47555

FILE No. 4755

Steveston

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: NISHI, Shigeo

HOME ADDRESS: 155 Moncton St., Steveston, B. C. Box # 193.

REGISTRATION NUMBER 12149 SEX: Male AGE: 27

OCCUPATION: Fisherman (formerly)

(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: Ucluelet Fishing Corporation, Ucluelet, B. C.

MARRIED? no

NAME OF WIFE OR HUSBAND: none

ADDRESS OF WIFE OR HUSBAND: none

NAMES OF ANY LIVING CHILDREN: none

EXHIBIT No. 716-H
DATE Sept 27 '48
FILED BY G.R.A. Rice

ADDRESS OF CHILDREN: none

AGE OF CHILDREN: none

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) none

4. TAXES (Amount and where payable) none

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

none

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

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: none

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: none

9. IF FARM LAND STATE CROPS SOWN none

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: 7 room frame house at 155 Moncton St., Steveston, B. C.

2. LANDLORD'S NAME AND ADDRESS: Lives with parents at 155 Moncton St., Steveston, B. C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:

No rent.

4. STATE WHEREABOUTS OF LEASE: none

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)

none

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: none

STATEMENT OF PERSONAL PROPERTY OWNED:

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

Trolling Equipment valued at $200.00 ~~in the possession of~~ located in Noot Ka - Bamfield Packing Co cannery house No. 1 formerly occupied by declarant at Ucluelet, B. C. Trolling equipment will be left there in the same place when declarant is evacuated. 1 gas fishing boat named (Ucluelet) in the custody of the Navy, New Westminster, B. C. Declarant will sell boat if he finds a good prospect.

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

Form "UP"

FILE No. _____

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 21st day of April 1942.

(Signature) Shigeo Tsuka

R. McConnell
Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date Aug. 13/43

Our File No. 4753-

Full Name NISHI, Shigeo
(Surname in Block Letters)

Registration No. 12149 Male - Female (check) Age May 14, 1914

Former Address P.O. Box 3, Uchuelet, B.C.
P.O " 193, Steveston, B.C.

Date Evacuated 30/5/42 Naturalized - Canadian-Born - National (check)

Present Address Lethbridge, Alta.
c/o W.E. Bulbeck, Taber, Alta

Married - Single (check)

Name of Wife —

Name of Husband

Name of Mother (Mrs) (IRIAMI) Tayo #05065 Name of Father Senkichi #05054

Names of Children under 16

Requested by R. Girard Registered with Custodian Yes (Yes or No)

Additional Information Fisherman Owner of boat
House at Uchuelet, B.C

K.55
37.31
2-12-43

PERSONAL PROPERTY SUMMARY

File No. 4755 May 22, 1946.

Re: Shigeo NISHI, Reg. No. 12149

This man signed a declaration to the Custodian on April 21, 1942. He was evacuated on May 30, 1942.

In his declaration to the Custodian he reported trolling equipment which would be left in the cannery house formerly occupied by himself. This was House #7, Nootka-Bamfield Packing Co. It is disclosed later in this file by letters from NISHI that this equipment was left at House #7, and at House #8 occupied by Iwakichi YOSHIDA, and at the house of Yoshikazu KAWAGUCHI, at Bamfield. His letters are not clear and while it would appear from some of them that a gurdy was turned over to the Ucluelet Engineering Works in payment of a debt, the Ucluelet Engineering Works did not confirm this. From letter of September 8, 1944, it would appear that among the equipment left by this man was one 8-spool gurdy and one 6-spool gurdy, as well as 2 cartons of other trolling gear. However the letters of NISHI are not easily understood, and the information given is in some cases conflicting. In any case, no gear identified as his was located by this office. Several gurdies found in the house of Yoshikazu KAWAGUCHI appear to have been handed to Naval Service, along with other boat equipment. Equipment taken in by Naval Service was pooled at New Westminster and was used to equip boats as these were released from custody. In cases, where suitable equipment was not found in the pooled gear, claims for missing equipment were filed either by the vendor or by the purchaser (to whom the vendor assigned his right to claim for loss or damage to impounded vessel). On File G/66 there is a list of gurdies taken over by Naval Service and the names of the vessels to whom these were supplied. There is nothing on the boat file to show that the vessel owned by this man did not have a gurdy at the time she was released to the Custodian, neither is there any proof that such equipment was on her. There is no evidence to prove that the trolling equipment declared by this man was ever in the possession of the Custodian.

In his declaration he reported a fishing boat. The vessel "Ucluelet #1" was sold by the Custodian for the net sum of $475.31, which was credited to the account of Shigeo NISHI, licensed owner.

The vessel "M.N." New Westminster Licence No. 2185, was licensed in the name of Shigeo NISHI, but was apparently owned by his brother, Masao NISHI, File 4090, by whom the vessel was sold and to whom the net proceeds of $641.00 were paid. This sale was made through the Japanese Fishing Vessels Disposal Committee.

The account of this man was credited with the sum of $12.25, received in full settlement of claim for refund of expenses incurred in connection with the impounding of the "Ucluelet #1". This claim was lodged with the Japanese Fishing Vessels Disposal Committee.

The sum of $100.00 was remitted to NISHI on April 2, 1943, and at this time his account shows a credit balance of $387.56.

This file reveals no other property.

This summary is certified to be in accordance with information on file.

G Madison

May 22, 1946.

/FM

File No. 4795 LIABILITY SUMMARY

May 20, 1946.

Re: Shizuo HIGUI, Rec.No. 12149

Volunlet Engineering Works filed a claim for $79.20 against this man. On September 23, 1945, they informed us that HIGUI had paid $40.00 on this indebtedness. There is, therefore, a balance still owing of $39.20. Paid Oct 1946

This file reveals no other liabilities of any kind.

This summary is certified to be in accordance with information on file.

/MM

May 20, 1946.

SUMMARY TAKEN FROM VESSELS RECORDS

Date: JAN. ₹, 1944

Name: Shigeo NISHI Reg. No. 12149 File: 4755

Boat File No.: Custodian (4755)

Name of Vessel: "Ucluelet #1" 35' x 7.8' x 3.8' (1921) Vivian 15 HP (1934)

Lic. or Reg. No.: Victoria 2336

Naval No.: None

Owner's Valuation: $1,500.00

JFVDC Valuation: $575.00 (Survey #124)

Custodian Valuation: $400.00

Date of Sale: August 19, 1942.

Purchaser: Nikola Loncaric

Signature on Sales Papers: C ustodian Sale

Selling Price: $550.00

Paid ~~to~~ Custodian: $550.00

Supervision Costs: $74.69

Balance due Owner: $475.31

Paid to: Credited to Account of Shigeo Nishi, File 4755

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None

Additional Information:

4813.56
5.25
475.31

D Mackenzie
May 22, 1946

MEMORANDUM TO FILE 4755 January 7, 1944

Re: Shigeo NISHI, Reg. 12149

The gillnet fishing vessel "M.N." Gas-boat Licence New Westminster 2185, Naval No. NW.047-E, was licensed in the name of Shigeo NISHI, Box 193, Steveston.

This vessel was sold by Masao NISHI, File 4090, a brother of Shigeo NISHI, and the proceeds of the sale were paid to Masao NISHI. Details of this sale are recorded under Japanese Fishing Vessels Ledger Folio No. 496, Boat File JFVDC 496.

J. Mathison
January 21, 1946

Case No. 716 - Shigeo Nishi, File 4755

Boat Claim: "Uclulet #1", Victoria Licence #2336
35' x 7'8"x3'8", Vivian 15 HP.
Purchased in 1940 at cost of $1,500.00

Gross Claim: $1,500.00

Sale: Sale by Custodian, Aug.19,1942. Price accepted by claimant-Exhibit 5.

