

A

XI-500

OFFICE OF THE CUSTODIAN—Enemy Section

File No. 500Name: NISHIZAKI, Kiyoshiro Reg. No.: 04064 P/W/ A 533Home Address: 4551 Albert St. Vancouver

STATEMENT OF ALL REAL PROPERTY

1. Location and Description None

Vested
2. Buildings and Other Improvements
3. Insurance
4. Taxes (amount and where payable)
5. Encumbrances
6. Occupancy and Leases (if vacant so state)
7. State if any other person has any interest

STATEMENT OF PERSONAL PROPERTY OWNED

1. Give brief description and state location of Furniture, Fixtures, Equipment and Machinery, Stock in Trade and Personal Effects Truck, sold \$875.00, 7/11/47
1 Phonola mental radio valued \$35.00 Bronson camera valued \$2.00
2. Name and Address of any person having any claim on such Property
3. Insurance Carried on Personal Property
4. Bonds, Debentures, Shares, Stocks or other Securities None
5. Bank Accounts and Disposition of same None
6. Life Insurance None
7. Liabilities other than items 4 and 5 McLellan-McCartter Ltd. \$115.59 Paid
8. Remarks

April 13/48

Internee

INFORMATION FROM R.C.M.P.

Date May 19/43.

Our File No. Internee 500

Full Name NISHIZAKI Kyushiro
(Surname in Block Letters)

Registration No. 04064

Male - Female
(check)

Age Nov. 15, 1892.

Former Address 4551 Albert St., City

Date Evacuated _____ Naturalized - Canadian-Born - National
(check)

Present Address Interned April 7/43
Moose Jaw Hostel, Moose Jaw, Sask.

Married - Single
(check)

Name of Wife (A ONE) Mika #04065

Same as above Name of Husband

Name of Mother NISHIZAKI Yomi Name of Father NISHIZAKI Bunjiro
(Weid.) (Weid.)

Names of Children under 16 Kazuo (F) 8/1/28

Hideaki (M) 29/3/31 Michiko (F) 8/9/35

Tomi (F) 21/9/37 Roy Shiro (M) 15/9/41

Requested by CCP Registered with Custodian
(Yes or No)

Additional Information Fish. Salesman. Owner of
5 lots & 2 houses as above.

File No. 500

Re: P/W A- 533 - NISHIZAKI, Mika #04065

According to information supplied to this Office by the Director,
Prisoners of War, the above named has been UNCONDITIONALLY
released from internment at Internment Camp 101, Angler, Ontario.

See - File No. 4A-1 - D.N.D. July 10/46.

June 18, 1947.

LIABILITY SUMMARYRe: NISHIZAKI, Kyushiro - Reg. No. 04065

This file reveals a claim filed against the above, in the amount of \$115.59, by McLellan and McCarter, Feed merchants. The claim was submitted to NISHIZAKI who denied it on January 9, 1943. Joseph Oliver, solicitor for McLellan & McCarter notified us that action would be taken if the claim was not paid. They forwarded us affidavit showing their indebtedness.

The claim was again referred, on several occasions, to NISHIZAKI and also to his wife but they stated that it had been paid. In view of the fact that they had no evidence to support their statements, it was evidently felt that the cost of a judgement, which would in all probability be against them, would be larger than that of the claim. Consequently the claim was paid in full on January 3, 1944.

This file also reveals a lien against the truck belonging to NISHIZAKI. This is dealt with in the Specified Articles Summary.

This file reveals no other liabilities of any kind; neither does the file of his wife.

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

CG

C. Guind
June 18, 1947.

Letters of January 21, January 22, January 25 and January 26, 1943, show that the solicitor for McLellan & McCarter sent to this office an itemized statement of NISHIZAKI's account, commencing with the 1941 debit balance and showing that the account had been increased from \$102.90 to \$115.59 in 1942, and that this statement was sent to Angler Internment Camp in order that NISHIZAKI might examine it. On February 4, 1943, the Camp Commandant advised us that NISHIZAKI had stated that he had paid this account but that the receipts were at home with his wife. In reply to inquiries from this office, Mrs. NISHIZAKI informed us that, in the confusion of packing and preparing for evacuation, she had no idea what had happened to the receipts.

On May 28, 1943, we informed NISHIZAKI through the Camp Commandant that McLellan & McCarter intended to sue, and that if they did it would be necessary for NISHIZAKI to

(Over

File X. I. 500

August 14, 1947.

MEMORANDUM

To: File

From: G. Girard

Re: Japan & Canada Trust Savings Accounts.

