

3360

WHONNOCK

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: NISHIKAWA, Shimo (Mrs. Inosuke)

HOME ADDRESS: P.O. Box 184, Whonnook, B.C.

REGISTRATION NUMBER 13528 SEX: Female AGE: 39

OCCUPATION: Housewife

(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: ---

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Inosuke

ADDRESS OF WIFE OR HUSBAND: P.O. Box 184, Whonnook, B.C.

NAMES OF ANY LIVING CHILDREN: Isamu (M) Haruyo (F)

ADDRESS OF CHILDREN: P.O. Box 184, Whonnook, B.C.

AGE OF CHILDREN: 8 years 5 years

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

1. LOCATION AND DESCRIPTION: None /

2. BUILDINGS AND OTHER IMPROVEMENTS: None /

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

4. TAXES (Amount and where payable) ---

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

6. OCCUPANCY AND LEASES (If vacant so state) ---

STATEMENT OF REAL PROPERTY OCCUPIED

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: _____
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: _____
9. IF FARM LAND STATE CROPS SOWN _____

1. LOCATION AND DESCRIPTION: Four-room dwelling house on 27th Ave.,

Whonock, B.C.

2. LANDLORD'S NAME AND ADDRESS: My husband Inosuke NISHIKAWA, 27th Ave.,

Whonock, B.C.

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

4. STATE WHEREABOUTS OF LEASE: None

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

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None 1 acre potatoes, 4 acres
strawberries, 2 acres blackberries, 1 acre hops, 1 acre of fruit trees

STATEMENT OF PERSONAL PROPERTY OWNED:

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

1 Singer sewing machine in the house on 27th Ave., Whonock, B.C.

*Reported for \$123397 (husband)
Dorothy from Hawaii*

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS: None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR

CLAIM ON ANY SUCH PROPERTY: None

4. INSURANCE CARRIED ON ABOVE PROPERTY: None

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)
None

8. BANK ACCOUNTS: None

9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS: None

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None

2. TRADE DEBTS: None

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

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 13th day of April 1942.

St. Williams
Witness

(Signature) St. Williams

FOR DEPARTMENTAL USE

Name of Claimant **NISHIKAWA, Shimo**
 Custodian File **3360**

Case **229**

REAL PROPERTY										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
					998.00					1033.00
										137.00
PERSONAL PROPERTY										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
NETS										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim		Deduct Custodian Sale Price
MISCELLANEOUS CHATELS										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
			46%	106.00	48.30		48.30			
TOTAL RECOMMENDATION										1219.10

INFORMATION FROM R.C.M.P.

Date Oct. 19/43.

Our File No. 3260

Full Name NISHIKAWA (Shimo) Mrs Inosuke.
(Surname in Block Letters)

Registration No. 13528

Male - Female
(check)

Age Jan. 10, 1903

Former Address P.O. Box 184, Wharfedale, B.C.

Date Evacuated Apr. 16/42. Naturalized - Canadian-Born - National
(check)

Present Address Butterfield Butte, Alta.

Married - Single
(check)

Name of Wife -

Name of Husband Inosuke #13529

Name of Mother TANIGUCHI, Sumatou Name of Father TANIGUCHI, Shikiji

Names of Children under 16 (deceased) (deceased)

Requested by ECY? Registered with Custodian
(Yes or No)

Additional Information Owner of 16 acres, 1 house (see also husband's sheet.)

Aug. 6/48

DATE

FILED BY W. E. Huckvale

THIS INDENTURE

Made in duplicate the Eighteenth day of June in the year of our Lord one thousand nine hundred and fourteen

IN PURSUANCE OF THE REAL PROPERTY CONVEYANCE ACT**BETWEEN**

ANNETTA COOPER, wife of Joseph Cooper, of Whonnock,
District of New Westminster, in the Province of
British Columbia.

hereinafter called the Grantor,

AND

"E.H.S." INOSUKE WISHIKAWA and MORIZOH MORISHIGE

of the same place. Farmers.

hereinafter called the Grantee

WITNESSETH that in consideration of and for the sum of--FIFTEEN HUNDRED (\$1500.00)--

Dollars of lawful money of Canada now paid by the said Grantee to the said Grantor (the receipt whereof is hereby by him acknowledged), the said Grantor DOETH GRANT unto the said Grantee, his heirs and assigns, FOREVER:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the east half of the South-east Quarter of Section numbered One (1) Township Twelve (12) East of the Coast Meridian, Maple Ridge Municipality, in the Province of British Columbia, being more particularly described as follows:- Commencing at a point Six Hundred and Ninety Feet westerly from and Thirty-three (33) feet north of the Southeast Corner of said Section One (1), thence North Eighty Nine Degrees and Forty Six Minutes West (N89.46'W) and parallel to the south boundary of said Section One (1) Three Hundred Twenty Eight and Five Tenths Feet (328.5'), thence true North and parallel to the east boundary of said Section One (1) thirteen hundred and twenty and One Tenth Feet (1320.1'), thence South Eighty Nine Degrees and Forty Six Minutes East (S89.46'E) and parallel to said south boundary of Section One (1) Three Hundred Twenty Eight and Five Tenths Feet (328.5'), thence True South and parallel to said east boundary of Section One (1) Thirteen Hundred and Twenty and One Tenth Feet (1320.1') more or less to point of commencement, containing in area Nine and Ninety Five One Hundredths Acres (9.95Ac) more or less as shown outlined in red on the map or plan hereto attached.

TOGETHER with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments, belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto; and the estate, rights, title, interest, property, claim and demand of the said Grantor in, to, or upon the said premises.

TO HAVE AND TO HOLD unto the said Grantee, his heirs and assigns, to and for their sole and only use forever; SUBJECT, NEVERTHELESS, to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown.

THE said Grantor Covenants with the said Grantee that he has the right to convey the said lands to the said Grantee, notwithstanding any act of the said Grantor, and the said Grantee shall have quiet possession of the said lands, free from all encumbrances.

AND the said Grantor Covenants with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

AND the said Grantor Covenants with the said Grantee that he has done no acts to encumber the said lands.

AND the said Grantor RELEASES to the said Grantee ALL CLAIMS upon the said lands. WHEREVER the singular or masculine are used throughout this Indenture, the same shall be construed as meaning the plural or the feminine or body corporate or politic where the context or the parties hereto so require.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

SIGNED SEALED AND DELIVERED

In The Presence of

"E.H. Savage"

Broker

McLeod Bldg. New Westminster, B.C.

"Annetta Cooper"

(Seal)

FOR MAKER OR MAKERS

I HEREBY CERTIFY that personally known to me, appeared before me, and acknowledged to me that he the person mentioned in the annexed Instrument as the maker thereof, and whose name subscribed thereto as part thereto, that he know the contents thereof, and that he executed the same voluntarily, and of the full age of twenty-one years.

IN TESTIMONY WHEREOF, I have hereunto set my Hand and Seal of Office, at British Columbia, this day of in the year of Our Lord one thousand nine hundred and

DATE Aug. 6/48

FILED BY "W.E. Buckvale"

THIS INDENTURE

Made the "Thirteenth" day of "November" in the year of Our Lord one thousand nine hundred and twenty

IN PURSUANCE OF THE "REAL PROPERTY CONVEYANCE ACT"

BETWEEN

"Frank Edgar Pullen"
"of Whonnock
Farmer"

(Hereinafter called the "Grantor")

AND

"Morisoh Morishige
and "Inosuke Hishikawa
of Whonnock
Farmers"

(Hereinafter called the "Grantees")

WITNESSETH, that, in consideration of "Two Thousand Seven Hundred and Sixty-Five" Dollars of lawful money of Canada now paid by the said Grantees to the said Grantor (the receipt whereof is hereby acknowledged by the Grantor) the said Grantor Does Grant unto the said Grantees "Their" heirs and assigns FOREVER

ALL AND SINGULAR "that" certain parcel or tract of land and premises situate, lying and being "A part of Block "A" of Subdivision of part of the North East quarter of Section thirty-six in Township Eleven, in the District of New Westminster, in the province of British Columbia, more particularly described as follows:

Commencing at a point fifty links West and fifty links South of the North East Corner of said quarter section, thence West and parallel to the North boundary of said quarter section, eight chains and twenty-one links to the West boundary of said Block A, thence South following said West boundary Nineteen chains and eight-one links, thence North, eighty-two degrees East eight chains twenty-nine and a half links to the West boundary of a Road Allowance, thence North following said Westerly boundary of Road Allowance, eighteen chains fifty-seven and six tenths link, more or less to the point of commencement, and as shown outlined Red on accompanying plan signed by Kenneth L. Burnet B.C.L.S. and containing by admeasurement fifteen and three quarter acres be the same more or less."

TOGETHER with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto; and the estate, rights, title, interest, property, claim and demand of "him" the said Grantor in, to, or upon the said premises.

TO HAVE AND TO HOLD unto the said Grantees "their" heirs and assigns to and for their sole and only use forever;

SUBJECT NEVERTHELESS to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the crown.

THE said Grantor Covenants with the said Grantees that "he" has the right to convey the said lands to the said Grantees, notwithstanding any act of the said Grantor and that the said Grantees shall have quiet possession of the said lands, free from all encumbrances.

AND the said Grantor Covenants with the said Grantees that "he" will execute such further assurances of the said lands as may be requisite.

AND the said Grantor Covenants with the said Grantees that "he" has done no acts to encumber the said lands.

AND the said Grantor Releases to the said Grantees All his Claims upon the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals on the date first above mentioned.

