Name of Claimant HIGO, Toyokichi Case 1331

Custodian File 7655

REAL PROPERTY											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% there-of	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	

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	
			477.50 75.00	386.75	334.02	52.73

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	
			46%	195.00	89.70			89.70

TOTAL RECOMMENDATION	142.43

CASE NO: 1331.

JAPANESE PROPERTY CLAIMS COMMISSION

Montreal, P.Q.,

June 1st, 1948.

IN THE MATTER OF THE CLAIM OF

TOYOKICHI HIGO.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 1331.

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

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER)

10 Montreal, P.Q.,

June 1st, 1948.

IN THE MATTER OF THE CLAIM OF

TOYOKICHI HIGO.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
ROGER OUIMET, Esq., K.C.,	appearing for the Claimant.

Y

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

30

MR. OUIMET: My lord, this is a claim as appears from the original claim of $500.00 for fishing equipment and $200.00 for furniture and fixtures , making a grand total of $700.00, there having been the sum of $344.49 apparently received, leaving a net balance of $355.51.-$355.51.

TOYOKICHI HIGO, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

10 DIRECT EXAMINATION BY MR. OUIMET:

Q Mr. Higo, Toyokichi, you are claiming for No. 04797?

A Right.

Q Would you look at a claim for personal property, apparently bearing your signature and see if you have seen it before and whether this is your signature? A: This is my signature.

Q Would you look at this claim and say whether it represents the truth insofar as the total claim for $500.00 for personal property is concerned,

20 less $344.49 received, having a net balance of $165.98? A: Yes, that is correct.

Q And the mention concerning the places where the nets and other gear were left also represents the truth? A: Yes.

MR. OUIMET: Would you file this claim for personal property as Exhibit 1?

(STATEMENT MARKED EXHIBIT NO. 1).

Q Would you take communication of a document apparently bearing your signature, and apparently being a

30 claim for personal chattels for an estimated value

of $215.00, original claim $200.00, sold by Custodian $12.50, balance of claim $187.50 and say whether this is your claim and whether it represents the truth?

A Yes.

Q Have you taken communication of additional comments as written at the bottom of the personal chattels claim? A: Yes.

Q Were those things given by you to anybody?

10 Were those comments given by you to anybody?

A Yes.

Q Do they represent the truth?

A Yes.

Q Would you look at the inventory of personal chattels attached to the personal chattels claim and mentioning a total of $215.00 and say whether that inventory was also furnished by you?

A Yes.

Q And does that represent the actual truth?

20 A Yes.

MR. OUIMET: Would you file this claim for personal chattels, please, as Exhibit 2.

(STATEMENT MARKED EXHIBIT NO. 2).

MR. OUIMET: That is all for the moment, my lord.

MR. HUNTER: It is submitted, my lord, that the nets were sold for their fair market value. It is submitted that a claim for one net which was not sold is exorbitant. It is submitted that personal chattels sold were sold for their fair

30 market values. It is submitted that claims made

for personal chattels not sold by the Custodian are extremely exorbitant. Reference is made to Exhibit 1, my lord.

THE COMMISSIONER: Yes.

MR. HUNTER: The top net for which claim of $160.00 is made was sold for $130.00. The second net which the claimant valued at $45.00 in the original information which he gave to the Custodian was sold for $30.00. The third net wasn't taken over by the Custodian and is shown in the file as having been left with the cannery.

THE COMMISSIONER: Is there any explanation as to why it was left?

MR. HUNTER: No, my lord. I shall have to find something more about that for you. The third net was sold for -- no, the fourth net was sold for $7.50, and the fifth net for $5.00.

Insofar as the gear is concerned shown further down, the cork lines with floats were sold for $31.70. The leadlines were sold for $23.00. Insofar as the remaining equipment is concerned, lead, 200 pounds of it, was sold for $12.00; 400 tarred floats were sold for $14.00, cotton ropes 87 pounds were not found, cotton twines, 10 pounds, were sold for $4.00, net twines 3 pounds were sold for $5.10, and all this mesh down below for which claim of 15 pounds is made, only one pound was found and sold for $2.47.

I would file the analysis of personal property claim, my lord.

(ANALYSIS MARKED EXHIBIT NO. 3).

MR. HUNTER: Again I call your Lordship's attention that when this man finally declared his nets in January, on January 27th, 1943, it will be noted that the second net for which he now makes claim for $85.00, he values there at $45.00.

THE COMMISSIONER: Have you the J.P. form? I think it would be as well to have him identify his signature on the J.P. form.

10 MR. HUNTER: He declared nothing in his J.P. form. This was a subsequent declaration on January 27th, 1943, when he sent a letter in, or a net statement. I have that.

THE COMMISSIONER: I would have him identify the letter then. That is the only discrepancy in the values as between the claim presented now and the original declaration, is that the case?

MR. OUIMET: My lord, may I speak to that point? I believe that the claimant made the claim for $85.00

20 for two nets, not for one, one being for $45.00 and the other for $40.00 making a total of $85.00.

THE COMMISSIONER: You can clear it up in re-examination, Mr. Ouimet.

MR. OUIMET: Thank you.

CROSS-EXAMINATION BY MR. HUNTER:

Q Is this a net statement furnished by you, Mr. Higo, to the Custodian? A: Yes, this is mine.

30 Q You will have to speak up.

MR. OUIMET: Speak to the Interpreter and he will translate it.

MR. HUNTER: Q: This is a complete list of your nets, is it?

A Yes.

Q And your fishing gear? A: Yes.

Q And return to this document headed "Toyokichi Higo" and received at the Custodian's office January 27th, 1942 -- 1943.

10 A Yes.

MR. HUNTER: Now I would tender this net statement as Exhibit 4, my lord.

(STATEMENT MARKED EXHIBIT NO. 4).

THE COMMISSIONER: What is the date of the document?

MR. HUNTER: It was received by the Custodian's office on January 27th, 1943, my lord. The document a appears to be undated.

Your Lordship will notice that in the claimant's Exhibit 2, he has stated at the bottom 20 when he was admitted to Hastings Park on May 5th for half a day prior to his evacuation, he was asked to report all his assets to the Custodian. "He enumerated his household goods, kitchen utensils, beds, stoves, bureaus, etc., but the girl in charge said that those small things were unimportant, he need not list them". He didn't and neither did his wife later. While there is a possibility that what the claimant says is correct, my own submission is it is extremely improbable.

30 THE COMMISSIONER: It is not material here in any case,

is it, because he subsequently did declare them?

MR. HUNTER: Well it is material insofar as the rest of his chattels are concerned.

If your Lordship will notice in the analysis, Exhibit 3, some of these things were reported later again, a considerable length of time after the man had evacuated and of course they are much less.

THE COMMISSIONER: Yes, I see.

