

Custodian File 1948

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices	Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount	% of Total	Amount	
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price		
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
				v Special for camera						65.00
TOTAL RECOMMENDATION										65.00

CASE NO: 212

JAPANESE PROPERTY CLAIMS COMMISSION

Vernon, B.C.

April 28, 1948

IN THE MATTER OF THE CLAIM OF

MITSUO NISHIMURA

PROCEEDINGS AT HEARING

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 M.M. COLQUHOUN, SUB-COMMISSIONER)

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Vernon, B.C.

April 28, 1948

IN THE MATTER OF THE CLAIM OF
MITSUO NISHIMURA

PROCEEDINGS AT HEARING

20 APPEARANCES:

D.S. McTAVISH, Esq., appearing for the
 Dominion Government.

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

T.J. MARRION, Esq., Secretary to Vernon
 Sub-Commission.

G.N.R. UPTON, Esq., Official Interpreter.

G. HAMBLETON, Esq., Official Reporter.

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

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

DIRECT EXAMINATION BY MR. McMASTER:

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

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

A: (Witness complies)

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

A: Pardon?

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

A: Yes.

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

(STATEMENT MARKED EXHIBIT NO. 1)

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

MR. McTAVISH: That is correct, your honour.

30 MR. McMASTER: Your witness.

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

MR. McMASTER: That is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

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Gordon Hambleton
G. Hambleton
Official Reporter

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

MacCallum
Sub-Commissioner

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DEC - 2 1947

1948

DOMINION OF CANADA (
PROVINCE OF BRITISH COLUMBIA (
TO WIT: (

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

ACKNOWLEDGED

- and -

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

Vernon

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

1. I am a person of Japanese Race, Registration No. 01606, who was evacuated from the Protected Area of British Columbia, and that I resided in Canada on July 18th, 1947.

Norris & Macdonald

2. At the time of my evacuation I resided at 566 Powell Street, Vancouver, British Columbia.

3. I am now residing on the Coldstream Ranch, aforesaid, near Vernon, British Columbia.

4. At the time of my evacuation as aforesaid, I was the owner of an Auto Flex Kodak Camera in a leather case, having a value of Eighty (\$80.00) Dollars, for which I have received nothing, and I claim my loss to be the said sum of \$80.00.

5. (a) The aforesaid Camera was left by me in the care of the R.C.M.P. in Vancouver on March 9, 1942.

(b) Receipt signed by A.R. Campbell, R.C.M.P. Reg. No. 13838

(c) The said Camera is described in detail as: One(1) Auto Flex Kodak Camera in leather case, value \$80.00 Serial No. 816741.

(d) My loss herein is \$80.00 as hereinbefore declared.

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

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

[Signature]

Mitsuo Nishimura

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

Norris & MacLennan

BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

TELEPHONE PACIFIC 5254

CABLE ADDRESS: "NORRIS"
VANCOUVER, CANADA

T. G. NORRIS, K. C. — J. A. MACLENNAN, LL. B.

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST

Vancouver, B. C.

December 24, 1947.

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

Duplicate

Dear Sir:

Re: Japanese Property Losses
claim - NISHIMURA (Mitsuo),
Registration No. 01606.

1948

We enclose herewith original Statutory Declaration of the above-named, together with true copy thereof for filing with the Commission in this connection.

This document came to us in the mail without a covering letter and it may be that the claim is already filed with you in duplicate.

Yours truly,

NORRIS & MacLENNAN

Per: 

JAM:mk
Encls.

DEC 29 1947

Duplicate

1948

DOMINION OF CANADA
PROVINCE OF BRITISH COLUMBIA
TO WIT:

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

- and -

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

Vernon
Nepes

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Vernon, in the County of Yale, in the Province of British Columbia,
DO SOLEMNLY DECLARE THAT:-

1. I am a person of Japanese Race, Registration No. 01606,
who was evacuated from the Protected Area of British Columbia, and
that I resided in Canada on July 18th, 1947.
2. At the time of my evacuation I resided at 566 Powell Street,
Vancouver, British Columbia.
3. I am now residing on the Coldstream Ranch, aforesaid, near
Vernon, British Columbia.
4. At the time of my evacuation as aforesaid, I was the owner
of an Auto Flex Kodak Camera in a leather case, having a value of
Eighty (\$80.00) Dollars, for which I have received nothing, and I
claim my loss to be the said sum of \$80.00.
5. (a) The aforesaid Camera was left by me in the care of the
R.C.M.P. in Vancouver on March 9, 1942.
(b) Receipt signed by A.R. Campbell, R.C.M.P. Reg. #13838
(c) The said Camera is described in detail as: One (1) Auto
Flex Kodak Camera in leather case, value \$80.00
serial No. 816741.
(d) My loss herein is \$80.00 as hereinbefore declared.

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

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

M. Nishimura

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

M. Nishimura
(Claimant's Name)

PERSONAL CHATTELS

01606

Reg. No.

Description of Major Items (and particularly of goods lost, stolen or destroyed)	Approximate Date Purchase	New or Used When Purchased	Price Paid	Condition when Evacuated	Estimated value at Date of Evacuation
1. Autoflex camera (ser # 816741) and leather case	1939	80 ⁰⁰	new	very good	65 ⁰⁰

EXHIBIT NO. _____
DATE _____
FILED BY _____

Description of Storage of Goods: Turned in to RCMP -

General Statement as to Chattels not Described above:

- none -

Additional Comments, if any: I am informed that ~~that~~ the police later turned over the camera to the Custodian and the Custodian advised me by letter of June 1/45 that my camera was missing from his storehouse while my brother Juzo Nishimura declared that he held the camera as his property and I believe this camera would easily be worth the sum of 65⁰⁰ claimed, which allows for any depreciation.

M. Nishimura
SIGNATURE

EXHIBIT No. 212-1
DATE 28 April 1948
FILLED BY Claimant.