was decided to try to sell it by auction, with a reserve price of \$250.00

140 - 50
On the 3rd May, 1944, NISHIYAMA enquired about his gas motor spray which was being used by the Haas Hop Company, and which he stated had been bought in partnership with another man, and if it had been sold he wished to know the amount. We contacted the Hop Company, who stated it had been sold to a Mr. L. Neets, for \$50.00, but payment had not been received. After considerable correspondence, payment was received from the Company on the 10th Aug. 1945, and NISHIYAMA was notified.

LIVESTOCK: NISHIYAMA's horse had been included in lease to the tenants, and it was sold by auction, Harkies, Auctioneers, for the net sum of \$33.25, Nov. 13, 1943, and this amount was credited to NISHIYAMA's account. It is noted that the tenant claimed that this horse was unmanageable, and a further charge was made against NISHIYAMA's account for \$2.50, for trucking this horse to the auction.

SPECIFIED ARTICLES: A Chevrolet coach, owned by NISHIYAMA, was sold 8th March, 1943, for the net sum of \$329.20, and this sum was credited to his account here

On the 28th June, 1943, we advised NISHIYAMA, that we had an offer of \$125.00 for the 1929 Ford truck left on his property. NISHIYAMA agreed to this sale, and it was sold to W. J. Scott of Mission for this amount.

ACCOUNTS RECEIVABLE: The B.C. Electric sent in to this office to NISHIYAMA's credit the sum of \$5.00, being a refund of his electric light deposit.

On the 25th Nov. 1946, the sum of \$55.89 was sent direct to him, being his proportion of the liquidation of the assets of the Mission Japanese Farmers' Association, of which he was a member.

BONDS & INVESTMENTS: NISHIYAMA declared when registering with this office that he was a member of the Western Canada Hop Co-operative Union. Liquidation of this company has not been completed.

He also declared some War Savings certificates, but these were not brought under control by the Custodian.

Although he did not declare so, according to the Pacific Co-operative Union records he is the holder of eight \$10.00 Pacific Co-operative Union redeemable shares issued in 1942, these should be redeemed early in 1948. He is also the holder of 40 non-redeemable shares. Interest on these shares in the amount of \$4.92 has been credited to his account

PERSONAL PROPERTY SUMMARY (Cont'd)

3

File No. 2865

from time to time.

LIFE INSURANCE: NISHIYAMA declared a \$1000.00 Mutual Benefit Association policy but this was not brought under control by the Custodian.

His file also reveals that he held two Crown Life Insurance policies for his minor sons.

On the 8th May, this Company advised us that NISHIYAMA had requested the cash surrender value of policy No. 136468 of his son, Kenji. As the Custodian had no objection, the cheque was sent by the Company to NISHIYAMA direct. Again on the 20th May, 1944, cash surrender value of Policy No. 136467 of Hisao NISHIYAMA was forwarded to NISHIYAMA, through this office.

This file reveals no other personal property.

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

..... J. Allan

HA

REPORT ON EVACUATED JAPANESE PROPERTY

File No. _____

Date: May 21/42

REGISTRATION NO. 13237

MUNICIPALITY:

NAME: NISHIYAMA, Kiyuji

ADDRESS: 574 Hard Rd. Mission

PROPERTY: Farm

ACREAGE: 10

KIND OF CROPS: Hops, straws, logans. Bl.berries, Asp. 250 fruit and nut trees

APPROXIMATE ACREAGE OF EACH: 2, 2, 1, $\frac{1}{2}$, $\frac{1}{4}$

HOUSE: stucco

VACANT:

OCCUPIED X

ROOF: shingle

DESCRIPTION 1 $\frac{1}{2}$ storey

NO. OF ROOMS 8

SIZE: 27 x 27

CONDITION: Good

OTHER BUILDINGS: 5-room pick.cabin 24 x 24 F. Rhub.hse 42 x 50 F. 1 pack shed 20 x 20 F. 1 pack shed 12 x 20 F. Stucco Gar. 12 x 16 F. Wood shed 12 x 18 G. Barn 20 x 22 F. chick hse 8 x 12 F.

NAME OF LESSEE OR RENTOR: Mrs. Annie Gauthier

TERMS: \$500.00 1 yr. lease

WATER: ON: X OFF:

LIGHT: ON: X OFF:

REMARKS:

INVENTORY OF CHATTELS LEFT ON PROPERTY

3 pc. chest. set

1 bureau

1 gramophone shipped

1 rocker

4 beds & springs 1 only not sold

1 Library table shipped

1 heater

1-9 x 12 rug

1 sectional book case

1 rocking chair

3 cartons

1 Vacuum cleaner shipped

9 kit.chairs

1 mantle clock

1 chest drawers

utensils

1 lawn mower sold

3 Gard. hose sold

1 platform scales sold

4 hoes sold

1 grind stone

6 scythe

1 Lawn sprinkler sold

1 hedge shears

1 Long pruning shears sold

1 horse & harness sold

1 spring tooth cult. sold

1 spike " " sold

1 plow sold

2 shovels sold

2 step ladders NG

1 spring tooth harrow

1 dining room set sold

1 kit. range sold

1 wheel barrow sold

2 mattocks

1 Ton Ford truck 1931 Model T.

(6 Boxes Personal
To Church)

Signed:

[Signature]

July 22, 1942.

NISHIYAMA, Kiyuji
574 Hurd Road,
Mission, B.C.

Additional chattels .

Linoleum rug. (on floor)

Shrine. *shipped*

Table Lamp.

Card Table.

2 Rugs.

2 Linoleum rugs. *1 ng. & 1 sold to tenant*

4 sm. floor mats. *Ng.*

Personal Electric apparatus. (heavy 1' square box, wired for electricity, 3 light sockets.)

Duster.

150# hop wire. *no sold*

Handsprayer.

55 Hot house rhubarb crates. (knockdown)

2 Axes.

Crow bar. *missing*

Peavey. *sold*

10 Berry crates. *used*

3 Cross cut saws. *2 no good.*

Ng. 2 Kitchen stoves. (poor)

Box. (containing few carpenters tools & misc. articles.)

There are 9 beds all together.

2000' of mixed lumber under barn. *Sold To P.E.U.*

Signed

J. Mayhew

H. J. Logan

ROYAL CANADIAN MOUNTED POLICE

EXHIBIT REPORT

Detachment

Seizure No.

FOR USE WHEN APPLICABLE

Detachment File No.
 Sub-Division File No.
 Division File No. **5269-013-3**
 Headquarters File No.

Detachment
 Sub-Division
 Division **(B)**
 Date **March 11**

19 **42**

RE: **Kiyuji NISHIYAMA born 3.2. Mission RR**
 On **March 11 19 42, 1 Goodfellow K N**
 MEMBER'S NAME

Came into possession of the following goods by:-

SURRENDERED UNDER O.I.C. P.C. 1486

STATE BRIEFLY AUTHORITY, ETC., WHETHER BY SEARCH WARRANT, ETC.

NO. OF PGS.	CAPACITY OR SIZE	DESCRIPTION OF CONTENTS DETAILS TO BE GIVEN IN FULL
LICENSE NO.	41 (41) 58724	TIRE NUMBERS 5
MAKE & MODEL	Chev Coach	35
SERIAL NO.	5100105004	
ENGINE NO.	4760613	
SPEEDOMETER READING	37104	
CONDITION	Good	
EXTRA EQUIPMENT	Nil	
DESCRIPTION & CONDITION VERIFIED	Right Rear Fender Dented	
Signature of Owner	<i>K. Nishiyama</i>	
Japanese Registration No.	13237	
Handed over to representative of Custodian whose signature in receipt thereof appears hereunder <i>G. Cruise</i>		
DATE:	Mar 11/42	
<i>H. C. [Signature]</i> SIGNATURE OF MEMBER SUBMITTING REPORT		

July 22, 1942.

NISHIYAMA, Kiyuji
574 Hurd Road,
Mission, B.C.

Additional chattels .

Linoleum rug. (on floor)

Shrine.

Table Lamp.

Card Table.

2 Rugs.

2 Linoleum rugs.

4 sml. floor mats.

~~Electric apparatus~~ (heavy 1' square box, wired for electricity, 3 light sockets.)

Duster.

150# hop wire.

Handsprayer.

35 Hot house rhubarb crates. (knockdown)

2 Axes.

Crow bar.

Reavey.

10 Berry crates.

3 Cross cut saws.

2 Kitchen stoves. (poor)

Box. (containing few carpenters tools & misc. articles.)

There are 9 beds all together. 7 sold 1 shipped.

2000' of mixed lumber under barn.

Signed

J. Maryson
H. Logan



file no 2865

574 Hurd Road

R.R. 1. Mission B.C.

Richmond
British Columbia

Department of the Secretary of State

Office of the Custodian

506 Royal Bank Bldg.

Hastings and Granville

Vancouver B.C.

Dear Sir:

Enclose copy of list chattels
you wanted

I have went over the Farm Lease
agreement and every thing is right
and understated the responsibility
for the safe keeping

but if you are coming up this
was as I understood you come
and see me as I would like
to see you

Yours Truly

Ernie Gauthier

Wishes to have
chattels not in net
taken away for
storage in the house
room in the house
13/8/42
H.N.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
AUG 4 1942



List

- 1 Lawn Mower
- 1 240 lb scale
- 3 Big hoes
- 1 small hoe
- 1 grind stone
- 5 small axes
- 1 Hedge Shear
- 1 Long Handed Pruning shear
- 1 horse
- 1 Harness
- 1 collar
- 1 spring toothed Cultivator
- 1 spring Cultivator (Harrow)
- 1 spike tooth Cultivator
- 1 plow
- 2 shovels
- 2 step Ladder
- 25 straw berry crates empty
- 1 Kitchen Stone
- 1 Big sythe
- 1 Lawn Sprinkler
- 1 Garden Rubber Hose
- 1 wheel Barrow
- 2 Mallocks
- 2 shingle tree
- 1 Dining Table 6 Chairs

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED

AUG 2 1906

MEMORANDUM

Re: File #2864

31st August, 1942.

TO: Miss Stevenson

FROM: Mr. Gibson

At your first opportunity, when checking up with the R.C.M.P. in connection with Japanese, would you please endeavour to find out whether Hisaji NISHIYAMA and Kiyuji NISHIYAMA is one person or two.

The reason for my request is that there are several buildings listed on one piece of property, being the S.W. $\frac{1}{4}$ of Section 20, Township 17, Sp. 3, N.W.D., at Mission, and there are two separate insurance policies, each covering part of the buildings listed, but the one policy was written in the name of Kiyuji Nishiyama and the other was written in the name of Hisaji NISHIYAMA.

RPA:FM

9th September, 1942

Messrs. McGregor, Johnston, & Thomas, Ltd.,
414 West Pender Street,
Vancouver, B.C.

Dear Sirs:

re: Kiyuji NISHIYAMA

Kindly refer to our letter of August 31 to you with reference to the above name, and dealing in particular with Northwest Fire Policy #199730, expired April 11th, last. I have been able to clear up the question as to the identity of the insured and am advised that the above named at one time was known as Hisaji, ~~But~~ is now known as Kiyuji. Therefore, as the Northwest Policy referred to above, and the California Insurance Company Policy #117867 undoubtedly cover different buildings of the same property, there is no reason why this coverage should not be under one policy.

On August 31st I also instructed you to renew California Insurance Company Policy #117867 referred to above, and would now ask you to kindly include in that renewal policy the coverage as shown on Northwest Policy #199730.

This will add the following coverage:

\$500.00 on a Rhubarb house and \$250.00 on
a Picker's bunk-house.

Yours very truly,

S.A. Gibson
Insurance Department

SMG:FC

ESTABLISHED 1855

Canada Permanent Mortgage Corporation

British Columbia Branch Office

432 Richards Street

Vancouver

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED

September 24th, 1942

The Official Custodian of Alien Enemy Property,
Royal Bank Bldg.,
Vancouver, B. C.

Attention of Mr. Alexander or Mr. McPherson.

Dear Sir: Re Kyuji Nishiyama Loan No. 3047 C

We enclose herewith notice of the amount due First of next month on a mortgage given to us by the above party on his property near Mission, B. C. We have also sent a similar notice to Nishiyama himself, to his address in Alberta.

When we saw Nishiyama last Spring, he had \$500.00 cash which had just been paid to him for the rent of his property this year. We suggested that he then pay to us the amount due First proximo on our mortgage, but he declined to do so, stating that he would remit same to us from Alberta, on or about the First of October.

We are advising you, in case you should wish to deal direct with Nishiyama, and have the remittance made through your office.

Yours truly,

Wm. Farson

Manager

Enclosure

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

JAMES M. CAMPBELL

BARRISTER SOLICITOR

NOTARY

RECEIVED
SEP 28 1942

Richardson
sent to Coffey

MISSION CITY, B. C.

September 25th, 1942

Mr. Richardson

The Custodian
Japanese Evacuation Section
Royal Bank Bldg.,
VANCOUVER, B.C.

Dear Sir:-

Re Kiguji NISHIYAMA Your file 2865
and Mrs. Annie Gauthier

The lady arrived at the office with your letter of the 16th and also yours of the 4th. enclosing list of chattels for her sign and appeared to be in great perturbation.

She advises me that the linoleums (items 1 and 6) are on the floors of the rooms and, of course, she is responsible for them. The rest of the articles are under lock and key in a shed but she does not seem to want to be responsible for them as she says she would have to patrol the place every night and it gives her considerable cause for worry. She asks if she could have the Duster, Handsprayer and the two kitchen stoves which can be used in the pickers shacks. She will sign for these and the balance she would like to have you dispose of.

I am only communicating to you her expressed wishes marks to me. Please advise.

Yours faithfully

James M. Campbell

2865

October 1, 1942.

Mrs. Annie Gauthier,
574 Hurd Road,
Mission, B. C.