10 MR. HUNTER: The nets were all right. They were with the A.B.C. Cannery, the Anglo-British Columbia Cannery, my lord, but it is the personal chattels I am interested in. However, if I could refer to Exhibit 2, I could give your Lordship a very quick history of what happened. The bedstead was found but lost. The cupboard was home-made , it was found and lost. The heater was not found, the oil stove was not found. The two carpets were not found, the box of carpenter's tools were

20 not found. I don't know anything about this next item because it is impossible to reconcile it with what was found. The dishes and kitchen utensils were found and shown , but you can't tell which is which. The next item, the rowboat, was a flat bottom boat which was found and then lost. There was some fishing equipment found in one of the rooms, and it was lost.

THE COMMISSIONER: What is the situation in regard to the china?

30 MR. HUNTER: It is in exactly the same position, my lord,

as the previous set of kitchen utensils, and so on.

THE COMMISSIONER: It could not be identified?

MR. HUNTER: I can't identify it, my lord. There was an inventory taken. Perhaps it might be of some assistance to your Lordship if I file the inventory.

THE COMMISSIONER: It might be helpful.

MR. HUNTER: Yes, it is attached to a report of R.M. Anderson and Carlson, dated January 13th, 1943, and in it it shows a certain number of things which were found. I tender that as Exhibit 5, the report and inventory of Anderson and Carlson.

(REPORT MARKED EXHIBIT NO. 5).

MR. HUNTER: There were conflicting reports on this property, my lord. One report said the place had been ransacked and the others said the building -- the place was very carefully locked up under the eye of the neighbour, and the neighbour saw no one there as he would be bound to who removed articles of the size mentioned there, therefore the place couldn't be broken into.

THE COMMISSIONER: There is some confusion in it, in any case.

MR. HUNTER: It is difficult to reconcile it. It was general up in that part of the country. There was a great deal of looting up there.

THE COMMISSIONER: Where was this?

MR. HUNTER: It was up at Ladner.

THE COMMISSIONER: You will appreciate, Mr. Ouimet, that I admit documents such as Exhibit 5, but it is only

for information and subject to later proof.

MR. OUIMET: Which later proof, I take it, will not be made here but when you go back to British Columbia?

THE COMMISSIONER: Yes, when the Government leads its defence. It is only permitted here so you have the information.

MR. HUNTER: Q: Is this your J.P. form, Mr. Higo, (producing)? Is this your signature?

10 A Yes.

Q And was this the person that told you not to list your chattels in detail, the witness there?

A It was a girl.

Q The witness whose signature is there, is it the same person?

MR. OUIMET: My lord, I don't want to make any objection because I know the proceedings here must be as broad as possible, but it seems to me this might not be altogether a fair question to the

20 witness because he is asked both to identify the signature and a person presumably conected with the signature.

THE COMMISSIONER: If he remembers the name of the person, he can say so. If he does not, he should say so.

MR. OUIMET: It doesn't appear from the signature itself whether the person who signed it was a man or a woman.

MR. HUNTER: Q: Did you see this witness sign that?

30 A I don't remember clearly. It is so long ago.

Q Do you know the name of this person who told you not to fill in this report, or not to bother with this information in detail?

A I don't remember clearly because it is so long ago, but at the time I did register a group of carpenters was asked to go to the Kaslo re-location centre in a hurry, and we only had about half a day to make all arrangements to pack up and leave Hastings Park and register our property.

10 Q What information did you give her?

A When I was asked whether I had any property to report, I said yes, and It was about to give the information but there were 48 carpenters were told at 10 o'clock in the morning that they would be required to catch the one o'clock train and there wasn't time to take all the details.

THE COMMISSIONER: That is probably about as far as you can get, Mr. Hunter.

MR. HUNTER: I would like to ask one more question, my

20 lord.

THE COMMISSIONER: Yes.

MR. HUNTER: Q: Did you ask her to put down any general declaration, such as household furniture or fishing nets? A: There was no detailed questioning. She asked if I had any property to declare and I said, "Yes, it is all at the cannery", and when I said it was all left at the cannery, she said that would be all right.

Q But it wasn't all left at the cannery, was it?

30 I file this J.P. form as Exhibit 6.

(J.P. FORM MARKED EXHIBIT NO. 6).

THE COMMISSIONER: Mr. Interpreter, if the witness says anything, I want it to be interpreted so it is on the record.

A The furniture was all left in the house, but the nets and fishing gear were left at the cannery.

MR. HUNTER: Q: Yes, but you didn't report them to her, did you? A: There was nothing definite about it, but I had a receipt from the cannery manager in connection with the nets and fishing gear left there.

Q Yes, and did you give that receipt to the girl?

A No. I left them with the cannery manager on the understanding that he would try and sell them, so I didn't report this particular matter to the Custodian.

Q I see, and the cannery did sell them, didn't they?

A This is a receipt from the cannery manager (producing). This is a receipt from the cannery manager for the custody of the nets.

MR. OUIMET: I wish to file this, my lord, as Exhibit 7.

THE COMMISSIONER: Let us get the answer complete before we deal with the filing of it.

MR. HUNTER: Q: Which question are you trying to get the witness to answer?

THE COMMISSIONER: Q: Let us have all the answers he has given in the meantime. What does he say, Mr. Interpreter? A: This quarter-size form is an inventory of the goods left with the cannery and it is signed by the cannery manager

for safekeeping and for sale if possible.

THE COMMISSIONER: That document to which the Interpreter refers will be Exhibit 7, just to make sure there is no confusion between them.

(DOCUMENT MARKED EXHIBIT NO. 7).

Q Now you were going on, Mr. Interpreter, to deal with another document.

A This is another list of nets left with the cannery (producing). This is anotherlist of nets left with the cannery manager not listed on the previous list, with the approximate amounts and values entered which I would have liked to have received as the sale price, and the particulars of these nets that were afterwards reported to the Custodian by letter.

MR. OUIMET: Do I understand you are through questioning the witness?

MR. HUNTER: No, I am not through at all. I am waiting.

THE COMMISSIONER: Q: Mr. Interpreter, I would like you to tell the witness he is expected to answer the question that is put to him and not to make speeches about other things. The question put to him was did the cannery manager sell your goods.

A When I wrote to the cannery manager asking whether he had sold them, he replied that they had been handed over to the Custodian.

Q The answer is he does not know whether the cannery manager sold them or not, is that it?

A I believe he didn't sell them.

Q You have this last document which he hasidentified and it has not yet been marked. That, I take it,

is an additional list of fishing gear and nets which was not disclosed in Exhibit 6 and which was left with the Cannery manager by the claimant?

A Yes, my lord.

(LIST MARKED EXHIBIT NO. 8).

THE COMMISSIONER: Now, Mr. Hunter, I interrupted your cross-examination, but I think we have it back on its feet again. Would you go ahead?

MR. HUNTER: Thank you, my lord.

10 I think the truth of the matter will probably be that the cannery sold them to themselves.

THE COMMISSIONER: Well then, presumably the sale was made by the Custodian, was it not?

MR. HUNTER: Not necessarily, my lord.

THE COMMISSIONER: Well, that can be brought out later on.

MR. HUNTER: I have an extract from an appraisal made by G.P. Leckie & Company for the Custodian in regard to Japanese nets, dated September 9th, 1942, and it shows the second net which is shown there as

20 a 40/5 x 6½ x 45 x 250 fathoms which is appraised by them at $30.00. I would tender this document for information to be proven later by Leckie & Company.