This file has been credited with the balances from two saving accounts in the amounts of 59¢ and 60¢. The Ledger gives the account numbers as W1256, 0.59 and W 1881 B - 0.60. They were credited on June 13th., 1942. A list from Mr. E. T. Head in the Accounting Department was located but the original list from P. S. Ross & Sons, who sent the funds, cannot be found.

WISHIZAKI mentions an account not two. In view of the small sum involved, this balance will be remitted to him. He will be asked to forward the Bank Books.

CG

June 18, 1947.

PERSONAL PROPERTY SUMMARYRe: NISHIZAKI, Kyushiro - Reg. No. 04064.

The above Japanese was interned on April 7, 1942, his number being P.W.A/531 he was released July 10, 1946.

REAL

PROPERTY: NISHIZAKI stated on October 21, 1942 that he had owned property at 4551 Albert Street, Vancouver, B.C. but that he had sold it before internment.

SPECIFIED

ARTICLES: A radio and a camera said to belong to him were handed to us by the R. C.M.P. on May 27, 1944. The radio was sold by Auction on June 14, 1944 for the net sum of \$27.11. The Camera is known to have been in our Warehouse on March 15, 1946. The Japanese, evidently through his daughter, asked that both these items be shipped and enclosed the R. C. M. P. receipt. She was advised that the radio had been sold and that the internee's consent was necessary before shipment could be made. No reply has been received.

Camera shipped 15/8/47

of camera

TRUCK:

A one-half ton International Truck described as a Model K-1, Serial No. K1-600, Engine No. G.R.D. 214-15086, was surrendered by the Japanese. It was sold to the Provincial Government, Lands Department for \$875.00, our number T43. The Truck Envelope gives the information that this was the appraised value. The expenses amounted to \$22.40. A lien held by the International Harvester Company of Canada in the amount of \$224.00 plus 8% interest was settled on July 14, 1942, the amount being \$226.13. The Internee was advised of this sale and of the settlement of the lien, on January 13, 1943.

BANK
ACCOUNT:

The balances from two accounts, 59¢ and 60¢ were received from the Japan & Canada Trust Co. on June 16, 1942. These accounts, no amount of the balance being mentioned, were declared by NISHIZAKI in his undated declaration received in September 1942. He later requested that these funds be remitted to his Canteen fund, but, due to the small amount involved this was not done.

This file reveals no other property of any kind.
This summary is certified to be in accordance with the information on File.

CG

C. Guind
June 18, 1947.

MEMORANDUM

June 18, 1947.

TO: File X.I. 500

FROM: Specified Articles Department

Re: NISHIZAKI, Kyushiro - Reg. No .04065

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
TRUCK	1941 $\frac{1}{2}$ ton International Truck No. K1-600, Model K-1 Engine No. G.R.D. 214-15086 License No. (41) C1-791	\$875.00

Sold to: Provincial Government, Lands Department.

Selling Price: \$875.00

Expenses: 22.40

Net \$852.60

LIEN: Held by the International Harvester Company of Canada, in the amount of \$224.00 plus 8% interest. This was settled in July 1942, the sum being remitted was \$226.13. The balance left from the sale of the truck was: \$626.47

CG

O.G.

SEP 29 1943

MEMORANDUM

July 26, 1943

To: File Internee 500

From: Specified Articles Department

Re: NISHIZAKI, Kyushiro - Reg. 04064

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
RADIO	✓ Phonola by Dominion Electrohome Industries, Model 1 U 52-P, Serial 277519. Mantel.	\$25.00
CAMERA	x Box Brownie Jr. by Kodak 6-20	2.00

✓ - Sold by auction 11/6/44. Vancouver 24 32.50
x. Shipped 15/8/47 Less Expense 5.39
\$27.11

II.500

October 23, 1947

Mr. Kyushiro NISHIZAKI,
Reg. No. 04064,
Moose Jaw Hostel,
MOOSE JAW, Sask.

Dear Sir:

In connection with your letter of the 24th August in which you refer to Messrs. McLellan & McCarter Limited's claim of \$115.59 and also to your dissatisfaction in regard to disposition of your truck and radio.

The sale of these articles was carried out under a Government policy of liquidation on the basis of a fair market value at the time of sale and your account has been credited with the proceeds as you have been advised previously.

In regard to the account rendered by McLellan & McCarter, Limited, this office carried on considerable correspondence with that firm, and you were kept informed of the situation through the Camp Commandant. The company engaged Solicitors and were prepared to take legal action to enforce the collection of this account.

A statement of your account was filed with us by the company and supported by an affidavit, and with no definite evidence to prove the contrary, our legal Counsel considered the chances of a favourable Court decision would be very slight. Acting on this advice, it was decided that a settlement should be made on your behalf.