Dear Madam:

Re: Kuvu11 NISUYAMA

We are in receipt of a letter from Mr. James M. Campbell dated the 25th ultimo in reply to ours dated September 4th and 6th, 1942, regarding the above's chattels left at the dwelling house. In reply please be advised that the Custodian has no objection to your using the Duster, Handsprayer and two kitchen stoves which are at present stored in the picker's shacks. We would, however, request you to let us have your acknowledgement of having taken these things into your possession, and a statement stating your responsibility for their safe-keeping.

Yours truly,

R. D. Richardson,
Farm Department.

HRC/BM

Mission City, B.C.

October 3rd. 1942

NISHIYAMA, KIYUJI
574 Hard Road
Mission City, B.C.

Additional Chattels:-

I acknowledge receipt of the following chattels and agree to
return them in good condition reasonable wear and tear excepted:-

3 linoleum rugs on floors of house
Duster
Handsprayer
2 very poor kitchen stoves.

Annie Santhier

Verina

Jon Carver

ESTABLISHED 1855
Canada Permanent Mortgage Corporation

*Richardson
apt to Cramer*

British Columbia Branch Office

432 Richards Street

Vancouver

October 16th, 1942

The Official Custodian of Alien Enemy Property,
Royal Bank Bldg.,
Vancouver, B. C.

Attention of Mr. Alexander or Mr. McPherson.

Dear Sir:

Re Kyuji Nishiyama Loan No. 3047 C

We wrote you on 24th ultimo regarding this account, but have not since heard from you.

We have, however, heard from Mr. Nishiyama. Although he had \$500.00 cash in his pocket, last Spring, when we saw him, he would not pay to us the instalment that matured First of this month on his account, claiming that as it was not due in the Spring, he did not have to pay it. He did, however, assure us that he would send us the money on the First of October.

He now writes to say that he cannot pay it, and he referred us to the Pacific Co-Operative Union at Mission. We referred the matter to that Union, and they have referred us to you. According to Nishiyama, the Union had some chattels of his which they expected to sell on his behalf. They have given us no information concerning same, but we would like to know if you are now in a position to let us have payment of the \$158.90 that matured First instant on our account.

If the amount is not paid within thirty days, and in view of the fact that Nishiyama is not looking after the property himself, we would ask your permission to institute proceedings on say the First of November next, or at some later date to be fixed by you.

I shall be glad if you will be kind enough to write us concerning this matter at your earliest convenience.

Yours truly,

W. H. Thompson

Manager

2865

OFFICE OF THE CUSTOMS
IMPERIAL SECRETARIAT
RECEIVED
OCT 19 1942

Apl 100
LNY 5890
15890

G. J. Keill
Nobleford, Alta
Feb 12, 1943

Custodian Office,
Dept of the Secretary of State,
of Canada,
Vancouver B.C.
Dear Sir:—

EVACUATION SECTION	
Rec'd	FEB 15 1943
File No.	2865
Ans.	<i>W</i>
Referred	Alexander

I am humbly asking you
for a favor to which I hope you
• accept.

I with a family of five children,
thought we would fairly get along
this winter with our small
• labored money, but we had a
very severe winter and trying to
prepare for it, I spend for it
that which vanished all the
• money I had.

In December you wrote to me
that my auto mobile was sold for
• \$360.00 To pay my debt owing to the
Permanent Mortgage Corp. I understood
there would be a credit balance for me.
Could I have this sent to me? And

Re Beatty Pump

nh 9/43

The 1942 ~~top~~ account is in your file.
If it is possible could I have this
sent to me also? I would like to
know something about this top.
We will not be able to go out into
the field for another five months
until then we ~~will~~ be sitting idle.

I've a Beatty Electric Irrigation
Pump stored at the Pacific

- Co-operative Union plant. With
this pump I've about 800 feet of
 $1\frac{1}{2}$ " & 1" pipes & all the necessary
equipment packed in the wooden
box. I've also over 2000 feet of No 6
& No 8 electric wire still installed
on my property. I am asking you
if to sell this for me if it is possible
as I am badly in need of money. For
particular inquiry the Pacific Coop
erative Union please. I would very
much like to know how much account is
standing in your file, please? Waiting
for your reply.

REGISTRATION No 13237

Yours truly,
K. Nishiyama

2865

20th February, 1943.

Mr. Kiyuji NISHIYAMA,
Registration No. 13237,
c/o Mr. Jacob Reihl,
Nobleford, Alberta.

Dear Sir:

Thank you for your letter dated February 9th. We are attaching hereto our cheque payable to your order and amounting to \$100.00.

Your request that we arrange for sale of your electric irrigation pump and other equipment has been noted and you may expect to hear from us in this connection shortly.

With regard to hop accounts we have to inform you that we have obtained collections from the John I. Haas Hop Co. and are in process of discussion and negotiation with Mr. Shin as to the best method to follow in arranging for distribution of proceeds. Our difficulty in the matter is that certain fields resulted in losses and other fields resulted in profits, and we have received here a cheque for the net remaining profit only, consequently we are finding it difficult to determine equitable means of distribution.

Yours truly,

R. P. Alexander
Manager

RPA:LF

REGISTERED

Telegraphic Address
Cable Address
PACCO

PHONES
Mission Office 65, Plant 55
Metsqui, 5411

PACIFIC CO-OPERATIVE UNION

GROWERS AND SHIPPERS OF
FRESH FRUITS AND RHUBARB

MISSION CITY, B.C.

February 26th, 1943.

SECTION	
Recd	FEB 27 1943
File No.	2865
Ans.	17/3
Refer	Green

Mr. H. F. Green,
Protection Department,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.

Dear Mr. Green:

File No. 2865

Replying to yours of the 24th instant.

We will try our best to sell Mr. Nishiyama's Beatty electric irrigation pump but he is asking \$500.00 for it. This price is too high. We believe we could easily sell this at about \$300.00.

We remain

Yours very truly,

PACIFIC CO-OPERATIVE UNION

Per

JBS/EK

L. B. Shimek

Gen. Mgr.

MEMORANDUM

Mission, B.C.
Mar. 3, 1943

17/3/43

File 2865

wanted

RE: K. WISHIYAMA

I enclose herewith, particulars of the pump
belonging to the above named Japanese:

3/4 h.p. motor
600 gallons per hour
100 gallons pressure tank

800 ft. 1 and 1 1/2 pipe

New pump complete (without pipe) \$244.00

Wm. Windebank of Mission installed above
in the Spring of 1940 and it has been used two summers
for irrigating. Mr. Windebank says it would be a good
buy at \$250.00.

Wt

rec'd after mine
of Mar 4

EVACUATION STATION	
Rec'd	MAR 11 1943
File No.	2865
Ans.	17-3
Referred	<i>Admission</i>

*C/o Jacob Rich
Woburn, Mass
March 11, 1943.*

*Left the Sect of State, and
Office of the Custodian,
Washington D.C.*

Re: Your March 4th last letter

Dear Sir:—

*Thank you kindly for writing to
me about this matter. I don't think
\$300.00 for the sale of the irrigation
pump is not cheap - that price is
fine - But I set the price for
\$500.00 with every equipment
complete. Those 2400 feet of electric
wire installed on my property is
included in this sale. The reason
why I like to have everything comp-
leted is - it is much easier
to sell it ⁱⁿ this way than have it
sold in pieces. If it can't be
sold in this manner (everything*

completed) I like to have the
matter dropped. As I said in
my other letter, I have 400 feet
of one inch and one half, some
galvanized and other iron, pipes,
not mentioning all the other
miscellaneous attachments which
are needed for irrigation purposes.
So the price of \$500.00 cash is
not too high in my opinion.

Please do not take any steps
which will differ from my wish
before consulting me. I hope you
can understand me?

Waiting for your reply.

Yours truly,
K. Nishijama

Registration No 13237

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6121
PLEASE REFER TO
FILE NO. 2865

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

March 10th, 1943.

Mr. Kiyuji MISHIYAMA,
Reg. No. 13237,
c/o Mr. Jacob Reihl,
Nobleford, Alta.

Dear Sir:

Our No. C95

Re: Motor Vehicles

Your Chevrolet Coach

which was surrendered to the Authorities, has been
sold for \$360.00

Charges against your car were as follows:

Liens \$

Administrative Expenses \$ 30.80

The Balance thereafter remaining of \$329.20

has been placed to your credit in our trust account.

Yours truly,

Specified Articles Department.

RPA:MA
JH

2865

March 17th, 1943

Mr. Ure,
Mission City, B. C.

Dear Sir:

Re: Kiyuji NISHIYAMA

With reference to the Pacific Co-Operative Union's letter of February 26th and your memo of March 3rd reporting on this man's Beatty Electric Irrigation Pump, he very reasonably points out that while \$300.00 for the pump alone is a fair price, the equipment which goes with it and which may be hard to sell separately, makes a fair total of \$500. There is 2400 feet of electric wire installed on his property and 800 feet of 1" and 1 1/2" pipe together with attachments which should also be included in this sale.

We are sending you an extra copy of this letter for the P. C. U. files and wish to state that this Japanese does not want us to make a sale without consulting him unless the whole of the equipment can be sold for \$500.00.

Yours truly,

H. P. Green
Protection Department

Enc.
HFG:IF
c/c sent to Kiyuji Nishiyama



JOHN I. HAAS HOP CO. (CANADA) LTD.

"GOLDING FARM"

GROWERS OF CHOICE HOPS

SARDIS, B. C., CANADA

PHONES: CHILLWACK

MANAGER'S RESIDENCE AND OFFICE 5421
FOREMAN'S HOUSE 5083

March 20, 1943.

Your File # 0/73 & 2865

Attention Mr. R. P. Alexander.

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

EVACUATION SECTION	
Rec'd	MAR 22 1943
File No.	
Ans.	
Referred	<i>Alexander</i>

Dear Sirs:

Re: Kuyiji NISHIYAMA

We thank you for your letter of the 18th. instant and in reply would refer you to the Agreement made between this Company and the Western Canada Hop Co-operative Union dated the 20th. day of April, 1942, and more particularly to paragraphs 6 & 9.

The account already rendered between ourselves and Nishiyama is absolutely correct as settled. We note that Nishiyama is claiming \$60.00 for cow manure and also for the seed and sowing of winter rye; We would point out that we certainly did not agree to pay for any such commodities, and would add that it is entirely against the custom of the Country or the practice of Agriculture. It should be well known that in the event of any farm being let or sold any barnyard manure which may be on hand either in bulk or spread is not included in the Inventory unless previous arrangements have been made. The above applies to paragraph 9 which, you will note, refers to commercial fertilizers only.

With reference to the trellis repairs for which Nishiyama appears to expect compensation: Please see paragraph 6. If Nishiyama had not made the necessary repairs to this trellis this Company would have been forced to do so, and we would then have made a charge against the crop grown on the farm.

Trusting the above will straighten out this matter; and do not hesitate to ask for any further information which you may require.

Yours truly,

JOHN I. HAAS HOP CO. (CANADA) LTD.

A. B. Hinds

A. B. Hinds, Manager.

H/H

EVACUATION SECTION

Rec'd

AUG 20 1943

File No.

Ans.

Referred

John Knocks

RR 70

Stableford Alta

April 27, 1943

Bl Security Comm
Vancouver R.C.

Dear sir:

K. H. Hocking
No guarantee

I would like to have send up these articles: - white dinner plates (1 doz) small & big saucers (1 doz) Rice Bowls Big & small (1 doz) Japanese handless tea cups (1 doz) Crockery & glass Bowls, Aluminium tea Kettle, tea pot, coffee-pot, white enamel pan small enamel dishes, muffin pan, Bread-bat, milk-jug, glass plates, saucepan lids. Aluminium pans (all of it)

These are all packed away in the pantry somewhere.

wool comforter, grey blanket, all cloth goods, linen goods, silk goods in the drawer. Japanese Kimonos. Inside the Butcher (the Black lacquer box where the idol is sitting) are three pictures hanging inside the box which I want to send. In a white envelope is a hair - this is a keepsake which I want. On the very top lid of Butcher is a photo of the dead. The lid will open

if lifted. I would like all to be sent.
In the book case there are many
photos in a box which I like to have
all.

I am not in the position to pay
^{any} charges on the above articles.

Yours truly,
K. Nishiyama

Please send these goods to Norfolk,
station.

C/o John Knocovich
R.R. No 1
Sroblford Alta
April 27, 1943

Secretary of State
Office of the Custodian
of Japanese Assets
Washington D.C.

EVACUATION SECTION	
Rec'd	MAY 3 1943
File No.	28657
Ans.	H/S L
Referred	Green

Dear Sir:-

On April 11th I had written
to you for selling of my farm equipment
& household goods & furniture but
after thinking over this problem
I have come to thinking of not
selling it for awhile. But in
case my property will be sold
by your power I would like
to hear from you first before
my equipment and household
goods are sold. Do you think
this could be done?

Waiting for your reply.

Thank you and oblige
Yours Truly,
K. Nishiyama

No. 13237

Advertisement appearing in
Weekly Columbian on April 30th, 1945
Fraser Valley Record on May 3rd, 1945.

Evacuee file 2865

FOR SALE BY TENDER

PUMPING EQUIPMENT

The Secretary of State of Canada, acting in his capacity as Custodian, pursuant to the provisions of the Revised Regulations respecting Trading with the Enemy Act, hereby offers for sale by public tender such interests as are vested in him in the following:

1. Beatty Electric Pump, 34 H.P., 1725 R.P.M., complete with 100 gallon tank.

2. Small quantity of 1 1/2 inch used

pipes for the purchase of this pumping equipment will be received subject to the following terms and conditions:

1. A certified cheque payable to The Secretary of State as Custodian for ten per cent (10%) of the amount offered must accompany each tender.

2. Each tender must be in a separate sealed envelope addressed to "The Custodian, 506 Royal Bank Building, 875 West Hastings Street, Vancouver, B.C." and each envelope must be marked "Tender for Pumping Equipment."

3. This equipment is offered for sale without any warranty whatsoever by the Custodian as to condition or state of repair of such equipment.

Changes in respect of unaccepted bids will be returned in due course.