Purchaser: Nikola Loncaric

Sale Price:	$850.00	
Expenses:	74.69	(proportionate share)
Net Credit	475.31	

Valuation:	Phillipson:	$500.00	(JFVDC price: $575.00)
	Gould:	400.00	(Est.Mkt.Value:$450.00)

Damage: No record of any damage while in custody.

Loss: Some boat gear was listed as missing Aug.1,1942, when surveyed by Gould and Naval surveyor. It is not known whether this gear had been on the boat when it was surrendered.

Age: According to the JFVDC "catalogue sheet" of information supplied by boat-owner this boat was 20 years old at the beginning of 1942. The engine, according to this sheet of information, was 7 years old at the beginning of 1942.

/ms

THIS INDENTURE made this 26 day of May 1941.

IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT", Between BANFIELD PACKING COMPANY LIMITED, of 525 Seymour Street, Vancouver, B. C. (hereinafter called "the Lessor") and SHIGEO NISHI, of (hereinafter called "the Lessee").

WITNESSETH that the said Lessor doth demise unto the said Lessee the house situate on the Lessor's premises at PORT ALBION British Columbia, known as Number 7 , from the 1st day of June 1941, until the 31st day of May 1942, yielding therefor during the said term the rent of $2.50 payable as follows:

Monthly in advance

EXHIBIT NO 716-3
DATE Sept 27/48
FILED BY G.B.A. Rice

THAT the said Lessee covenants with the said Lessor to pay rent; AND to repair; AND the said Lessor may enter and view state of repair; AND that the said Lessee will repair according to notice; THAT the said Lessee will not assign without leave; AND will not sublet without leave; AND that he will leave the premises in good repair; AND that he will not carry on any business that shall be deemed a nuisance on the premises.

PROVISO for re-entry by the Lessor on non-payment of rent or non-performance of covenants.

PROVISO for re-entry on seizure or forfeiture of the said term.

PROVIDED that if the Lessee shall hold over after the expiration of the said term and the Lessor shall accept rent, the new tenancy shall be a tenancy from month to month only and shall be subject to the covenants and conditions herein contained.

IN WITNESS WHEREOF the said parties hereto have executed these presence the day and year first above written.

THE CORPORATE SEAL of BANFIELD PACKING COMPANY LIMITED was hereto affixed in the presence of: Alan C. Gobley

BANFIELD PACKING COMPANY LIMITED,
By Sydney Banfield

SIGNED, SEALED and DELIVERED by Shigeo Nishi in the presence of:
G. Whitney Moore
A Notary Public in and for the Province of British Columbia.

Shigeo Nishi

Green

Nootka-Banfield Company, Ltd.

PACKERS OF
CANNED SALMON AND PILCHARDS
MANUFACTURERS OF
FISH MEAL AND OIL

BRANDS
"SNOW CAP"
"SNOW STORM"
"OCEAN SPRAY"
"GOLDEN WEST"

CABLE ADDRESS:
"NOOTKA," VANCOUVER

Ucluelet, B.C.

4th July, 1942

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

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
JUL 8 1942

Dear Sir,

Shigeo NISHI, Reg. No. 12149.

Your enquiry of 27th Ulto: - Trolling equipment valued at $200.00 declared to have been left in our care.

We have no knowledge of these goods here. Any articles left by Japanese in houses which they vacated, were removed some time ago by Messrs Hinton and White of your office. These gentlemen may have some knowledge of the Trolling Equipment in question.

Yours truly,

NOOTKA-BANFIELD CO. LTD.

per John K Mumford

Green

GEORGE A. TOUCHE & Co.
CHARTERED ACCOUNTANTS

DONOVAN M. TOUCHE — R. JAMES BENNETT
JOHN FARTON — GEORGE L. C. TOUCHE
FRANK P. TURVILLE — JAMES B. SUTHERLAND
J. HAYDN YOUNG — HAROLD G. HINTON

EDWARD S. BEAN

CABLE ADDRESS ALL OFFICES "KEYSHIP"
CODES: BENTLEY'S A.B.C. WESTERN UNION

ENGLAND: LONDON AND BIRMINGHAM.
CANADA: MONTREAL; TORONTO; WINNIPEG; REGINA; CALGARY; EDMONTON; VANCOUVER; VICTORIA.
U. S. A.: NEW YORK; CHICAGO; CLEVELAND; DETROIT; HARTFORD; ST. LOUIS; MINNEAPOLIS; LOS ANGELES.
FRANCE: PARIS.

BANK OF TORONTO BUILDING,
VICTORIA, B.C.

10th July 1942.

Your File No. 4755.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
JUL 11 1942

H. F. Green, Esq.,
Manager Protection Department,
506 Royal Bank Building,
VANCOUVER, B. C.

Dear Sir: re: NISHI, Shigeo

Referring to your letter of 9th July 1942, the remaining personal effects in houses at Port Albion were removed by my assistants from Port Albion and placed in storage at House No. 5, Fraser's Bay, Ucluelet. I have no record of the above name in the cases handled at Port Albion. There is the possibility that the articles to which Nishi Shigeo refers were left in the house of another declarant who resided at Port Albion.

If, as the declarant states, trolling equipment was left in a house at Port Albion, and if it had any value, it was in all probability included in the list of articles turned over to the Navy by me from Storage. I have sent you a detailed list of what was delivered to them.

Yours faithfully,

H. G. Hinton

B.P. for advising S.N

DEP:LMS

file 58

CLASS OF SERVICE

Full Rate

Day Letter

Night Message

Night Letter

Service and Delivery Abridged

Time mark as to specify the time of service desired.

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

CHECK

TIME FILED

STANDARD TIME

Send the following message, subject to the conditions on the back hereof, which are hereby agreed to.

AUGUST 18 1948

SHIGERO NISHI
CARE OF GEORGE ENSIGN
PICTURE BUTTE
ALBERTA

WE HAVE OFFER FIVE HUNDRED FIFTY DOLLARS FOR

UCLUELET ONE STOP PLEASE WIRE IF ACCEPT

CUSTODIAN OF ENEMY PROPERTY
501 ROYAL BANK BUILDING
VANCOUVER B C

CHARGE

EXHIBIT No. 716-5
DATE Sept. 27/48
FILED BY T. B. O'Neil

CANADIAN PACIFIC
TELEGRAPHS
World Wide Communications

CRA79 7

PICTURE BUTTE ALTA 19 1020A

CUSTODIAN OF ENEMY PROPERTY. 242

501 ROYAL BANK BLDG VANCOUVER

WILL SELL BOAT IF PAY IN CASH

SHIYEO NISHI

Shigeo Nishi

Sgt 12149

A755. Aug 24/42 Bell

OFFICE OF THE CUSTODIAN
JAPANESE

RECEIVED
AUG 27 1942

Mink Kerl.
Bergno Alta.

I received your letter today and you told me you could find any of my fishing or trolling equipment at Northern Barnfield Packing Co. house # 7 But I left it at my house # 7 and next door or two I got a valued over $2.00.00 But I covers it up as at valued. I can't put in one place but that time R.C.M.P. come over and tell us to go out right now so I can't put in one place. With you can't find it that is just matter not on me custodian must look it out I got a trolling machine at Barnfield B.C. at my friend name of Kawaguchi house.

3

that valuet me over five
at you les to look out
at that to. if you
cant find it somebody must
steal away.

Yours Truly
Eliza Tuttle

4755

August 26, 1942

Mr. H. G. Hinton
Bank of Toronto Building
Victoria, B. C.

Dear Sir:

Re: NISHI, Chiyeo #12149

Please refer to your letter of the 7th instant.