THE COMMISSIONER: What do you call it, an appraisal?

MR. HUNTER: An extract from an appraisal, my lord. He says that net was three years old and stretched.

(EXTRACT MARKED EXHIBIT NO. 9).

Q Now, when were you last fishing, Mr. Higo?

A 1941.

30 Q Yes. You lost your boat at the end of 1941?

A Yes.

Q And you were never fishing, of course, in 1942?

A No.

Q And therefore you bought no new sections to your nets for 1942? A: No.

Q Accordingly the newest part of any net you had couldn't have been less than one year old?

A There was some bought in 1941.

Q That would be the very newest, any sections bought in 1941. Were all those nets of the type whereby you replace probably a third each year?

A No, I used to replace my entire net. I didn't replace it piece by piece.

Q You didn't replace it piece by piece? You didn't adopt that habit at all, or that custom?

A Some nets I replacedhalf.

Q Any of the nets for which you are making claim?

A No, I think not.

Q Do you know, or is that just your recollection?

A No, I think not. I am not quite sure, but I think not.

MR. HUNTER: I wouldlike to file a copy of the account of the Anglo-British Columbia Packing Company Limited, dated October 29th, 1942, and it shows nets and gear sold for the account of T. Higo. I ask to file this, my lord, subject to later proof, because at that time the Custodian hadn't even been notified such nets were in existence, and it is my submission that what is shown in this account was sold by the cannery and not by

the Custodian?

(ACCOUNT MARKED EXHIBIT NO. 10).

THE COMMISSIONER: Q: Mr. Interpreter, will you explain to the witness that Government counsel has now produced this document showing an accounting by the cannery company, the A.B.C. Packing Company for nets sold by them for the account of the claimant?

MR. HUNTER: I also tender for filing one dated November 30th, 1943, which is shown as fishing supplies purchased from T. Higo. I put that in for information to be proven later.

THE COMMISSIONER: This is also from the A.B.C. Packing Company, is it?

MR. HUNTER: Yes, my lord, but it is about a year later.

T (ACCOUNT MARKED EXHIBIT NO. 11).

MR. HUNTER: I think, my lord, I had better put in a copy of the net statement. It shows the various nets, the value placed on them by the Japanese and the purchase price or sale price. It may, at some time, give your Lordship some method of producing coherence out of chaos as far as these nets are concerned. It is dated April 24th, 1948, drawn recently, and taken from a statement of the cannery.

MR. OUIMET: I take it that that statement from the cannery will be later proven. It is only for reference and information?

MR. HUNTER: Yes, that is right.

(STATEMENT MARKED EXHIBIT NO. 12).

MR. HUNTER: I may say that that statement of mine that it was taken from the statement of the cannery, my

my lord, is an inferance. It may be that it is really a reconciliation taken from the claimant's statement as filed with the Custodian of the nets sold, but I think it has some informative value.

THE COMMISSIONER: It will be helpful when you come to present the Government's defence.

MR. HUNTER: Yes, I think it will, my lord. That is all, my lord.

THE COMMISSIONER: Any re-examination, Mr. Ouimet?

10 RE-DIRECT EXAMINATION BY MR. OUIMET:

Q Mr. Higo, Exhibit No. 12 dated April 24th, 1948, purports to be a statement of all the nets that had been your property and what was your property at the time you were evacuated. Would you look at this exhibit and see whether or not you have any remarks to make concerning it, or comments? Take your time and examine it closely.

A May I see the exhibit which I produced in order to compare it?

20 Q When you say the exhibit you produced, I presume you mean Exhibit 8? A: Yes.

Q And you also produced Exhibit 7, dated March 10th, 1942. What does the witness say?

A It looks as though there is one missing.

Q Missing from where? A: There from the top of the list, Exhibit 12.

MR. HUNTER: There is one at the bottom showing as missing.

MR. OUIMET: There is one at the bottom unaccounted

30 for, five/50 by 5-3/8ths by 50 by 200, with a value

of $75.00.

A Yes, this looks to be a complete list.

Q This looks to be a complete list of the nets that were left with the Custodian?

THE COMMISSIONER: The witness refers to Exhibit 12.

MR. HUNTER: I resent that kind of a leading question, when he says they were left with the Custodian.

THE COMMISSIONER: That is his answer.

MR. OUIMET: I am sorry, my lord, I apologize for leading. I was told I could. Of course, I will not if I can't.

THE COMMISSIONER: I take it that that was the witness' answer, that Exhibit 12 was a complete list of the nets left with the Custodian.

Q Is that right? A: That was a complete list of the nets that were left.

THE COMMISSIONER: Of the nets that were left, very well.

MR. OUIMET: Q: Now, Mr. Higo, in the statement, analysis of personal property claim, which has been filed as Exhibit 3, I see a notation that you did not receive any money from the Custodian, that nobody by the name of -- just a minute, now, that isn't right. I am sorry, my lord.

THE COMMISSIONER: There is something in his claim form to that effect, Mr. Ouimet. Have you the original claim form, the printed one?

MR. OUIMET: Q: Yes, that you didn't receive the sum of $346.52 which the Custodian credited to your account. Have you ever received anything since you

wrote the Custodian? A: No.

Q Now, it is also suggested in your claim that your chattels were sent to other Higo's living in the same district. Would you be able to say to the Commissioner to the best of your recollection how many other Higos there were living in that district?

MR. HUNTER: My lord, if my learned friend is trying to show that money wasn't paid to the claimant, I am quite prepared to admit it. His credit balance is set out there. He can have it at any time.

10

THE COMMISSIONER: Why has it not been paid? Is there any explanation?

MR. HUNTER: I don't see any here, but there were probably still debts owing. They hold it until the debt question is settled.

THE COMMISSIONER: I would appreciate it then if you have an inquiry made of the Custodian's office and an explanation furnished, and I take it you will inform Mr. Ouimet so that the claimant will know what the situation is.

20

MR. OUIMET: Q: About the chattels, Mr. Higo, you haven't answered my question about the chattels which were supposed to be sentx to perhaps other Higos. Would you repeat the question about the number of Higos living in that district?

MR. HUNTER: My lord, I have made no allegation that chattels were sent to other Higos in the district.

MR. OUIMET: It is right on the back of our claim.

30

"The claimant has not received the $346.52

the Custodian credited to his account. The claimant wrote the Custodian asking for the proceeds of sale on May 2, 1947, and has received no answer as of May 28, 1948.

"The Custodian's office suggested that Mr. T. Higo's chattels may have been sent to other Higos living in the same district. Mr. T. Higo wrote to them and they replied, 'They had not received any chattels belonging to him'."

10 That is why I am questioning the witness on it.

A There were about three other Higos in the district

a apart from myself.

Q Are they related to you?

A Two of them are related and the other one is entirely separate.

Q Do you know them? A: Yes.

Q Since you were evacuated have you communicated with them concerning your chattels?

A Yes, I have had some correspondence.

20 Q And the gist of that correspondence was what?

A The gist of the correspondence was that no other Higo had received any of my goods and chattels.

Q What are the names of the other Higos?