Neither the highest nor any tender will necessarily be accepted.

Arrangements will be made to inspect the pumping equipment on application to Harkies Auction Room, Mission, B.C., up to Noon, Daylight Saving Time, May 18, 1945.

Tenders will be received by the undersigned up to Noon, Daylight Saving Time, on the 19th day of May, 1945.

DATED at VANCOUVER, BRITISH COLUMBIA this 30th day of April, 1945.

THE CUSTODIAN
506 Royal Bank Bldg.
875 West Hastings St.,
VANCOUVER, B.C.

Clearance 175⁰⁰

EXAMINATION SECTION	
MAY 12 1943	
PL. NO.	385
Ans.	W. C. John Knocks Sr
Referred	Anderson

out to McKay

R.R. No 1.
Nobleford Alta
May 10, 1943.

Custodian of the Enemy
Alien
Vancouver, B.C.

Dear Sir:-

I would like to know how
the lease will be for the year 1943.
Last year I leased to Mrs Annie Gauthier.
She still occupies the place and
has the intention of carrying on.
On what proposition must we
go about it would you by return mail
let me know about this case
for I'll be waiting? If there has
to be any agreements ^{to be} made between
us, please ~~not~~ mention it.

Waiting. Thank you and Ollie.

Lessee address:-
Mrs Annie Gauthier,
574 Hurd Road,
R.R. No 1,
Mission City, B.C.

Yours truly
K. Nickerson
Reg. 13237

2865

June 28th, 1943

Mr. Kiyuji NISHIYAMA,
Registration No. 13237,
c/o Frank Lebar,
Picture Butte, Alta.

Dear Sir:-

We are informed that there is a 1929 1½-ton Ford truck in the care of your tenant, Mrs. Annie Gautier, which formerly belonged to you. We have had an offer of \$125.00 for this truck and if you are willing to sell at this price, please advise us. We are in some doubt as to whether this truck should not have been turned over to the R.C.M.P. last year but are prepared to overlook this matter.

Yours truly,

H. F. Green
Protection Department

HFG:IF

Review

4-6/

DEPARTMENT OF
LABOUR



EVACUATION SECTION

Rec'd JUN 29 1943

File No. 2865

Ans.

Referred

Aut to Matheson

BRITISH COLUMBIA SECURITY COMMISSION

360 Homer Street,

VANCOUVER, B.C.

28th June 1943.

Mr. R.D. Richardson,
Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B.C.

Dear Sir,

Re: NISHIYAMA, Kiyaji, No. 13237.

When I was in Southern Alberta the other day I had occasion to contact the above-named Japanese. Prior to evacuation this man lived at 574 Hard Road, Mission, B.C., but is presently located with a sugar beet grower by the name of John Knoch, R.R. No. 1, Nobleford, Alberta.

Nishiyama showed me a copy of your letter of 22nd May, 1943, in which you advised that Nishiyama would receive \$175.00 rental for his farm at Mission for this current year, 1943. This rental I understand includes the rental of tools, horses and the farm itself, including buildings. Last year he received \$500.00 for this same set-up, and cannot understand why there should be such a difference.

I would appreciate your letting Nishiyama know about this, with a copy of your letter to me, so that I may have this point cleared in my mind, as there appears to be some irregularity.

Nishiyama also mentioned the fact that he has a Beatty Electric Water Pump, an 80 gallon tank and a considerable amount of pipes. He also advised that he has some 17,000 feet of electric wire strung up on his farm, and he is interested in knowing whether this equipment can be sold and just what his status is in respect to these items.

Nishiyama also stated that he has a truck stored on his Mission property. No doubt all this equipment is registered with the Custodian. Will you please check.

Yours truly,

BRITISH COLUMBIA SECURITY COMMISSION

WAE/EG

P.S. I understand that the Beatty Electric Water Pump is stored in Shimek's warehouse at Mission.

* See by July 29th a) Pump 12 see letters
March 8th - ("if it can't be sold in this manner - everything complete")
I like to have the matter dropped and March 17th - no
further offers.
b) Truck - see our letters of June 28th & July 21st - answer

2865

Re Truck.

John Knack
Probleford, Alta
July 19, 1943.

Customs Office
Dept of Customs
Vancouver, B.C.

LV	CL
Rec'd	JUL 22 1943
File No.	
Ans.	W
Referred	Anderson

Dear Sir:—

Your June 28th inst letter
referring to our truck in Mission
B.C. came into my hand
to day, to which I am answering
promptly.

If there is a sell for it
for \$125.00 please go right ahead
with the sell. This truck has
been reported to the R.C.M.P. in
Vancouver & the license forms^{are}
at the Office of the B.C. Security
in Vancouver. I hope this is satisfactory
to you.

Yours truly,
R. N. Caligama

C. John Knock Sr.,
Woblesford Alta,
Oct 7, 1943.

Canada Permanent
Mortgage Co.,
Vancouver B.C.

Dear Sir: —————
R 30470

Could you tell me
what ~~was~~ ^{has} become of my
interest & principal due on
my mortgage? I've not received
any notice from you this year
and I would like to hear from
you.

Yours truly,
K. H. Hocking



Re Horse

2865

November 17th, 1943

Mr. Ore,
Mission City, B. C.

Dear Sir:

Re: Kiyaji NISHIYAMA

I am enclosing herewith our receipt for \$33.25 being purchase price of horse sold at auction by Mr. Harkies. For our records I would mention that the tenant claimed that this horse was unmanageable and it was therefore decided to dispose of it in the above way.

Yours truly,

H. F. Green
Protection Department

Enc.
HFG:IF

Qty 2.50 /
Caring horse to auction

Please address all
communications to
"The Manager"

The Canadian Bank of Commerce

Mission City, B. C.

November 22, 1943.

EVACUATION SECTION

Rec'd NOV 23 1943

File No. 2865

Ans.

Referred Cramer

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

Dear Sirs:

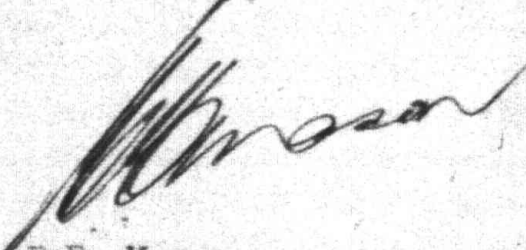
Re: Kiyuji Nishiyama

58646B

With reference to your letter of the 11th instant, we advise that we are unable to locate the original copy of the mortgage given by the above to this Bank in July, 1927, but we have prepared a Discharge of Mortgage showing particulars taken from our records. We presume that in your files you have a Certificate of Encumbrance and no doubt any further particulars could be obtained from that. We should be grateful therefore, if you would advise us whether or not the Discharge as enclosed would be acceptable to the Land Registry Office, and if so, please return the enclosed copy in order that we may forward it to our Head Office for completion with the proper signatures.

Please let us have your advices in due course.

Yours truly,



E.E. Mason
pro Manager.

2865

January 7, 1944.

Mr. Kiyuji NISHIYAMA,
Registration 13237,
c/o Mr. John Knock,
R. R. #1, Nobleford, Alta.

Dear Sir:

We have received a number of inquiries requesting further particulars in connection with recent statements covering disposition made of motor vehicles and we are, therefore, sending you this general letter of explanation.

The Custodian decided it would be in the best interests of the owners to sell Japanese motor vehicles due, not only to the rapid deterioration of paint, batteries and tires, but also because of storage and other charges which were accumulating.

Appraisals of all cars were obtained by the Custodian through competent and unbiased experts.

Deductions made for liens on said cars are self-explanatory.

The administration expenses deducted covered only insurance and storage charges incurred in each case for each car between the time said vehicle was impounded until date of sale of said vehicle.

The proceeds remaining thereafter were transferred by the Custodian to the credit of your account in this office.

Yours truly,

Specified Articles Department

RPA:MA

MEMORANDUM

To: File 2865

January 7, 1944.

From: Specified Articles Department

Re: NISHIYAMA, Kiyuji - Reg. 13237

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
CAR	1935 Chevrolet Coach No. C95 License No. (41) 58724	\$450.00

Sold to: Cyril T. Pitt

Date: December 1, 1942.

Selling Price: \$360.00

Darker

LAWRENCE'S

WE BUY, SELL
& TRADE

NEW & SECOND
HAND HOUSEHOLD
FURNITURE

AGENT FOR

ROYAL CITY
LAUNDRY

MCCORMICK
DEERING FARM
MACHINERY &
EQUIPMENT

GURNEY &
MCCLARY STOVES
& RANGES
EASY WASHERS

P. O. BOX 316
PHONE 95, NIGHT 9818
MISSION CITY, N. C.
January 14, 1944.

KIYUJI NISHIYAMA *Ab 2865*

File Type
R

Under instructions from the Office of the Custodian
we have appraised and sold the following list of goods
of K. Nishiyama, 574 Herd Rd., Mission, to Mrs. A. Gauthier,
same address:

HOUSEHOLD

7 Window Shades	\$ 1.50
1 Square Table	5.00
5 Chairs	12.00
1 Feltol rug 6 x 9	2.50

FARM TOOLS, ETC.

1 Peavie	2.00
4 Hoes (old)	1.00
2 Shovells	2.00
2 Rakes	.75
2 Potatoe Drags	1.00
1 Long Pruner	1.50
3 Pc. Garden Hose	8.50
1 Sprinkler	2.50
1 Oliver Plow	15.00
1 Spring Tooth Cultivator	15.00
1 Lawn Mower	9.00
1 Wheel Barrow (old)	2.00
1 Picker's Stove	7.50
7 Picker's Beds and Springs	7.00
1 Set Single Harness w/Collar	9.50
(Pipe Collar)	4.50
1 Straw Cultivator	7.00
1 Set 240-Lb. Scales	10.00

TOTAL

\$ 126.75

12.67

Net

\$ 114.08

Certified a just and fair appraisal as made by me
this 14th day of January, 1944.

Signed

Lawrence
Appraiser

Submitted and approved by the Advisory Committee
8th March, 1944. *YB*

Reg. No. 13237

Kiyuji NISHIYAMA

Jan. 19, 1944

ITEMS OF NO VALUE

- 1 L inoleum rug
- 4 floor mats
- quantity hop wire
- 2 cross cut saws
- 2 kitchen stoves
- 2 step ladders

I have today examined the above mentioned articles and I am convinced that they are valueless and should be abandoned

William L. Utz

MISSING ARTICLES

- 1 crow bar
- 10 berry crates

SOLD TO PACIFIC CO-OPERATIVE UNION

800 ft. lumber (odd pieces)

SHIPPED TO STORAGE JAPANESE TEMPLE
Mission. B. C.

6 boxes personal effects

*here by 9/1/44
T. J. H. H. H.*

NAME NISHIYAMA, Kiyuji

REGISTRATION NO. 13237

FILE NO. 2869

The following chattels were sold by public
auction at Mission, N. C. on January 19, 1944.

1 Cross cut saw	\$ 1.50
Umbrella stand	.25
1 Mirror	1.40
1 Table (H. H.)	1.20
Dishes	13.90
1 Ash tray stand	.75
1 Water can	.10
1 Chest of Drawers	3.75
2 Boxes sealers	.35
1 - 10 gallon barrel	1.50
1 Ironing board & glass case	.50
1 Grindstone	.90
1 Buck saw	.50
1 Gas stove (small)	1.10
1 Garden shears	1.10
1 Hand sprayer	3.50
1 Wicker basket	.30
Block and tackle	4.00
Quantity harness	1.50
Single trees	1.05
China clock	3.50
1 Arm chair (rocking)	8.00
Heater	23.00
Chesterfield and chairs	17.00
1 Card table	.70
2 Old carpets	8.50
6 Chairs	1.80
1 Lawn chair	.75
Total:	
Carried forward	102.00
Less expenses	\$
Net proceeds received:	\$

~~Members of Auctioneer's Staff~~

~~Exempted from Auctioneering District~~

~~Remarks~~

W

NAME NISHITAMA, Kiyuji

REGISTRATION NO. 13237

FILE NO. 2863

The following chattels were sold by public
 auction at Mission, D. C. on January 17, 1944.

	Brought forward	\$102.00
- 1 Chest of drawers		7.00
1 Kitchen stool		1.00
1 Duster		5.00
1 Electric heater		1.50
- 1 Lawn sprinkler		1.00
- 1 Bed		1.25
2 Bicycle carriers		1.75
- Garden tools		6.65
Quantity rhubarb boxes		3.00
1 Box glass		3.25
1 Box tools		10.90
- 1 Spring tooth harrow		4.50
4 Chairs		1.60
- 1 Bookcase (glass front)		7.90
1 Horse cart		2.00
Curtain rods		.50
Picture frame		.35
1 Keg.		.50

Total:	(Rents	\$ 3.52	
	(Auctioneer's Fee:	\$ 16.16	161.63
Less Expenses:	(Advertising & Bank Charges:	\$ 1.37	48.80
	(Movings:	27.75	
Net Proceeds Credited:			112.85

Members of Custodian Staff Present.

Mr. Ure

Extracted from Auctioneering list No.

Mission 5.

Remarks.

Reg. No. 13237

Jan. 19, 1944

Kiyuji NISHIYAMA

ITEMS OF NO VALUE

- 1 L inoleum rug
- 4 floor mats
- quantity hop wire
- 2 cross cut saws
- 2 kitchen stoves
- 2 step ladders

I have today examined the above mentioned articles and I am convinced that they are valueless and should be abandoned

William S. Ute

MISSING ARTICLES

- 1 crow bar
- 10 berry crates

SOLD TO PACIFIC CO-OPERATIVE UNION

- 800 ft. lumber (odd pieces)

SHIPPED TO STORAGE JAPANESE TEMPLE
Mission, B C.

- 6 boxes personal effects

C. J. Knock
Hobbsford, Alta
Feb 5, 1944

EVACUATION SECTION	
Rec'd	FEB 9 1944
File No.	2865
Ans.	WA
Referred	Richardson

Dept of the Sec of State
506 Royal Bank Bldg.
Vancouver, B.C.