This man in his Registration stated that he had trolling equipment valued at $200.00, located in a cannery house, #7, formerly occupied by him at the Nootka Bamfield Packing Company. Without further particulars we cannot trace this on the list of fishing gear which you submitted to us. We wrote to Mr. Nishi for further information and have received his reply as follows:

"I received your letter to-day and you told me you can't find any of my fishing or trolling equipment at Nootka Bamfield Packing Co., house #7. But I left it at my house #7 and next door, #6, too. I got a valued over $200.00 But I cover it up in at valued. I can't put in one place but that time R.C.M.P. came over and tell us to go out right now so I can't put in one place. With you can't find it that is your matter not on me custodian must look it out I got a trolling machine at Bamfield B. C. at my friend name Y. Kawaguichi house that valued me over $200.00 also you has to look out at that to. if you can't find it somebody must steal away."

This would be at the N.B.P.C. - opposite Mr. Nishi's house, among Mr. Nishi's trolls

This is at Bamfield among Nishi's trolls

We interpreted the above to mean that he left fishing equipment in both No. 7 and No. 8 houses and that he also has a trolling machine at Bamfield, B. C. in the name of a friend of his, Y. Kawaguichi. Would it be possible for you to throw any further light on the subject of what did belong to this man, and could you identify the items on the fishing gear list you have sent us.

Yours truly,

H. F. Green, Manager
Protection Department

WGB:MD
c/c to File 1732

Bell

GEORGE A. TOUCHE & Co.
CHARTERED ACCOUNTANTS

DONOVAN M. TOUCHE — E. JAMES BENNETT
JOHN PARTON — GEORGE L. C. TOUCHE
FRANK P. TURVILLE — J. HAYDN YOUNG
HAROLD G. HINTON

EDWARD S. READ

CABLE ADDRESS ALL OFFICES "DETOUCH"
CODES: BENTLEY'S A.B.C.; WESTERN UNION

ENGLAND, LONDON AND BIRMINGHAM.
CANADA, MONTREAL; TORONTO; WINNIPEG; REGINA; CALGARY; EDMONTON; VANCOUVER; VICTORIA.
U. S. A., NEW YORK; CHICAGO; CLEVELAND; DETROIT; ST. LOUIS; MINNEAPOLIS; LOS ANGELES.

BANK OF TORONTO BUILDING,
VICTORIA, B.C.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
11 SEP 11 1942

10th September 1942.

H. F. Green, Esq.,
Manager, Protection Department,
Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B. C.

Your File No. 4755

Dear Sir:

re Shigeo Nishi - File No. 154

Referring to your letter of the 28th ultimo, this matter was originally referred to me in your letter of the 9th July 1942 to which I replied on the 10th July 1942.

You have on file a list of fishing boat equipment delivered to the Navy from the various houses at Bamfield and Ucluelet, also a list of the articles in storage at House No. 5 Frasers Bay. It is quite possible that some of the equipment is actually listed on one or the other of the above lists but under a different Japanese owners name. When articles were removed from Japanese properties the owner of the article was recorded as being that shown on the registration form. In this particular instance I did not have a registration form for the above named when I inspected properties at Port Albion, consequently any articles removed from a house would be described as being on account of the known owner or tenant of the property inspected.

In the absence of a detailed list of articles comprising "Trolling Equipment" it would not be possible to examine these lists and attempt to identify any article listed as probably being owned by Nishi even though it may have been removed from a house at Port Albion.

In order to go into the matter more fully I would suggest : -

1. That Nishi be asked to supply you with a detailed list of "Trolling Equipment valued at $200.00" supposed to have been at Port Albion.

2. That he be asked to state the name of the Japanese owner of the house he left the articles in at the time of evacuation. I would point out that Nishi's description "House No. 7 and House No. 8" does not convey sufficient information.

3. That Nishi be asked to state definitely details of "trolling machine" left his friend's house at Bamfield and valued at $200.00. If the machine comprised gurdies and gurdie spools, etc. he should supply details as several pieces of this equipment were found outside Japanese houses at Bamfield.

If you are able to supply more specific information I might be able to offer suggestions which may help you in tracing or locating the missing items.

Yours faithfully,

Hg Kirkton

DPE:MHK

4755

September 14, 1942

Mr. Shigeo NISHI, #12149
c/o Mrs. R. Ensign & N. Karl Barons
Picture Butte, Alta.

Dear Sir:

We thank you for your letter of August 24th. We communicated the information contained therein to our agent, and we regret to report that without further details it is impossible for us or our agent to trace your fishing equipment. Our agent asks that you give us as much information as possible along the following lines:

'1. That Nishi be asked to supply you with a detailed list of "Trolling Equipment valued at $200.00" supposed to have been at Port Albion.

2. That he be asked to state the name of the Japanese owner of the house he left the articles in at the time of evacuation. I would point out that Nishi's description "House No. 7 and House No. 8" does not convey sufficient information.

3. That Nishi be asked to state definitely details of "trolling machine" left his friend's house at Bamfield and valued at $200.00. If the machine comprised gurdies and gurdie spools, etc. he should supply details as several pieces of this equipment were found outside Japanese houses at Bamfield.'

Yours truly,

H. F. Green
Protection Department

WGB:MD

MEMORANDUM

November 24, 1942

To: File No. 4755

From: H. F. Green

It seems useless to correspond further about this man's effects, originally declared as trolling equipment valued at $200.00, left with the Wootka-Banfield Packing Company.

It appears probable that this equipment was moved either by Mr. Hinton's representative or by the Navy.

On August 24th he claimed additional trolling machine valued at over $200.00, left at the house belonging to Y. Kawaguichi.

Finally, On September 30th he says he left trolling equipment at house No. 7 and No. 8 - the former being occupied by him and the latter by Mr. I. Yoshida. Additionally, he claims he left a number of things which he cannot recall at his house, and two boxes filled with trolling equipment at No. 8.

He also says that gurdies & gurdies spools were left in the care of a white man whose name he does not know.

Investigations should be made on an inspection of the west coast, but it appears unlikely that anything can be found, with the meager information that has been supplied and the few precautions taken by this man to leave his belongings in safety.

HFG:MDE

Extract from survey notes of O.W.Phillipson, appraiser for Japanese Fishing Vessels Disposal Committee.

20 years Uelueleat Troller

Cond

Damage - Nil

Engine - V.15 (7 years)

Estimated Value $500
($575)

Boat - In bad condition - Needs extensive repairs
Engine - Newer than boat.

$575.00 was the suggested negotiating price of the Japanese Fishing Vessels Disposal Committee.

/FM

JOHN GOULD
Marine Surveyor and Appraiser
VANCOUVER, B. C.

CABLES:
"GOULD" VANCOUVER, B. C.
TELEPHONE:
PACIFIC 9046

No. 57A.

"Ucluelet."

Survey Report

To whom it may concern:

Name	"Ucuelet".		
Official No.	S.N. 3106	Type	Troller.
Owner	Shigeo Nishi.		
Dimensions	L. 35 ft. B. 7.8 ft. D. 3.8 ft.		
Engines	Gasoline. Vivian.		
Horsepower	15 B.H.P.		
Fuel	Gasoline.		
Tank Capacity	80 Gallons.		
Pumps	On deck.		
Lighting	Electric.	Drive	Off main engine.
Anchors	None.		
Chains	None.	Rope	None.
Compass	None.		
Stoves	None.		
Fire Extinguishers	None.		
Valuation	Four Hundred ($400.00) dollars.		
Estimated Market Value	Four Hundred fifty ($450.00) dollars.		

August 1942.
Vancouver, B. C.

John Gould.
Marine Surveyor

Agreement for Sale of Vessel

BETWEEN: THE SECRETARY OF STATE OF CANADA ACTING IN HIS CAPACITY AS CUSTODIAN (AS VESTED OWNER OF THE INTEREST OF SHIGEO NISHI)

(hereinafter called the "Vendor")

OF THE FIRST PART

AND

NIKOLA LONCARIC

(hereinafter called the "Purchaser")

OF THE SECOND PART

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

Name of Vessel: "UCLUELET #1" (S.N.3106)

Port of Registry: Victoria, B. C. Official Number: VIC 2336

Length: 35' Breadth: 7.8' Depth: 3.8'

Propelling power: Vivian 15 H.P.