SIGNED SEALED AND DELIVERED

IN THE PRESENCE OF

Signature of Witness	"John Brodie"
Address	Justice Peace
Occupation	Whonneck

"Frank Edgar Pullen" (Seal)

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

September 20th 1948

B. M. Seal

COPY

Farm Appraisal ReportFile No. J.L.120Land Description Part 15.75 acres of Blk. "A" of T.2N.3E.1W. Sec. 36, T.2N.3E.1W. Map 978.

Containing 15.75 Acres

Owner's Name P. Morishige *no claim* Post Office Address R.R. Whennock, B.C.

Nearest Rail Point WHENNOCK, B.C. Distance 1 1/2 miles

Market Town New Westminster (Local facilities at Basy) Distance 27 "

Church (give denomination) Basy - All Denominations Distance 7 "

Nearest School Whennock Distance 1 1/2 "

State how property was identified: Map location and corner posts.

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

Very tortuous steep gravel road - half mile to highway.Is this district a good one? Only fairEmployment opportunity Very limited - 1 small sawmill in locality.Predominating Nationality and religion: Japanese predominate.Describe Fencing and its condition: No fences

Value \$

Water supply: Available from shallow well.

Value \$

Electricity: No power available - nearest power line 700 yards to west.**BUILDINGS ON FARM**

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	X							
	X							
	X							
BARN	X							
	X							
BARN	X							
	X							
GRANARY	X							
	X							
	X							
	X							
	X							

Total present day value \$

Total Value Buildings add to farm

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

Describe the basement and chimneys: -

No. rooms downstairs? - Upstairs? - How finished -

Are buildings painted? - Condition of paint -

Distance from nearest bush -

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

Cultivated Land

BC/88-P

Page 2

ACRES	LEVEL, UNULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
1.33	Fairly level	Sandy loam Average 18"	Gravelly	Raspberry, Strawberry and Boysenberry	\$100	\$ 133.00
1.66	Undulating; slope to south	" "	"	Strawberry	\$100	166.00
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
4.5	Reasonable south slope	Sandy loam	Gravelly	Clearing and stumping; some cord- wood; timber	\$150 to \$175	\$30 90.00
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	
8.37	Hilly - ravines and bank of ravines			Heavy bush with a certain amount of alder and fir cordwood only	\$15	125.55

Total value of Land \$ 503.55

Total added by buildings to value of farm \$

Total fruit trees add to value of farm (for use in orchard districts only) \$

Total value of farm \$ 503.55

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
Land has been operated until recently and is only in a fair state of cultivation and
general condition indicates a rather low state of fertility.

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

Noxious weeds: No serious weed situation.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Maple Ridge Municipal Assessment.
1942 taxes - \$35.49

Date: 20, May, 1942.
Place: New Westminster, B.C.

I certify that the above report is based on a personal examination
of the whole farm made on the 20 day of May 1942.

Inspector's Signature

"D. DODDING"

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

EXHIBIT No. _____
DATE With 339-4
FILED ON _____

Farm Appraisal Report

Remarks: This property is not a desirable holding in itself in that a large portion of it is heavily bushed gully. Only a small portion of the cleared land is reasonably level. The balance is steep banks and must be hand worked.

Access to the property is difficult in that neither No.1 Road, nor 27th Ave. is opened up and access is by a narrow dirt and corduroy road following the bottom of the gully and very steep.

There are no buildings on the property. The property on the north belongs to the same party, and the two holdings should be considered in conjunction.

Report on Pt. 9.95 acres of Sec. 1 is attached.

(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.

EXHIBIT NO.

DATE _____

FILED BY

With 539-4

ORCHARDS, SMALL FRUITS, ETC.

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

[illegible]

Amount fruit trees add to value of farm \$

Diagram of Property

N.H. of "A" NE 1/4 Sec 36 Tp. 11 Plan 4447
F. Morishige & S. Nishikawa.

200' = 1"

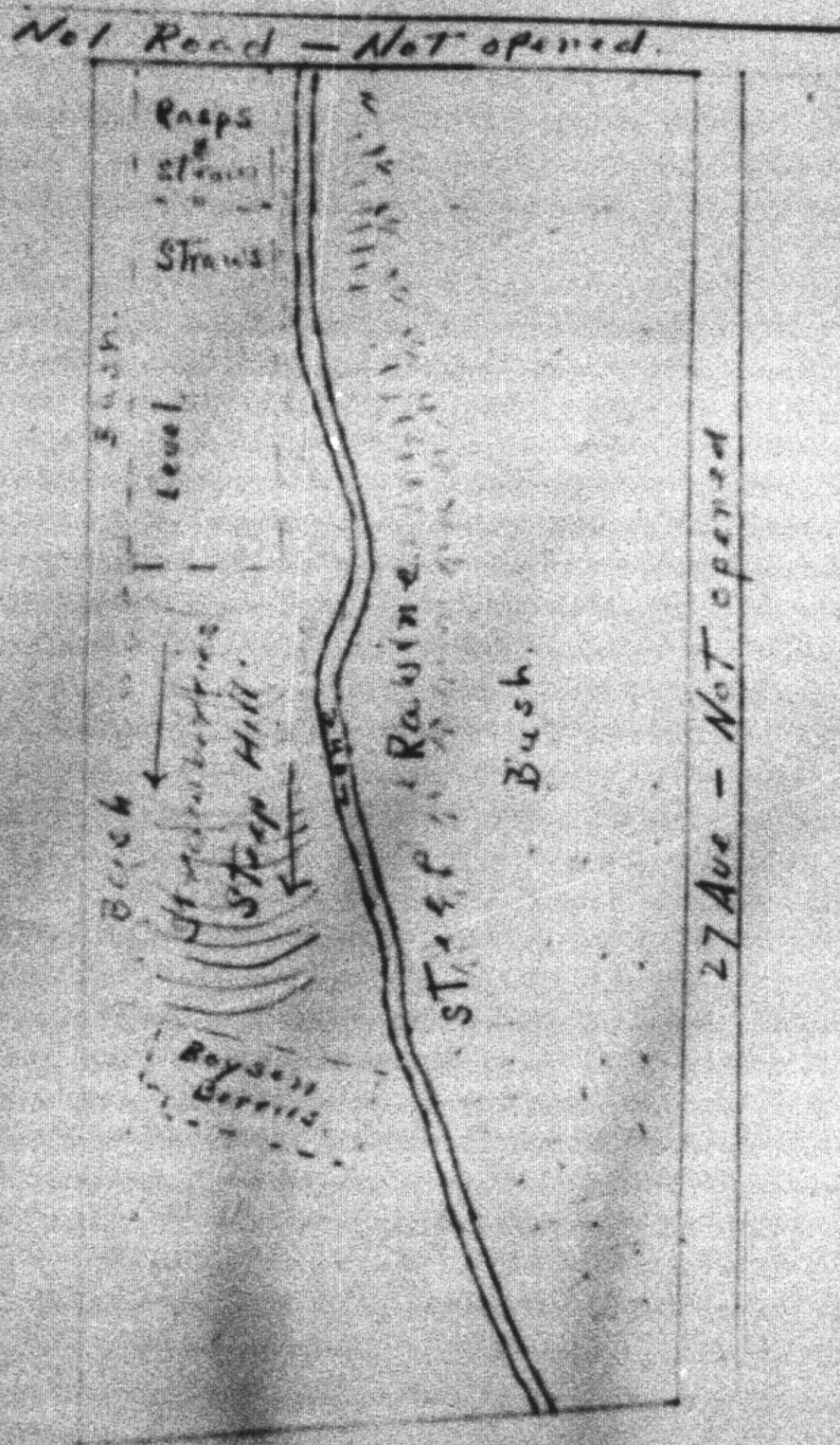


EXHIBIT No. _____
DATE With 539-4
FILED BY _____

Following careful review of this appraisal report, it is my opinion that the present
value is \$ 300.00

Date 26th May 1948.

"I.T. BARNET"

District Superintendent.

Farm Appraisal ReportFile No. J.L.180Land Description Part 9.95 acres of Sec.1, T2S12, R2E4.Containing 9.95 AcresOwner's Name F. Morishige and S. NishikawaPost Office Address R.R. Whomock, B.C.Nearest Rail Point Whomock, B.C.Distance 1Market Town New Westminster - local facilitiesDistance 27Church (give denomination) Bany - All DenominationsDistance 7Nearest School School busDistance 7State how property was identified: Map location and corner posts.

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

Very tortuous steep gravel road half mile to highway.Is this district a good one? Co-operative marketing, but poorly developed district.Employment opportunity Only fair - 1 sawmill in vicinity.

EXHIBIT NO.

Predominating Nationality and religion: Immediate settlement Japanese.

DATE

With 539-4

FILED BY

Describe Fencing and its condition: No fences

Value \$

Water supply: From shallow well

Value \$

Electricity - No power available; nearest power line 700 yards west.BUILDINGS ON FARM

3360

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE ²¹	21 x 24	Frame	1 st.	Shingle	12	Wood	Poor	\$ 300.00
" ¹⁸	18 x 33	"	1 "	"	15	"	"	100.00
Shed	12 x 18	"	1 "	"	5	"	Fair	80.00
BARN	X							
Packing shed	33 x 45	Pole & shake	1 "	Shake	10	"	"	80.00
BARN	X							
	X							
GRANARY	X							
	X							
	X							
	X							
	X							

Total present day value \$ 540.00

Total Value Buildings add to farm

\$ 300.00Is dwelling habitable without repairs? Yes If not what is your approximate estimate of cost to make ithabitable? Buildings are of poor type and structure, but serviceable for a time.

