

| <u>REAL PROPERTY</u>                 |                                     |  |                                   |   |  |  |  |   |                        |                             |
|--------------------------------------|-------------------------------------|--|-----------------------------------|---|--|--|--|---|------------------------|-----------------------------|
| 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 Total                  | Sale Price   | Total Award 125% of all Sale Prices: % of Total |                        |                             |
|                                      |                                     |  |                                   |   |  |  |  |   |                        |                             |
| <u>PERSONAL PROPERTY</u>             |                                     |  |                                   |   |  |  |  |   |                        |                             |
| Motor Vehicles                       |                                     |  | Boats and Boat Gear               |   |  |  |  |   |                        |                             |
| Sale Price                           | 25% thereof                         | Sale Price   | Nelson Bros. 23.5% of Sale Price  | Other Sales 28.5% of Sale Price   | Equipment charges paid to purchasers in error. Repay to owners | Amount of Claims for Boat Gear Declared & Recorded Now Missing | 45% of amount in next preceding column                         |   |                        |                             |
|                                      |                                     | 315.   |                                   |   |  |  |  |   |                        | 77.52                       |
| <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  |   |                        |                             |
|                                      |                                     |  |                                   |   |  |  |  |   |                        |                             |
| TOTAL RECOMMENDATION                 |                                     |  |                                   |   |  |  |  |   |                        | 77.52                       |



CASE NO: 871

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba

September 3rd, 1948.

IN THE MATTER OF THE CLAIM OF

YUKIO HIGO

PROCEEDINGS AT HEARING

Original



CASE NO: 871

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

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

10

B E F O R E

(THE HONOURABLE MR. JUSTICE A.G. BUCKINGHAM, SUB-COMMISSIONER)

Winnipeg, Manitoba.

September 3rd, 1948.

IN THE MATTER OF THE CLAIM OF

20

Yukio HIGO

PROCEEDINGS AT HEARING

APPEARANCES:

F.M.FERG, Esq.,            Appearing for the  
                                  Dominion Government

S.M. CHERNIAK, Esq.,    Appearing for the  
                                  Claimant.

- - - - -

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

30

MARK H. FEARCE, Esq., Official Reporter



Yukio Higo  
In Chief.

YUKIO HIGO, the claimant herein, being  
first duly sworn, testified as follows:-

DIRECT EXAMINATION BY MR. CHERNIAK:

MR. CHERNIAK: I have an amendment to make here,  
Your Honour. We found that the person who  
originally prepared this confused the two boats  
for which claim is made.

THE COMMISSIONER: Are there two boats?

10 MR. CHERNIAK: There were two boats for which  
claim was made but I am amending it and with-  
drawing the claim of the boat 'Acme' which was  
sold through the J.F.V.D.C. However, the infor-  
mation relative to these boats was mixed up at  
the time of making the claim. This will be  
clarified when I make my statement or file my  
statement. Suffice to say that the claim is for  
a boat 'Miss Acme', valued at \$800.00, Custodian's  
sale price \$315.00 and the loss is therefore  
\$385.00, or, rather, \$485.00.

20 Q I show you a typewritten statement referring  
to the boat 'Miss Acme', was this prepared in  
accordance with your instructions?

A Right.

Q Is this your signature? A Yes.

MR. CHERNIAK: I tender this as Exhibit 1, Your  
Honour.

(PERSONAL PROPERTY CLAIM, EXHIBIT 1.)

MR. CHERNIAK: I think my learned friend would  
possibly like to file his appraisal on the boat.

30 MR. FERG: That is 'Miss Acme'?



Yukio Higo  
In Chief.

MR. CHERNIAK: Yes. On behalf of my learned friend, I file as Exhibit 2 the Survey Report on the 'Miss Acme', which is signed by John Gould and dated February, 1943, no day is shown but the valuation is shown as \$350.00

(SURVEY REPORT, EXHIBIT 2.)

10 MR. CHERNIAK: And on behalf of my learned friend I will file as Exhibit 3 a sheet entitled 'Summary taken from Vessels Records' referring to the Miss Acme and showing the J.F.V.D.C. valuation at \$403.00, the Custodian's valuation at \$350.00, and the date of sale as February 13th, 1943, the purchaser Nelson Brothers, Fisheries, Limited and the selling price at \$315.00.