Yours truly,

F. Matheson,
Office of the Custodian.

/FM

ROYAL CANADIAN MOUNTED POLICE

Detachment

Seizure No. 245

FOR USE WHEN APPLICABLE

EXHIBIT REPORT

Detachment File No.
Sub-Division File No.
Division File No.
Headquarters File No.

Detachment
Sub-Division
Division
Date

19

RE: NISHIZAKI, Ryushiro 4551. Albert St. Vancouver, B.C.

On March 19 42, 1 H. P. Price RCMP
MEMBER'S NAME

Came into possession of the following goods by:-

STATE BRIEFLY AUTHORITY, ETC., WHETHER BY SEARCH WARRANT, ETC.

NO. OF PAGES	CAPACITY OR SIZE	DESCRIPTION OF CONTENTS DETAILS TO BE GIVEN IN FULL
		<p>LICENSE NO. (42) 65493 TIRE NUMBERS 8</p> <p>MAKE & MODEL International Truck one ton.</p> <p>SERIAL NO. K1600</p> <p>ENGINE NO. 62321415086</p> <p>SPEEDOMETER READING 6591</p> <p>CONDITION appears fair</p> <p>EXTRA EQUIPMENT NONE</p> <p>DESCRIPTION & CONDITION VERIFIED</p> <p><i>X Nishizaki</i> #04064 Signature of Owner Japanese Registration No.</p>

Has been received by representative of
whose signature in receipt
bears hereunder

March 9/42

SIGNATURE OF MEMBER SUBMITTING REPORT

INTERNATIONAL HARVESTER COMPANY

OF CANADA LIMITED
GENERAL OFFICES, HAMILTON, ONTARIO

INTERNATIONAL MOTOR TRUCKS

F. D. BREWER
BRANCH MANAGER

VANCOUVER, B.C.
TELEPHONE PACIFIC 3821
1135 SEYMOUR STREET

April 6th, 1942.

Rec'd	APR 7 1942
File No.	412-12
Ans.	
Referred	

FOR MR.
YOUR LETTER
SUBJECT

Custodian of Alien Enemy Property,
Marine Building,
355 Burrard Street,
Vancouver, B. C.

Gentlemen:

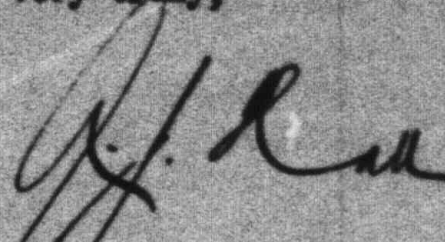
On the 13th. of March, we wrote you under registered mail advising that the Royal Canadian Mounted Police had taken possession of an International Truck which had been operated by Kushiro Nishizaki, who was then living at 4551, Albert Street, Vancouver, B. C.

This was a one-half ton International Truck equipped with an enclosed cab and pickup body and was bearing 1941 license plates, CL-791.

Our Bill of Sale was recorded at Victoria on March 13th, 1941 under No. 148725 and the amount due to us was outlined in that letter — it totalled \$224.20. We had requested that when this vehicle was resold that you bear in mind our Lien and protect us for the amount still owing on the vehicle.

Undoubtedly due to pressure of business in this connection, you have not yet acknowledged receipt of our letter and we would be pleased if you would let us have an acknowledgment that the truck is under your care and that we shall be taken care of at such time as the vehicle is resold.

Yours very truly,


Credit & Collection Manager

AJH:tb

Int 570
INTERNATIONAL HARVESTER COMPANY
OF CANADA LIMITED

GENERAL OFFICES, HAMILTON, ONTARIO

McCORMICK - DEERING FARM OPERATING EQUIPMENT
INTERNATIONAL MOTOR TRUCKS AND INDUSTRIAL POWER

FARM MACHINES
FARM TRACTORS
DAIRY EQUIPMENT
DIE ENGINES
FARM WAGONS
BINDER TWINE

F. D. BREWER
BRANCH MANAGER
A. J. HALL
CREDIT MANAGER

VANCOUVER, B.C.
1135 SEYMOUR STREET

March 13th, 1942.

MOTOR TRUCKS
INDUSTRIAL TRACTORS
CRAWLER TRACTORS
GOLF COURSE TRACTORS
DIESEL ENGINES
POWER UNITS

MAR 15 1942

FOR MR.
YOUR LETTER
SUBJECT

Custodian of Alien Enemy Property,
Marine Building,
355 Burrard Street,
Vancouver, B. C.

Gentlemen:

Regarding Mr. Koshiro Nishizaki at present at 4551, Albert Street, Vancouver. This Japanese has turned over to you an International Truck described as a Model K-1, Serial No. K1-600, Engine No. G.R.D. 214-15086. This half-ton truck is equipped with an enclosed cab pickup body, spare wheel, spare tire and tube. The truck has the 1941 license of C1-791.