\$

Describe the basement and chimneys: No basement - stove pipe chimney in both houses.No. rooms downstairs? 4 Upstairs? 5 How finished both houses wood onlyAre buildings painted? None Condition of paintDistance from nearest bush directly adjacent

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

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
2.02	Slight south slope	Gravelly loam	Gravel	Hops, boysenberry & strawberries	\$80	\$ 161.60
2.02	Level	Sandy loam average 12"	Gravelly	Strawberries	\$100	202.00
Area which can be cultivated without cost other than for breaking.						
	LEVEL, UNDULATING, 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, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE
5.06	Undulating	Sandy to Gravelly	Gravelly	Clearing, stumping and levelling	\$150 to \$175	\$10
						55.60
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 \$ 422.20

Total added by buildings to value of farm \$ 300.00

Total fruit trees add to value of farm (for use in orchard districts only) \$

Total value of farm \$ 722.20

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:

Property been vacant for three weeks. Land appears to be in good state of fertility and in reasonably good condition.

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

Suitable for small fruit only.

Noxious weeds:

No serious weed condition.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities: Maple Ridge Municipality Assessment 1942 taxes - \$27.67

EXHIBIT No. _____
DATE: _____
FILED BY: _____

Date: 20th May, 1942

Place: New Westminster, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 20 day of May 1942.

Inspector's Signature

"D. DODDING"

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

Farm Appraisal Report

Remarks: This is a fair small holding, but is not capable of any further development.

The north portion is inclined to run to gravel over gravel, while the lower portion is quite good sandy loam. Access to this property is difficult, and it must be approached either by narrow lanes from No. 3 road to the north, or by a narrow steep dirt and corduroy road from the south. Buildings are very poor type of construction and in poor condition. Generally speaking this is a low grade holding, as a unit. In considering this property it should be viewed in conjunction with the property adjoining on the south which belongs to the same person.

Report on Pt. 15.75 acres of Blk. "A" of Sec. 36, is attached.

(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.

EXHIBIT NO.

DATE

With 539-4

FILED BY

nil.

ORCHARDS, SMALL FRUITS, ETC.

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

		<u>Present Value</u>
Boysenberries	.49 acres	\$
Hops	1.12 "	\$
Strawberries	1.75 "	\$
Raspberries	.16 "	\$
Old apple trees - useless	.52 "	\$
	4.04 "	\$

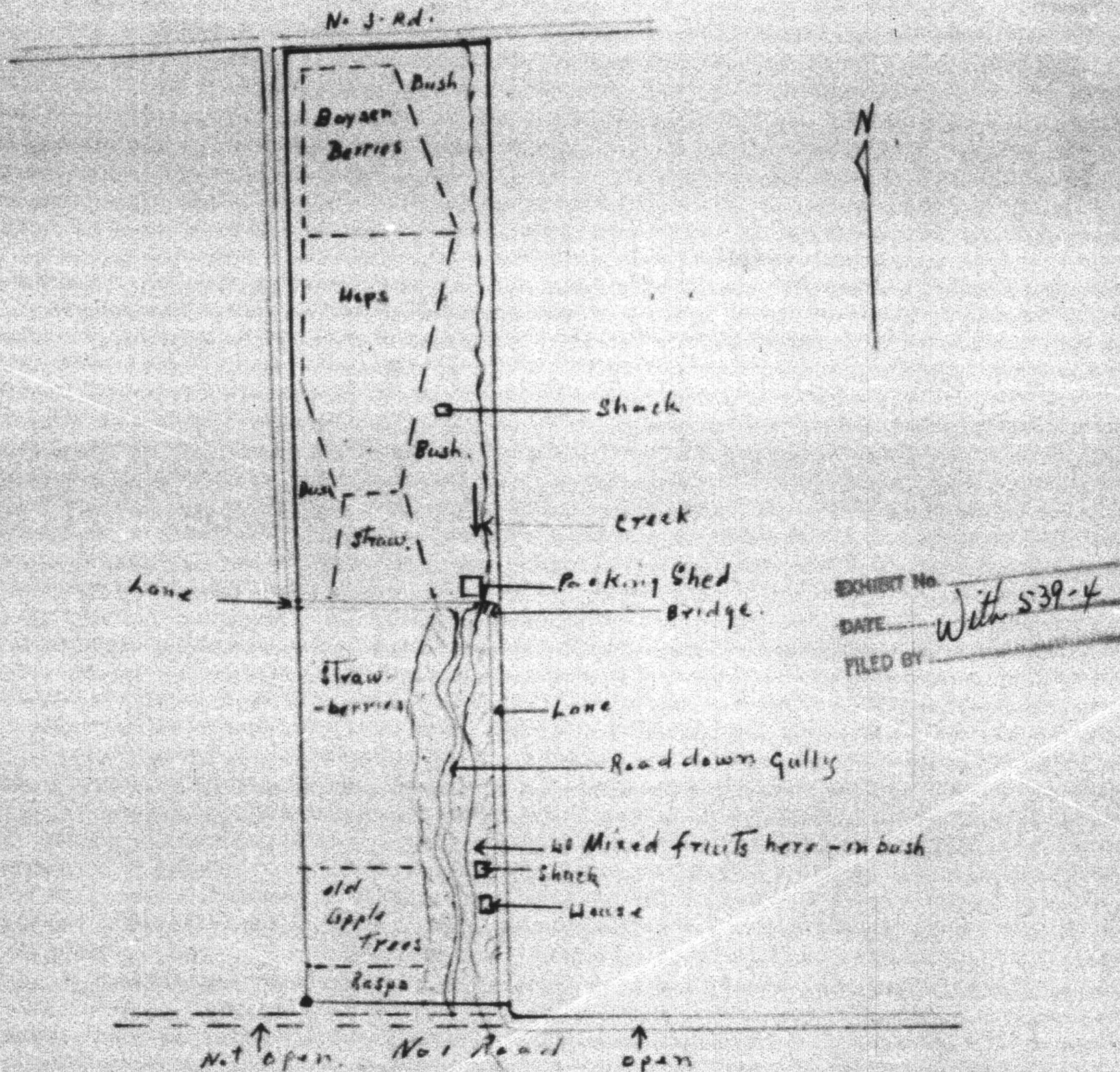
There are also 40 mixed kinds of fruit trees planted near the house location; in poor condition but fair for domestic use.

Total \$

Amount fruit trees add to value of farm \$

Diagram of Property

Part 9.95 ac of Sec 1, Tp 12, Sketch 2936
F. Miritshiga & S. Nishikawa.



Following careful review of this appraisal report, it is my opinion that the present value is \$ 700.00

Date 26th May 1942.

"I.T. BARNET"

District Superintendent.

REAL PROPERTY SUMMARY

Files 8797
3360

V.L.A. B.C. 89 - P

JAPANESE NAMES: Fumiye MORISHIGE - - Reg. No. 13561
Shimo NISHIKAWA - - Reg. No. 13528.

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

PROPERTY ADDRESS: Whonnock, B. C.

LEGAL DESCRIPTION: Part 9.95 acres more or less of Section 1 Township 12
as shown outlined Red on Sketch deposited No. 2936
Municipality of Maple Ridge in the District of New Westminster.

TITLE: In names of Fumiye MORISHIGE and Shimo NISHIKAWA.

ENCUMBRANCE: Vesting in Custodian 25538, 8th March 1943.
An unregistered mortgage, dated 29th July 1941, for \$1500.00,
given by Fumiye MORISHIGE and Shimo NISHIKAWA to Warren A.
Scott. This mortgage was also signed by M. MORISHIGE and
I. NISHIKAWA, the husbands of above registered owners. It
provided that the mortgage was collateral security to a
certain mortgage given by one Yeda SHIN to the same mortgage,
any payments made by Yeda SHIN to be a payment on the
mortgage. On these mortgages \$1000.00 had been paid, leaving
a balance of \$500.00 on principal and some interest, amount
unknown. On Mr. Scott's own suggestion he gave a discharge
of the mortgage, which discharge is on file.

ASSESSED VALUE: 1943 - 9.95 acres.
Land \$650.00
Improvements \$650.00 Total \$1300.00 Taxes \$27.69.

CLASSIFICATION: No particulars as to the nature of this property are on file.
Not inspected on behalf of the Custodian.

HISTORY OF ADMINISTRATION: A lease of this parcel and the North 8 acres of North part
of Block "A" of N.E. $\frac{1}{4}$ of Sec. 36, Twp. 11 (owned by same
parties) was given on 14th April 1942 by Inosuke NISHIKAWA to
Hans Neilsen for 10 months from 1st April 1942 at a rental
of \$400.00 paid. Lease included buildings, live stock and
farm implements. As to a part of this land, lease was extended
by collateral agreement to 30 September 1943 at a rental of
\$90.00, paid to the Custodian and allowed as accrued rental
to The Director The Veterans' Land Act. The remaining portion
was leased by the Custodian to Fay SOONE from April 1st to
end of 1943 for \$75.00, which rent was allowed to The Director
The Veterans' Land Act.

SOLD: To The Director The Veterans' Land Act for \$709.00 as at
1st January 1943.
Approval of Advisory Committee 1st June 1943.

FUNDS:

Released to the credit of the Joint account of Fumiye MORISHIGE and Shimo NISHIKAWA - Sale price \$709.00, less Certificate of Encumbrance \$1.00, registration fee \$3.00, legal fee \$15.00, leaving a net sum of \$690.00 Released.

TITLE:

Included in C. of T. 172038-E, and consideration included in cheque to Custodian 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 January 18, 1946

J. H. Morrison

IN:ML

⊕ By mutual agreement of the tenants in common, Mrs. F. Morishige did not participate in the distribution of funds accruing from sale of this property. See letter from F. Morishige Jan 20/46 and Shimo Nishikawa, May 6/46

B.