(SUMMARY TAKEN FROM VESSELS RECORDS  
EXHIBIT 3.)

20 MR. CHERNIAK: I would like to bring Your Honour's attention to the dates of the appraisal which states February, 1943, \$350.00, and the sale on February 13th, 1943, at \$315.00. Exhibit 1 filed on behalf of the claimant sets out that he purchased this boat, the Miss Acme in 1932 and powered it with a 7 h.p. Vivian motor. The cost price was \$1,200.00. He did a complete overhaul to the oakum, cabin and partitions and equipped it with a net drum complete with net roller at a cost of approximately \$350.00. He replaced a piston on the engine and the piston ring was replaced every three years at a cost of approximately \$50.00

30

THE COMMISSIONER: When was this Done?



Yukio Higo  
In Chief.

MR. CHERNIAK: 1939, Your Honour. He states that he turned the boat over to the Navy at New Westminster and reported same to the Custodian. Although this boat was 10 years old he completely overhauled the hull and also made repairs to the engine. He believes the fair market value of this boat at the time of evacuation was at least \$800.00

10

CROSS-EXAMINED BY MR. FERG:

Q Mr. Higo, you did not have an independent valuation made of this boat? A What do you mean, my own valuation?

Q You didn't bring anybody from outside to value the boat? A No.

Q You made this valuation of \$800.00 yourself?

A Yes.

Q It is your own estimation?

A Yes.

20

Q We don't know anything about boats down here; about what is the life of a fishing boat of this type? A It depends on how you take care of it, some boats last thirty years, some twenty years and some fifteen yearsp

Q How long have you been fishing?

A Ten years.

Q This was the first fishing boat you ever owned?

A I had another boat.

Q The Acme? A Yes.

30

Q Was the Acme an older boat than this one?



Yukio Higo  
Cr-Exam.

A— It is a newer boat.

Q The Acme? A Yes.

Q And this was an older boat than the Acme?

A Yes.

Q You had one other boat previous to this one?

A Yes.

Q And you fished with this boat for ten years?

A the other boat my brother fished.

Q But you fished for over ten years?

10

A Yes.

Q And used this boat? A Yes.

Q And this boat was continuously in service for the ten years previous to evacuation?

A I overhauled the boat during the ten years.

Q Yes, I understand that, in other words you kept it going? A Yes, it was in good shape.

MR. FERG: All right. My submission is, Your Honour that the boat was sold for its fair market value.

20

RE-EXAMINATION BY MR. CHERNIAK:

Q In fixing your valuation on this boat did you know or were you aware of the values and sale prices of boats during the time that you were fishing, during those ten years? Shall I ask the question again?

A I can't get you.

Q I meant by that - during the ten years where were you living? A Sea Island.

Q And do I understand that Sea Island is an area given over almost exclusively to fishermen?

30

A Yes.



Yukio Higo.  
Re-Exam.

Q Did you know, while you stayed there, the price of other boats bought by other people?

A Yes.

Q And your valuation at \$800.00 is what you consider to be a fair market value for this boat?

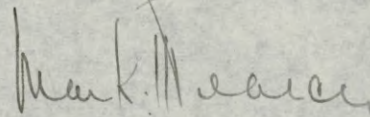
A Yes.

THE COMMISSIONER: All right. That is all.

(PROCEEDINGS ADJOURNED SINE DIE)

10

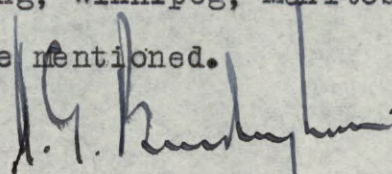
Certified to be a true and accurate transcript.



(MARK H. PEARCE)  
OFFICIAL REPORTER

CERTIFICATE

I, the undersigned Sub-Commissioner hereby certify  
20 that the foregoing 6 pages of typewritten matter contain a true and accurate record of the Sub-Commission held in the Law Courts Building, Winnipeg, Manitoba, at the time and date first above mentioned.