For the price or sum of $ 550.00

Payable as follows: CASH

FURTHER, ~~we the said~~ the Vendor for ~~my heirs~~, covenant with the said NIKOLA LONCARIC and HIS assigns, that ~~we have~~ he has power to transfer in the manner aforesaid, the premises hereinbefore expressed to be transferred, and that ~~the same are free from encumbrances, except as hereunder set out.~~ he has no knowledge of any encumbrances and accepts no responsibility for same other than to the amount of the purchase price referred to above.

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

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 19th day of August , A.D. 1942.

SIGNED, SEALED and DELIVERED
in the presence of:

K. Taylor

(G. W. McPHERSON)
Authorized Deputy of the Secretary of State and/or Custodian

EVAC
Rec'd JAN 1 8 1944
File No. 4755
Ans.
Referred

G. W. E. Bullock
Taylor Alta
Jan 9 1944

Dear Sir

I had received your letter yesterday
Am disappointed on that balance I thought
any balance at G. W. Smith Victoria. I don't know
Nothing about Victoria. I never in Victoria of al
most (see Victoria yet so you better check up that
thing plane And other thing was Velocette
Engineering Works that was Mr. Thomson should
sold my (bowling machine) or guardee and gumbie
outfit I should call for I shouldn't had any
Battery at Velocette Engineering Works I guess
all of your list was all mistaken so please you
check up that list as fast as you can and don't
make up double balance well you I think you
should know this by now I pick got my balance
and in Velocette Engineering Works Just before I
move to Alberta I left quite a my Bowling
Machine at Just so I don't any balance
anywhere

Your truly
Thomas White

EVACUATION SECTION
Rec'd JUL 8 1942
File No. 4755
Area n/7
Reviewer Green

P.O. Box 502.
Tuber Alta.
July 2/42.

Dear Sir,

I had received the letter from (Acting Engineering Depty) Jack Thompson. He told me that I had to get my accounts paid. I had my accounts for Mr Thompson But I thought he got my guardian to clear my accounts. But in that letter from Mr Thompson that I had not sent my accounts yet. If it really he didn't get my guardian I had to pay him from my boat.

The other thing I like to know was what happen to that guardian. I left Lac ah Bamfield. If that guardian was dead I like to pay from that. I like to know that as soon as possible.

Yours truly
Shigeo Hirabe

Have any enterprise correspondence about guardian during the latter part of 1942, but no satisfactory results reached. It seems probable that this means equipment was a) stolen
b) delivered other navy units in name of some Jap person e.g. Kawaguchi or Yokoida units shown to have left.
c) Lord & strange at Hong Kong & Japan by similarly named Jap persons name

4755

July 13th, 1944.

Mr. Shigeo NISHI,
Reg. No. 12149,
P. O. Box 502,
Taber, Alta.

Dear Sir:-

Thank you for yours of July 2nd enquiring about your gurdies. You will remember that there was extensive correspondence between ourselves and our Victoria agents during the latter part of 1942 but no satisfactory results were reached. Our task was not made easier by the fact that you did not express yourself very clearly as to just what was left and where it had been stored.

Under these circumstances, it seems probable that your equipment was either delivered to the Navy under the name of some other Japanese, perhaps Mr. Kawaguchi or Yoshida, or else moved to storage at House No. 5, Fraser's Bay, similarly under the name of some other Japanese.

The writer is shortly leaving for the West Coast and will see if he can identify any of your equipment though we are afraid that this is now exceedingly unlikely. At any rate, we have your claim on file and we will see what can be done so we think that for the time being further correspondence will not produce any useful result.

Yours truly,

H. F. Green
Protection Department

HFG:IF

EVACUATION SECTION
Rec'd AUG 17 1944
File No. 4755
Area
Returned

P.O. Box 512,
Jakes Alta.
Aug. 13 44

Dear Sir.

Have you got my letter I got it and
my discriptions that I didn't write you
very clearly. About my guardian. I had said to
you it left at Mr. Kawaguchi flune at
Bonfield. You could know about that very very
clearly I think so.

And another equipments was left at Mr.
Yokoi's place, but I don't know what I left
there so I can't write it out. Only things I
could remember I was put in couple of paper boxes.

You said you will leaving to Alberta for
my equipments, I think you could know about
my guardian I like to know about that kind
thing I know. And I like to settled my
balanced to Mr Thompson. out of my guardian
so please take care of my guardian.

Your truly

Shigeo Tsuchi

4755

August 24th, 1944.

Mr. Shigeo NISHI,
Reg. No. 12149,
P. O. Box 502,
Taber, Alta.

Dear Sir:-

Thank you for yours of August 13th. We have now gone into this matter as fully as we can and enclose our findings.

Do you claim the three items removed from Iwakichi Yoshida's house as your property? If you do, we will write to Iwakichi Yoshida and get him to confirm or deny that this is so. In the same way, can you identify any of the gurdies shown as being your property? If you can, please advise us.

As our enclosure will show, we believe that you have a claim but we do not think that any settlement can be arrived at for some time as no arrangement with the Navy has yet been come to.

Yours truly,

H. F. Green
Protection Department

Enc.
HFG:IF

MEMORANDUM

File No.: 4755 August 24th, 1944.

To: FILE

From: Mr. Green

Re: Shigeo NISHI

In his declaration of April 21st, this Japanese registered "trolling equipment valued at $200.00 in House No. 7 of the Nootka-Bamfield Packing Co. at Ucluelet." This Cannery is actually situated at Port Albion opposite Ucluelet.

An enquiry to the N. B. P. C. was answered by them saying that all Japanese articles left behind in the Houses owned by the Company (which covers the residences occupied by Japanese at Port Albion) were removed by our Victoria agents. Reference to these agents on July 10th, 1942, brought the answer that they had no record of this man's name but that perhaps his equipment had been stored in the house of another Japanese at Port Albion. If it was of value, it would have been turned over to the Navy.

Reference to lists of equipment at Ucluelet turned over to the Navy (Refer to our file G/66) shows no unidentified trolling equipment. On August 11th, 1942, we wrote to Mr. Nishi for more information. He answered on August 24th indicating:

(1) Trolling equipment was left both at House No. 7 and House No. 8 at Port Albion.

(2) A "trolling machine" valued at over $200.00 was left at Yoshikazu Kawaguchi's house at Bamfield. This is quite a different place, several hours away across Barcley Sound.

Further correspondence with our Victoria agents led to the suggestion that more information be asked for and this was received from Mr. Nishi on September 30th, 1942 as follows.

(1) Trolling equipment was left at his house No. 7 and Iwakichi Yoshida's house No. 8. "In my house I put all kind of things. I cannot write it all and in No. 8 I put a number

of boxes full of trolling equipment."

(2) The "trolling machine" was evidently an 8 spool gurdie left near Yoshikazu Kawaguchi's house at Bamfield.

We comment on this as follows.

(1) Further reference to our Victoria Agent's list, our file G/66, shows the following turned over to the Navy in Iwakichi Yoshida's name.

1 Tub lead 80 lbs.
2 Boxes lead line 180 lbs.
1 Box fishing gear

We have no record of anything having been moved from Port Albion in Mr. Nishi's name. Correspondence in January 1944 seems to indicate, however, that Mr. Thompson of the Ucluelet Engineering Works may have been given some or all of Mr. Nishi's fishing equipment in payment of a claim against him.

(2) Turning to gurdies, our Victoria Agent's list of equipment turned over to the Navy at Bamfield shows the following.