A Kiyoji, Seizo, and Mankichi.

Q When was it suggested to you by the Custodian's office that your chattels might have been sent to these other Higos? A: I don't remember clearly, but I think some time in 1943.

Q You have filed as Exhibit No. 4 a description of

30 nets which is in someone's handwriting. Would you

be able to identify that handwriting?

A That is my handwriting.

Q That is your handwriting. Now when you made the valuation, at the time did they represent the actual values you put on the nets?

A These are the prices which I asked the cannery manager to sell them at, if he could.

Q But did they represent the actual fair market value of the goods to you at that time?

10 A Yes. That was my idea of a fair price and the cannery manager agreed.

Q As a matter of fact, Mr. Higo, did you ever receive statemants from the Anglo-British Columbia Packing Company, Limited, the Phoenix Cannery, dated respectively October 29th, 1942, and November 30th, 1943, as to purchases they might have made? A: No, I never received such advice.

Q This is the first time you have seen them? That is Exhibits 10 and 11, and I am showing you

20 Exhibit 9, being an extract of the appraisal made by C.P. Leckie to be later proven of the valuation of a net. Would that be a net that belonged to you? A: Yes, I think so.

Q Now, Mr. Higo, when you spoke to the young lady as you said in your form at the Custodian's office, about how long did you stay in the Custodian's office before taking your train as you said?

MR. HUNTER: My lord, I am afraid that question might co confuse him. He wasn't at the Custodian's office.

30 He was at Hastings Park. I don't want him to be

confused.

MR. OUIMET:. I am sorry. I wasn't aware of the local conditions.

MR. HUNTER: There would be the Custodian's representatives at Hastings Park. They probably had two dozen of them there taking particulars from these people.

THE COMMISSIONER: I wonder if this is very material. I take it that the witness contends that he wasn't given an opportunity to make a declaration, infact was dissuaded from making it in Hastings Park. I do not think he can go much further than that.

MR. OUIMET: I thought it had been suggested by my learned friend that he apparently wasn't telling the truth, and he wanted him to say whether or not the witness was the person.

THE COMMISSIONER: I appreciate the respective positions taken by the claimant and the Government. The claimant says, "I had no opportunity to declare. In fact I was dissuaded from doing so". The Government suggests the contrary and says he failed to make a declaration. The next thing we have to get is some evidence in respect of the Government's contention.

MR. OUIMET: If you feel, my lord, I shouldn't insist on it, I won't.

THE COURT: I do not think it will be particularly helpful, Mr. Ouimet. I don't wish to stop you if you wish to carry it on.

MR. OUIMET: I don't wish to take too much of your time, and of course the point is considered as being in

issue.

THE COMMISSIONER: Oh yes, decidedly, I take it to be so.

MR. OUIMET: I won't insist.

Q Now I understand that there is in the Custodian's file or in the Government's file a memorandum by a Miss I.G. Stott, dated October 5th, 1943. There is also a letter dated October 18th, 1943, I believe in answer to this. Could I ask the Government to file those two as exhibits 13 and 14? This is really a copy of a letter addressed to the B.C. Security Commission, subject to later proof, of course, of the original.

10

MR. HUNTER: Who is supposed to prove these, this time, my lord?

MR. OUIMET: I presume I am in the same position as Government counsel.

THE COMMISSIONER: I think Mr. Ouimet will be called upon to prove them if he wishes to rely on the facts set out in the documents.

20

MR. OUIMET: They might be helpful.

THE COMMISSIONER: Put them in as one exhibit.

MR. OUIMET: Yes, my lord. I am sorry, my lord, but the letter of October 18th is an answer to a letter of October 8th, whereas this memorandum is dated October 5th. Probably we might make two separate exhibits in order not to confuse them. Exhibit 13, my lord, is the memorandum, and a copy of a letter by H.F. Green of the Protection Department, dated October 18th, 1943,

½

30

will be Exhibit 14.

(MEMORANDUM MARKED EXHIBIT NO. 13)

(LETTER MARKED EXHIBIT NO. 14).

MR. OUIMET: Q: Now, Mr. Higo, this Miss Stott, Welfare Manager, states that you have told her what you are just telling the Commissioner, his Lordship, at the present time, and what you are repeating in your form, Exhibit 2. Do you still persist in your version as to the household goods
10 having been left there and as to your not having had an opportunityof making a statement covering them?

A Yes.

Q Now you apparently enumerated on the date of Exhibit 13 the household goods that had been left on your property? Would you tell his Lordship in what state your property was when you left? In what condition was it?

A The household effects were all placed in the bed-
20 room and the door was locked and nailed up.

MR. HUNTER: Q: Was it boarded up?

A Yes, boarded and nailed up, and the windows were also nailed.

Q Was it boarded from the inside as well as the outside? A: Outside only.

Q Because here it says in Exhibit 13 that you said the house was boarded from the inside and outside, likewise the door.

THE COMMISSIONER: Mr. Hunter, there is no contention
30 by the Government that there was carelessness on

the part of the claimant in the storage of his chattels, is there? In other words, you do not contend the loss by pilferage when it occurred was through any act or omission of the claimant?

MR. OUIMET: My lord, this letter-- in answer to your Lordship's question, may I make a statement -- this letter, Exhibit 14, a copy of which is filed, contains the following paragraph at the end.

"We do feel that Mr. Higo must have known of the predatory inclinations of his neighbours and in common with some other Japanese who lived in rather remote places, has failed to take all the precautions that a reasonably prudent man would have done."

THE COMMISSIONER: That is a statement made by the Security Branch. It is quite independent of the Custodian's Department.

MR. OUIMET: Oh, I see.

THE COMMISSIONER: That is why I put the question to Government counsel.

MR. HUNTER: That is a copy of a letter from the Custodian to the B.C. Security Commission.

THE COMMISSIONER: Oh, it is?

MR. HUNTER: And the Custodian has taken the position that he did leave these goods inadequately cared for. If, in his J.P. form, he had declared them and we had full knowledge of them, and had made arrangements to have them looked after, it might have been in that event that boarding up his house would have been sufficient, but they

have also suggested, and I can't take any different view at this time, that he must have known of the predatory type of people around there and how places that were left vacant even in peacetime were looted and stolen from. It may be that your Lordship may find he didn't have any alternative.

THE COMMISSIONER: Certainly that would be my disposition at the present time, until I hear something to the contrary. These people were compulsorily evacuated. What could they do in the circumstances to protect their goods?

MR. HUNTER: I don't know, my lord. I have never been there. There might have been a warehouse, I don't know.

THE COMMISSIONER: I do not think you need bother with that feature of it. I am not impressed by it.

MR. OUIMET: That is what I wastroubled about, and I might add that under ourlaws no one can be presumed to have predatory instincts, so I can't see how Mr. Green might presume Mr. Higo might have thought so.

THE COMMISSIONER: You need not spend further time on it, as far as I am concerned.

MR. OUIMET: Q: Now this exhibit which you filed bears a notation in pencil, "$130.00". Who wrote that down, and is there any significance to it?

A I wrote this price. It was my estimate of the value of the nets.