(SUB-COMMISSIONER)

30



Case 871 (w/p) NOV 28 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

ACKNOWLEDGED

TO: The Commissioner,  
Office of the Custodian,  
Royal Bank Bldg.,  
Vancouver, B.C.

*CW*

*5378*

*wpl*

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

- (1) NAME HIGO, Yukio (RCMP) Reg. No. Unknown  
(Print) Surname Given Name
- (2) Pre-Evacuation Address Acme Cannery, Eburne, B. C.
- (3) Present Address 32 Hindley Ave., St. Vital, Man.
- (4) REAL ESTATE
  - (a) Street Address (if any) Nil  
City or Municipality, Province
  - (b) Legal description (lot number, block number, section number, etc.)  
N/A
  - (c) Type of Real Property (cross out words which do not apply):
    - (i) Farm
    - (ii) Residence Type of business
    - (iii) Business
    - (iv) Any other type of property (describe) Fishing Vessels
  - (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)  
Sole owner
  - (e) Fair market value at date of sale (estimate this to the best of your ability):
    - (i) Land - - - - - \$ N/A
    - (ii) Buildings - - - - - \$ N/A
    - (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) - - - - - \$ Nil
    - (v) Amount at which Custodian sold property and credited your account - - - \$ \_\_\_\_\_
  - (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ Nil
- (5) PERSONAL PROPERTY
  - (a) Place or places at which property was left by the claimant at date of evacuation  
New Westminster, B. C.
  - (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)  
\_\_\_\_\_
  - (c) How stored or packed at time of evacuation  
\_\_\_\_\_



(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

In care of Custodian

| (e) Itemized description of personal property which is the subject of the claim: | Sell. |           |
|--|-------|-----------|
|  | Price | Loss      |
| 1. Fishing Vessel "Miss Acme" Built 1940 @ \$1200.00 Estimated Value \$          | 1220. | 280. 940. |
| (improvements 1941 \$200.) (Depreciation 10%) Estimated Value \$                 |       |           |
| 2. Estimated Value \$  |       |           |
| 3. Estimated Value \$  |       |           |
| 4. Fishing Vessel "Acme" Bought 1937 @ \$1600.00 Estimated Value \$              | 960.  | 750. 210. |
| Less Depreciation 10% (Sold by Fishing Vessel Disposal Comm.) Estimated Value \$ |       |           |
| 5. Estimated Value \$  |       |           |
| 6. I was forced to sell my Fishing Vessels "Acme" Estimated Value \$             |       |           |
| 7. at a very low price, due to evacuation. Estimated Value \$                    |       |           |
| 8. Estimated Value \$  |       |           |
| 9. Estimated Value \$  |       |           |
| 10. Estimated Value \$   |       |           |

TOTAL CLAIM FOR PROPERTY LOSS \$ 1150.00

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) - - - - - \$ 1150.00

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

(b) Do you require the services of an interpreter at the hearing? Yes or no Yes

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 Manitoba )  
TO WIT: )

I, Yukio HIGO of the Municipality  
of St. Vital in the Province of Manitoba

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 Winnipeg )  
in the Province of Manitoba )  
this 22nd day of November, )  
A.D. 1947.

*Yukio Higo*

A COMMISSIONER FOR OATHS.  
MY COMMISSION EXPIRES DEC. 16TH, 1947  
A Commissioner &c.

N.B.—THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.



HIGO, Yukio

(Claimant's Name)

PERSONAL PROPERTY

(Fishing Vessels, gear and equipment)

02025

Reg. No.