Dear sir:—

I would like to have the
receipts of all the things sold
from my place in Mission, B.C.

You wrote to the B.C. Security in

Lethbridge that my credit up
to Dec 4th, 1943 was amount \$184.00

I would like to know ^{from} what selling
this amount was credit to us.

I also learned that my farm
equipments & furniture & migration
pump etc. has been sold since

then.

I need your attention to this matter
at once for whatever credit
balance you have for me I ^{wish} ~~am~~

to have it refunded to me for
I've more hospital and Doctor
bills which must be attended
to at once. I've ask them to
wait till I hear from you.

Your kind attention is
urgently requested.

Yours truly,

K. M. M. M.

Reg # 13237.

By.

PCU - Sale of Rhubarb
Pound, Sugar can
West Can Hop Co. Brown
Sale of Rhubarb
Sale of Horse Auction
" 3am. 1/2 p.m.
" 1/2 p.m.

3.24
329.20
45.20
125.00
35.00
126.75
10.00

50 lbs. Brown
Can Brown only paper
1945 2 p.m.
Remittance 2/2/43
LRO Coy E
Expenses sale of chattels etc
On Bal.

52.50
158.90
39.29
100.00
1.00
17.28
305.42
674.39

674.39

2865

February 14, 1944.

Mr. Kiyuji NISHIYAMA,
Registration No. 13237,
c/o Mr. John Knoch,
R. R. No. 1,
Nobleford, Alberta.

Dear Sir:

In reply to your letter of February 5, 1944, the following
is a statement of your account at this office:

By Cash:

Pacific Co-operative Union sale of rhubarb	\$ 3.24
Proceeds from sale of car	329.20
Western Canada Hop Company proceeds	45.20
Sale of truck	125.00
Sale of horse at auction	35.00
Sale of farm implements	126.75
Sale of lumber	10.00

To Cash:

Insurance Premium	\$ 52.50
Canada Permanent Mortgage Corp. payment	158.90
1942 Taxes	39.29
Remittance to you 20/2/43	100.00
Land Registry Office, Cert. of Encumbrance	1.00
Expenses re sale of chattels, etc.	17.28
B.C. Security Commission, Drs. Bigelow and Fowler...	125.00
" " " St. Michael's Hosp.	60.45
Remittance enclosed	119.97

\$674.39 \$674.39

You will note that a quantity of your chattels have been sold
and a list of articles and the prices obtained is attached for your
information. There is still a quantity of chattels to be sold at
auction and your irrigation pump, pipe and wire are still stored.

(over)

February 14, 1944.

To Mr. Kiyuji Nishiyama.

We have received an offer of \$350.00 for the sale of this outfit and would appreciate you advising us whether to accept or whether you would rather have it sold at auction. You will note that we have paid the accounts owing to Drs. Bigelow and Fowler in the amount of \$125.00 and St. Michael's Hospital \$60.45, as authorized, the balance held to your credit at this time of \$119.97 we are enclosing as requested.

We trust you will find this satisfactory and we will expect to hear from you shortly regarding your irrigation outfit.

Yours truly,

W. E. Anderson,
Farm Department.

Enc. 2.
WFA/EO

40 John Knapp
Grubbsford Alta
March 7, 1944

Dept of State of State
Vancouver B.C.

EVACUATION SECTION	
Rec'd	MAR 9 1944
File No.	2865
Ans.	W.H.
Referred	Anderson

Dear sir:-

Your February 14th letter
stating the sale of my goods and a
cheque for \$119.97 came into my hands
today to which I thank you kindly.

In reference to the offer of
sale for my irrigation outfit
for \$350.00 which is accepted may
I say to you that I am badly in need of
cash. I hope you will soon send
me this money.

Thanks again for letting me
know my account of sale.

Yours truly,
K. T. Ferguson

13237

2865

March 10, 1944.

Mr. Stevens F. Murphy,
2203 Bellevue,
West Vancouver, B. C.

Dear Sir:

Re: Kiyuji NISHIYAMA.

Subject Japanese has finally accepted the \$350.00 offered for his irrigation outfit, if paid in cash, and we would appreciate hearing from you as soon as possible.

Yours truly,

W. E. Anderson,
Farm Department.

WEA/EG

C
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P
Y

MEMORANDUM

File Nos. 2863 & 2865

10th March, 1947.

Re: Taichiro NISHI - Reg. No. 13038
Kiyuji NISHIYAMA - Reg. No. 13237

TO: Mr. Shears

FROM: W. E. Anderson

In the summer of 1945, as Mr. Ure was no longer with the Custodian, and as there was a considerable number of properties on which there still remained chattels that required liquidation, it was decided that I take on the job of cleaning them up.

From that time until May, 1946, a considerable number of auctions were held and the bulk of properties were taken care of along with those in the outlying districts of Ruskin and Whonnock. The last auction at Mission was held on the 16th May, 1945.

Prior to that time a water pump and tank which had been stored at the Pacific Co-operative Union by Kiyuji NISHIYAMA (File 2865) was brought to the Auction Room for an attempted sale of not less than \$250.00. At the first auction no reserve was announced on it but I bought it in at \$125.00.

The pump and pipe stayed in the Auction room until the late summer of 1946 to the best of my knowledge, when Mr. Harkies 'phoned me saying he had a customer who would pay \$200.00 for the equipment. As you were not available at the time, I instructed him to sell it for that price net, to the Custodian, and he was to obtain his commission over and above that. I received no further word from Mr. Harkies regarding it, and figured he was waiting for me to call on him on my next trip up to Mission, which was usual.

On my previous trip to Mission, I supplied Mr. Harkies with the inventory of chattels on File 2863, Taichiro NISHI, and informed him to liquidate same. They had been appraised by G. N. Lawrence on the 24th October, 1944, for \$112.00, but not sold.

Mr. Harkies was killed in an accident a few days after his call about the pump equipment, and before I could make the trip to Mission. Shortly after I went to Mission and was informed by Mr. Harkies' assistant that the pump equipment had been sold and that he understood Mr. Harkies had also sold the other chattels for \$125.00.

I had intended to make immediate enquiries regarding the proceeds of the pump and chattels through the Executor of Mr. Harkies Estate, but the matter was overlooked until the 5th November, 1946, at which time I wrote to Mr. J. M. Campbell, Barrister and Solicitor, at Mission.

Mr. Campbell replied on the 14th November, 1946, stating that the

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MEMORANDUM

Files 2863 & 2865

- 2 -

10th March, 1947.

Estate was not worth administering and did not appear to have any assets worth mentioning.

On the 19th November, 1946, I replied to Mr. Campbell, enquiring about Mr. Harkies' Dairy business which, Mr. Harkies, prior to his death, had informed me, he had sold to his boys under an Agreement for Sale. I requested a reply but none was forthcoming, and an overlooked "B.F." has allowed the matter to lie unattended.

I have no recollection of any other outstanding liquidation performed by Mr. Harkies.

WEA:HA

C/o J. Knack (to)
Moberford, Alta
April 5, 1944

Dept of Sect of State
Office of the Customs
Vancouver B.C.

EVACUATION SECTION	
Rec'd	APR 8 1944
File No.	2865
Ans.	WA
Referred	

Dear sir:—

I would like to know if
my irrigation ^{pump} has been sent by now.
If so, I would very much wish
you to send me the money for
it. I ~~am~~ am under doctor's care
suffering from diabetes and also had
to extract my teeth. Could you
do that for me as soon as you can?

Waiting for your reply, I remain,
Yours truly,

K. Nishijima

Reg. # 13227

2865

April 27, 1944.

Mr. Kiyuji NISHIYAMA,
Registration No. 13237,
c/o J. Knoch, Sr.,
Nobleford, Alberta.

Dear Sir:

In reply to your letter of April 5th, we regret to inform you that the party who offered to purchase your irrigation equipment has, apparently, given up the idea of purchasing as we have received no reply to our letters to him.

If you wish, however, we will offer this equipment for sale in the local newspapers and accept the highest bidder, as it should bring a very reasonable price because of the shortage.

Yours truly,

W. E. Anderson,
Farm Department.

WEA/EO

Go. J. Frank to
Hollister
May 3, 1944

Dept of Agr State
Vancouver B.C.

Dear Sir:—

Anderson

EVACUATION SECTION	
Rec'd	MAY 6 1944
File No.	2865
Att.	Anderson
Referred	Anderson

out to Anderson

Re. irrigation equipment

Your letter of April 29th came into my hand to-day and many thanks.

I was disappointed to hear that the irrigation equipment is not sold yet. I wish you to sell it.

through your best method so I can have quick service and good selling. I like to get above \$350.00 if possible, not less.

I also would like to have you invest. I get whether my gas motor sprayer has been authorized or not. This engine was bought in partnership and if it is sold I like to know the selling price for I must get the other folks have their share.

Are the rest of my farm implement
- furniture ^{for my farm} ~~subscribed~~ yet?

Please let me know. Waiting for
your immediate reply, I remain,

Yours truly,
F. M. H. H. H.
C 13237.

FROM BRITISH COLUMBIA BRANCH

Canada Permanent Mortgage Corporation

VANCOUVER, May 20th, 1944.

To Office of the Custodian,
Japanese Evacuation Section,
Royal Bank Bldg.,
CITY.

FORM NO. 260 B.C.
10-6-43

Attention of Mr. Richardson.

Re: Loan No. 3047-C - Kyu-je Nishiyama,
Mission, B. C.

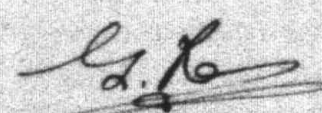
Dear Sirs:

Further to our recent conversation in this connection, we wish to advise that the amount required to secure discharge of the above mortgage, if payment is received by June 1st, 1944 is \$952.60 made up as follows:

Principal	\$850.00
Interest to October 1st, 1943	52.85
Interest to June 1st, 1944	34.00
Consideration - 3 mos. Int.	12.75
Discharge Fee	3.00
	<u>\$952.60</u>

Yours truly,

H. G. FORSON, Manager,

Per: 

DLP
E. & O. E.

MAY 22 1944

Canada

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

AUG 19 1944

506 Royal Bank Building,
Vancouver, B. C.File No. 2865
Reg. No. 13237

Mr. Kiyaji NISHIYAMA,
c/o Mr. John Knoch,
R. R. #1,
Nobleford, Alta.

Dear Sir:

Re: Municipality of Mission, Lot 5 South West Quarter
Section 20, Tp. 17 Map 905, District of New
Westminster, C. of T. 42618E.

You have previously been advised that a sale of lands in rural districts was entered into between this Department and The Director, The Veterans' Land Act.

Due to the size of this transaction, the arrangements for same and the completion of the transfer have taken a considerable time. Negotiations were started in the early part of 1943 and were based upon valuations made by qualified appraisers and on the basis of a sale effective as at January 1st of that year. This means that the 1943 revenues from the property were for the benefit of the purchasers, but that taxes, fire insurance and other operating charges were assumed by them.

The following is a statement showing the sale price and adjustments:

Sale price of above described property	\$ 2,343.00
Add:	42.22
Unexpired insurance premium as at January 1st, 1943	2,385.22

Less:	
Tax arrears to December 31st, 1942	\$ 3.00
Registration fee	850.00
Encumbrance—Principal	102.60
—Interest	955.60
Net proceeds of sale	1,429.62

This amount has been placed to your credit and a statement of your account is endorsed hereon showing the present balance on our books. A small amount for legal fees in connection with the conveyance to the Veterans' land will be charged later.

Yours truly,

F. G. SHEARS,
Director.

1943		Debit	Credit	Balance
Jan. 1	Balance Brought Forward	247.45		247.45 Dr
	Cr. re Sale of Property		1,429.62	
	Land Registry Office - Certificate of Encumbrance	2.00		
Feb. 22	Cheque to Kyuji NISHIYAMA	100.00		
24	Transfer from Car Account		329.20	
March 3	Western Can. Hop Co.		45.20	
Sept. 20	W. Scott in full re Truck		125.00	
Nov. 13	Sale of Horse		30.75	
1944				
Jan. 31	Sale of Farm Implements & Lumber		123.72	
Feb. 15	Refund to B. C. Security Commission	185.45		
	Cheque to Kyuji NISHIYAMA	119.97		
March 3	Proceeds of Auction Sale		112.85	
8	Pacific Co-op Union Interest on Shares		1.60	
8	" " " " " " " "		.04	
May 11	Refund Insurance Premium		1.68	
19	Cheque to Kyuji NISHIYAMA	113.59		
		768.46	2,199.66	
				1,431.20 Cr

MEMORANDUM

File No. 2865

October 30th, 1944.

To: Mr. Shears

From: Mr. Anderson

Re: Kiyu NISHTYAMA

Subject Japanese declared ownership of a Beatty Electric Pump with $\frac{1}{2}$ H. P. Motor, 100 gallon pressure tank, capacity 600 gallons per hour, 2400 ft. of electric wire and 800 ft. of 1 inch and $1\frac{1}{2}$ inch pipe. Subject Japanese moved the pump tank and the pipe into the back of the Pacific Co-operative Union warehouse prior to evacuation, while the electric wire was strung on poles on his property.

Last year he wrote asking us to sell this equipment complete for \$500.00. We were unable to locate a purchaser who would offer more than \$350.00. Subject Japanese finally agreed to sell at this price but so much time elapsed the party was no longer interested.

As the electric wire is strung on the property, the policy carried out included it in the sale of property to the Veterans' Land Act.

I inspected the pump outfit and the pipe at the Pacific Co-operative Union. The pump and tank are in excellent condition, but the pipe, except for three lengths, is useless. It is apparent, however, that the greater portion of the pipe has disappeared and, according to officials of the Pacific Co-operative Union, must have been stolen as the warehouse is usually open. The pump equipment new cost \$314.00 and the 60 ft. of pipe new cost only \$12.00.