Q Of the nets mentioned in Exhibit 7?

A Yes, that is so.

Q Now, in your Exhibit No. 1 you mention a gillnet

cork and lead, 6/40, 6¾ inches, and 7 inches. Does that mean two nets or one net?

A That is one net, but different portions of it have different sized meshes.

Q So you make a total of $160.00 estimated value for the two different portions of the net?

A Yes.

Q You also have gillnet 5/40, 6½ and 5¾ inches, 150 fathoms and 150 fathoms, two years old, original value $300.00, valued at $85.00. There is mention in the analysis of personal property claim of a gillnet having the same dimensions valued at $45.00 for the web only, and another one $40.00 for the web only. Would this $85.00 be the same total as of this $45.00 and $40.00?

A Yes.

Q So I take it that the analysis is a breakdown of all these figures you have given as above and as it totals on your personal property statement.

A Yes, I believe so.

Q Now would you remember offhand where you had purchased these different nets?

A I purchased them through the cannery.

Q And the years that you mentioned are the actual ages of these different nets at evacuation?

A Yes.

Q Now how did you come to estimate the value today?

A After conferring with the cannery manager and talking it over, we fixed the prices as the fair prices.

Q So I take it that the list you have filed as Exhibit 8, as well as your own testimony at the present time, is to the effect that thiswas the fair market value which you knew you could get?

THE COMMISSIONER: Hoped he could get.

MR. OUIMET: Q: Hoped you could get for the net at the time? A: Yes.

MR. OUIMET: No other questions.

MR. HUNTER: My lord, I wonder in view of the witness' testimony, if you would just correct that figure of 30 opposite the second item on Exhibit 1, since that includes two nets. The sale price of the two nets was $55.00.

10

THE COMMISSIONER: Yes. You might make the correction, if you will.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

20

T. P. Horrobin

"T.P. HORROBIN"
OFFICIAL REPORTER.

30

Case 1321 JAN 16 1948 7655

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

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

ACKNOWLEDGED

Montreal

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

(1) NAME HIGO (Print) Surname TOYOKICHI Given Name (RCMP) Reg. No. 04797

(2) Pre-Evacuation Address RR#1, LADNER, B.C.

(3) Present Address 2077 AYLMER ST., MONTREAL, QUE.

(4) REAL ESTATE

(a) Street Address (if any) _____ City or Municipality, _____ Province

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

(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) _____

(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.) _____

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

(i) Land - - - - - - - - - - - - - - - - $ _____

(ii) Buildings - - - - - - - - - - - - - - - - $ _____

(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) - $ _____

(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) - - - $ _____

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
FISHING EQUIPMENT LEFT AT PHOENIX CANNERY, STEVESTON, B.C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
FURNITURE & FIXTURE LEFT AS IS AT LADNER, B.C.

(c) How stored or packed at time of evacuation
AS IS.

(over)

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

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

1.	FISHING EQUIPMENT (NETS, LEADS, FLOATS, ROPES,	Estimated Value $
2.	CORK LINES, ETC)	Estimated Value $ 500.00
3.	FURNITURE & FIXTURE	Estimated Value $ 200.00
4.	I wrote to Custodian on May 2/47 requesting full	Estimated Value $
5.	particulars re cash held but them and complete detailed	Estimated Value $ 700.00
6.	statement thereof. The only advice received to date is	Estimated Value $
7.	that the Custodian has retained the sum of $344.49	Estimated Value $ 344.49
8.	I have not as yet received same, nor a detail of	Estimated Value $
9.	disposal. Forever since I consider the above sum was	Estimated Value $
10.	obtained from goods disposed and detailing same herein	Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 2,544.49

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) - - -

HIGO TOYOKICHI (Mr.)
(Claimant's Name)

PERSONAL PROPERTY
(Fishing Vessels, gear and equipment)

04797
Reg. No.

NETS:

Type	Size	Mesh	Fathoms	Age at Evacuation	Original Value	Estimated value at Evacuation	
Gill Net (Cork & Lead)	6/40	6 3/4" & 7"	125' & 75'	1 year	$250.00	$160.00	sold $130
" (Web only)	5/40	6½" & 5 3/4"	150' & 150'	2 years	300.00	85.00	sold 56
" "	5/50	5 3/8"	200'	1 year	125.00	75.00	left with Cannery
" "	9/40	8½"	100'	2 years	75.00	15.00	sold 5.50
" "	10/40	9 3/4"	50'	4 years	45.00	10.00	do 5
					$795.00	$345.00	

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

Improvements to Vessel since date of purchase:

Type	Date	Cost

OTHER GEAR:

Description	Date Purchased	New or Used	Price Paid	Condition when Evacuated	Estimated value at date of evacuation	
Corklines with Floats 350'	1940	New	$105.00	Good	$ 47.50	sold $31.10
Leadlines 350'	"	"	75.00	"	30.00	23
Lead 200 lbs 220 lbs. sold 12)	1941	Brand New	130.00	Unused	130.00	
Floats 400 tarred sold 14)			$310.00		$207.50	
Cotton Ropes 87 lbs not found)						
Cotton Twines 10 lbs sold $4.10)						
Net Twines 3 lbs sold 5.10)						
6/40, 45 mesh deep, 6 3/4" mesh, 15 lbs) 1 lb found 2.47						

Arrangements made for storage when evacuated:

All items under NETS stored at Yamanaka's Boat Shop, Phoenix Cannery, Steveston, B.C.
All items under OTHER GEAR stored at Phoenix Cannery warehouse, Steveston, B.C.

EXHIBIT No. 1331-1
DATE 1 June 1948
FILED BY R. Dunniel

Summary Estimated Value: $552.50
Original Claim $500.00
Sold by Custodian 334.02
Claim $165.98

Additional Comments, if any:

Zayakichi Higo
Signature

1331

Mr. T. Higo

INVENTORY OF PERSONAL CHATTELS

		Estimated Value	
1 Bed staad - double bed, mattress new		$ 30.00	lost
1 Cupboard 4' x 6'	home made	20.00	do
1 Heater (wood)		5.00	not found
1 Oil Stove (2 oil containers)		10.00	-do
2 Carpets from 2 rooms		20.00	do
1 Box carpenter's tools		50.00	do
1 Set of Japanese bowls and lids, kitchen utensils, pots and pans, kettles, wash-board, wash tubs, etc., also 5 gallons coal oil and 5 gallons of gasolene		20.00	can't be identified
1 Row boat	Not bottom	20.00	lost
Fishing equipment - stored in bedrooms		25.00	lost
Chinaware, sandwich and tea sets		15.00	can't be identified
	TOTAL	$215.00	

HIGO, Toyokichi
(Claimant's Name)

PERSONAL CHATTELS

04797
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 Bed stead - double bed mattress new	1939	New	$ 55.00	Good	$ 30.00
1 Cupboard 4' x 6'	1938	"	35.00	"	20.00
1 Box Carpenter's tools	1925-1941	"	100.00	"	50.00
1 Row boat	1940	"	40.00	"	20.00
Fishing equipment - stored in bed room	1938-1941	"	75.00	"	25.00

The claimant is claiming on the chattels listed in the attached inventory valued at $215.00.