NETS:

| Type | Size | Mesh | Fathoms | Age at Evacuation | Original Value | Estimated value at Evacuation |
|------|------|------|---------|-------------------|----------------|-------------------------------|
|------|------|------|---------|-------------------|----------------|-------------------------------|

VESSELS SOLD BY CUSTODIAN

| NAME  | Reg. No.     | Type               | Date Purchased | New or Used | Price Paid | Maintenance Work | Condition When Evacuated | With whom Left | Estimated Value |
|---|--------------|--------------------|----------------|-------------|------------|------------------|--------------------------|----------------|-----------------|
| "Miss Acme"<br>also known as "Y.H."                   | N.W.<br>3159 | Gillnet<br>fishing | 1932           | new         |            |                  |                          | Navy           | \$800.00        |
| <u>Improvements to Vessel since date of purchase:</u> |              | <u>Type</u>        | <u>Date</u>    | <u>Cost</u> |            |                  |                          |                |                 |
| Powered with 7 H.P. Vivian                            |              |                    |                |             | \$1200.00  |                  |                          |                |                 |

OTHER GEAR:

| Description  | Date Purchased | New or Used | Price Paid | Condition when Evacuated | Estimated value at date of evacuation |
|--|----------------|-------------|------------|--------------------------|---------------------------------------|
| <u>IMPROVEMENTS TO VESSEL SINCE DATE OF PURCHASE.</u>  |                |             |            |                          |                                       |
| Hull: - Complete overhaul to oakum, cabin, and partitions, equipped with net drum complete with net roller at cost of approximately \$350.00 |                |             |            |                          |                                       |
| Engine: - replaced piston - 1939, piston ring replaced every 3 years at cost of approximately \$50.00  |                |             |            |                          |                                       |

Arrangements made for storage when evacuated:

Additional Comments, if any: I turned the boat over to the Navy at New Westminster and reported same to the Custodian. Although this boat was 10 years old I completely overhauled the hull and also made repairs to the engine. I believe the fair market value of this boat at the time of evacuation was at least \$800.00.

EXHIBIT No. 871-1  
DATE Sept. 3/48  
FILLED BY Claimant

Y. Higo  
Signature



PP  
2

**JOHN GOULD**

Marine Surveyor and Appraiser  
VANCOUVER, B. C.

CABLES:  
"GOULD" VANCOUVER, B. C.

TELEPHONE:  
PACIFIC 9046

No. 20.N.

"Miss Acme".

**Survey Report**

To whom it may concern:

|                     |  |
|---------------------|--|
| Name.               | "Miss Acme".                           |
| Official No.        | N.W. 3159.                             |
| Owner.              | Yukio Higo.                            |
| Dimensions.         | L. 30 ft. B. 7 ft. D. 3 ft.            |
| Engines.            | Gasoline.                              |
| Name & H.P.         | Vivian. 7 H.P.                         |
| Fuel.               | Gasoline.                              |
| Tank Capacity.      | 2 Tanks. 40 Gals.                      |
| Pumps.              | None.                                  |
| Lighting.           | Electric. Generator. Run off engine.   |
| Anchors.            | None.                                  |
| Chain.              | None. Rope. None.                      |
| Compass.            | None.                                  |
| Stoves.             | None.                                  |
| Fire Extinguishers. | None.                                  |
| Valuation.          | Three Hundred fifty (\$350.00) dollars |

A

*John Gould*  
Marine Surveyor.

February 1943.  
Vancouver. B. C.

EXHIBIT No. 871-2  
DATE Sept. 2/48  
FILLED BY Clairmont



AP  
3

SUMMARY TAKEN FROM VESSELS RECORDS

Date: July 7, 1944

Name: HIGO, Yukio

Reg. No. 02025

File: 5328

Boat File No.: Custodian 5328

Name of Vessel: "Miss Acme"/"Y.H." 30'x7'x3' (1932) Vivian 7 HP

Lic. or Reg. No.: New Westminster 3159

Naval No.: NW.059-F

Owner's Valuation: \$800.00 *~ \$700. - ?*

JFVDC Valuation: 403.00 Survey #303 NW

Custodian Valuation: 350.00

Date of Sale: February 13, 1943

Purchaser: Nelson Bros. Fisheries Ltd.

Signature on Sales Papers: Custodian Sale

Selling Price: \$315.00

Paid to ~~JFVDC~~ or Custodian: 315.00

Supervision Costs: 42.77

Balance due Owner: 272.23

Paid to: Credited to account of Yukio HIGO

Location of Boat at Sale: Nelson's Wharf (Ex New Westminster)

Claims Against Canadian Govt.: None

Additional Information:

*FM*

EXHIBIT No. 871-3  
DATE Sept. 3/49  
FILLED BY Claimant