Our conditional bill of sale was recorded at Victoria on March 13th, 1941 under No. 148728. There is a balance of \$224.20 due to us at this date and the payments are as follows:

<u>Due Date</u>	<u>Amount</u>
— Feb 28/42	\$ 32.20
Mar 30/42	32.00
Apr 30/42	32.00
May 30/42	32.00
Jun 30/42	32.00
Jul 30/42	32.00
Aug 13/42	32.00
	<hr/>
	\$ 224.20

Each of the above instalments draw interest at the rate of 8% per annum after their respective due dates.

At such time as this vehicle should be sold, we would ask you to bear in mind our Lien and protect us for the amount still owing on our vehicle.

Yours respectfully,
INTERNATIONAL HARVESTER COMPANY OF
CANADA, LIMITED

A. J. Hall
Credit & Collection Manager.

AJH:tb

COPY

INTERNATIONAL HARVESTER COMPANY
of Canada Ltd.

April 10, 1942.

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

Attention: Mr. Edgar T. Read

Dear Sir:

As requested in yours of April 9th, we attach hereto, a list describing three trucks which are in the hands of the Custodian.

We might also mention that there is another International Truck which has not yet been seized, and this vehicle is alleged to be at Haney, B. C. This truck was purchased by Yojiro Takimoto operating as the Fernridge Lumber Company. The date of our Lien is November 20th, 1940 and was registered in Victoria on December 3rd, of that year under Instrument No. 142723. The Engine No. is FBH318-398 and the Serial No. is DR50-667. The outstanding balance due to us is \$564.22.

We make special reference to this truck, because the Robert McNair Shingle Company, Limited of 198 West Hastings Street, Vancouver, has for some time been negotiating to take over the entire business of this Japanese, including our truck. We understand such negotiations are being conducted through your office and the medium of Dougald Donaghy, Lawyer.

Now this is the only International Truck, upon which there is a balance owing to us, that has not been seized, for the above mentioned reason. The Robert McNair Shingle Company own the timber which Takimoto was cutting and the entire operations have been suspended, pending consent from the Custodian.

We are just taking the opportunity of conveying you this information, and would appreciate it very much if the same could be checked up and anything done to expedite the completion of arrangement.

Yours very truly,

Credit & Collection Manager

Original on File 3943



MURRAYVILLE BRANCH
PHONE LANGLEY 111

McLellan & McCarter, Limited

FEED SPECIALISTS

HEAD OFFICE AND MILLS

1608 WEST 5TH AVENUE

VANCOUVER, B.C.

May 8, 1942

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
MAY 9 1942

Office of the Custodian
Japanese Evacuation Section
506 Royal Bank Building
Vancouver, B. C.

Gentlemen:

With further reference to K. Nishizaki of 4551 Albert Street, Burnaby, would say we are informed that he has disposed of his property at the above address, but has a 1941 International now in storage at Hastings Park. T43

He is owing us a balance of \$115.59 for feed supplied, and says that the only asset he has is the truck now in your hands. We would be glad to know if the truck has been sold; and, if so, if there is sufficient funds to cover our account.

Yours very truly,

McLELLAN & McCARTER LTD.

Per:

FSEMG

MS

COPY

INTERNATIONAL HARVESTER COMPANY
of Canada Ltd.

May 22, 1942.

Custodian of Alien Enemy Property,
5th Floor, Royal Bank Bldg.,
Vancouver, B. C.

Gentlemen:

Re: Forest Branch- Provincial
Government Trucks

We have a number of trucks in our garage that have been brought in - or rather sent in - by the Forest Branch of the Provincial Government, with the request that we put these trucks in good mechanical condition and to do any work that may be necessary.

We notice two of the several trucks brought in are ones which were turned over to the R. C. M. Police at Hastings Park, one by Takaoka, formerly of Murrayville and the other was turned in by Nishizaki, formerly of Albert Street, Burnaby. The first mentioned truck is marked with a stencil on the windshield as T-102 and the Nishizaki truck with T-43 - evidently the Provincial Government's identification.

As these trucks have been purchased by the Provincial Government of British Columbia, we would imagine that the Custodian has received payment for these trucks from the Provincial Government and if we are correct, we would be glad to receive settlement of our Lien in the early future.

When these trucks have been settled for, there only remains one in Hastings Park and that is a 1½ ton International, surrendered by Shin - a Japanese small fruit grower, formerly living at Whonock.

Yours very truly,

INTERNATIONAL HARVESTER COMPANY
of Canada, Limited

(signed) A. J. Hall

Credit & Collection Manager

Original on File 3943

17

COPY

INTERNATIONAL HARVESTER COMPANY
of Canada Ltd.