The chattels were left on the premises at the date of evacuation. The home was locked up and boarded.

Description of Storage of Goods:

Summary. Estimated Value: $215.00

Original Claim $200.00

Sold by custodian 12.50

Claim $187.50

EXHIBIT No. 1331-2
DATE 1 June 1948
FILED BY R. Dunnet

General Statement as to Chattels not Described above:

Additional Comments, if any:

Mr. Higo states that he was admitted into Hastings Park on May 5 for half a day prior to his evacuation to Kaslo. There he was asked to report all his assets to the custodian. He enumerated his household goods, kitchen utensils, beds, stoves, bureaus, etc., but the girl in charge said that those small things were

(P.T.O.)

Toyokichi Higo
Signature

unimportant, he need not list them. When Mrs. Higo left Vancouver, she did not report anything to the custodian as her husband had already done so. Reference - memorandum Miss I. G. Stott the Welfare Manager to Mr. F. G. Walker, Assistant Supervisor, dated October 5, 1943.

The claimant has not received the $346.52 the Custodian credited to his account. The claimant wrote the Custodian asking for the proceeds of sale on May 2, 1947, and has received no answer as of May 28, 1948.

The Custodian's office suggested that Mr. T. Higo's chattels may have been sent to other Higo's living in the same district. Mr. T. Higo wrote to them and they replied "they had not received any chattels belonging to him".

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No 7655 EXHIBIT No.

NAME HIGO, Toyokichi

REG. No. 04797

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
DECLARATION May 4/42	TAKEN BY			AUCTION	TENDER &c		
EVACUATION --	DATE						
Filed J.P. Form May 4/42 - declared no goods.		Left at Phoenix Cannery, Steveston, B.C.					
		Fishing equipment, (nets, leads, floats, ropes, cork lines etc.)	500.00		334 02		
Reported to Custodian January 27, 1943.		Left at Ladner, B.C.					
Gill Net 6¾ x 6/40 x 45 125 fa. and 7 x 6/40 x 40 x 75 Both in one net - 200 fa. with cork and lead line complete $160.		Furniture & Fixture	200.00	11 00	1 50		
		TOTAL CLAIM	700.00				
				11 00	335 52		
					11 00		
		Total Sales:	346 52		346 52		
Gillnet 6½ x 5/40 x 45 -150 web only $45. Gillnet 5¾ x 5/40 x 45 - 150 $40. Gillnet 5⅜ x 5/50 x 50 - 200 $75. Gillnet 8½ x 9/40 x 40 - 100 $15. Gillnet 9¾ x 10/40 x 38 - 50 $10. corks with line 150- $20. corks with line 150 -$ 7.50 corks with line 150- $20. Lead line 350 fa. $30.		Net Claim	353.48				
Reported to Custodian in B.C.S.C. Release 11/9/43							
1 box carpenter tools 1 new mattress for double bed kitchen utensils - pots, pans, kettles, fry pan, etc. chinaware: rice bowls, cups, saucers, bowls, etc. 1 box of dress patterns.							
Reported to Cust. in Memo from Welfare Mgr. of B.C. S.C., Kaslo, Oct.5/43							
1 bed stead - double bed mattress (new) 1 cupboard- new 4' x 6' 1 heater 1 oil stove (2 oil containers) 2 carpets (from 2 rooms) 1 box of carpenter tools 1 set of Japanese bowls and lids-everything new kitchen utensils-pots & pans, kettles, wash board, wash tubs, etc. 1 big black iron pt. 5 gal. coal oil 5 gals. gasoline 1 row boat T.H. engraved on back Fishing equipment - also stored in bedroom Chinaware, sandwich & tea sets.							

E No. 7655 EXHIBIT No. CASE No.

G. No. 04797 VENUE

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
UCTION	TENDER &c							
								Neither Toyokichi HIGO nor Kimie (Mrs. Toyokichi) HIGO declared any chattels in their JP forms.
	334 02							On January 27, 1943, the Custodian received from Toyokichi HIGO a detailed list of nets belonging to him that were left in the Protected Area-see extreme left hand column of Analysis
11 00	1 50							September 15, 1943 and Oct. 8/43 the B.C. Security Commission sent the Custodian a list of chattels left on Westham Island - see extreme left hand column of Analysis for these.
11 00	335 52 11 00 346 52							List of May 21,1943 shows goods sold for $1.50 belonging to Toyokichi HIGO, and auction sheets of January 18, 1944 shows goods sold at auction for HIGO.

B. MacDoskill

EXHIBIT No. 1331-3
DATE 1 June 1948
FILED BY J. W. G. Hunter.

EVACUATION SECTION
Rec'd JAN 27 1943
File No. 76555
Ans. MS.
Referred Sullivan

Name of Owner: TOYOKICHI HIGO
Registration No.: 04797
Address: NEW DENVER B.C.

FISHING NET INVENTORY

1. Place of Storage Yamanaka's Boat Shop
   (a) In whose care Phoenix Cannery
   (b) Whereabouts of key (if any) Steveston B.C.

2. Description of nets as follows:

Custodian Nos. Type	Mesh	Ply	Meshes Depth	Fathom Length	Valuation	Any other marks of identification
Gill Net	6¾"	6/40	45	125	$160.00	Both in one Nets for 200 fathoms with Cork and Lead Line Complete
"	7"	6/40	40	75		
496 "	6½"	5/40	45	150	$45.00	Web only
495 "	5¾"	5/40	45	150	$40.00	"
494 "	5⅜"	5/50	50	200	$75.00	"
498 "	8½"	9/40	40	100	$15.00	"
497 "	9¾"	10/40	38	50	$10.00	"
	Corks with Line			150	$20.00	
	Corks with Line			150	$20.00	
	Corks with Line			50	$7.50	
	Lead Line			350	$30.00	

EXHIBIT No. 1331-4
DATE 1 June 1948
FILED BY J.W.J. Brewer

N. B. Please do not exaggerate fathom length or valuation, as this will only make it harder to identify your nets, and to credit any money received from their sale to their rightful owners.

See Statement of Nov. 25/43 for sales, etc.

R E P O R T
ON EVACUATED JAPANESE PROPERTY

7655

File No. 10259.

MUNICIPALITY: DELTA Date: Jan. 13th. 1943

NAME: HIGO, K & T. 04797 04796 REGISTRATION NO.

ADDRESS: c/o Japanese Camp, Canoe Pass, Westham Island, B.C.

PROPERTY:

ACREAGE:

KIND OF CROPS:

APPROXIMATE ACREAGE OF EACH:

HOUSE: 1 Storey VACANT: Yes OCCUPIED:

DESCRIPTION: Large Warehouse with house built in. ROOF:

SIZE: 42 x 68 NO. OF ROOMS: 4 & 4 in warehouse.

CONDITION: Living quarters good.

OTHER BUILDINGS: This building is on piles and connected to the wharf.

NAME OF LESSEE OR RENTOR:

TERMS:

WATER: ON: OFF:

LIGHT: ON: OFF:

REMARKS:

INVENTORY OF CHATTELS LEFT ON PROPERTY:

SEE ATTACHED LIST.