JAPANESE NAME		EQUIPMENT
Yoshikazu KAWAGUCHI		1 - 8 spool gurdy - 2 spool friction drive 6 spool dog clutch
Not Known	*	1 - 8 spool gurdy made by Thompson 2 with draw bar
		1 - 6 spool long shaft, canvas cover
	*	1 - 6 spool made by Thompson, long shaft
		1 - 6 spool. 4 made by Ostrom, 2 made by Thompson, solid brake band plant cut to fit boat
		1 - 8 spool made by Thompson metal guard over 5 spools
		1 - 8 spool made by Ostrom, shaft between 3 and 4 spool joined by sleeve
		1 - 8 spool made by Thompson, 3 spool with draw bar
Yoshikazu KAWAGUCHI		1 Used propeller made by Simmer
		4 Large gurdies, black, made by Swan
		4 Large gurdies made by Ostrom, old style

JAPANESE NAME (Cont.)		EQUIPMENT
Yoshikazu KAWAGUCHI (Cont.)	2	Medium gurdies made by Ostrom, old style.
	12	Small blocks, miscellaneous make.

It seems quite probable that one or more of these pieces of equipment was the property of Mr. Nishi. A copy of this memorandum is being sent to him and he is being asked to identify his equipment. It seems very unlikely that he will be able to do so and in any case, no arrangement has yet been come to with the Navy about payment of equipment of this kind. I consider that Mr. Nishi has a claim and when settlement is made, should receive consideration.

HFG:IF

N.B. also files 3383 Shoichi Suzuki
1480 Risuke Hamada

letter 11/12/43

As Yoshikazu Kawaguchi appears to have owned only one fishing vessel, it would seem probable that only one of the many gurdies listed under his name would be his property.

F. MacLeod
May 24/46

EVACUATION SECTION
SEP 12 1944
Rec'd
File No. H 755
Ans.
Referred

P.O. Box 502,
Dakota Alta.
Sept 8/44.

Dear Sir,

make copy of this

Thank you for your answered on Sept 1st. I like to explain you a little thing. First of my equipment at Port Alberni I don't mind that's right now. I like to settled my balance at Ocean Falls Engineering Works. I go & tell you and explain why I left my guardies at Bamfield. When I left was broke and just back must take it to New Westminster. I forgot what date I left from Ocean Falls but I and another fellow stay at Bamfield about week or so, by the storm. So every body broke the guardies out of from wood boat as I did it too. That's why my guardies used at Bamfield. If my guardies used at Ocean Falls I had given to Mr. Thompson long time ago. If you can't trust me please asked Mr Yoshikazu Kawaguchi for my guardies. My guardies used made by Thompson. 6 pcs used made quite a long time. 2 of it's used made by Thompson same year the used broke out. All made by Thompson. Mr. I thinks that (not known) word mind. 8 8 pcs used guardy made by Thompson 2 with draw bet. I told forgotten about my draw bet, but I think I told it to If you can't trust me, please asked this to Thompson I like to get this answer quick as possible.

Your Truly
Shigeo Nishi.

C O P Y

P. O. Box 502,
Taber Alta.,
Sept. 8/44.

Dear Sir:

Thank you for your answered on Sept. 1st. I like to explain you a little thing.

First of my equipment at Port Albion I don't mind that right now. I like to settled my balanced at Ucluelet Engineering Works. So I'll goes and explain why I left my gurdies at Bamfield. When the war broke out our boat must take it to New Westminster. I forget what date I left from Ucluelet but I and another fellow stay at Bamfield about week or so, by the storm. So everybody take the gurdies out of from own boat, so I did it too. That why my gurdies was at Bamfield. If my gurdies was at Ucluelet I had given to Mr. Thompson long time ago. If you can't trust me please asked Mr. Yoshikazu Kawaguchi for my gurdies. My gurdies was made by Thompson. 6 spool was made quite a long time. 2 of it was made by Thompson same year the war broke out. All made by Thompson. I think that (not known) was mind. 8 spool gurdy made by Thompson , 2 with draw bar (on the list). I had forgotten about my draw bar, but I think I had it too. If you can't trust me, please asked this to Thompson. I like to get this answer quick as possible.

Your truly,

"Shigeo Nishi"

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 4755

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

September 21st, 1944.

Mr. Shigeo NISHI,
Reg. No. 12149,
P. O. Box 502,
Taber, Alta.

Dear Sir:-

Thank you for yours of September 8th. As we have previously advised you, there is nothing we shall be able to do about payment for the time being but it is important that we establish just what you claim to have left at Bamfield. Please, therefore, write down a list of these putting it in a column something as follows.

(1) 8 Spool gurdie made by Thompson, two with draw bar.

(2) 6 Spool gurdie made by Thompson, long shaft.

Etc. etc. etc.

When we have your reply, we will have on file particulars of just what you claim and shall be able to consider this in due course.

If necessary, please get a friend to help you express yourself clearly and add any particulars as to the age and value of your equipment.

Yours truly,

H. F. Green
Protection Department

HFG:IF

Shigeo Nishi
Reg. No. 12149

EVACUATION SECTION
Rec'd SEP 25 1944
File No. H 755
Ans.
Referred Green

P.O. Box 502,
Jasper Alta.
Sept. 23/44.

Dear Sir

Thank you for yours. on Sept 23rd
you tell me to write down a list, but I
like to know about gurdie to pay to Mr.
Thompson. And another thing you told me
to get my friend and find out age & value
of my equipments. I like to find out, but
I don't know my friend address. The thing
I know was I bought it $75.00 with 6 ft.
and I had put in 2 more after further on.
I had pay $60.00 for it, and I got $79.20
balance to clear yet, so please pay to Mr
Thompson outs of my gurdie

Your truly
Abijes Funke

MEMORANDUM

File No.: 4755 Sept. 28th, 1944.

To: FILE

From: Mr. Green

Re: Shigeo NISHI

It seems hopeless to correspond further about the gurdies on this file. We have not yet been able to establish exactly what gurdies this man claims but it would rather appear that he had one eight-spool and one six-spool. He bought a six-spool gurdie for $175.00 apparently converting it to an eight-spool gurdie for an extra $60.00. He asks that the claim of the Ucluelet Engineering Works be met from any proceeds.

As already mentioned, no decision as to what compensation, if any, will be paid by the Navy has yet been come to and the whole matter, therefore, both of this compensation and the payment of the Ucluelet Engineering Works' claim, have to be left in abeyance.

HFG:IF

4755

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
OCT 13 1942

EXHIBIT No. 116-6
DATE Sept 27/48
FILED BY G. R. A. Rice

Bill
N. Karl
Barrons Alta
September 30/42

Sept 5th

I thank you for your letter couple of days ago and you asked me that "Trolling Equipment and Gurdies and gurdies spools"

I put it Trolling Equipment at No 7 house and No 8 house No 7 house was belong it to me and No 8 was Mr Lyubida In my house I put it all kind of thing as I can't write it all and In No 8 Lyubida house I put it there couple of boxes full of Trolling Equipment

That you told me about that gurdies & gurdie spools I put it near to the house there was 8 spool gurdies on each one. I hope one of the white man was looked after the gurdie but I don't know the name he lived at first beside my third house

You should find all those thing in two place gurdie in Banfield and trolling Equipments in Port Alberni.

Your truly
Eligah Tibbi

EVACUATION SECTION
JAN 14 1947
Rec'd
File No. 4755
Ans.
Referred Prathertt

P.O. Box 502.
Jasper Alta,
Jan 11th 1947.

Dear Sir.

I'm waiting to heard about a guides of my boat. That Mr. Ish ah Y. Kawaguchi ah Banfield B.C. and many other things ah my old place of Port Albion that I had told you many time. Bah you told me to wait to the end of war. Bah war was over about 1½ years ago. Bah I didn't heard a word from you yeh Eah I heard something about that guides Ish ah Y. Kawaguchi I other thing I left ih ah Mr. S. Yokida house I had forget his house no, bah you should know about ih. I like to heard about ih as fast as you can.

Your truly
Shigeo Kishi.

VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, M.C., K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.
FREDERICK JOHN MORGAN, B.A., LL.B.

August 12, 1949

PLEASE REFER TO FILE NO 3212-104

Mr. D. T. Braidwood,
c/o Messrs. Sutton, Braidwood & Morris
506 Royal Bank Building,
Vancouver, B.C.

Dear Mr. Braidwood:

Re: Settlement Awards; NISHI, Shigeo, Case #716, Custodian file # 11755

Trans. p.7.

Real Property - No tender has been made with respect to house No. 7 at Port Albion, B.C. owned by the claimant upon which a claim for $600.00 has been made.

Trans. page 9 & 10

Personal Property - Boats and Boat Gear - We are deferring our decision re suggested settlement pending discussion of real property claim which we believe will have to take place in Vancouver.

Yours truly,

VIRTUE, RUSSELL & MORGAN

Per

WSR/mvf

File No. 4755

August 30th, 1949

MEMORANDUM

TO: MR. D. T. BRAIDWOOD

FROM: MR. GOOD

Re: Shigeo NISHI, Case No. 716
Mr. Virtue's letter of August 12th

Real Property: See transcript page 7, lines 12 and onwards and pages 6 and 7. This claimant owned no real property and did not even own the house for which he is claiming $600.00 as he held this under a lease from the Cannery Company to whom he paid $2.50 a month.

Boats and Boat Gear: Pages 9 and 10 of the transcript give the whole story. Claimant wired the Custodian to sell his boat at the price obtained and he made such a mess of describing the location of different parts of his gear that one wonders how anything was located.

BG:BK

ANALYSIS OF REAL PROPERTY CLAIM

FILE NO. 4755

CLAIMANT: Shigeo NISHI, Registration No. 12149

CLAIM : Description of Property: House No. 7 situated at Port Albion
Type of Real Property: House 30' x 30', 4 rooms
Title or Interest: I am the sole owner of stated property

Fair Market Value of Real Property at date of sale:

(1) Land
(2) Buildings - $600.00

Amount of Loss Alledged to have been sustained: $600.00

ANALYSIS: Shigeo Nishi declared that he had no real property and stated that he lived with his parents at 155 Moncton Street in Steveston.

It was later reported that he occupied a house situated on the property of the Nootka Banfield Company at Port Albion.

The Assessed Value of this house was $50.00

Const. D. H. Howell, in charge Ucluelet Detachment, B. C. Police, reported March 23, 1942, that these houses were slum shanties situated on property of the Nootka-Banfield Company and according to the leases shown to him these houses reverted to the Company when they became vacant.

/AC

EXHIBIT NO 116-7
DATE Sept 27/48
FILED BY G Grant

CASE NO. 716.

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

JAPANESE PROPERTY CLAIMS COMMISSION.
(BEFORE HIS HONOUR JUDGE R. M. JENNINSON, SUB-COMMISSIONER).

Lethbridge, Alberta,
September 27th, 1946.

IN THE MATTER OF THE CLAIM OF
SHIGEO NISHI.

PROCEEDINGS AT HEARING.

APPEARANCES:

G.M.A. RICE, Esq., K.C., appearing for the Dominion Government.

W.S. RUSSELL, Esq., appearing for the Claimant.

MISS LILLIE THOMAS, Secretary.
D. J. HAMILTON, Esq., Official Interpreter.
S. R. HOWARD, Esq., Official Reporter.

THE SECRETARY: Case No. 716, Shigeo Nishi.

SHIGEO NISHI, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Nishi, I am showing you a document entitled "summary of evidence in support of claim". This document was prepared from information supplied by you and under your direction? A: Yes.

Q This is your signature at the end of the document?

A Yes.

Q It contains a summary of the material upon which you are basing your claim? A: Yes.

Q And it is true to the best of your knowledge, information and belief? A: Yes.

MR. RUSSELL: I will put that in as an exhibit, please.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. RUSSELL: Q: Mr. Nishi, your real property claim consists of a claim for a house which you say you purchased for $600.00? A: Yes.

Q Whom did you purchase this house from?

A My uncle.

Q Your uncle? A: Yes.

Q What is your uncle's name? A: K. Tanami.

Q How much did you pay your uncle? A: $600.00.

Q Do you know who built the house?

A My uncle built the house.

Q Your uncle built the house? A: Yes.

Q It was his house? A: Yes.

Q And you bought it from him? A: Yes.

MR. RUSSELL: I would point out that inthe summary of evidence on page 4 there is some fishing equipment listed. It is on page 5, I am sorry. There are two trolling gurdies and then some other lines and so on. When they totalled up these lines, and so on, apart from the trolling gurdies, it amounted to $235.00. The claimant recognises this but he is still claiming only for the $200.00, not the $235.00, as the total claim.

THE SUB-COMMISSIONER: Why is the reduction made?

MR. RUSSELL: I believe, sir, in the proof of claim he estimated the value of the trolling equipment at $200.00, and he feels that he is being consistent in only claiming for $200.00.

THE SUB-COMMISSIONER: Oh, I see.

MR. RUSSELL: Q: By the way, Mr. Nishi, in this summary of evidence you show that you paid $150.00 for these two trolling gurdies and you are now saying that they were worth, the value was $200.00 at the time the claim originated? A: I put in two new spools after that, repaired it.

Q Two new spools? A: Yes, and it cost me $100.00, that is what it cost, for that.

Q That is all.

MR.RICE: I am submitting, your Honour, that the real estate was sold for its fair market value.

For the purpose of the record, I take it that the claim to the boat, $1500.00, has been dropped, or abandoned?

MR. RUSSELL: Yes.

MR. RICE: The goods for which $400.00 is being claimed were not found.

MR. RUSSELL: Pardon me just a second. Do you mind if I ask the claimant about the boat?

THE SUB-COMMISSIONER: All right.

MR. RUSSELL: Q: Mr. Nishi, on page 4 of your claim you show a claim of $950.00 for your fishing boat. You are still claiming for that, are you?

A Yes.

THE SUB-COMMISSIONER: I thought the boat claim was abandoned?

MR. RUSSELL: No; that is incorrect, sir; he is claiming for the boat.

MR. RICE: I am submitting that the fishing vessel was sold with the approval of the claimant for $550.00.

I submit as an exhibit an analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 2).

MR. RICE: I would point out that the claimant declared that he had no real property and stated that he lived with his parents at 155 Moneton Street in Steveston, B. C., and it was later reported that he occupied a house on the property of Nootka-Sunfield Packing Company at Port Albion and the assessed value of this house was $50.00.

THE SUB-COMMISSIONER: What is the assessed value?

MR. RICE: $50.00.

THE SUB-COMMISSIONER: Is that the one that he is claiming $600.00 for?

MR.RICE: Yes, that is the one that he is claiming $600.00

fer. More than that, according to leases produced by the company, these houses were all the property of the company with the arrangement that when left vacant the actual house or houses would revert to the company.

THE SUB-COMMISSIONER: You have not got a copy of that lease?

MR. RICE: No, I haven't, your Honour. The company produced a lease to an inspector from the Custodian's office.

THE SUB-COMMISSIONER: Well, what I suppose they will do, they will take care of that at the Coast.

MR. RICE: Q: Have you got a lease with the Mumfield Company?

A Rent the land down there.

THE SUB-COMMISSIONER: You had better interpret the qestion.

A No, it is just a verbal agreement and we paid rent for the land.

MR. RICE: Q: My information is that there were leases?

THE SUB-COMMISSIONER: In writing?

MR. RICE: Yes.

THE SUB-COMMISSIONER: That will be for the counsel to the Commission to get the leases and produce them at the Coast.

MR. RUSSELL: Your Honour, I am bound to say, in fairness to him and to myself, that I don't think the claimant understood the question, because I have a copy of that lease here.

THE SUB-COMMISSIONER: Well, then, let us have it.