16 Oct 48

On referring to ledger it was found that remittances as follows were made to Mrs Morishige

318.02
10.83

328.85 -
13.15

Legal fees

342.00 which is 12/26 Aug 494⁰⁰

See Exhibit 539-7

R. W. Adams
16/10/48

REAL PROPERTY SUMMARY

Files 8797
3360
V.L.A. B.C. 89 - P

JAPANESE NAME: Fumiye MORISHIGE - - Reg. No. 13561
Shino NISHIKAWA - - Reg. No. 13528.

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

PROPERTY ADDRESS: 259 - 27th Ave., Whonnock, B. C.

LEGAL DESCRIPTION: Part 15 and three quarters acres more or less of Block "A" of the North East quarter of Section 36 Township 11 Map 978 as shown outlined in Red and lettered "A" on Sketch deposited No. 4447 Municipality of Maple Ridge in the District of New Westminster.

TITLE: In names of Fumiye MORISHIGE and Shino NISHIKAWA.

ENCUMBRANCE: Vesting in Custodian 25538, 8 March, 1943.

ASSESSED VALUE: 1943 - 15.75 acres.
Land \$960.00
Improvements \$400.00 Total \$1360.00 Taxes \$35.49.

CLASSIFICATION: Custodian's inspector on November 9 1942, reported 8 acres cleared and remainder bush. There were 2 acres in hops, $3\frac{1}{2}$ acres in strawberries and a few fruit trees. On the parcel was a 1 storey shack of 2 rooms, 12 x 26, woodshed 10 x 12, packing shed and pickers house 12 x 32, shed 14 x 30 with 10 x 16 lean-to, all in poor condition and a packing shed 14 x 20 in fair condition. Crops were being overgrown and needed cultivation.

HISTORY OF ADMINISTRATION: Property, excepting with 8 acres, was leased by Moriso Morishige to Ming Sun on 29th April 1942 as from 1st April 1942 for a period of 9 months, and included buildings live stock and implements, for \$350.00, with option to extend for 1943 at \$175.00. Crop of hops sold to John I. Haas. Files do not disclose if the option for 1943 was exercised, or, if so, to whom the rental was paid.

SOLD: To The Director The Veterans' Land Act for \$494.00 as at 1st January 1943.
Approval of Advisory Committee 1st June 1943.

FUNDS: Released to credit of Joint account of Fumiye MORISHIGE and Shino NISHIKAWA - Sale price \$494.00, less Certificate of Encumbrance \$1.00, registration fee \$3.00, legal fee \$15.00, total debits \$19.00. Net amount released \$475.00.
(See ans.)

TITLE: Included in C. of T. 172037-E and payment of consideration included in 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 January 18, 1946.

IM:ML

San Macpherson

PERSONAL PROPERTY SUMMARY

File No. 3360

17th October, 1946.

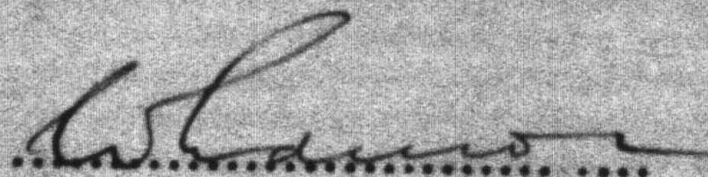
Re: Shimo RISHIKAWA (Mrs. Inomake) - Reg. No. 12528

The above Japanese declared no personal property assets with the exception of a sewing machine in her house at Whonnoek. Shipment of the machine was requested by her husband, but our fieldmen found that the machine had been stolen. The police at Hanay were notified and although investigations were made by them, no recovery was made. Her husband was fully notified of these facts.

This file reveals no other personal property assets.

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

WEA:HA


.....

LIABILITY SUMMARY

File No. 1340

18th October, 1946.

Re: Shiro NISHIKAWA (Mrs. Isosuke) - Reg. No. 17528

This file reveals no liabilities with the exception of a \$250.00 acknowledged balance outstanding on a mortgage, which was paid off on the 22nd July, 1944, together with interest totalling \$315.02.

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


.....

Discharge of Mortgage

Know all Men by these Presents

That

WARREN A. SCOTT
of Barquitlam

in the Province of British Columbia, Farmer.

DO HEREBY CERTIFY

That

FUMIYE MORISHIGE and SHIMO NISHIKAWA

of Whonnock

in the Province of British Columbia, Housewives

have satisfied all money due or to grow due under a certain Indenture of Mortgage made by

FUMIYE MORISHIGE and SHIMO NISHIKAWA

as Mortgagor, to

WARREN A. SCOTT

as Mortgagee

for the sum of One Thousand Five Hundred and 00/100--(\$1500.00)---Dollars,

which said Mortgage bears date the Twenty-ninth day of July, 1931

and was registered in the Land Registry Office in the City of New Westminster in the Province

of British Columbia on the

day of

19 , under number

69332-C

The following is the description of the lands and premises released and discharged hereunder:--

All and singular that certain parcel or tract of land and premises situate, lying and being in the Municipality of Maple Ridge, Province of British Columbia, more particularly known and described as Part (Nine Decimal Ninety-five (9.95) acres more or less) of Section One (1) Township Twelve (12) as shewn outlined red on Sketch deposited No. Two Thousand Nine Hundred and Thirty-six (2936), in the District of New Westminster.

(WE) (I) DO FURTHER CERTIFY that the said Mortgage has not been assigned; that I am entitled to receive the money; and that said Mortgage is therefore discharged.

SIGNED, SEALED AND DELIVERED at New Westminster, British Columbia

this Eighteenth day of December

A.D. 1942

SIGNED, SEALED AND DELIVERED

in the presence of

Signature *W.A. Scott*

Address *1509 W. 12th Ave.*

Occupation *Farmer*

Notary Public in and for the Province of British Columbia

(If given by a Company) The Corporate Seal

of

was herewith affixed in the presence of:

194
day of
in the Province of British Columbia,
(whose identity has been proved by the evidence on
of
and that he is the person
of the said
and affixed the seal of the
to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and after the said seal to
the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of
British Columbia.
IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
at
British Columbia, this
day of
in the year of our Lord one thousand nine hundred and forty

A Notary Public in and for the Province of British Columbia,
A Commissioner for taking affidavits within British Columbia.
NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, write out the words in brackets.

Discharge of Mortgage
The Charter & Mort Co. Limited, Last Printed and Reprinted
Form No. 22
VANCOUVER, B.C.
TO —
WARREN A. SCOTT
FURTER MORTGAGES AND
SHEDS IN HICAWA
Dated 29th July 1931

3. Hereby Certify that, on the
day of
in the Province of British Columbia,
(whose identity has been proved by the evidence on
of
before me and acknowledged to me that
the maker thereof, and whose name
executed the same voluntarily, and
IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
at
British Columbia, this
day of
in the year of our Lord one thousand nine hundred and forty

A Notary Public in and for the Province of British Columbia,
A Commissioner for taking affidavits within British Columbia.
NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, write out the words in brackets.

Province of British Columbia
To Wit:
1. Donald A.W. Cramer
of
Vancouver,
make oath and say:
1. I was personally present and did see the within instrument duly signed and executed by
WARREN A. SCOTT
2. The said instrument was executed at
Vancouver, B.C.
3. I know the said party, and that
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.
Sworn before me at VANCOUVER
in the Province of British Columbia, this
day of December
1942
A Commissioner for taking affidavits within British Columbia.
194
day of
in the Province of British Columbia,
(whose identity has been proved by the evidence on
of
and that he is the person
of the said
and affixed the seal of the
to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and after the said seal to
the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of
British Columbia.
IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
at
British Columbia, this
day of
in the year of our Lord one thousand nine hundred and forty

This Indenture

8797

Made in duplicate this **Twenty-ninth** day of **July** in the year of our

Lord one thousand nine hundred and thirty **one**

In Pursuance of the Act respecting Short Forms of Mortgages
Between

YUKITO MORISHIGE and SEIMO HISHIKAWA, both
of Vancouver, in the Province of British Columbia,
Husband and Wife,

(hereinafter called the Mortgagor)

of the **FIRST PART**

Insert full Name,
Street Address and
Occupation of each
Party.

AND

WARREN A. SCOTT, of Burrquitlam, Province of
British Columbia, Farmer.

(hereinafter called the Mortgagee)

of the **SECOND PART**

WITNESSETH that in consideration of the sum of

-----One Thousand Five Hundred and 00/100-----
(\$1,500.00)

Dollars of lawful money of Canada now paid by the said

Mortgagee to the said Mortgagor (the receipt whereof is hereby acknowledged), the said Mortgagor
BOTH GRANT and Mortgage unto the said Mortgagee, his heirs and assigns **FOR EVER:**

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in
the **Municipality of Maple Ridge,**

Province of British Columbia, more particularly known and described as **Part (Nine Decimal**
Ninety-five (9.95) acres more or less) of Section One (1) Township
Twelve (12) as shown outlined red on sketch deposited No. Two
Thousand Nine Hundred and Thirty-six (2936), in the District of
of New Westminster.

*Release
filed in Registry office
New Westminster
Dec. 29 1942
NO 9442
copy on file
chips \$1.00*

AND IT IS HEREBY UNDERSTOOD AND AGREED THAT THE MORTGAGE TO BE GIVEN AS A COLLATERAL SECURITY, (with interest) shall be a payment on the said mortgage as well as a payment on the other of all these mortgages.