July 15, 1942.

Mr. Edgar T. Read
General Manager, Custodian's Office
504 Royal Bank Bldg.
Vancouver, B. C.

Dear Sir:

We are grateful to you for your favour of yesterday's date enclosing cheque for \$621.95 in full settlement of liens on International trucks supplied to K. Nishizaki and H. D. Takaoka.

Both trucks are Models K1, year 1941. That sold originally to Nishizaki carried serial number K 1-600, engine number GRD 214-15086, and that sold originally to Takaoka carried serial number K1-655, engine number GRD 214-30681.

The official receipt covering each claim is enclosed herewith together with the installment promissory note which these men signed at the time of sale. Both these notes are stamped paid, the Nishizaki note reading for \$576.00, carrying our number 9641. Takaoka note reading for \$529.92, and carrying our number 2442.

Yours Respectfully,

(signed) A. J. Hall

Credit & Collection Ngr.

Original on file 3943.

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

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

PHONE PACIFIC 6121

PLEASE REFER TO
FILE NO. 500

January 13, 1943.

Mr. Kusairo NISHIZAKI,
Camp Commandant,
Internment Camp,
ANGLER, ONTARIO

Our No. T 43

Dear Sir:

Re: Motor Vehicles

Your Truck

which was surrendered to the Authorities, has been
sold for \$ 875.00

Charges against your car were as follows:

Liens

\$ 226.13

Administrative Expenses

\$ 22.40

626.47

The Balance thereafter remaining of

has been placed to your credit in our trust account.

Yours truly,

Specified Articles Department.

RPA:MA
H.

Lemon Creek,
Albany, B.C.

Rec'd	MAR 29 1943
File No.	
Ans.	
Referred	MR Pero

Mar. 24, 1943.

912 Royal Bank Bldg,
Vancouver, B.C.,

Dear Sir:

I received your letter asking for receipts from Mr. Lennan and Mr. Garter. However, as we were given only a few days notice to leave for the interior, and no men to pack, I had to clean up and take five children by myself so I don't know whether I left the receipts or brought them with me. You should know that in the confusion of preparing five children and myself on so short a notice that receipts, bills, etc., are completely forgotten. ~~I~~ had them until October but when I was packing, everything was in such confusion, that I don't know what became of the receipts.

Yours truly,

(Mrs.) M. Nishizaki.

would the bank have
cancelled cheques? cash cheques
let me have list of assets & liabilities pls
Advise internee & wife re threat to sue
see letter 21/1/43 J. Oliver
Creditor's support claim
by affidavit
KWW

912 Royal Bank Bldg.,
Vancouver, B. C.
29th March, 1943.

500

Mrs. Mika Nishisaki,
Registration No. 04065,
Slocan Extension, B. C.

Dear Madam: Re: P/A-533 NISHIZAKI, Kyushiro.

We beg to acknowledge receipt of your letter of the 24th instant regarding the claim made by Messrs. McLennan and McCarter against your husband.

You state that this claim has been paid and we would therefore ask you to kindly advise us whether it was paid in cash or by cheque. If payment was made by cheque kindly give the name of your banker, so that we may establish proof of payment, or if you have the cancelled cheque in your possession kindly mail it to this office.

McLennan and McCarter are threatening to sue for their claim and if it has already been paid we wish to be able to produce evidence of payment.

Yours truly,

K. W. WRIGHT,
Counsel to the Custodian.

GHP/mf

912 Royal Bank Bldg
Monroeville, B.C.,
July 5th

Dear Sir:

Your letter of May 3, was received to day.
In answer to your letter, we paid the
bills in cash every week.

Yours truly,
M. Kishipakis

States cannot be made
receipts. P. Kishipakis

Lemon Creek
Monroeville, B.C.
May 3, 1943

File No.	MAY 17 1943
Ans.	
Printed	MR Peers

File No. 800

May 18th, 1943.

MEMORANDUM

To: Mr. K.W. Wright

From: Mr. G.H. Peers

Rec'd	MAY 25 1943
File No.	
Attn	
Referred	MR Peers

Re: P/W A-533 - NISHIZAKI, Kyushiro
and
Claim of Messrs. McLennan & McCarter
Limited - \$115.59

The affidavit re this claim has been filed and included several other claims.

The internee states the bill was paid and that his wife had the receipts. The internee's wife states that she cannot find the receipts.

Sufficient funds are on hand to make payment of this account. Should this be done?