A The witness now says that he thinks there was some

kind of a lease as regards the house.

MR. RUSSELL: I don't think that possibly the claimant understood the question. I have the lease here.

(Lease to Mr. Rice)

MR. RICE: Well, there is no provision here allowing the tenant to remove any buildings from the property, and apparently the house was leased. "The Lessor doth demise unto the said Lessee the house situate on the Lessor's premises at Port Albion."

THE SUB-COMMISSIONER: Is that the same property?

MR. RICE: Yes. Any objection to it going in, Mr. Russell?

MR. RUSSELL: No.

THE SUB-COMMISSIONER: That will be Exhibit 3, lease produced from the claimant's file.

MR. RICE: I will ask him about it.

Q Is that the lease (indicating) that you had from the Banfield Packing Company Limited?

A Yes. This isn't the lease, is it?

Q That is what it is, apparently.

A I didn't know that this was a lease.

Q Oh. Well, that is your signature on that document, is it? A: Yes.

MR. RICE: This document is a lease under the Short Form of Leases Act of the Province of British Columbia, dated the 26th day of May, 1941, and made between Banfield Packing Company Limited, as Lessor, and the claimant, as Lessee. And the lease is signed, apparently, in the presence of a Notary Public. The second clause of the lease provides,

"Witnesseth that the said Lessor doth demise

unto the said Lessee the house situate on the Lessor's premises at Port Albion, British Columbia, known as Number 7, from the 1st day of June, 1941, until the 31st day of May, 1942, yielding therefor during the said term the rent of $2.50 payable as follows:

"Monthly in advance."

This lease, your Honour, is the claimant's, and I tender it as an exhibit with the consent of counsel for the claimant.

(LEASE MARKED EXHIBIT NO. 3).

THE SUB-COMMISSIONER: I wonder why he filed a claim for $600.00 for a house that he said that he bought when, as a matter of fact, it is only a lease.

MR. RUSSELL: I examined him on that point when I ran across the lease just before Court opened this morning, sir, and he said he didn't understand that document at all, that that house was built by his father, or by his uncle, and he paid his uncle $600.00 for it and he, therefore, is making a claim for it on that basis.

THE SUB-COMMISSIONER: Well, the claim is witnessed by one who speaks English and I suppose he had an interpreter. It does not look very good, does it?

MR. RUSSELL: I explained that to him, too, and, notwithstanding that, he is submitting his claim.

MR. RICE: Q: I show you your J.P. form, dated the 21st of April, 1942 (indicating); and ask you if that is your signature to that document?

A Yes.

Q That is your signature? A: Yes; it is.

MR. RICE: I tender the claimant's J.P. form as an exhibit, your Honour.

(J.P. FORM MARKED EXHIBIT NO. 4).

MR. RICE: Q: Did you receive a telegram from the Custodian's office which reads,

"We have offer five hundred fifty dollars for Valuelet One Step Wire if accept".

A It is a long time ago; I have forgotten.

Q August 12th, 1942? A: If I see the telegram I may remember.

Q That is a copy of a telegram I show you?

A I may have received this; it is so long ago I have forgotten.

Q You may have received it? A: Yes, I may have received it, I am not sure.

Q I will help you out a little further. Didn't you answer it on August 19th by wiring the Custodian "Will sell boat if pay in cash"?

A I thought I had written a letter, but was it a telegram?

THE SUB-COMMISSIONER: What is the answer?

A I thought I had written a letter.

Q That telegram came ispelled S-h-i-y-e-o Nishi?

A It is so long ago, I have forgotten the details, but I may have sent that reply.

Q There is nobody else could send it. You were living at Picture Butte then, were you not?

A Yes. It is quite some distance from town.

Q Is there any other Shigeo Nishi out there?

A No, just me.

Q Just you? A: Yes.

Q So that a wire was sent on August 12th, 1942, to Shigero Nishi care of George Ensign?

A Yes.

Q You work for George Ensign? A: Yes.

Q Picturey Butte, Alberta? A: Yes.

Q And there is no other Shigero Nishi working for George Ensign, or no other Shigero Nishi working in the Picture Butte district so far as you know?

A No.

Q And a copy of this telegram, "We have offer five hundred fifty dollers for Velvalet 1 Stop Please wire if accept," that wire was sent from the Custodian's office on August 12th, 1942, and on August 19th, 1942, the Custodian received a reply "Will sell boat if pay incash" and it is signed Shiyee Nishi, or it should be Shigee Nishi. Doesn't that bring back a recollection to you that you told the Custodian to sell your boat for $550.00?

A Yes, I was working at boats and I needed the cash and I may have.

Q You did tell the Custodian to sell your boat for $550.00? You did, did you not? A: Yes.

Q Sure, the evidence is there. I tender these documents, your Honour, as one exhibit, a copy of a telegram and the reply to the same.

(TELEGRAMS MARKED EXHIBIT NO. 5).

MR. RICE: Q: So the reason you are claiming $1500.00 today for the boat is that you forget?

A Yes. I was working at boats and wasn't making much

money and that is why I sold it.

Q Why do you come in here today and claim $1500.00 for a boat that you had already sold for $550.00?

A I wasn't able to earn enough to live on at sugar beets in those days; that is why I sold it for $550.00.

Q I don't want to know that, but what I want to know is why you are coming in here today and swearing to God that the Crown owes you $1500.00 for a boat that you ordered sold for $550.00?

THE SUB-COMMISSIONER: I guess he has not get any reply, Mr. Rice.

MR. RICE: All right.

THE SUB-COMMISSIONER: Q: Did you have an interpreter when you were preparing this summary (indicating)?

A Yes.

Q So there is no excuse for him putting these claims in.

MR. RICE: I mean, if his oath means anything. It is just a fabrication.

THE SUB-COMMISSIONER: Yes, I know.

MR. RICE: Q: Where did you leave your boat equipment?

A At New Westminster.

Q Did you leave it on your boat at New Westminster?

A Yes.

MR. RICE: I would call your Honour's attention to the claimant's J.P. form. "Trolling equipment valued at $200.00 located in a Nootka-Bamfield Packing Company cannery house No. 7 formerly occupied by declarant at Ucluelet, B.C. Trolling equipment will be left there in the same place when declarant is

evacuated. One gas fishing boat named Velvelet in the custody of the Navy, New Westminster, B.C. Declarant will sell boat if he finds a good prospect."

A Excuse me, your Honour. I misinterpreted your last question. The boat was left at New Westminster, but the gurdey was left at Ranfield, and the other equipment was left at Port Albion.

MR. RICE: Q: Port Albion or Port Alberni?

A Port Albion.

Q Albion? A: Yes.

THE SUB-COMMISSIONER: Q: Albion? A: Yes, Albion.

MR. RICE: Q: How far would that be away from the cannery, Port Albion? A: The cannery is at Port Albion; just a little port down there.

Q Just a small port? A: Yes.

Q The Nootka cannery is there, is it?

A Yes, on Port Albion.

Q And whereabouts did you leave your equipment now? You say that part of it was at the cannery, whereabouts?

A In House No. 7

Q Was it all in House No. 7? A: No, some other fellows. I left down there first, you see.

THE SUB-COMMISSIONER: According to the J.P. form, he says, "Trolling equipment valued at $200.00 located in a Nootka-Ranfield Packing Company cannery house No. 7 formerly occupied by declarant." The trolling equipment would be down there, according to this.

MR. RICE: Q: You say that you left all your trolling equipment in house No. 7? A: Yes. Well, it was in No. 7 or possibly No. 8.

Q It was in No. 7 or No. 8? A: Yes.

Q Who had No. 8? Who occupied No. 8?

A It is so long ago I have forgotten the house numbers.

THE SUB-COMMISSIONER: There is the J.P. form on which he states No. 7; I wonder if that is correct.

A If it was entered as No. 7 at the time of registration then there is no mistake, it was No. 7.