EXHIBIT No. 1331-5
DATE 1 June 1948
FILED BY
W J Hunter

Signed: R. M. Anderson.

INVENTORY OF CHATTELS BELONGING

TO

HIGO, K & T.

IN HOUSE

1 Bed complete & mattress
4 Sad irons
1 Carton of packed dishes
1 H.M. table & cupboard
1 Bundle of 4 towel racks & 2 curtain rods
1 Glass cupboard
1 Enamel pot & basin
1 Cabinet cont. dishes, rice tub, & broken thermos & hatchet
3 Teapots
1 Wooden tray
S ~~1 Sewing basket S.~~
S ~~1 Food cooler cont.~~ tin of tea, 4 wash basins, ~~iron pot,~~ crock bowl S
1 Glass scrub board
1 Wash tub
1 Bed table
1 Box cont. 2 oar locks, jap saw & plane & fishing equipment
S ~~1 Dress~~ containg, personal papers, effects, & few clothes
S ~~1 Bundle of fish net~~ & magazines
3 Small cartons ties
2 Blinds & S ~~lino. on floor~~ S
2 Lamps
1 ~~Card table S.~~
4 ~~2 Chairs sold S.~~
~~1 H.M. table S~~
6 Prs. small curtains
1 Pr. gumboots, & 1 pair slippers
1 Wash boiler
1 Flat bottomed boat
1 Pair of oars
1 Pair of oar locks
2 Net bouys
1 Bundle of shingles
2 H.M. Tables

S: sold by Auction 18/1/44
Surrey 1.

1 Jap tub cont. floats
2 Old riding lights
1 Old tire
3 Lanterns
1 Boat transmission
1 Large quantity of loose bottles

IN WAREHOUSE SECTION

OUTSIDE ON WHARF
4 Bluestone tubs
2 Net buoys
1 Clothesline
LARGE QUANTITY OF JUNK INCLUDING
IRONS & METALS OF ALL KINDS

SIGNED E. Barker

R. M. Anderson.

FORM "JP"

BUREAU HASTINGS PARK

FILE No.

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: HIGO, Toyokichi.

HOME ADDRESS: Canoe Pass, Ladner, B. C.

REGISTRATION NUMBER 04797 SEX: Male AGE: 41

OCCUPATION: Fisherman.

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Self.

MARRIED? Yes.

NAME OF WIFE OR HUSBAND: Kimie. 10259 (yellow card)

ADDRESS OF WIFE OR HUSBAND: 326 Powell St., Vancouver, B. C.

NAMES OF ANY LIVING CHILDREN: Toshiko (F) Michiyo (F) Akira (M) Adusa (M)

ADDRESS OF CHILDREN: In Japan.

AGE OF CHILDREN: 15, 11, 9, 7.

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

1. LOCATION AND DESCRIPTION:

2. BUILDINGS AND OTHER IMPROVEMENTS:

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

4. TAXES (Amount and where payable)

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

6. OCCUPANCY AND LEASES (If vacant so state)

EXHIBIT No. 1331-6

DATE 1 June 1948

FILED BY J. W. Hunter.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS:

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST:

9. IF FARM LAND STATE CROPS SOWN

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Canoe Pass. Ladner, B. C. Dwelling House.

2. LANDLORD'S NAME AND ADDRESS: Mr. B. Trim, Canoe Pass, Ladner, B.C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: $15.00 per year.
XXX Paid up till end of year, 1942.

4. STATE WHEREABOUTS OF LEASE:

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

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

STATEMENT OF PERSONAL PROPERTY OWNED:

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

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY

FORM "JP" FILE No.

4. INSURANCE CARRIED ON ABOVE PROPERTY:

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS:

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)

(4) $8.00 War Saving Certificates.

8. BANK ACCOUNTS:

9. LIFE INSURANCE: $1,000.00 Manufacturer Life Ins. Co., Vancouver, B.C. Policy No. 751288. Beneficiary Wife.

10. INTEREST IN ANY ESTATES OR TRUSTS.

11. SAFETY DEPOSIT BOX:

LIABILITIES:

1. PERSONAL DEBTS:

2. TRADE DEBTS:

REMARKS:

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 4th. day of May. 1942.

(Signature) T. Ishigo

O. Broadbent
Witness

FOR DEPARTMENTAL USE

T. HIGO.

March 10th., 1942.

Nets.

6/40, 45 meshes deep, $6\frac{3}{4}$" mesh. - 15 lbs.

Cotton Rope

11/32 X 220 - 48 lbs.
7/32 X 220 - 19 lbs.
7/32 X 220 - 20 lbs.

EXHIBIT No. 1331-7
DATE 1 June 1948
FILED BY R. Drinnel

Lead

200 lbs.

Floats

400 Tarred.

Cotton Twine

10 lbs. # 36

Net Twine

2 lbs. 5/40 Barbour.
1 lb. 6/40 Barbour.

Anglo-British Columbia Packing Co., Limited
PHOENIX CANNERY
M. L. Thomson

130.00

T. HIGO

NET.						LINE.			
BRAND	LENGTH	PLY	DEPTH	MESH		VALUE	LENGTH		VALUE
	125	6/40	45	6 3/4	CORKY LEAD LINE	160 00	150	CORK LINE	20 00
	75	6/40	40	7	" " "		150	" "	20 00
	150	5/40	45	6 1/2		45 00	50	" "	7 50
	150	5/40	45	5 3/4		40 00	350	LEAD LINE	30 00
	200	5/50	50	5 3/8		75 00			
	100	9/40	40	8 1/2		35 00			
	50	10/40	38	9 3/4					

EXHIBIT No. 1331-8
DATE 1 June 1948
FILED BY R. Dunnet

5.00
7.50
25.00
30.00
157.50
225.00

422.50
225.00
197.50

File #7655

- EXTRACT -

from Appraisal made by C.P.Leckie & Co.,
for Custodian in regard to Japanese Nets
September 9th 1942

	Owner	Description	Value
c-496	T. HIGO	1 net 40/5 x 6½ x 45 x 250 F., Stretched - three years old)	$30.00

EXHIBIT No. 1331-9
DATE 1 June 1948
FILED BY J W Stunter

File No 7655 ~~13658~~

Steveston B. C.

October 29th 1942

ANGLO- BRITISH COLUMBIA PACKING COMPANY LIMITED

PHOENIX CANNERY

~~On File~~

Nets and Gear sold for account of T. Higo

40	net 6/40 - 6¾" - 45 - 125 fath 200fath cork and line. net 6/4- - 7" - 40 - 75 fathoms.	130.00
46	150 fathom cork line	12.50
72,	150 fathom lead line	15.00
		157.50

Purchased by A.B.C. Packing Co. Ltd.

EXHIBIT No. 1331-10

DATE 1 June 1948

FILED BY J. W. Trumler

Steveston, B.C.
Nov. 30, 1943

ANGLO-BRITISH COLUMBIA PACKING COMPANY LTD.