AND THE MORTGAGE COVENANTS THAT ON THE PAYMENT OF THE GOLD SUM OF FIFTEEN HUNDRED DOLLARS SECURED BY THE GOLD MORTGAGE AND THE COLLATERAL SECURITY MORTGAGE, THAT HE WILL SURRENDER A DISCHARGE OF ALL THESE MORTGAGES.

AND ANY PAYMENT ON THE GOLD MORTGAGE FROM DATE WHEN TO THE GOLD MORTGAGE SHALL BE A PAYMENT ON THIS MORTGAGE AS WELL AS A PAYMENT ON THE OTHER OF ALL THESE MORTGAGES.

WHICH MORTGAGE IS DATED THE TWENTY-NINTH DAY OF JULY FIFTEEN HUNDRED AND

TOGETHER with all buildings, fixtures, common, ways, profits, privileges, rights, easements, and appurtenances to the said hereditaments belonging, or with the same or any part thereof held or enjoyed or appurtenant thereto, and all the estate, right, title, interest, property, claim and demand of him, the said Mortgagee in, to or upon the said premises.

PROVIDED this mortgage to be void on payment of ~~One Thousand Five Hundred and~~ ~~50/100---(\$1,500.00)---~~ Dollars of lawful money of Canada, with interest at ~~5~~ ~~per cent. per annum, both before and after maturity, as follows: The said principal sum~~ of \$ ~~1,500.00~~ is to be paid ~~on the Twenty-ninth day of July, A. D.~~ ~~Fifteen Hundred and Thirty-one.~~

Interest for the same at the rate aforesaid, payable by equal instalments of \$ ~~45.00~~ ~~Twenty-ninth~~ day of ~~January and July~~ in each and every year until the principal is paid, without any deduction whatsoever, the first payment of interest to be due and payable on the ~~Twenty-ninth~~ day of ~~January~~ 19 ~~88.~~

AND TAXES and performance of Statute Labor.

AND the said Mortgage COVENANTS with the said Mortgagee that he will pay any Tax which may hereafter be levied on the Mortgagee in respect of the Mortgage money and interest.

THE said Mortgage COVENANTS with the said Mortgagee THAT the Mortgagee will pay the Mortgage money and interest and observe the above proviso.

THAT the said Mortgagee has a good title in fee simple to the said lands.

AND THAT he has the right to convey the said lands to the said Mortgagee.

PROVIDED that the Mortgagee shall have the right at any time hereafter and before the date of this Mortgage, of paying the whole or any part of the principal sum hereby secured, upon paying to the Mortgagee a bonus of three months interest, or upon giving to the Mortgagee three months notice of his intention to pay the same, and paying interest

AND THAT on default the Mortgagee shall have quiet possession of the said lands, free from all encumbrances.

AND THAT the said Mortgagor will execute such further assurances of the said lands as may be requisite.

AND THAT the said Mortgagor has done no act to encumber the said lands.

AND THAT the said Mortgagor will insure the buildings on the said lands to the amount of not less than their full insurable value.

AND the said Mortgagor doth **RELEASE** to the said Mortgagee **ALL** his **CLAIMS** upon the said lands, subject to the said Provision.

PROVIDED, that the said Mortgagee on default of payment for One month may on One month

notice enter and lease or sell the said lands, **PROVIDED** that the said Mortgagee may distrain for arrears of interest; **PROVIDED** that in default of the payment of the interest hereby secured, the principal hereby secured shall become payable.

PROVIDED ALSO, that no purchaser at any sale purporting to be made in pursuance of the aforesaid power, shall be bound or concerned to see or enquire whether any such default has been made or continues, or whether any such notice has been given as aforesaid, or as to the necessity or expediency of the stipulations subject to which such sale shall have been made, or otherwise as to the propriety of such sale or regularity of its proceedings, or be affected by notice that no such default has been made or continues, or notice given as aforesaid, or that the sale is otherwise unnecessary, improper or irregular; and notwithstanding any impropriety or irregularity, or notice thereof to such purchaser, the sale as regards such purchaser shall be deemed to be within the aforesaid power and be valid accordingly, and the remedy (if any) of the Mortgagor, in respect of any impropriety or irregularity whatsoever in any such sale, shall be in damages only.

PROVIDED that until default of payment the Mortgagor shall have quiet possession of the said lands.

PROVIDED ALSO that any notice or notices to be given under the provisions of this Mortgage may be effectually given during the lifetime of the said Mortgagor or after his death by leaving such notice or notices with some person on the said lands, if occupied, or by posting the same thereon, if unoccupied, or at the option of the Mortgagee by publishing the same in two consecutive issues of some newspaper published or circulating in the

Columbian

New Westminster, B. C.

and such notice or notices shall be sufficient, though not addressed to any person by name, and notwithstanding any person to be affected thereby may be unborn, unascertained or under disability.

Wherever the singular or masculine is used in this Indenture, the same shall be deemed to include the plural or feminine, or the body politic or corporate; also the respective heirs, executors, administrators, successors and assigns of the parties hereto and each of them, (where the context or the parties so require).

IN WITNESS WHEREOF the said parties have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

in the Presence of:

Signature of Witness

Street Address

City or Town

Occupation

Spino. his hipawa

Furnide Mowthige

M. Mowthige

L. his hisawa

AFFIDAVIT OF WITNESS

Province of British Columbia
To WIT:

I, of the
In the Province of British Columbia,
make oath and say:
1. I was personally present and did see the within instrument duly signed and executed by
th part
thereof, for the purposes named therein.
2. The said instrument was executed at
3. I know the said part, and that
of the full age of twenty-one years.
4. I am the subscribing witness to the said instrument and am of full age of sixteen years.
Sworn before me at
In the Province of British Columbia, this
day of

A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits within British Columbia.

CURTIS & HETHERCOTT LTD.
446 Columbia St.
New Westminster, B. C.

Mortgage
(SHORT FORM)

WARREN A. SCOTT.

TO

FUMIYE MORISHIGE and
SHIMO NISHIKAWA.

Dated July 28th 1931

FOR MAKER (Including Married Woman)

I HEREBY CERTIFY that, on the

Twenty-ninth day of July

1931 at

New Westminster

In the Province of British Columbia.

FUMIYE MORISHIGE and SHIMO NISHIKAWA

who (is) personally known to me, appeared

before me and acknowledged to me that they are the person(s) mentioned in the annexed instrument as

the maker thereof, and whose name(s) are subscribed therein as parties that they know the contents thereof, and that they executed the same voluntarily, and

are of the full age of twenty-one years.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office.

at New Westminster

In the Province of

British Columbia, this Twenty-ninth day of July

in the year of our Lord, one thousand nine hundred and thirty-one

[Signature]

Note: Where the person making the acknowledgment is personally known to the officer taking the same, signs out the words in brackets
A Commissioner for taking affidavits within British Columbia.
A Notary Public in and for the Province of British Columbia.

Witness B. G.

See File No. 3397

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
APR 27 1942

H. Nielsen
Hawmuck
April 26. 1942

Mr. A. P. Alexander
504 Royal Bank Bldg.
Dear Sir:

Review with
please

In regards to your letter of April 22. I will explain the arrangements between Mr. Inosuke Nishikawa and myself.

I have a lease, prepared by Mr. James M. Campbell Barrister Solicitor Mission City B.C., covering all property left by Mr. Nishikawa.

A list of all tools and furniture is left in care of Mr. Campbell. The lease is also a receipt for 400 Dollars paid to Mr. Nishikawa.

Mr. Nishikawa pays this years Taxes and I pay the Fertilizer bill at the Pacific Co-operative Union (One Hundred and twenty some odd Dollars) covering all used and unused fertilizers.

No arrangements have been made in regards to mortgages on houses

or lands or the payments if
any.

I have the free use of the
House, but will only use them
during the berry season, housing
the berry pickers, as I live on
my own farm next door.

The 400 Dollars is payment for the
entire crop for a 10 month period
starting April 1. 1942, and I will
take care of the land to the
best of my ability.

Will you kindly notify me if
there is any report or any other
things you want to know.

Hans Nilsson.

COPY

Tashme, B. C.
22nd March, 1943.

Dept. Secretary of State,
Office of the Custodian.

Att. R. D. Richardson

Dear Sirs:

Re: File #9401, 3397, 3360, 8797

Imosuke Nishikawa

Received your letter of 12/3/43. Perhaps, in order to explicate this matter, it is to be found best to go back to the date whereby the property in question were mortgaged. In the year 1931, Morishige, Nishikawa and I borrowed money in the amount of \$1500.00 from W. A. Scott. For this transaction the joint property of Mrs. I. Nishikawa and Mrs. M. Morishige and the property of my wife, Yeda Shin, was mortgaged.

In the Registry records, the above amount will be found as borrowed from Scott by myself. In turn, I turned over respective amounts, viz. \$500.00 each to Nishikawa and Morishige.

On Dec, 1941, Morishige paid Scott direct, thus clearing himself of his share of mortgage. At the same time, I paid the lease plus \$250.00 on my wife's property. Later, Nishikawa, too, paid the lease \$250.00 plus, his wife Shino property. This transaction were all made directory to Scott.

Hoping the above transaction will prove adequate in filling your requirements, I am

Yours truly,

"S. Z. Shin"

Original on File 9402 Yeda Shin

Files Nos. 3360/8797

File 3360/8797

Property: F. MORISHIGE.

Lessee: Hans Neilson.

CANADA
Department of the Secretary of State
Office of the Custodian
Japanese Evacuation Section

PAYMENT ORDER.