G.H. Peers

*Mr. Peers.
Advise internee receipts are
available & solr. will sue
He must instruct us regarding
refusing solr to defend & pay
all costs but he should also be told
us solr can defend without witness
If he advises in reply that cr. must
proceed to suit - write solicitor for
creditor & say we have no objection to
him taking such action as may be deemed
necessary under the circumstances
K. W. W.
25/5/43*

Rec'd JUN 16 1943
 File No. 1
 Attn: Mr. Piers
 Received

Quote: 101-P-533

DEPARTMENT OF NATIONAL DEFENCE
 -101-P-

Internment Camp,
 ANGLEN, Ontario.
 June 11th 1943

Authorized Deputy Custodian,
 111 Royal Bank Building,
 Vancouver, B.C.

Re: 101-P-533 STEWART Essex

Receipt is acknowledged of your letter this
 day May 20th 1943 regarding a/n.

The response states:
 "I have no knowledge of the claim made against
 me in this letter, therefore it is their business to have
 the stop they want."

Copy to D.F.O.N.

W. J. H. Ellwood
 (W. J. H. Ellwood) Lieut. Colonel,
 Commandant,
 ANGLEN Internment Camp,
 Veterans Guard of Canada.

500.
Legal Dept.

912 Royal Bank Building,
Vancouver, B.C.
June 15th, 1943.

Joseph Oliver, Esq.,
718 Granville Street,
VANCOUVER, B.C.

Re: P/W A-533 - NISHIZAKI, Kyushiro

Dear Sir:

With reference to your letter of June 3rd, we have received a communication from the above named internee, in which he states that he has no knowledge of the debt of Messrs. McLennan & McCarter against him.

The Custodian has no objection to your clients taking any action they deem necessary under the circumstances.

Yours truly,

K.W. WRIGHT.
Counsel to the Custodian.

GHP:HW.

Not sent

See reply letter



MURRAYVILLE BRANCH
PHONE LANGLEY 111

McLellan & McCarter, Limited

FEED SPECIALISTS

HEAD OFFICE AND MILL
1808 WEST 8TH AVENUE
VANCOUVER, B.C.

December 11, 1943

EVACUATION SECTION

Rec'd DEC 15 1943

File No. 71500

Ans.

Referred 912

Office of the Custodian
Japanese Evacuation Section
506 Royal Bank Bldg.
Vancouver, B. C.

Gentlemen:

With further reference to account
against K. Nishisaki, of 4551 Albert St., Burnaby,
B. C., for \$115.59, would say that we understand
he claims he does not owe us anything.

The writer tried to contact him,
but could not locate him; and we discovered after-
wards that he had been interned. His wife did not
deny owing the account, and promised to pay it be-
fore leaving the district. After seeing her hus-
band, however, she refused to pay anything, or even
to talk.

We learned that he turned a truck in,
which has since been sold or taken over by the Gov-
ernment. We sincerely hope the proceeds will not
be turned over to him until such time as we have
an opportunity of proving our claim in the Courts.

We will be glad to receive a letter
with full particulars re this party.

Yours very truly,

McLELLAN & McCARTER LTD.

Per: J. S. Bacon

FSB:MG



STATEMENT

Phone: BAyview 0590

McLellan & McCarter, Limited

1605 West 6th Avenue
Vancouver, B. C.

December 23, 1943

In Account with

Kyushiro Nishisaki

P/W A-533

DATE	INVOICE NO.	CHARGES	CREDITS	LAST AMT. IS BAL. DUE
		Account Rendered		\$115.59

I, **FULTON S. BACON**, of the City of Vancouver in the Province of British Columbia, do solemnly declare and say:

1. THAT I am the Credit Manager of McLellan & McCarter Limited, and have knowledge of all circumstances connected with the debt herein referred to.
2. THAT the debtor, Kyushiro Nishisaki, is at this date, December 23, 1943, notwithstanding denial of indebtedness, justly and truly indebted to McLellan & McCarter Ltd. in the amount of One Hundred and Fifteen Dollars and Fifty-nine cents (\$115.59) for goods delivered to him.
3. THAT the said McLellan & McCarter Ltd. have not, nor has any person by their order to my knowledge or belief for their use, had or received any manner of satisfaction or security whatsoever.

AND I MAKE this solemn declaration conscientiously believing it to be true, and knowing 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 Vancouver in the
Province of British Columbia
this 23rd day of December, A.D. 1943

Fulton S. Bacon

H. M. Mott

A Notary Public in and for the
Province of British Columbia

Terms: Net Cash. Interest after 30 days at 6%

KEY TO ABBREVIATIONS

CR.—Credit
DR.—Debit

BAL.—Balance
IN.—Invoice
CN.—Credit Note

FT.—Freight
CH.—Cash

500
Legal Department

912 Royal Bank Building,
Vancouver, B. C.
January 3rd, 1944

Joseph Oliver, Esq.,
718 Granville Street,
Vancouver, B. C.