PHOENIX CANNERY

Fishing Supplies purchased from T. Nigo. Toyokichi

7655/04797

		Price	Amount	Total
Net 6/40 - 6¾ - 45 M.D. - 15 lbs.	@	2.95	44.25	
48 lbs. ~~11~~/32 - 220 Fath. cotton Cork Line	@	.40	19.20	
20 lbs. 7/32 - 220 Fath. " Lead Line	@	.40	8.00	
200 lbs. Lead	@	.06	12.00	
400 Tarred Floats	@	.03½	14.00	
10 lbs. # 36 cotton Hanging Twine	@	.40	4.00	
2 lbs. 5/40 Barbour Twine	@	2.55	5.10	
1 lb. 6/40 " "	@	2.47	2.47	
				109.02

EXHIBIT No. 1331-11
DATE 1 June 1948
FILED BY J. W. J. Hunter

HIGO, Tyokichi,
Registration No. 04797,
File No. 7655

April 24th, 1948.

NET STATEMENT

Cust. No.	Description	Japanese Value	Purchase Price
498	9/40 x 8½ x 40 - 100	$ 15.00	$ 7.50
495	5/40 x 5¾ x 45 - 150	40.00	25.00
496	5/40 x 6½ x 45 - 150	45.00	30.00 appraisal on file.
497	10/40 x 9¼ x 40 - 80	10.00	5.00
Cannery	6/40 x 6¾ x 45 M.D.		44.25
Cannery	6/40 x 6¾ x 45 - 125) 6/40 x 7 x 40 - 75) 200 fa. cork line)	160.00	130.00
Cannery	48 lbs -/32 - 220 fath cotton cork line		19.20
Cannery	150 fa. cork line	20.00	12.50
Cannery	7 x 32 - 20 lbs. 7 x 32 - 220 fath. " lead "		8.00
Cannery	150 fa. lead line		15.00
Cannery	220 lbs. Lead		12.00
Cannery	400 Tarred Floats		14.00
Cannery	10 lbs #36 cotton hanging twine		4.00
Cannery	2 lbs 5/40 Barbour Twine		5.10
Cannery	1 lb 6/40 Barbour Twine		2.47
	TOTAL SALES:.....		$334.02

UNACCOUNTED FOR

494 X	5/50 x 5⅜ x 50 - 200	$ 75.00

This net was not removed to Custodian storage in inventory; left with the Phoenix Cannery.

EXHIBIT No. 1331-12
DATE 1 June 1948
FILED BY

EXHIBIT No 1331 - 13
DATE 1 June 1948
FILED BY J. W. G. Hunter

COPY

MEMORANDUM October 5, 1943

From the desk of Miss I. G. Stott, Welfare Manager to Mr. F. G. Walker, Asst. Supervisor

Subject: Custodian Release of Mr. T. Higo - dated September 11, 1943.

Referring to the letter from Mr. Green dated Sept. 23/43. Mr. Higo would like a thorough investigation made as to his household goods.

In the letter it states that neither Mr. Higo nor his wife declared anything to the Custodian.

Mr. Higo states that, he was admitted into Hasting Park on May 5, for a half a day prior to his evacuation to Kaslo. There, he was asked to report all his assets to the Custodian. He enumerated his household goods, kitchen utensils, beds, stoves, bureaus, etc. but the girl in charge said that those small things were unimportant, that he need not list them. When Mrs. Higo left Vancouver, she did not report anything, to the Custodian as her husband had already done so.

He also states that it is hardly probable that the goods had been stolen -- a double bed mattress, big tool box, a big cupboard, etc. will take more than 1 man to move. Besides the whole house was boarded up, all the doors locked, the windows double reinforced, boarded from the inside and outside, likewise the doors. Unless the house was really broken into, with a great deal of fuss and bother and noise, nobody could get in. Everything was stored in the bedroom. This house is within sight of landowner, Mr. Bolton Trim, so if anything unusual was going on he would be aware of it.

When Mr. Charlie Johnson went home at Christmas, he saw Mr. Trim about Mr. Higo's property. The report was that soon after evacuation, the Custodian agent came, and took everything safely away, that there is nothing left in the house. When Mrs. Higo gave her property a final look-over on July 7, 1942 everything was intact.

Somehow, the information given by Mr. H. F. Green, and by Mr. Higo do not agree.

He would appreciate another thorough investigation into this matter.

As there were four Higo's living in this district, it is possible that the property may have been mixed with the other Higo's. The three other Higo's are in Alberta. S. Higo, Mr. Higo, and K. Higo. Our Mr. Higo is going to write to his brothers inquiring whether any of this belongings have been sent to them.

Besides the articles listed in Mr. Green's letter they left the following:

1 bed stead - double bed mattress (new)
1 cupboard - new - about 4' x 6' - detachable top and bottom
1 heater
1 oil stove (2 oil containers)
2 carpets (from 2 rooms)
1 box of carpenter tools
1 set of Japanese bowls and lids - everything new
Kitchen utensils - pots, pans, kettles, wash board, wash tubs, etc.
1 big black iron pt.
5 gals. coal oil
5 gals. gasoline
1 row boat T. H. engraved on back
Fishing equipment - also stores in the bedroom
Chinaware - sandwich sets, tea sets, etc.

"I. Stott" (Miss) I.G.Stott,
WELFARE MANAGER

I hereby certify that the foregoing words are a true copy of the original whereof they pupport to be a copy.
July 29, 1948

EXHIBIT No. 1331 - 14
DATE 1 June 1948
FILED BY
J. W. G. Hunter

7655

October 18th, 1943.

TRANSPORTATION

The B. C. Security Commission,
The Dick Building,
360 Homer Street,
Vancouver, B. C.

Attention Mr. M. L. Brown

Dear Sirs: Re: Toyokichi HIGO - Reg. No. 04797

Thank you for yours of October 8th, copy of which we are not sending to Mr. Robinson as he will not be handling this matter, and letter from Miss I. G. Stott, being your Welfare Manager at New Denver.

There is little we can say pending further advice from her or from Toyokichi Higo after he has communicated with his brothers, but we draw his attention to the following points.

(1) While his assertion that the girl in charge of registration refused to register his belongings as being unimportant may be true, we cannot help feeling that it was unlikely and, in any case, the fact remains that no registration of effects did reach this office. He could have sought the advice of your Commission after evacuation and written to us from New Denver if he was seriously worried about this.

(2) Our experience has been that it is impossible to prevent house-breaking where properties are vacant. Houses in the heart of the city under constant police supervision are frequently entered. In this case, we suspect several of the inhabitants of Westham Island but have been unable to prove anything and passing fishermen with boats could easily have removed and sold the larger items imply by tying up alongside.

We agree that this is a most unfortunate matter but the fact remains that practically none of the goods now claimed by Toyokichi Higo are in our possession and we see no prospect of recovering any of them.

We do feel that Mr. Higo must have known of the predatory inclinations of his neighbours and in common with some other Japanese who lived in rather remote places, has failed to take all the precautions that a reasonably prudent man would have done.

Yours truly,

H. F. Green
Protection Department.

HFG:IF

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

July 20, 1948

C. McClughan
J.J.