Mr. Windebank of Mission sold this equipment to subject Japanese in the spring of 1940, but is now willing to pay \$250.00 for the pump outfit and pipe.

Please advise.

WEA:OH

MEMORANDUM RE SALE OF CHATTELS

(Apart from Auction Sales)

FILE NO: 2865

NAME: NISHIYAMA Kiyuji

DATE ADVERTISED: _____
(or other information)

APPRAISER'S NAME: A. H. LAWRENCE

VALUATION: \$126.75

PURCHASE PRICE: \$126.75

COMMITTEE'S APPROVAL: March 8th, 1944

PURCHASER'S FULL NAME: A. GAUTHIER

ADDRESS: 574 Hurd Road, Mission

OCCUPATION:

BILL OF SALE REQUIRED:	YES	NO
(state if purchase		
price already paid or	Paid in full	
arrangements made)		

ENCUMBRANCES, IF ANY: _____

LIST OF CHATTELS SOLD: Household chattels and farm tools and equipment.

MEMORANDUM

File No. 2865

May 22nd, 1945.

TO: Mr. W. E. Anderson

FROM: Mr. H. P. Green

RE: Kiyuji NISHIYAMA

No answers were received to our call for tenders on April 30th for the electric pump, etc. This should therefore either be offered for sale at auction at Mission with a reserve of \$250.00, or any other direct offer over this sum referred to Mr. Wright who would therefore approve it.

probably

HFG:LEM

July 10, 1945.

Mr. Kiyuji NISHIYAMA,
Registration No. 13237,
c/o Mr. John Knoch,
R. R. #1,
Nobleford, Alta.

Dear Sir:

Your request for a full statement covering the disposition of your chattels has been forwarded through the British Columbia Security Commission.

On February 14, 1944, an itemized list of chattels sold to the tenant by appraisal was forwarded to you. We later sent you an itemized statement of the chattels sold at auction, netting \$112.85. If these have not reached you, kindly let us know and we will send you copies of these statements.

Your Dobbin's Sprayer was sold through the John I. Haas Roy Company for the sum of \$50.00, which will be credited to your account soon.

Your irrigation outfit, although it has been advertised for sale by tender, has not been sold as yet, as no bids were received. We are, however, optimistic that it will be sold soon, at which time you will be notified.

We trust this answers your inquiry, but if any further information is required, we will answer to the best of our ability.

Yours truly,

WEA/FM

W. E. Anderson,
Administration Department.

2863 & 2865

5th November, 1946.

James M. Campbell, Esq.,
Barrister & Solicitor,
Mission, B.C.

Dear Sir:

Re: Estate of the late J. Harkins.

It is brought to our attention that settlement was not made to this office by the above relative to certain goods sold by auction and appraisal pertaining to different Japanese accounts under administration.

Would you please advise us as soon as possible to whom claims should be filed in this matter, and if possible the condition of the Estate in regard to obtaining settlement.

Yours truly,

W.E. Anderson,
Office of the Custodian.

WEA:HA

JAMES M. CAMPBELL
BARRISTER & SOLICITOR
P. O. DRAWER 501
MISSION CITY, BRITISH COLUMBIA

EVACUATION SECTION	
NOV 16 1946	
File No. 2863/2865	
Ans.	
Referred	Anderson

14th November, 1946.

YOUR FILE: 2863 & 2865

The Custodian,
Japanese Evacuation Section
506 Royal Bank Building,
VANCOUVER, B.C.

ATTENTION: MR. W.E. ANDERSON

Dear Sir:

RE: ESTATE OF THE LATE J. HARKIES

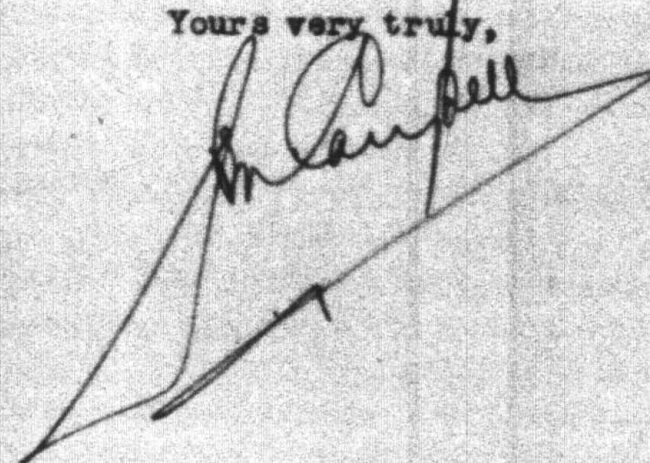
Yours of the 5th.

It is very unfortunate that you did not make settlement with Mr. Harkies. The only thing I can find are debts and I have taken no steps at all towards obtaining Letters of Administration.

Harkies was estranged from his wife and family for about two years prior to his death and the family are living on a rented farm. The two boys have been running the dairy for the last five years. The car that Harkies owned was mortgaged for over \$500.00 to a finance Company.

Briefly, the Estate is not one in which I am very anxious to take any part in as I cannot find anything worth administering.

Yours very truly,



JMC:VW

19th November, 1946.

James M. Campbell, Esq.,
Barrister & Solicitor,
P.O. Drawer 501,
Mission City, B.C.

Dear Sirs

Re: Estate of the late J. Harkies

I wish to thank you for your letter of the 14th November, and was certainly surprised at the information contained therein.

The accounts outstanding with this office by Mr. Harkies were Trust funds derived from the sale of goods sold by auction and appraisal by him, and as I was talking to him just prior to his death when he informed me he had made collection for the sale of certain equipment, it is hard to realise that these funds were not in his possession at the time of his death.

The last time I was in Mission, while talking to him, he informed me that for the past several years he had paid wages to his boys to run the Dairy business, but a few days prior had sold the complete business to them under an Agreement for Sale, which although it had a small down payment, according to him would give them a real start and something worth while.

If you are unable to find any details regarding this Agreement for Sale, I would appreciate your advising as soon as possible so that an investigation can be made from this end.

Yours truly,

W.E. Anderson,
Administration Dept.

WEA:HA

Diamond City, Alberta.
February 17th, 1947.

Dept. of Labour,
Dominion Government.,
Ottawa, Canada.

Dear Sir:

The Statement in the newspaper concerning the Japanese property prompted me to write. I feel that my property has been misjudged, so I would like you to reconsider the matter.

In 1921, I mortgaged my land, which consisted of a small house and ten acres of land, to the Canada Permanent Mortgaged Co. for a value of \$1,800. Of the above 10 acres only 5 acres were cleared. Ever since then, I have been paying the interest and in some prosperous years I also paid part of the principal.

The remaining profits which I procured were used in improving the land. In 1936, I constructed a 1½ story frame-stucco house and a garage to match; also put in a large lawn and flower beds. I planted approximately 200 large and small fruit trees. I took care of them for 8 years and was expecting my first crop from them the year we were evacuated.

I planted 2 acres of hops which rendered only one crop. I also have a \$150 share for the dry kale.

In hot summer months most farmers suffered from drought but fortunately I had spring water emerging from the corner of my land. I took this opportunity by installing a Beattie electrical pump and equipments costing \$1,200, two years before evacuation. Therefore I was quite certain in producing an excellent crop. The pump is now at the Pacific Co-operative Association and the Custodian knows the situation very well.

I had put in 40 truck loads of manure into the land 5 months before evacuation. With only 3 days' notice I was forced to evacuate. This gave me no time to make a sale. The 1,000 lb limit on baggages prevented me from bringing many commodities.

Being of old age with 3 girls and 2 school boys I could not meet my yearly expenditure with the amount of income. The two boys' life insurance was taken out and used for purchasing food. The proceeds from the sale of personal properties by the Custodian was used for food and for paying to the hospital.

Finally an information on the sale of land at \$2,385.00 reached me. From the above amount a sum of \$800 was extracted to balance the remaining principal I owed to the mortgage Co.

Yours faithfully,
[Signature]

There were many people offering \$10,000 cash for my property but my intention was to live on it till I die so I refused it unless the buyer was willing to pay \$15,000 cash. It appears to me that both the land and the tools should be worth \$12,000 because that amount has been put in.

Here is one of the example of what I think is unjust. The tenant who is looking after my property wrote me that she and her neighbor wanted to buy my horse. She was willing to pay up to \$75 but the Custodian told her it was sold. Later a statement came from the Custodian replying that the horse was sold at an auction for \$35.

Another example is: "I had a whole years' supply of fire wood piled up but did not get any information nor money for them. the fact that my farm has been well cared for can be proven because the tenant was still there last summer, and I think they are still there. There is many more of accounted for in detail, but I will exclude it in this letter.

I still have one daughter who is not healthy and one son who is still attending school. Now I am old and can't earn enough to get along, but I do not wanted my children to grow on relief. Therefore I hope you would kindly look into the matter and help me as much as possible.

Will be waiting for a result. I trust this gives a sufficient information but if anything is lacking, please inquire about them.

Yours truly,

K.Nishiyama.

Copy/HL

574 Third Road Mission

Municipality of Mission, Lot 5 South West Quarter Section 20,
Tp, 17 Map 905, District of New Westminster, C. of T. 42618E.

1961 Rental \$500
1963 " " 1000

7th March, 1947.

Hal Menzies, Esq.,
Haney, B.C.

Dear Mr. Menzies,

Re: 574 Hurd Road, Mission.
Lot 5, S.W. 1/4 Sec. 20, Tp. 17, Map 905, D.N.W.
Municipality of Mission.

As advised you over the telephone, I have had a request from Ottawa that a further inspection be made of the above property.

The property consists of 9.56 acres. The information is that about 5 acres was cultivated, two acres of hops and 200 or 300 small fruit trees. There are a number of buildings on the property including 1 1/2 storey frame stucco house, garage, barn and sheds. Spring water on the corner of the land.

This property was sold to the Director, the Veterans' Land Act for \$2,343.00. At one time there was a mortgage of \$1,800.- on this property and the balance of \$950.- was paid off at the time of the sale.

The Japanese, whose name is Kiyuji Nishiyama, states that there were people offering \$10,000.- cash for this property but he refused to sell but would have been willing to have accepted \$15,000.- cash. He states that the land and tools should at least be worth \$12,000.- because that amount has been put in.

As soon as you are able to inspect this property I would like to call a meeting of the Advisory Committee to consider your report in regard to this and the Tamake property which I understand you have now inspected.

Yours very truly,

F. G. Shears,
Director.

11-11-11

Rec'd MAR 7 1947
File No. 2865
7/3/47
H.A. Shears

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
FILE NO. J-175

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
March 4, 1947

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

Re: Kiyu-i NISHIYAMA

Dear Mr. Shears:

We enclose herewith copy of communication received from Mr. A. MacNamara, Deputy Minister of Labour, under date of 24th ultimo, together with copy of letter addressed to the Labour Department by K. Nishiyama, under date of February 17, 1947.

It would be appreciated if you would let us have a report on this case. If there is not sufficient evidence on file, kindly have Mr. Menzies inspect the property and a report should then be submitted to the Advisory Committee.

We would appreciate receiving their findings, in duplicate.

Yours very truly,


K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

MEMORANDUM

File Nos. 2863 & 2865

10th March, 1947.

Re: Taichiro NISHI - Reg. No. 13038
Kiyuji NISHIYAMA - Reg. No. 13237

TO: Mr. Shears

FROM: W.E. Anderson

In the summer of 1945, as Mr. Ure was no longer with the Custodian, and as there was a considerable number of properties on which there still remained chattels that required liquidation, it was decided that I take on the job of cleaning them up.

From that time until May, 1946, a considerable number of auctions were held and the bulk of properties were taken care of along with those in the outlying districts of Ruskin and Whonnoek. The last auction at Mission was held on the 16th May, 1945.

Prior to that time a water pump and tank which had been stored at the Pacific Co-operative Union by Kiyuji NISHIYAMA (File 2865) was brought to the Auction Room for an attempted sale of not less than \$250.00. At the first auction no reserve was announced on it but I bought it in at \$125.00.

The pump and pipe stayed in the Auction room until the late summer of 1946 to the best of my knowledge, when Mr. Harkies phoned me saying he had a customer who would pay \$200.00 for the equipment. As you were not available at the time, I instructed him to sell it for that price net, to the Custodian, and he was to obtain his commission over and above that. I received no further word from Mr. Harkies regarding it, and figured he was waiting for me to call on him on my next trip up to Mission, which was usual.

On my previous trip to Mission, I supplied Mr. Harkies with the inventory of chattels on File 2863, Taichiro NISHI, and informed him to liquidate same. They had been appraised by G.N. Lawrence on the 24th October, 1944, for \$112.00, but not sold.

Mr. Harkies was killed in an accident a few days after his call about the pump equipment, and before I could make the trip to Mission. Shortly after I went to Mission and was informed by Mr. Harkies' assistant that the pump equipment had been sold and that he understood Mr. Harkies had also sold the other chattels for \$125.00.

I had intended to make immediate enquiries regarding the proceeds of the pump and chattels through the Executor of Mr. Harkies Estate, but the matter was overlooked until the 5th November, 1946, at which time I wrote to Mr. J.M. Campbell, Barrister and Solicitor, at Mission.

Mr. Campbell replied on the 14th November, 1946, stating that the

MEMORANDUM

Files 2863 & 2865

- 2 -

10th March, 1947.

Estate was not worth administering and did not appear to have any assets worth mentioning.

On the 19th November, 1946, I replied to Mr. Campbell, enquiring about Mr. Harkies' Dairy business which, Mr. Harkies, prior to his death, had informed me, he had sold to his boys under an Agreement for Sale. I requested a reply but none was forthcoming, and an overlooked B.F. has allowed the matter to lie unattended.

I have no recollection of any other outstanding liquidation performed by Mr. Harkies.

WEA:HA

2865
2863

10th March, 1947.

J.M. Campbell, Esq.,
Barrister, Solicitor &c.,
Mission, B.C.

Dear Mr. Campbell,

Re: Estate of J. Harkies.