Claim of Messrs. McLellan & McCarter vs.
Re: P/W A-533, NISHIZAKI, Kyushiro - \$115.59

627.66

Dear Sir:

With reference to our previous correspondence with you, we enclose herein our cheque amounting to \$115.59, in favour of your clients, Messrs. McLellan & McCarter Limited, in full settlement of their claim against Kyushiro NISHIZAKI.

Kindly acknowledge receipt of this remittance.

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

OWP/JY
Encl.

NAME WINTZART, Mike (Mrs. Rushie)

REGISTRATION NO. 04065
P/W/A-533

FILE NO. Int. 900

The following chattels were sold by public
auction at 333 P. Hall, Vancouver, B.C. on June 14, 1944.

Phonola Mantel Electric Radio

\$ 32.50

Total

\$ 32.50

Less Expenses: (Auctioneer's Fee: \$3.25

\$ 5.39

(Advertising: 0.77

(Moving: 0.37

(Storage: 1.00

Net Proceeds Credited:

\$ 27.11

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering list No. Vancouver 24

Remarks.

Radio receipt is on file

ROYAL CANADIAN MOUNTED POLICE

Form 244A

EXHIBIT REPORT

No. 107 (2)

HEADQUARTERS File No.

SUB-DIV'N and File No. Vancouver

DIVISION and File No.

DETACHMENT and File No. C.I.B.

J.R. 01.061

DATE May 27th 1944

Re: Ryushiro HIGASHIMOTO, 1551 ALBERT ST., VANCOUVER, B.C.

On March 10th 1942 I D.E. McLaren, Det.

Came into possession of the following described goods by

Handed over by (Name of source)

NO. OF EXHIBIT	NO. OF PACKAGES	CAPACITY OR SIZE	DESCRIPTION OF EXHIBITS
	1		Camera - Box Brownie Jr. by Kodak 6-20 (1)
	1		Radio - Phonola by Dominion Electrophone Industries, Model 1 U 5B-P, Serial 277519.
			Int 500
			Camera in Custodian Warehouse G.M. - July 1945
			Checked still then 15/3/46

REMARKS: Handed over to the Custodian of Alien Property.

(State briefly disposition)

DATE May 27th 1944

L.S. Spain
(Signature of Custodian)

CERTIFIED CORRECT

D.E. Jefferson, (Signature) 10559 Det.

2353 Smith Street,
Regina, Sask.,
Dec. 15, 1945.

Custodian of Alien Property,
Royal Bank Building,
Vancouver, B. C.



Dear Sir:

In March, 1942, at the outbreak of war, our radio and camera were handed over ^{to} the R.C.M.P. in compliance with regulations.

Later, when we were moved out of the "Protected Area", I sent an enquiry to them, asking if it would be possible for the return of the aforementioned articles. I received a reply to the effect that the articles were being retained a little while longer for "security" reasons.

With a white back, a notice appeared in the "New Canadian" that radios and cameras would be returned to people who had relocated east of the Rockies.

Having relocated, a letter was sent again to the R.C.M.P. who referred me to you. They informed me that the camera and radio were handed to you on May 27, 1944.

Would you please send the radio and camera to me as soon as possible?
If the sending charge is to be paid by me,

will you please inform me, and also, the amount
of money that would be required.
Attached hereto is the receipt for the camera
and radio.

Yours truly,

(Signed) M. K. Nishigaki.
Probably written by
daughter.

Receipt placed on
brother's file - XI 500.

No.

F. 112

Royal Canadian Mounted Police

J.A. 04064

\$

Vancouver Bk 10-3-1944

Received from Kyushiro NISHIZAKI - 4551 Albee St

Vancouver - One camera by Dominion for
by Kodak 620

One radio Phonda by Dominion Electronics
Industries Model 1452-P Serial 277519

Dollars,

Signature

J.V. Miles
Reg No 13649

August 15, 1947.

REGISTERED
Mr. Kyushiro WISHIZAKI,
Reg. No. 04064,
Moose Jaw Hostel,
Moose Jaw, Sask.

Dear Sir:

We enclose herewith our cheque in the amount of \$539.18 which represents the balance standing to the credit of your account.

This is derived from the sale of a radio and truck delivered by you to the R. C. M. P. and the balance of two accounts in your name with the Japan & Canada Trust Savings Account. From this has been deducted the payment of a lien on the truck and the full payment of the McLellan & McCarter claim of \$115.59. We give you below a brief statement:

<u>CREDITS:</u>	Sale of radio:	\$27.11	
	" " truck:	\$852.60	
	Bank accounts:	<u>1.19</u>	\$880.90
<u>DEBITS:</u>	Lien on truck:	\$226.13	
	McLellan & McCarter claim:	<u>\$115.59</u>	<u>\$341.72</u>
	Balance herewith:		\$539.18

Your camera is being mailed today and should reach you in a few days.