MR. RIGG: Q: Did you leave any of your property with Kawaguchi? A: Yes.

Q What did you leave with him? A: The trolling gurdies.

Q You left the trolling gurdies with him?

A Yes.

Q And did you leave any of your property with Yashida?

A Yes, I left some trolling equipment.

Q Trolling equipment? A: Yes.

Q And didn't you write the Custodian that you left some of your property with a white man that you didn't know what his name was?

A Yes. I moved down here, it is so long ago, I have forgotten about it.

Q Where did Kawaguchi live? A: Is it Kawaguchi?

Q Yes, I guess that is it, K-a-w-a-g-u-c-h-i?

A At Banfield.

Q Whereabouts at Banfield? What house number? Is there any way of finding his place?

A It is at Kawaguchi's house.

Q At Kawaguchi's house? A: Yes.

Q You said nothing to the Custodian about it, did you?

A I think I reported it.

Q I quote from a letter that you wrote the Custodian on August 13th, apparently 1944, "And another equipment was left at Mr. Yashida place. I don't know what I left there so I can't write it out, only think" -- it is meant for "thing" I think -- "I can remember was put in a copple of paper box." Perhaps I had better show you this letter and ask you if that is your signature (indicating)? A: Yes.

Q So you left property at Yashida's as well as Kawaguchi's? A: Yes. The things left with Yashida were just trolling equipment.

Q Trolling equipment was left with Yashida?

A Yes.

Q And what was left with Kawaguchi?

A The trolling gurdies.

Q What was it that you left with a white man that you didn't know his name? A: These were the same things that Kawaguchi had been looking after which Kawaguchi handed to the white man.

Q I show you a letter dated September 30th, 1942; is that your signature (indicating)?

A Yes.

Q The second last paragraph says,

> "That you told me about that gurdies and gurdie spools. I put it near to the house there was 8 spools gurdies 4 on each one. I hope one of the white man was looked after the gurdie but I don't know the name he lived just beside my friend house."

And you say that Kawaguchi turned the gurdies over to a white man, or do you know? A: Yes.

Q How do you know? Did you see him turn them over?

A Kawaguchi told me.

Q That is all you know about it, what Kawaguchi told you?

A Yes.

Q And in your last paragraph of the same letter,

"You should find all these thing in two place, gurdie in Ranfield and trolling equipment in Port Albion."

A I can't remember now.

Q How far is Ranfield fromPort Albion?

A I can't remember now.

Q Well, roughly, is it a mile? A: No, more.

Q It is over a mile away? A: Yes.

MR. RICE: I will tender that letter, your Honour, and I point out the impossibility on the part of the Custodian to trace any of the property of the claimant from the information that the claimant furnished the Custodian.

(LETTER MARKED EXHIBIT NO. 6).

MR. RICE: I tender an analysis of the real property claim, your Honour.

(ANALYSIS MARKED EXHIBIT NO. 7).

MR. RICE: That is all.

THE SUB-COMMISSIONER: I notice, Mr. Rice, that in Exhibit 1 there is a claim here for $435.30, with the credits coming to $200.00, leaving a balance of $235.30. All that equipment was bought in 1941, and he is

claiming the price that he paid for the equipment.

MR. RICE: The trolling gurdies, he says that he bought them for $150.00, but he spent money on them in re-building them.

THE SUB-COMMISSIONER: Yes, but the other articles are priced at the values he paid the year previously.

MR. RICE: I take it it was just practically all new equipment.

THE SUB-COMMISSIONER: I was wondering whether it had been used at all.

MR. RUSSELL: Your Honour, in that connection I might explain again that although this total is $435.00 his actual claim is $35.30 less than that.

MR. RICE: Q: This trolling equipment, was that ever taken out of the box?

THE SUB-COMMISSIONER: You see all this stuff here (indicating).

MR. RICE: I took it for granted it was new.

A No, they weren't used.

Q They weren't used? A: No.

Q Were they ever taken out of the box that they came in?

A They were taken out of the original box and put in a larger box but hadn't been used.

Q Hadn't been used? A: No.

Q Did you turn some of your equipment over to Velvalet Engineering Works in payment of a debt that you owed them?

A No, I didn't turn anything into the Velvalet Engineering Works, but the Velvalet Engineering Works made two of these spools for me in the first place.

Q How much did you owe them for that when you left there?

A I have forgotten how much.

Q Those works were run by a man by the name of Thompson?

A Yes, Jack Thompson.

Q Jack Thompson? J. L. Thompson? A: Yes.

Q I think in fairness to you I should point out that your bill originally was $12).60, according to a letter from Mr. Thompson, and you had a credit of $44.40, and there may have been something left when you went away, but it wasn't a great deal, as mentioned in his letter. You suggested in one of your letters to the Custodian that you owed the amount of a gurdie to Thompson. But that is nothing against him, your Honour. Thompson sent in the letter.

THE SUB-COMMISSIONER: Any re-examination?

MR. RUSSELL: No re-examination.

THE SUB-COMMISSIONER: That is all, thanks.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"S.R.HOWARD" Official Reporter.

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

SUB-COMMISSIONER

Defence Brief

Shigeo NISHI

File No. 4755

Case No. 716

LETHBRIDGE
27 September 1948

PERSONAL PROPERTY CLAIM

Claim 1

House No. 7 at Nootka-Bamfield Packing Co., Port Albion.

Claim	Sale Price
$600.	NOT SOLD

Claimant stated that he purchased this house for $600. from his uncle which house was built on land owned by the NOOTKA-BAMFIELD PACKING CO. at Port Albion.

Claimant declared that he had no real property and that he lived with his parents at 155 Moncton Street, Steveston, but later reported that he occupied a house on the property of the Packing Co.

According to a Lease dated 26 May 1941 this house was the property of the Packing Co. from whom the claimant leased the property at $2.50 monthly, with the arrangement that when left vacant the house would revert to the Company.

It is submitted that the real estate was sold for its fair market value. (NOTE - This property was not sold.)

Claim 2 Fishing Vessel

Claim	Appraised at	Sold for
$1500.	$400.	$550.

Witness: Appraiser, John Gould.

An offer of $550. was received for this boat which claimant agreed to accept. He is now claiming $1500. and states that he cannot remember ever having agreed to accept the offer.

Mr. O.W. Phillipson, appraiser for J.F.V.D.C., estimated the value of the boat at $500., reporting it to be in a bad condition and needing extensive repairs.

It is submitted that the fishing vessel was sold with the approval of the claimant at $550.

Claim 3 Trolling Equipment & Trolling Gurdies

Amended Claim

$400.

NOT FOUND

(Trans. Page 5)

200. - DNF
200. - NR
400.

Claimant did not declare the Trolling Gurdies but declared that the Trolling Equipment would be left at house No. 7 of the Cannery at Port Albion, which house he occupied.

Claimant stated that he left the Gurdies with a MR. KAWAGUCHI at Banfield, which he stated was a place more than a mile away from Port Albion. Some of the equipment he left with a Mr. YASHIDA. Every effort was made to locate this equipment but it was made difficult by the fact that claimant did not express himself very clearly.

Claimant said that KAWAGUCHI told him that he had turned over the Gurdies to a white man, whose name he could not remember.

It was pointed out by Mr. Rice the impossibility on the part of the Custodian to trace any of this property of the claimant from the information he had furnished to the Custodian.

Summary of Defence Witnesses	Where required	
John Gould	2	Appraiser
O. W. Phillipson	2	Appraiser

BMP/mw

Name of Claimant NISHI, Shigeo Case 716

Custodian File 4755

REAL PROPERTY

Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	

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 & Not Found & Recorded Now Missing	45% of amount in next preceding column	
		950		156.75		200.00	90.00	246.75

NETS

Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price	

MISCELLANEOUS CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	

TOTAL RECOMMENDATION	246.75