My attention has been drawn to the fact that certain Custodian goods were sold at auction by the late Mr. J. Harkies and remain unaccounted for. I understand that Mr. Harkies died a few days after the auction was held and that you are administering the estate.

According to our file (#2865 - Nishiyama) a water pump and tank were sold to net the Custodian \$200.- and our file (#2863 Nishi) shows the following goods were sold for \$125.00:

- 1 Horse Single Plow
- 1 Range
- 1 Section Drag Harrow
- 1 Hand Cultivator
- 1 Horse Collar, Bridle etc.
- 1 Horse, app. 11 yrs. old.
- 1 Set 240 lb. Scales
- 1 5-Gal. Hand Sprayer
- 1 Large Fork
- 1 Duster
- 1 Cross Cut Saw
- 1 Cultivator Spring Tooth
- 2 Kitchen Chairs
- Assorted Garden Tools

Will you please advise us the present position of this matter.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

FILES #2865 and 2863

C
O
P
Y

JAMES M. CAMPBELL
Barrister & Solicitor
P.O. Drawer 501
Mission City, British Columbia

11th March, 1947.

The Custodian,
Japanese Evacuation Section,
605 Royal Bank Building,
VANCOUVER, B.C.

ATTENTION: MR. SHEARS

Dear Sir:

RE: YOUR FILES 2865 and 2863
ESTATE OF J. HARKIES

Yours of the 10th.

I have not done anything in this Estate as it is absolutely a bunch of liabilities. Harkies had plenty of family trouble and his wife kicked him out about five years ago. He only rented the farm and this was turned over to the boys, who operated it from that time and Harkies confined himself to the business of an auctioneer, besides doing considerable running around.

There was no cash on hand as far as I know and the only thing I have ever been able to find are debts, so I see no cause to take out Letters of Administration of a bankrupt Estate. That is the way I see it. The next time I am in I will call on you and maybe I can explain it better.

Yours truly,

(signed) "J.M. Campbell"

J.M.C/VW

Fire, Theft, Automobile
Sickness and Accident
Plate Glass and Burglary
Insurance

Sun Life Insurance
Company's Agencies

Office Phone 105

The Oldest Established Agency in the District

Residence Phone 63M

Hal Menzies

REAL ESTATE and INSURANCE

• • HANEY, B.C. • •

Notary Public
Conveyances
Loans and Appraisals

File 2865
March 12th, 1947

Mr. F.G. Shears, Director,
Office of the Custodian,
Vancouver, B.C.

Dear Mr. Shears:

Hurd Road
re: Hurd Road Property, Mission, B.C.

Replying to your letter of March 7th, I have made an inspection of the above property and find that it is located on the bench lands one and a half miles west of Mission in a rather desirable location for a home. The soil is first-class chocolate loam but the farm generally is of course in a rundown condition.

The home is pink stucco, 24 x 28 feet, built ten or twelve years, with a lawn in front and a garage 12x20 feet on a corner of the lawn, also finished in stucco. There is a stone foundation for an ornamental fence; the foundation only was completed and averages about 2 feet high by 18 inches wide. The house unfortunately was built without a basement and concrete brought right down to the cement wall with no ventilation provided, in consequence of which the bottom of the wall studding and the foundation plate between the studding and cement appear to be completed rotted away, and undoubtedly considerable dry rot must prevail in all the foundation as is evidenced by the fact that the house has settled permitting the chimney to protrude slightly causing cracks in the walls and disturbing the flashing. The roof has been leaking badly particularly over the kitchen staining the ceiling. The house looks well from the outside but is very light construction, apparently 2x4 rafters, etc.

There is a cement cellar pit under the kitchen, 8x12 feet, reached by a trap door in the floor. The house is plastered inside, much in need of decorating but there is no plumbing except town water piped to the kitchen sink.

The outbuildings are of unusually poor construction and consist of a woodshed 14 x 22 feet; storage shed 14x24 feet with a 10 x 12 addition for stabling a team. A small

Mr. F.G. Shears - (2)

chicken house 8 x 15 feet. All of these buildings are unpainted, finished with one board shiplap and roofed with shingles. There is a picker's house 24 x 24 feet, walls of one board only and that a very poor grade of rough lumber. Inside building paper has been crudely tacked over the bare studding and the building, which is divided into 5 rooms, could only be used for summer camping or during picking season.

There is a large rhubarb shed built into a depression in the ground, the main building 14x46 feet with a lean-to 16x46 feet, and an addition attached to one end 9 x 20. This is only constructed of one board walls of low grade rough lumber and is of little or no value to an ordinary farm.

There appears to be about 5 acres of the property cleared which is level and good land; the balance is very rolling and uncleared.

There are approximately 200 fairly young fruit trees consisting of 85 plums, about 40 filberts and the balance in mixed apples, cherries, pears, etc., but there are considerable blanks and quite a few stunted trees. There is about 1-3/4 acres posted and wired for hops but no evidence of plants which have been obliterated by the grass growth which has been since used for hay or pasture.

Keeping in mind the values prevailing at the time these properties were originally appraised, I would place this at,

Land -	\$1,000.00
Buildings -	<u>2,300.00</u>
Total	<u>\$3,300.00</u>

Yours truly,

St. Mary

HM*W

*Valuation based on 1910
would sell for 6500*

13th March, 1947.

MEMORANDUM

Re: 574 Hurd Road, Mission.
Lot 5, S.W. $\frac{1}{4}$ Sec. 20, Tp.17, Map 905,
D.N.W. Municipality of Mission.

In a letter dated the 17th February, 1947, addressed to the Department of Labour, copy of which had been forwarded to the Vancouver Office by Mr. K.W. Wright, Mr. Nishiyama complained about the sale price of the above property. He stated that many people had offered \$10,000.- for it but that he refused to sell and that he considered the land and tools should be worth \$12,000.- because that amount had been put into it.

Mr. Menzies stated that he had inspected this property and reported as follows:

The property is situated on the bench lands $1\frac{1}{2}$ miles west of Mission in a rather desirable location for a home.

The acreage is approximately 9.5 ac. . About 5 acres of the property is level and good land and has been cleared. The balance is very rolling and uncleared. The soil is first-class chocolate loam but the farm generally is in a run-down condition.

The house is finished in pink stucco and has a $1\frac{1}{2}$ storey building 24 x 28 feet, built about ten or twelve years ago. There is a lawn in front of the home and a garage 12 x 20 feet, on a corner of this lawn which is also finished in stucco. There is a stone foundation for an ornamental fence on two sides of the lawn, average about 2' high and 18" wide. The house was built without any basement and the concrete brought right down to the cement foundation wall with no ventilation provided, in consequence of which the wall studding and the foundation plate between the studding and the cement foundation have completely rotted away. Undoubtedly a considerable amount of dry rot must also prevail in all the foundation timbers and this is evidenced by the fact that the house has settled because cracks in the walls and disturbing the flashing and permitting the chimney to protrude slightly.

The roof has been leaking badly, particularly over the kitchen, the ceiling of which is badly stained. The tenant stated that this condition has existed for a long while.

The house has a good appearance from the outside but is of very light construction. There is a cement cellar pit under the kitchen 8 x 12 feet, reached by a trap door in the floor. The house is plastered inside but there is no plumbing except municipal water pipe to the kitchen sink.

2.

The outbuildings are of unusually poor construction consisting of a woodshed 14 x 22 feet; storage shed 14 x 24 feet with a 10 x 12 addition, and a small chicken house 8 x 15 feet. All these buildings are unpainted, finished with one board shiplap and roofed with shingles. There is a pickers house 24 x 24 feet, the walls being of one ply of very poor grade rough lumber. The building paper has been crudely tacked over the bare studding on the inside which is divided into five rooms which could only be used for summer camping or during the fruit picking season.

There is a large rhubarb shed built into a depression in the ground, the main building being 14 x 46 feet with a lean-to 16 x 46 and an addition attached to one end 9 x 20. This is only constructed of one board walls and low grade rough lumber and has little or no value to an ordinary farm.

There are approximately 200 fairly young fruit trees consisting of 85 plums, about 40 filberts and the balance mixed apples, cherries and pears, quite a few of which are stunted trees.

There is also about 1½ acres posted and wired for hops but no present evidence of plants which have been obliterated by the growth of grass.

Mr. Mensies placed the valuation of the land at \$1,000.- and the buildings at \$2,300.-, making a total of \$3,300.- and stated that a property of this type in 1942 would have been about that figure, although on the present day market the valuator might appraise the property for \$6,000.- and might possibly secure a purchaser willing to pay around \$6,500.-.

This property was included in the land sold to the Director, the Veterans' Land Act for \$2,343.00.

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.

NOV 19 1947

Pursuant to the notice issued on the 28th day of September, 1947, I submit the following claim:

- (1) NAME NISHIYAMA KIYUJI (RCMP) Reg. No. 13237
(Print) Surname Given Name
- (2) Pre-Evacuation Address 574 Hurd Road, R.R. #1, Mission City, British Columbia.
- (3) Present Address c/o Marty's Asparagus Farm, Lethbridge, Alberta, or 1412-4th Ave. S.,
Lethbridge, Alberta.
- (4) REAL ESTATE
- (a) Street Address (if any) 574 Hurd Road, R.R. #1, Mission City, B. C.
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.) Municipality of Mission
Lot 5, S. W. 1/4 Section 20, Township 17, Map 905, District of New Westminster,
Certificate of Title 426188.
- (c) Type of Real Property (cross out words which do not apply):
- (i) Farm
(ii) ~~Residence~~ Type of business Farming
(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.) Sole owner
- (e) Fair market value at date of sale (estimate this to the best of your ability):
- (i) Land - - - - - \$ 9500.00
- (ii) Buildings - - - - - \$ 5725.00
15225.00
- (iii) If business, put value on business as going concern
(including land and buildings, tenancies, chattels,
fixtures, stock-in-trade, goodwill and accounts re-
ceivable) - - - - - \$
- (iv) Total value (if you cannot give separate values for lands and buildings just
fill in total value) - - - - - \$ 15,225.00
- (v) Amount at which Custodian sold property and credited your account - - - \$ 2,343.00
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 12,882.00
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
Residence and farm
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
Residence and farm buildings
- (c) How stored or packed at time of evacuation Left for disposition by Custodian.

(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")

In no one's care

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

1. Estimated Value \$ See list attached

2. Estimated Value \$

3. Estimated Value \$

4. Estimated Value \$

5. Estimated Value \$

6. Estimated Value \$

7. Estimated Value \$

8. Estimated Value \$

9. Estimated Value \$

10. Estimated Value \$

TOTAL CLAIM FOR PROPERTY LOSS \$

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))

(6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no

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

TO WIT:

KIYUJI NISHIYAMA,

of the City of the Province of Alberta

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 City of Lethbridge,

in the Province of Alberta,

this 13th day of November,

A.D. 1947.

A Commissioner &c.

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.

Farm Appraisal Report

File No. 2527

EXHIBIT No. 4903

DATE 21 Mar. 1948

FILED BY W. B. Huchette

Land Description Blk. 5, SW 1/4 Sec 20, Tp. 17- Mission Man.

Containing 9.56

Acres

Owner's Name K. Nishyama

Post Office Address Mission, B.C.

Nearest Rail Point Mission.

Distance 1 1/2 m.

Market Town Mission

Distance 1 1/2 m.

Church (give denomination) All denominations

Distance Mission.

Nearest School Mission (Bus available)

Distance 1 1/2 m.

State how property was identified: Tenant Gauthier pointed out line, map, fences.

Roads: State whether property has access to main road, the kind of road and its condition.

On very fair gravelled road. Too steep for access south of here must go round by Dewdney Trunk.

Is this district a good one? When berries are good in price, yes, when not it is not.

Employment opportunity: Seasonal berry picking, some canerry work available.

Steady sawmill and logging work about 8 miles away for a few.

Predominating Nationality and religion: British, many "ar" farms scattered, Protestant.

Describe Fencing and its condition: Well and serviceably fenced on 3 lines, with land

Water supply: City water and electric light

Value with land

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	30x20	Stucco	9' eave	Shingle	4 yrs	Conc.	V. Fair	2000.00
Stucco garage	14x20	Stucco	8' "	"	"	"	Good	150.00
U. Shop	14x22	Frame	8' "	"	Med.	Wood	Fair	100.00
BARN & shed	14x20x10	"	8' "	"	Old	Wood	Shed	11
attached L.P. - 2x14	"	"	8' "	"	Old	"	"	"
Manhouse	8x12	"	8' "	"	"	"	Poor	10.00
Pack. Shed	14x20	Fr. No floor	8' "	"	Med.	Wood	Fair	10.00
Pickers house	14x20	Frame	9' "	"	Med.	Wood	Fair	1000.00
Pickers house and below Rhubarb	"	"	"	"	"	"	Fair.	"
Shed.	16x10	Frame	11'	"	"	Wood	Conc.	100.00
Lot.	16x10	"	8'	"	"	"	"	"
	x							

Total present day value \$ 2570.00

Total Value Buildings add to farm

\$ 1480.00

Is dwelling habitable without repairs? Yes. If not what is your approximate estimate of cost to make it

habitable? Settling a round chimney. \$35.00 to pack up.

Describe the basement and chimneys: 2nd basement conc. floor and walls, trap entrance.

No. rooms downstairs? 5 Upstairs? 5 How finished Plaster in, cheap stucco out.

Are buildings painted? House & garage only Condition of paint Good

Distance from nearest bush None near.

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

Cultivated Land

BC/672-P

(2)

ACRES	LEVEL, UNULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
9.61	Level, & Rolling at back	8" lt. loam Clay		Good berries hops, rhubarb, asparagus 2 ac. straw, 1 ac. legums, blackberries, 1 1/2 ac. hops. Orchard inter-planted black-etc.	75.00	705.75
Area which can be cultivated without cost other than for breaking.						
	LEVEL, UNULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL		VALUE PER ACRE	
Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.						
	LEVEL, UNULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE
Area Unsuitable for Cultivation.						
CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.			NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE		VALUE OF LAND PER ACRE	

Total value of Land 705.75Total added by buildings to value of farm 1400.00Total fruit trees add to value of farm (for use in orchard districts only) \$ 200.00Total value of farm 2105.75

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
In excellent tilth, "fertility looks alright though place probably heavily
commercial fertilized.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.