To *Pacific Co-op Union*

Address *Mission, B.C.*

I HEREBY ASSIGN AND TRANSFER TO THE CUSTODIAN the sum of *\$90.00*

Ninety /100 Dollars out of monies now due and
accruing due or that at any time hereafter may be due in respect to the
proceeds of: *Fruit shipments*

to be paid to the Custodian at Vancouver, British Columbia, AND for so doing
this will be your full authority.

IN WITNESS WHEREOF I have hereunto set my hand
and seal this *28th* day of *June*, 1943.

SIGNED, SEALED, and DELIVERED
IN THE PRESENCE OF

Signature: *Morison*

Address:

ACKNOWLEDGMENT

RECEIPT of the above order acknowledged this day of, 1943.

Signature

OK

EVALUATION SECTION	
JUL 12 1943	
File No.	
Ans.	
Referred	<i>Green</i>

Nobleford, Alta., July 8, 1943

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

Dear Sir:

File No. 3397

I have received your letter of June 14th in which you offer \$75 for the power sprayer at my farm. The machine is owned jointly by Mr. Takeni Tsujita (now at - c/o W. A. Wyman, Iron Springs, Alta.) and before I could answer your letter I had to have his opinion. We think that the offered price is a little cheap and believe that \$80 is a more reasonable price. If this is acceptable, kindly sell the machine, and please send \$40 to each of us.

I am informed by the B. C. Security Commission at Lethbridge that there is the sum of \$424.20 to my credit on your books. When may we expect a remittance from this account?

Yours truly,

I. Nishitawa

3360 & 8797

24th January, 1946.

Mrs. Shino NISHIKAWA,
Registration No. 13528,
Picture Butte, Alta.

Dear Madam:

Farm property of approximately 26 acres at Whorrock was registered in the names of Fumiye MORISHIGE and yourself.

Your husband when registering with this office, stated that your proportion of this property was 18 acres, upon which was built two houses and a barn. Mrs. MORISHIGE stated her equity was 8 acres, upon which was built a 2-room dwelling and two packing sheds.

This property was sold and as we have no knowledge of your individual property lines, we would appreciate your advising us as soon as possible what you figure your proportion of the whole sale price should be. We are also writing Mrs. MORISHIGE a letter on similar lines and we would suggest that you write to her at Tashao, and come to some agreement between yourselves, so that there will not be any dispute.

Your attention to this matter is requested as soon as possible.

Yours truly,

W.E. Anderson,
Administration Department.

WEA:HA

EVACUATION SECTION	
Rec'd	JAN 31 1946
File No.	8797/3360
Ans.	
Referred	Anderson

Tasne B.C. Jan, 30/46

Department of The Secretary of State
Office of The Custodian

re File No 8797/3360

Dear Sir,

Your letter of 24th inst., is in hand.

I wish to explain how it stands, at the time of purchase of 18 ac's property, we paid \$2800 for it, and afterwards we split it as follow I took front 8 ac's for the price of \$1800 and she took rest of the land for \$800. The difference in price is of cause according to the value of the land. Therefore, my credit should be 18/8 percent-
age. To make it clear, kindly write to Mrs Nishi-
kawa and get acknowledgement.

I remain,

Yours truly,

F. M. Miskige

Handwritten calculations:

$$\frac{18}{8} = 2 \frac{1}{4}$$

$$\frac{18}{8} = 2 \frac{1}{4}$$

$$\frac{18}{8} = 2 \frac{1}{4}$$

Nobleford, Alta.
R.R. No. 1,
May 6, 1946

Dept. of the Secretary of State,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver B.C.

EVACUATION SECTION	
Rec'd	MAY 9 1946
File No.	8797/3360
Ans.	
Referred	Anderson

Gentlemen: File No. 8797 & 3360
 Reg. No. 13561 & 13528

I am in receipt of your Notice of Sale of Land and after communication with Mrs. Fumige Morishige of Tashme, B.C. who is the joint owner of the land, we have decided the proceeds be divided as follows:

Re: Whonnock, B.C., Part 9.95 acres more or less
of Section 1, Twp. 12, District of New Westminster.
Net proceeds of sale \$706. -
Less: Legal Fees 1. -
Net Proceeds for S. Nishikawa 705. -

RPI

Re: Whonnock, B.C., Part 15 ³/₄ acres more or less
of Section 36, Twp. 11, District of New Westminster

(2)

Net proceeds of sale 491.-
Less: Legal Fees 1.-
Net 490.-

S. Nishikawa share $\frac{800}{2600} \times 490 = 150.-$
Balance F. Morishige share 340.-
490.-

RP2.

Therefore, the distribution of proceeds from sale of
above land is:

Fumie Morishige 340.-
Shimo Nishikawa 855.-
1195.-

I would appreciate it very much if
you will kindly remit my portion of the
proceeds at your earliest convenience.

Yours very truly

(Mrs. SHIMO NISHIKAWA
R. R. No. 1

Shimo Nishikawa

NOBLEFORD, ALTA)

15th May, 1946.

Mrs. Shino NISHIKAWA,
Registration No. 13528,
Hobbsford, Alta.

Dear Madam:

We wish to acknowledge your letter of the 6th May, setting out distribution of funds derived from the sale of property at Whonbeck, registered in the joint names of yourself and Mrs. Fumiyo MORISHIGE. You will have noted from the statement of property sale previously sent to you, that legal fees in connection with the conveyance of your properties were to be charged later. These fees amounted to \$15.00 for each property, which slightly changes the figures shown in your letter.

Your proportion of the funds amounts to \$836.15. From this amount the sum of \$318.02 was paid to Mr. Warner A. Scott, for your proportion of a mortgage owing with Yeda Shin. The \$318.02 was made up of \$250. principal, plus \$68.02 interest, and which was confirmed as owing by you in your letter of the 22nd June, 1943.

Your credit balance at this office is \$518.13, and these funds are available to you upon request.

Yours truly,

W.E. Anderson,
Administration Department.

WEA:HA

MEMORANDUM

File No. 3360,8797

5th September, 1946.

TO: Mrs. A.G. McArthur

FROM: W.B. Anderson

Re: Shino NISHIKAWA (Mrs. Inosuke) - Reg. No. 13528
Fusiko NISHIKAWA (Mrs. Morizo) - Reg. No. 13561

The above Japanese owned property at Whonook registered in their names as "joint" owners.

The properties were sold to the V.I.A. for the sum of \$709.00 and \$494.00 totalling \$1203.00, from which was paid registration fees - \$6.00 Certificate of Encumbrance - \$2.00, and legal fees - \$30.00, leaving net proceeds of sale \$1165.00.

Both Japanese were written to, asking that they advise what proportion of the proceeds they were each entitled to, and we were advised in Mrs. NISHIKAWA's letter of the 30th January, and Mrs. NISHIKAWA's letter of the 6th May, 1946, that the following distribution was to be made.

Mrs. NISHIKAWA's share was 18/26ths of the 15-acre property only, amounting to \$328.85, the balance of the net sale price belongs to Mrs. NISHIKAWA.

On the 22nd July, 1944, each had received an advance on their property sale distribution in the amount of \$318.02, and therefore, on the 14th May, 1946, when final distribution was made from their joint account to their personal accounts, Mrs. NISHIKAWA received \$10.83 and Mrs. NISHIKAWA received \$518.13.

WBA:BA

W.B. Anderson

3360

18th October, 1946.

REGISTERED

Mrs. Shino NISHIKAWA,
Registration No. 13528,
R.R. No. 1,
Hobbsford, Alta.

Dear Madam:

We acknowledge receipt of your letter of the 7th October, requesting your funds. You will find attached hereto Custodian cheque in the amount of \$518.13, representing your full credit remaining at this office, derived from the sale of your property in the Protected Area, in accordance with the distribution of funds made as agreed between yourself and Mrs. MORISHIGE, after having made payment of the mortgage still owing to Mr. Scott.

It would appear that we have accounted for all the property of every kind left by you in the Protected Area which vested in the Custodian, and in order that you may confirm this and acknowledge the cheque, we are enclosing a stamped addressed envelope for your convenience in replying.

Yours truly,

W.E. Anderson,
Office of the Custodian.

WEA:HA
Encls. (2) Cheque.

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

May 10th 1948.

file 3360

EVACUATION SECTION	
Rec'd	MAY 10 1948
File No.	
Ans.	
Referred	

The Custodian,
Department of Secretary of State,
675 W. Hastings St.,
Vancouver, B.C.

Dear Sir,

Re claim of Mrs. Shimo Nishikawa Reg. No. 13528
(Lethbridge)

With reference to our telephone conversation of the 5th inst. when you informed us that your claim form did not include schedule,- In response to our request to the Sub-Commission Secretary at Lethbridge, we have today received from Messrs. Ritchie & Huckvale the enclosed schedule.

Yours truly,

J. J. White

Enc.
VW.

September 26th, 1950.

Mrs. Shima NISHIKAWA,
728-16th St. N.,
Lethbridge, Alberta.

Dear Madam:

Re: Japanese Property Claims Commission
Case No. 539

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 \$1,219.12.

Cheque for \$1,198.60 is enclosed herein, and the sum of \$20.52 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.

NOV 24 1947

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.

VLA

130
89P
12

3360

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

(1) NAME (Mrs.) NISHIKAWA, Shimo (RCMP) Reg. No. 13528
(Print) Surname Given Name

(2) Pre-Evacuation Address McKay Road, Whonock, B. C.

(3) Present Address R. R. #1, Nobleford, Alta.

(4) REAL ESTATE

(a) Street Address (if any)

City or Municipality,

Province

(b) Legal description (lot number, block number, section number, etc.)

7.75 Acres of Block "A" of the NE 1/4 of Section 36, Twp. 11, District of New Westminster (Total acreage of this parcel of land is 15.75 Acres, 8 Acres belong to Mrs. F. Morishige and 7.75 Acres to me).