Poultry and small fruit. With added acreage could be made into a good sized
Nuisance weeds: farm.
None.

Give approximate detail and
amount of all annual taxes and
names of Taxing Authorities:

Municipal Assn. - \$35.72.

Date: May 11, 1948
Place: Chilliwack, B.C.

I certify that the above report is based on a personal examination
of the whole farm made on the 6th day of May 19 48.

Inspector's Signature

Note: (Use Form 43 (Sheet 2) in connection with this form.)

Farm Appraisal Report

Remarks: This property is nicely located on a very fair but untravelled road. It is situated fairly close to Highway 97 but there is such a steep drop cars must go northward over a road known as Sawdust Road which is also quite a good gravelled road. Soil is a nice friable medium loam with good subsoil and looks suitable for berries or other ordinary purposes. It is in mod. early fall for berries.

The buildings for most part are suitable. House is quite a good one but has settled quite a bit in centre though quite habitable as it stands. It is on the whole almost a show place with decent lawn flower garden, concrete walk, cone and stone wall around front yard. Garage is similarly built. Other buildings are fairly ordinary run of Jap farms though serviceable for most part on a berry farm. Pickers houses are in none too good shape for that purpose with large one set up high and a rhabash forcing shed below partly below level of ground. I have no most building value added to farm as a suitable house could be built for less money than this, pickers houses would be rebuilt by some whites doing away with rhabash shed in one and a sort of a stable or storage basement under the other.

The place is served with city water piped into kitchen bath,
in house and also has electric light in use.

and also has electric light in use.
It is quite likely the place has built this valuable house.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation.

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

ORCHARDS, SMALL FRUITS, ETC.

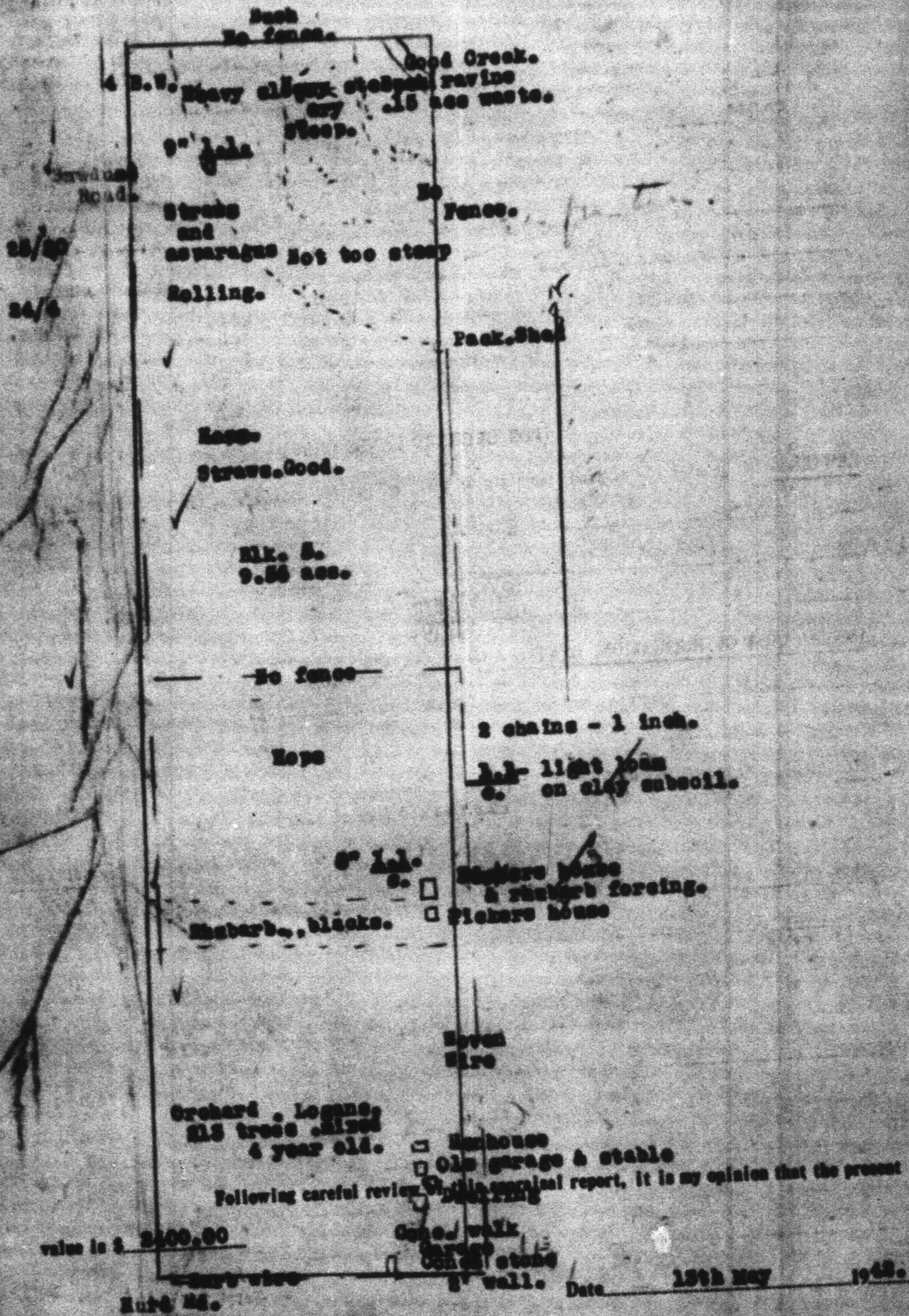
(Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

	Present Value
<u>225 mixed fruit trees mostly young</u>	<u>\$ 800.00</u>
Total \$	<u>800.00</u>

Amount fruit trees add to value of farm \$.....

④

Diagram of Property



"I. T. BARNETT"
District Superintendent.

BRIEF

Notes in Defence

Kiyuichi NISHIYAMA

File No. 2865

Case No. 490

Lethbridge
31 March 1948

V.L.A. DEAL

Claims:

1. V.L.A. Land and Buildings
2. Personal Chattels

Claim 1:-

	Sold for	Claim
Land 9500.00		
Buildings <u>5725.00</u>		
15225.00	2,343.00	12,882.00

Trans. P. 2 & 3 - Land valued by claimant at 1000.00 an acre, a large part of which is for 250 fruit and nut trees planted in 1935, which would produce an average of 10.00 per tree per year gross. These were valued by S.S.B. appraiser at 1.00 each.

P. 5 - Claimant's counsel re appraiser's remark that the house was a show place, and evidence as to only wholesale prices having been paid for materials.

Claim 2:-

	Sold for	Claim
Chattels 2364.00	508.40	1855.60
Reduced on Ex.5 by following:		
No record	218.35	
Less item 31	50.00	
See Item 99	12.00	280.35
Amended Claim		<u>1575.25</u>
Claimant credits 483.75 only: difference		24.65

The analysis of claim (see our copy Ex.6) has been recast in accordance with government counsel's submission. (Trans. Page 13).

Amount Claimed		
262.40	Sold by auction for	166.65 36%
648.25	" " tender	<u>341.75</u> 53%
1112.65		508.40
204.00	Fixtures sold with real property.	
311.45	Left with agent.	
45.50	Abandoned.	
339.40	No record at any time	✓
<u>2364.00</u>		

The water pump and pipe (525.50) and pipe fittings (95.00) were stored at P.C.U. by claimant. They were never declared, and we first knew about them when claimant asked us to sell them for him: see letter of 9 Feb. 1943. No proceeds were ever received from the sale of any of this material, and most of the pipe and fittings were stolen while lying at the PCU warehouse.

Kiyuji NISHIYAMA
Case No.490

-2-

Submission of Mr. Hunter:

Real & personal property sold for fair market value. Claims for personal property which was lost, destroyed or stolen are exorbitant. Items on inventory attached to lease (Ex.4) were left in custody, control or management of some person other than the Custodian, appointed by the owner, and accordingly only those which came into the possession, etc., of the Custodian come within the terms of reference. Excepted even if inventoried.

RWN/mw

LETHBRIDGE, ALTA.
31 March 1948.
VLA Deal

DEFENCE BRIEF

Kiyuji NISHIYAMA

File No. 2865

Case No. 490

REAL PROPERTY CLAIMS

	<u>Appraised at</u>	<u>Sold for</u>
1. <u>Real Property Claim</u>		
\$15,225.00	\$2,385.75	\$2,343.00
	Witness: Ramsey, appraiser	
	Exhibit 1 - Real property statement	
	Exhibit 2 - Photo of house	
	Exhibit 3 - Soldier Settlement Board appraisal	
	Exhibit 4 - Lease and list of loaned goods.	
	Sold for fair market value.	

PERSONAL PROPERTY CLAIMS

1. <u>Chattel Claim</u>		
\$2,364.00	(a) Goods valued by claimant at \$464.40	Sold by auction \$166.65
	Witness: J. H. Harkies, auctioneer	
		W.S. Ure - attended sale.
	(b) Goods valued at \$648.25	Sold by tender \$341.75
	Witness: Lawrence, appraiser	
	(c) Goods valued at \$662.45	Left under the custody, control or management of some one other than the Custodian, appointed by the owner of the property. (Pump valued by claimant at \$298.00 included in above amount) See Transcript Pages 9 & 10
	(d) Goods undeclared and not found	\$339.40
	(e) Goods abandoned	\$45.50
	Witness: W. S. Ure	
	(f) Goods sold with real property (fixtures)	\$204.00
	Exhibit 5 - Chattel statement	
	Exhibit 6 - Analysis of claim	
	Exhibit 7 - appraisal of Lawrence's.	

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

10

Lethbridge, Alberta,
March 31st, 1948.

IN THE MATTER OF THE CLAIM OF
KIWUJI NISHIYAMA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

W. E. HUCKVALE, Esq.,

appearing for the
claimant.

A. WATSON, Esq.,

Secretary.

B.J. HANDFORD, Esq.,

Official Interpreter.

S.R. HOWARD, Esq.,

Official Reporter.

30

K. Nishiyama,
In Chief.
Discussion.

MR. HUCKVALE: The next one, sir, is Nishiyama, No. 36
on your Lordship's list.

THE SECRETARY: This is case No. 490, Kiyuji Nishiyama.

KIYUJI NISHIYAMA, the claimant herein, being
first duly sworn, testified through the
Interpreter as follows:

DIRECT EXAMINATION BY MR. HUCKVALE:

10 Q Mr. Nishiyama, you have a claim for real property
covering Lot 5, south-west quarter of Section 20,
Township 17, Map 905, District of New Westminster?

A Yes.

Q And respecting that real property you have instructed
me to prepare that form. Is that your signature on
it? A: Yes.

Q And have you had it read over to you?

A Yes.

Q And are the particulars given in that form true and
correct to the best of your information, recollection
and belief? A: Yes.

20 MR. HUCKVALE: I submit that as Exhibit 1, my lord.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. HUCKVALE: Q: Now, Mr. Nishiyama, with respect to
this land you have valued the land alone at roughly
\$1000.00 an acre; is that correct?

A Yes.

Q Now, a large part of that sum is made up of fruit
trees, some 250 fruit and nut trees, am I right?

A Yes.

30 Q Will you just explain how you arrive at the value
you have given for those fruit trees? Tell us when

K. Nishiyama,
In Chief.

you planted them, how you cultivated them, and what they would produce?

A I think I planted the trees in 1935. From January until March every year I pruned them carefully, and then from March onward--I, also, up until March sprayed them all carefully.

Q What conditions were they in at the time you were evacuated?

10 A: At the time I left they were in splendid condition. They were all in bloom and they were in very fine condition.

Q How you say in your return in your form that these trees would produce on an average of \$10.00 per tree per year gross crop, is that correct?

A I would say it was more than that, but I put \$10.00 in the estimate.

Q How have you had much experience with the growing of fruit and the marketing of it?

A Yes, I had 30 years experience, plenty of experience.

Q Was there a readily available market for the produce of those trees?

20 A: Yes, very easily saleable, very easily marketable.

Q Is that true of the apples as well as the prunes and other trees?

A: Yes, I was concentrating on pears for canning and for prunes, a special type of prunes for jam, for making jam.

Q And have you had experience with that kind of tree before?

A: Yes, I have been able to produce a type of grapes and of different crop that the canneries were very glad to have.

30 Q Perhaps you could break down those 250 fruit trees a

K. Nishiyama,
In Chief.

bit more than you have on the form. How many trees did you have other than the prune trees? How many apples and so on?

10 A The apples, one dozen; and the sour cherries, 2 kinds, one dozen each; and there were one dozen of Maynard plums which were for the table and which were ripened for an early market; and then the sweet cherry, Royal Anne, 4 of those trees that I have just named, and also one dozen of yellow table prunes, of which I have forgotten the name for a moment; and then there were 6 dozen filbert nut trees that came in from America and which I increased as they grew. These filbert trees produced about 100 pounds each for the three years prior to my evacuation.

Q Now, the other crops that you have listed in this form, what condition were they in at the time you left?

A They were all in very fine condition.

Q Was your land suitable for the growing of asparagus?

20 A Yes, it was very suitable for asparagus. At the time I left there were about three-quarters of an acre under asparagus.

Q Now you claim for a house that you say you built in 1937. I want to show you this picture. Is that a picture of your house? A: Yes.

Q When was that picture taken?

A This picture was taken by the tenant and I think it was taken in 1943.

Q About 1943? A: Yes.

30 Q And is that stone wall which appears in the picture the stone wall you had built yourself or had built

K. Nishiyama,
In Chief.

for you?

A: No, this was done by

a professional whom I hired.

Q But it is on your property, is it?

A Yes.

MR. HUCKVALE: I tender that, sir.

(PHOTOGRAPH MARKED EXHIBIT NO. 2).