RPI 9.95 Acres of Section 1, Twp. 12, District of New Westminster
17.7 Acres (TOTAL)

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

(i) Farm

(ii) ~~Residence~~

Type of business Small-Fruit Farm

(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 of 17.7 acres as above

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

(i) Land - - - - - \$3,945.00 see schedule

(ii) Buildings - - - - - \$2,000.00 see schedule

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

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 5,945.00

(v) Amount at which Custodian sold property and credited your account - - - \$ 840.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 5,105.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation

In the Living house of my farm, McKay Road, Whonock, B. C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)

In Living house

(c) How stored or packed at time of evacuation

Stored in one room of the house

(over)

- (d) In whose care was property left at date of evacuation by the claimant. (This question refers to terms of reference which exclude claims where the property was lost, destroyed or stolen while in 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. Sewing Machine	Estimated Value \$ 125.00
2. Spraying Machine	Estimated Value \$ 80.00
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 \$ 205.00

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

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e)) - - - - - **\$ 310.00**

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

- (b) Do you require the services of an interpreter
at the hearing? Yes or no No, my son
will be there

Lethbridge, Alta.

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

DOMINION OF CANADA,

Province of Alberta

TO WIT:

I, *Shimo Nishikawa*
of *Noblesford*

in 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 *20* day of

A.D. 1947.

Shimo Nishikawa

W.E. Hueston
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.

File No. 3360 -

SUMMARY RELATIVE TO CLAIM OF
Mrs. Shino NISHIKAWA - Regn. No. 13528.

May 14/48

This claim for loss of \$5105.00 covers 17.7 acres only of two parcels of real property of 9.95 acres and 15.75 acres respectively and described below, and which were owned as tenants in common by Mrs. Shino NISHIKAWA and Mrs. Fumiye MORISHIGE.

These properties were sold to the Director, Veterans' Land Act for a total of \$1203.00, and the proceeds were distributed as agreed by the tenants in common as follows:-

Mrs. NISHIKAWA received the sale price of 9.95 acres, ie. \$709.00 plus 8/26ths of the sale price of 15.75 acres (RP 2) ie. \$152.00 making a total of \$861.00.

The balance of \$342.00 for 18/26ths of \$494.00 was paid to Mrs. MORISHIGE.

Mrs. MORISHIGE was repatriated on 2nd August, 1946, and no claim has been received on her behalf.

R.P. 1 Part 9.95 acres of Sec. 1, Tp. 12, Sketch 2936, Mun. of Maple Ridge, D.N.W.
and

R.P. 2 Part 15.75 acres of Block "A" of NE $\frac{1}{4}$, Sec. 36, Tp. 11, Map 978, Mun. of Maple Ridge, D.N.W.

		Assessed Value	S.S. Bd. Appraisal	V.L.A. Purchase	
R.P. 1	Land	\$650.00	\$422.20		9.95 acres
	Improvements	650.00	300.00		
		\$1300.00	\$722.20	\$709.00	
R.P. 2	Land	960.00	503.55		15.75 acres
	Improvements	400.00			
		\$1360.00	\$503.55	\$494.00	
	Grand total	\$2660.00	\$1225.75	\$1203.00	

Claimant's valuation for land (9.95 acs. R.P. 1 & 7.75 acs. of RP 2)	\$3945.00
" " " improvements	2000.00
	\$5945.00
Less sale price	840.00 (\$861.00)
Amount claimed	\$5105.00 (\$5084.00)

EXHIBIT No. 539-7

DATE

FILLED BY

G. E. A. Rice

Aug 6/48.

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR JUDGE R.M. EDWARDS, SUB-COMMISSIONER).

10

Lethbridge, Alberta,
August 6th, 1946.

IN THE MATTER OF THE CLAIM OF
(MRS.) SHIRO NISHIKAWA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C.,

appearing for the
Dominion Government.

W.E. HUCKVALE, Esq.,

appearing for the
Claimant.

MISS LILLIE THOMAS,

Secretary.

D.J. HANDFORD, Esq.,

Official Interpreter.

B.R. HOWARD, Esq.,

Official Reporter.

30

Mr. I. Nishikawa,
In Chief.

THE SECRETARY: Case No. 539, Shime Nishikawa.

MR. HUCKVALE: In this case, sir, the real property and the chattels we claim were made in the wife's name, but I believe the husband knows a great deal more about it than the wife.

THE SUB-COMMISSIONER: The name of the claimant given here is the wife, is it?

MR. HUCKVALE: Yes, the name of the claimant is the wife, but I am calling the husband because I believe he knows a great deal more about it.

10

INOSUKE NISHIKAWA, a witness called on behalf of the claimant herein, being first duly sworn, testified through the Interpreter as follows:

MR. HUCKVALE: Before I begin, your Honour, I would like to point out one thing to my friend. I have given him a copy of this form and the second name under "from whom purchased" should read "Annetta". It should be Annetta Cooper.

20 MR. RICH: That was "Co-Op".

MR. HUCKVALE: Yes, it should be Annetta Cooper. Now the second thing I would like to point out is with respect to the claim for personal chattels. There were two items claimed for a sewing machine and a spraying machine. The claim is being reduced with respect to the sewing machine from \$125.00 down to \$65.00. With respect to the spraying machine I find that the claimant owned a half interest in it only, so, therefore, that claim has been reduced to \$40.00.

30

3
Mr. I. Nishikawa,
In Chief.

THE SUB-COMMISSIONER: All right.

DIRECT EXAMINATION BY MR. HUCKVALE:

Q Mr. Nishikawa, you are giving evidence on behalf of your wife, Mrs. Shima Nishikawa?

A Yes.

Q And she was the owner of the real property and chattels which this claim covers?

A Yes.

10 Q Now I believe your wife and a lady named Mrs. Morishige originally bought some farm lands in common, is that correct?

A Yes.

Q And one of these parcels of farm lands was bought from a woman named Annetta Cooper?

A Yes.

Q And it consisted of 9.95 acres?

A Yes.

Q And the other parcel was purchased from a man named Frank Edgar Pullen?

A: Yes.

Q And it consisted of 15.75 acres?

A Yes.

Q Now by agreement between your wife and Mrs. Morishige, your wife took over this 17.7 acres on which your claim is based?

A Yes.

Q Now you prepared a supplement to the claim which set out your valuation of the land and the buildings, is that correct?

10 A Yes.

4
I. Nishikawa,
In Chief.

Q Just show him that, will you, please?

A Yes.

Q Now with respect to the 17.7 acres which your wife owned, I want to show you that form?

A Yes.

Q Have you and your wife gone over that form and had it read over to you? A Yes.

Q And is that your wife's signature on it?

A Yes.

10 Q And are the particulars given in that form true and correct to the best of your knowledge, information and belief?

A Yes.

MR. HUCKVALE: I will tender that as Exhibit 1, your Honour.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. HUCKVALE: Q Now with respect to the 9.95 acres, I want to show you this deed from Annetta Cooper. Is that the deed under which this land was purchased, that 9.95 acres was purchased?

20

A Yes.

MR. HUCKVALE: I tender that, sir. It simply shows that for that 9.95 acres was paid \$1500.00.

(DEED MARKED EXHIBIT NO. 2).

MR. HUCKVALE: I show you this deed from Frank Edgar Pullen respecting the 15½ acres. Is that the deed under which your wife and Mrs. Norishige purchased?

A Yes.

MR. RIBE: And the price on that one?

30 MR. HUCKVALE: The price of that was \$2,765.00.

I. Nishikawa,
In Chief.

MR. RICH: \$2,765.00?

MR. HUCKVALE: Yes. I tender this one. It shows the purchase price as \$2,765.00 for 15½ acres.

(DEED OF LAND MARKED EXHIBIT NO. 3).

MR. HUCKVALE: It was bought in 1920. Perhaps my friend would now file the real property appraisal form.

MR. SHEARS: There are two of them, one for each property.

MR. HUCKVALE: There are two of them?

10 MR. RICH: Yes, one exhibit?

MR. HUCKVALE: Yes, you can file them as one exhibit.

(APPRAISAL REPORTS MARKED EXHIBIT NO. 4).

MR. HUCKVALE: I merely wish to point out, sir, with respect to this farm appraisal report that it covers the entire acreage, that is the 15½ acres together with the 9.95 acres whereas we only claim on 17.7 acres.

THE SUB-COMMISSIONER: Yes.

20 MR. HUCKVALE: Q: Now, Mr. Nishikawa, your wife also had a claim with respect to two items of personal chattels? A: Yes.

Q And with respect to those chattels will you look at that form (indicating), please?

A Yes.

Q And have you and your wife read that form or had it read over to you?

A Yes.

Q Is that your wife's signature on it?

A Yes.

30 Q And are the particulars given in that form true and

6
I. Nishikawa,
In Chief.

correct to the best of your knowledge, information
and belief? A: Yes.

MR. HUCKVALE: I tender that, sir.

(STATEMENT MARKED EXHIBIT NO. 5).

MR. HUCKVALE: I would ask my friend if he would file
the personal property analysis on behalf of the
Crown.

(ANALYSIS MARKED EXHIBIT NO. 6).

10 MR. SHEARS: The sewing machine was reduced to \$65.00,
was it?

MR. HUCKVALE: We reduced the sewing machine to \$65.00
and we admit that we only had a half interest in
the other article, the spraying machine. The
analysis simply shows, sir, that the sewing machine
was stolen, apparently. It also shows the spraying
machine as owned jointly, and the other claimant
put a value on it in excess of the amount we are
claiming.

Q Will you answer Mr. Rice, please, Mr. Nishikawa.

20 MR. RICE: I submit, your Honour, that the real property
was sold for its fair value. I submit the chattels
were turned over by the claimant to a person other
than the Custodian and that the Custodian is not
responsible for the loss of the same. Furthermore,
that the claim for these lost chattels is exorbi-
tant. I am further claiming with respect to the
spraying machine that it is owned by the husband
of the claimant and she has no valid claim to the
same.

30 MR. HUCKVALE: Does my learned friend want me to call

this woman and have her admit that she will abide by his statements? They are talking about exactly the same machine, I take it.

CROSS/EXAMINATION BY MR. RICE:

Q Do you live with your wife?

A Yes.

10 MR. HUCKVALE: She is in the Court room now. I merely asked my friend if he wants me to put this woman in the stand and say that she will abide by what her husband says. It seems to me to be an awfully small point.

MR. RICE: It is up to my friend to prove his own case.

THE SUB-COMMISSIONER: You had better put her in afterwards.

MR. HUCKVALE: Yes, I may.

MR. RICE: Q This place was leased to Hans Neilson, was it not? on the 14th of April, 1942?

A Yes.

20 Q And the buildings, livestock and implements were turned over to Neilson? A: It was just that year's crop that was sold to him.

Q Wasn't possession of the buildings given to Mr. Neilson?

A: No, I didn't rent the house to Neilson, just that year's crop.

Q Neilson didn't take possession of the house?

A No.

Q Who did you leave the livestock and chattels with?

A The chattels were locked up in care of the Custodian.

30 Q Locked up where? A: They were locked

in the house.

Q The sewing machine and the spraying machine were locked in the house, is that it?

A Yes, the sewing machine and the spraying machine were locked up in the bedroom.

Q Locked up in the bedroom? A: Yes.

Q Who did you give the key to?

A To the post master, Mr. Whiting.

Q The spraying machine, who owned that?

10 A T. Touchida -- T-s-u-c-h-i-d-a, and I owned it, and with his permission it was left in my house.

THE SUB-COMMISSIONER: On this form it is T-s-u-g-i-t-a.

MR. NUCKVALE: You will find the name on the personal property analysis, sir.

THE INTERPRETER: It can be spelled either way, sir.

MR. RICE: I wish to tender this summary relative to the claim of the claimant with reference to the land showing the assessed value.

(SUMMARY MARKED EXHIBIT NO. 7).

20 MR. RICE: That is all.

RE-DIRECT EXAMINATION BY MR. NUCKVALE:

Q Mr. Nishikawa, with respect to this spraying machine, are you prepared to assign whatever interest you have to your wife and combine that claim with hers?

A Yes.

Q And you will abide by whatever she gets as a result of these proceedings?

30 A Yes.

Q Thank you.

THE SUB-COMMISSIONER: On this analysis of personal property claim it shows here the Singer sewing machine belonging to this witness.

MR. RICH: To the wife.

THE SUB-COMMISSIONER: Unless there is an additional machine.

MR. RICH: It belongs to the wife.

MR. SHEARS: It is shown in the claim, sir.

10 THE SUB-COMMISSIONER: It says here "owned by husband".

MR. RICH: The sewing machine?

THE SUB-COMMISSIONER: "Household furniture, kitchen utensils, chinaware, farm implements and fertiliser".

MR. RICH: It was declared by the husband, I think that is what it says.

THE SUB-COMMISSIONER: It says "owned by husband" written in ink.

MR. RICH: That isn't on my copy.

THE SUB-COMMISSIONER: It is on this one.

20 MR. SHEARS: I think if I might be permitted to make a statement, the claim is by the wife and she is only claiming the sewing machine and the spraying machine, and this indication "declared by husband" was simply put on the form just in case of cross-examination.

THE SUB-COMMISSIONER: But look at the memorandum here.

MR. SHEARS: But they aren't claiming on that, your Honour.

30 MR. HUCKVALE: There is no claim for these articles.

I. Nishikawa,
Discussion.

There is a sewing machine which the wife is claiming.

MR. RICE: Oh yes, I see that there is; it is doubled up there. There is another sewing machine.

THE SUB-COMMISSIONER: There are two sewing machines, are there; I mean did he have a sewing machine as well?

MR. HUCKVALE: No, sir; the only claim is on behalf of the wife and he is giving the evidence; that is all there is to it.

THE SUB-COMMISSIONER: I see, all right.

MR. HUCKVALE: I take it this sewing machine belonged to your wife, did it not, Mr. Nishikawa?

A Yes.

Q And these two chattels about which we have been speaking of are the only chattels that either you or your wife are claiming for?

A Yes.

Q That is all, thank you.

RE-CROSS EXAMINATION BY MR. RICE:

Q Were there two sewing machines in the home, one yours and one your wife's?

A No.

MR. RICE: Then that is an error in the personal property analysis.

THE SUB-COMMISSIONER: That is all right. Is that all?

MR. RICE: Yes, that is all.

MR. HUCKVALE: That is all, thank you.

THE SUB-COMMISSIONER: Now about the wife?

I. Nishikawa,
Discussion.

MR. HUCKVALE: I am not going to bother about it, sir.
It is just petty.

THE SUB-COMMISSIONER: All right.

MR. HUCKVALE: I take it my friend's objection is that
the husband owns the spraying machine?

MR. NICH: Yes.

MR. HUCKVALE: He will give whatever interest he has
to his wife and abide by it.

THE SUB-COMMISSIONER: All right.

10 MR. HUCKVALE: That is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINCE DIX)

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

W. R. Howard
W. R. HOWARD
OFFICIAL REPORTER.

Defence Brief
(Mrs.) Shimo NISHIKAWA

LETHBRIDGE
6 August 1948

File No. 3360

VLA Seal

Case No. 539

REAL PROPERTY CLAIM

1. Real Property Claim

		<u>Appraised at</u>	<u>Sold for</u>
(I) 4217.87	9.95 acres	722.20	709.00
(II) 3762.98	15.75 acres	503.55	494.00
8000.00	25.70 acres	1225.75	1203.00
8/26ths = 152.-			
8/26ths = 1163.79			

Witness: /D. Dodding, Appraiser.

The above was owned by claimant and one MORISHIGE as tenants in common. Mrs. NISHIKAWA only is claiming as follows: (No claim has been received from Mrs. Morishige)

I 9.95 acres	Land	3945.00
II 7.75 acres	Improvements	2000.00
17.70 acres	Gross Claim	5945.00

Proceeds of the sale price were distributed as agreed by the respective parties. Claimant's share was:

I 9.95 acres all	709.00
II 15.75 acres 8/26ths of 494.00	152.00
	861.00
9/26 of claim = 3782.33	
= 1163.79	

In view of the joint tenancy, should an award be made, the property to which it is to be allocated should be designated.

Ex.1 - Real Estate Statement
Ex.2 & 3 - Deeds
Ex.4 - S.S.B. Appraisal.

Sold for fair market value.

Note: Mrs. Nishikawa on Ex. 539 - 1 claims that 12 acres of clearing was done between 1917 and evacuation date at a cost of \$250.00 an acre, a total of \$3,000.00; whereas the appraiser states that 4 acres were cleared on the 9.95 acre parcel and approximately 3 acres on the 15.75 acre parcel, a total of 7 acres only: the balance of the land requiring clearing, and stumping. This reduces the amount for clearing at \$250.00 per acre to \$1,750.00.

PERSONAL PROPERTY CLAIM

2. Chattel Claim

\$105.00

Both the sewing machine and sprayer were left under the custody, control or management of someone other than the Custodian, appointed by the owner of the property.

Property leased by claimant to Hans Nielsen 14 Apr. 42 for 10 mos. from 1 Apr. 42 with option to extend lease for 1943. House included. Extract from lease is on file. Lease handed S.S.B. 10 Aug. 43.

See letter W.E. Anderson (Cust.Staff) dated 13 Dec. 43 regarding chattels, wherein claimant was reminded that he leased his property to one Hans Nielsen and included chattels in the lease for lessee's use and care. NISHIKAWA was also advised that the provincial police were unable to trace the culprits who had (according to his tenant) stolen the sewing machine.

Also letter from claimant's tenant, Nielsen, to Custodian Office dated 12 Jan. 43 advising that he (Nielsen) had reported theft of sewing machine to the local police.

And Neilson to Custodian dated 7 Dec. 42 "..... stored in NISHIKAWA'S house which I have leased for 1942.....".

Also letter to Custodian Office dated 26 Apr. 42 "..... I have a lease prepared by Mr. James M. Campbell, Barrister & Solicitor, Mission City, B.C., covering all property left by NISHIKAWA..... I have the free use of the houses but will only use them during the berry season, housing the berry pickers, as I live on my own farm next door."

Re Ex. 539-5: T. Tsujita abandoned any claim to the spraying machine at his hearing. See file 3411 Case 799 Trans. 6 lines 26-28.

The spraying machine was listed in the list of chattels included in claimant's lease to Nielsen and disappeared while under his care.

Ex. 5 - Chattel Summary
Ex. 6 - Analysis personal prop. claim.
Ex. 7 - Summary.

(Mrs.) Shino NISHIKAWA
Case No. 539

-3-

Submission: Chattels turned over by the claimant to a person other than Custodian and that Custodian is not responsible for loss, furthermore that the claim for these lost chattels is exorbitant. I am further claiming with respect to the spraying machine that it is owned by the husband of the claimant and she has no valid claim to it.

(Trans. 11 by Mr. Huckvale: We will give whatever interest the husband has in the spraying machine to his wife and abide by it.)

RWN/mw