MR. HUCKVALE: Now, perhaps my friend would produce, on behalf of the Crown, the appraiser's report at this time, sir.

10

(REPORT MARKED EXHIBIT NO. 3).

MR. HUCKVALE: I would just like to make one or two comments on this, my lord. In the first place, on page 3, the appraiser says he has 213 trees which he values at only \$1.00 each. Then also on page 3 I extract this remark, "It is on the whole almost a show place with decent lawn, flower garden, concrete walk, concrete and stone wall around front yard".

20

Q Now, Mr. Nishiyama, in your form with respect to your house and garage, you state that most of the materials were purchased wholesale. Will you tell me how you could get material for the house and garage at wholesale rates?

A: I owned

/ a hardware and grocery store and a 15 cent store, and as an operator of such stores I could purchase material at wholesale prices.

Q And are these figures you have given for the material that went into your house actual cost at wholesale prices?

A: Yes, those are the

wholesale prices.

30

Q Now when you left your place, Mr. Nishiyama, you

H. Nishiyama,
In Chief.

entered into a lease with a woman named Annie Gauthier?

A: Yes.

Q And this is the copy, your copy of the lease which bears your signature and Annie Gauthier's signature?

A Yes.

10 MR. HUCKVALE: I am going to put this in, my lord, and I am merely going to point out that the lease is for Lot 5, excepting 2 acres to hope that he reserved himself, and it is subject to his re-entry at any time. It is for a term of 10 months and under the lease the lessee covenants to pay rent and to repair. And further down, the lessee further covenants to surrender the said house to the lessor immediately on his return. Again the lessee acknowledges receipt of certain farm implements and equipment identified by a written list signed by the lessee. And the lessee goes on to covenant to protect and preserve all ^{and} orchard/fruit trees. I tender that document, sir.

(LEASE MARKED EXHIBIT NO. 4).

20 MR. HUCKVALE: Q: Did you live in the Mission District for many years before evacuation, Mr. Nishiyama?

A I came there when I was 29.

Q You came there when you were 29?

A Yes.

Q How old are you now? A: Therefore I was there for about 23 or 4 years.

Q What would you say about this farm in comparison with other farms in that district?

30 THE COMMISSIONER: He has stated all that in the statement.

E. Nishiyama,
In Chief.

MR. HUCKVALE: Yes, sir.

THE COMMISSIONER: Then why repeat it?

MR. HUCKVALE: I just wanted to get his experience on the record.

THE COMMISSIONER: It is on the record now in his statement.

MR. HUCKVALE: If that is good enough, it is good enough for me.

THE COMMISSIONER: There is no reason to go into that detail unless you are very anxious to do it.

10 MR. HUCKVALE: No, I don't want to take any longer than necessary, sir.

Q Now, you also, Mr. Nishiyama, filed a claim for personal property? At Yes.

Q And you attached to your claim a list of those items?

A Yes.

Q Are you prepared to swear that all those items were left on the farm at the time you left?

A Yes, they were all left there. *but not declared*

Q And with respect to those chattels, you instructed me to prepare that form (indicating)?

20 A Yes.

Q And that is your signature on the form? And is it true and correct, according to your best recollection and belief? At Yes.

MR. HUCKVALE: I tender that, my lord.

(STATEMENT MARKED EXHIBIT NO. 5).

MR. HUCKVALE: My learned friend is filing the analysis of the personal property claim.

MR. HUNTER: Yes.

30

(ANALYSIS MARKED EXHIBIT NO. 6).

8

K. Nishiyama,
In Chief.

MR. HUCKVALE: Perhaps I could call your attention, my lord, to a very minor error in the personal property analysis. It is down as 10 cords of 9-foot wood, it should be 8-foot wood. I think it is a typographical error on the Custodian's part. And then the next item, 16-foot long, that should be 16 inches.

10 Now, sir, I am in a quandary with respect to certain matters in this analysis, and perhaps one of the most important concerns items 24 to 28 inclusive, and from the analysis it appears that eventually a sale of that pump was made but no moneys were collected. Now where the pump is, or where the money is, the analysis seems to be silent.

THE COMMISSIONER: Is this another case of the sale of this pump as a fixture?

MR. HUCKVALE: No, it was sold as a chattel. It is on the Custodian's file, my lord, and there is certain correspondence on that file dealing with this pump and pipe, and apparently there was a controversy
20 between the claimant and the Custodian over the proper value of it. Eventually the pipe was stolen but the pump was sold for \$200.00 to somebody who apparently never paid the money.

MR. HENTON: If your Lordship wishes, I will explain what did happen.

THE COMMISSIONER: It might be as well to put it on the record.

MR. HUNTER: It was appraised at \$250.00, my lord, and advertised for sale and the highest offer we could
30 get -- I am sorry, it was put up for sale by auction

with a reserve bid of \$250.00. We didn't get any bid high enough and it finally was sold for \$200.00 to Mr. Harkies. Mr. Harkies forthwith re-sold it, promptly died, and his estate was insolvent or at least had no assets, so that we were never able to collect the money. And the pipe was lost or stolen, most of it.

10 THE COMMISSIONER: Under those conditions I suppose the Custodian concedes that the claim to the amount of the sale price should be charged to the Custodian; is that the situation?

MR. HUNTER: No, my lord, I think it is the proceeds from such sale is the way that it reads.

20 THE COMMISSIONER: Well that is something that I will have to wrestle with later, but I would rather have expected that the Government would acknowledge responsibility for the amount of the money that was not collected. However, that is a matter that can be dealt with later. We have got the facts now in any case.

MR. HUNTER: It might be later that the Government will take that position, but I have no instructions in that regard.

THE COMMISSIONER: There is nothing involves you personally, Mr. Hunter.

MR. HUCKVALE: I take it, it is admitted that the pipe that went with this pump was largely stolen.

THE COMMISSIONER: That is what I understood Mr. Hunter to say when the pump was sold.

30 MR. HUCKVALE: I might say that there was an appraisal made

K. Nishiyama,
In Chief.
Discussion.

by a firm named Lawrence's of certain goods and implements. The firm is from Mission, B.C.. I would like my learned friend to file this. It merely sets out the value of those items and it corresponds nearly exactly with the amount that this claimant says they are worth in his original claim.

10 THE COMMISSIONER: I take it, Mr. Hunter, in relation to this pump, that the pump was delivered before payment was made; is that the situation? I presume it must have been if the purchaser was able to deliver it to somebody else.

MR. HUNTER: By inference, I think your Lordship is probably correct. I can't say one way or the other.

THE COMMISSIONER: Yes. Very well.

MR. HUCKVALE: That appraisal, sir, is dated the 14th of January, 1944. I take it that will go in as an exhibit.

THE COMMISSIONER: That is an appraisal of the pump?

20 MR. HUCKVALE: No, sir, this is an appraisal made by Lawrence's of certain farm implements and household goods. I am simply putting it in to compare this appraisal with this claimant's own valuations.

THE COMMISSIONER: Very well.

(APPRAISAL MARKED EXHIBIT NO. 7).

MR. HUCKVALE: Q: Now, Mr. Nishiyama, I am referring you to your claim which starts with "one check valve", and goes all the way down to here (indicating). Can you tell me whether those were part of the real property or whether they were stored or anything
p else about them?

30

A: The pipe and the pump

K. Nishiyama,
In Chief.

and all these items were left with the Pacific Union.

Q Were they boxed up or loose or what?

A They were boxed in butter boxes.

Q Now you claim also, I am referring to items 85 to 92, certain light globes, and so on; it is items 85 to 92, my lord.

A These were left in my house.

MR. HUCKVALE: My lord, I have stated on the analysis

10

that these are claimed by the Custodian as forming part of the realty. He claims them as chattels.

That is items 30 and items 85 to 92 inclusive.

Now, the only other comment, sir, that I can make with reference to this analysis and I have put it on the form, is that in many cases the analysis shows no disposition of any kind. I have listed them as far as I have been able to on the form that is filed.

MR. HUNTER: Where is that shown?

MR. HUCKVALE: If you will look at the back of the copy of the form I gave you.

20

That is all I have to ask, sir, except to point out that item 99 is admitted as part of the real estate and I have given a short analysis here, sir. That was a sink that was a fixture.

THE COMMISSIONER: Yes.

MR. HUCKVALE: I just wanted to point out that there were certain things I couldn't follow at all in the analysis.

THE COMMISSIONER: Yes, I notice your comment in Exhibit 5.

MR. HUCKVALE: Yes, sir.

30

MR. HUNTER: It is submitted that the real property, my lord,

K. Nishiyama,
Discussion.
In Chief.

was sold for its fair market value. Similarly it is submitted that the personal property was sold for its fair market value. It is submitted that claims made for personal property which was lost, destroyed or stolen was exorbitant. The assessed value of this property was land, \$624.00; improvements, \$1250.00; a total of \$1874.00. The sale price was \$2343.00. I think my learned friend has mistaken the meaning of the analysis. Many of the items which he indicates show no disposal. There was disposal. I have put the letter "T" after them indicating "tools". We haven't shown individual amounts but they are summarized at the bottom, my lord.

THE COMMISSIONER: I see.

MR. HUNTER: May I see Exhibit 4, which I believe is a lease to Mrs. Gauthier. (Lease, Exhibit 4, to Mr. Hunter). The repair clause is the usual one, my lord, reasonable wear and tear, etc.

THE COMMISSIONER: Yes.

20 MR. HUNTER: I wonder if my learned friend has the inventory which is mentioned in the lease.

MR. HUCKVALE: The only inventory I have got is that attached to the original claim, sir.

THE COMMISSIONER: Is that the same inventory that is referred to in the lease?

MR. HUCKVALE: I wouldn't like to answer that categorically, sir. I beg your pardon, I have got it, and perhaps if I could ask the witness to identify this, sir.

THE COMMISSIONER: Yes.

30 MR. HUCKVALE: Q: Would you ask him if that was the

K. Nishiyama,
Discussed on.

list attached to the lease with Annie Gauthier?

A Yes, this is the list of stuff that we agreed to loan.

Q Is that the whole list? A: Yes.

MR. HUNTER: I will put that in, if you like, on your behalf. I think, my lord, that should be attached to the lease, and form part of Exhibit 4.

THE COMMISSIONER: You propose it should be made part of Exhibit 4?

MR. HUNTER: I think it should be.

10 MR. HUCKVALE: I think perhaps that is sensible.

THE COMMISSIONER: Yes, that will be part of Exhibit 4.

(LIST IN QUESTION MARKED PART OF EXHIBIT NO. 4).

MR. HUNTER: It is submitted, my lord, that the items enumerated on the inventory attached to the lease, Exhibit 4, were left in the custody, control or management of some person other than the Custodian appointed by the owner, and that accordingly only those which came into the possession, custody, care, control or management of the Custodian came within
20 the terms of reference.

THE COMMISSIONER: That is to say if claim is made in respect of any article shown in Exhibit 4 which was not subsequently taken possession of or inventoried by the Custodian, that that cannot be the subject of a claim under the terms of reference, is that it?

MR. HUNTER: Yes, I even except the word "inventory", my lord, because they could be inventoried without coming under the custody, control or management of the Custodian.

30 THE COMMISSIONER: Yes.

K. Nishiyama,
Gross-Exam.

CROSS-EXAMINATION BY MR. HUNTER:

Q This wood, 10 cords of 8-foot wood, and 2 cords of 16-inch long wood, was that firewood?

A There were 10 cords of 8-foot, 10 cords each 8-foot long of firewood.

Q And the two cords of 16-inch long wood, was that firewood?
A: Yes, that was the dried firewood.

10 Q And did you say anything to your tenant about that firewood?
A: No, there was nothing said. I received a letter from the tenant saying that they had received permission from the Custodian to use it and that they had used it.

Q I see. Have you that letter?

A No, I believe it is lost now.

Q I see. Well now, this 2000 feet or 2000 inches, it says here, but I presume it means 2000 feet, of all sizes and lengths of lumber, which you have there, or which we have at \$50.00, where was that left?

20 A That was left in the root house. No, in the rhubarb house.

Q Was that used for repairs around the property, is that why you had it?

A Yes, that was material for repairs.

Q And did you say anything to the tenant about that?

A No, there was nothing said.

Q One bookcase with all kinds of books, \$25.00, what is the bookcase worth? That is item 105, my lord.

A \$25.00.

30 Q Pardon?

A: \$25.00.

*100 from bookcase
was in living room
and was in
1. purchased book case*

K. Nishiyama,
Cross-Exam.

Q Yes. It says here, "bookcase with all kinds of books, \$25.00"; what was it worth?

A It was a 4 piece bookcase with glass doors which lifted up.

Q Yes. And what was the bookcase worth?

A About \$16.00 or \$17.00. It may have been a little more.

Q And were the books Japanese books?

A Yes, there were some Japanese books and some books of this country.

10

Q What were they, novels or textbooks? What were they?

A Some of them were old Japanese literary classics.

Q Now item 140, Mr. Nishiyama, one gasoline motor sprayer and equipment, \$140.00. When did you buy that? I am sorry, that is shown in there as 1941. Never mind that question. That is all I have.

THE COMMISSIONER: Any re-examination?

MR. HUCKVALE: No, no re-examination, my lord.

THE COMMISSIONER: That is all then, thank you,

20

Nishiyama.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

B.R. Howard
"B.R. HOWARD"
Official Reporter.

September 26th, 1950.

Mr. Kiyuji NISHIYAMA,
1901 - 19th Street North,
Lethbridge, Alberta.

Dear Sir:

Re: Japanese Property Claims Commission
Case No. 490

We have received from the Co-Operative Committee on Japanese Canadians, Release executed by yourself covering the award recommended under the above Commission, for the sum of \$1,953.72.

Cheque for \$1,691.61 is enclosed herein, and the sum of \$262.11 has been paid to the Co-Operative Committee on Japanese Canadians for legal fees as authorized.

Yours truly,

F. G. Shears,
Director.

FGS/js
1 encl.