We require the Bank Pass books of the Japan & Canada Trust Savings Co. for our records and would appreciate if you would forward them by return mail.

We enclose herewith a stamped self-addressed envelope for your convenience.

Yours truly,

F. Matheson,
Office of the Custodian.

Box 9,
Karoo Jaw, Sask.,
Aug. 24/47

The Custodian of Enemy Alien Property,
306 Royal Bank Building,
Hastings and Granville,
Vancouver, B. C.

EVACUATION SECTION	
Rec'd	AUG 27 1947
File No.	XI/500
Ans.	
Referred	Trachisox

Dear Sir

In your statement, File No. XI/500, which was sent on August 15, 1947, I note that you have deducted one hundred fifteen dollars and fifty nine cents (\$155.59) as a claim made by McEllan and Mc Carter Company. I am sure that I do not owe that money, and, when questioned about it in the Internment Camp at Angler, Ontario, I made such explanations which apparently satisfied the authorities there.

Before the confiscation dates for Japanese owned ~~trucks~~ vehicles and radios, I had numerous offers to buy my truck and radio at prices which would have brought me considerable profit, but not wishing to sell, I turned them over to you for safekeeping until such a time when I could see them again, believing that you would really "protect" our interests. Instead, I find ^{that} I am ^{now} sadly disappointed.

I regret that I have abandoned a letter, but I would appreciate it if you would note particularly, that McEllan and Mc Carter claim. Appealing to your sense of justice, I trust that suitable reparation may be made in the near future.

Yours truly,
K. Trachisox

PHONE PACIFIC 8191
PLEASE REFER TO **XI.500**
FILE NO. _____

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

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

October 22, 1947

Mr. Kyushiro NISHIZAKI,
Reg. No. 04064,
Moose Jaw Hostel,
MOOSE JAW, Sask.

Dear Sir:

With reference to your letter regarding payment of the claim filed against you by McLellan & McCarter, Limited, we wish to inform you that we have examined our records and have obtained the following information.

On May 8, 1942, McLellan & McCarter, Limited wrote to this office stating that the company had been informed that "K. Nishizaki of 4551 Albert Street, Burnaby, has disposed of his property at the above address, but has a 1941 International now in storage at Hastings Park. He is owing us a balance of \$115.59 for feed supplied, and says that the only asset he has is the truck now in your hands."

On January 4, 1943, we wrote the Commandant at Angler Internment Camp informing him that McLellan & McCarter, Limited had filed a claim in the amount of \$115.59 against you. We asked him to ascertain if this claim was in order, and we stated that, if this was the case, we would make payment.

On January 9, 1943, the Camp Commandant notified us that a copy of our letter had been shown to you and that you had stated that you did not know anything about the claim mentioned in our letter.

This information was supplied to McLellan & McCarter, Limited, and on January 21, 1943, the solicitor for that company wrote to this office as follows: "If the debtor is not prepared to recognise the claim and sanction the immediate payment of it my instructions are to obtain such leave as is necessary to institute and prosecute to completion Court proceedings against the debtor, and I wish you would have the Camp Commandant so inform the debtor."

On January 26, 1943, we sent to the Camp Commandant a copy of the letter received from the solicitor and an itemized statement of the account. We asked the Commandant to show you these enclosures and to let us hear from you at your earliest convenience. On February 4, 1943, the Commandant wrote us that "The m/m states he has dealt with this firm, but always paid cash weekly, except in the Spring of the year when very busy, it was allowed to go longer periods, but the account was finally paid. He further states that he has receipts at home with his wife."

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131

PLEASE REFER TO

FILE NO.

II. 500

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

October 22, 1947

Mr. Kyushiro NISHIZAKI - Page 2

We therefore wrote to your wife on February 26, 1943, asking her to let us have the receipts. No reply was received and we wrote to Mrs. Nishizaki again on March 9, 1943. On March 24, Mrs. Nishizaki replied to our letters, stating that she did not know what had become of the receipts.

On March 29, 1943, we wrote Mrs. Nishizaki asking her if payment had been made by cheque and if so, to give us the name of your banker so that we might establish proof of payment, or if the cancelled cheque was in her possession, to let us have that. No reply was received, and on May 3, 1943, we again wrote to Mrs. Nishizaki about this matter. On May 8, 1943, Mrs. Nishizaki informed us that payment had been made in cash every week.

On May 28, 1943, we wrote to the Camp Commandant asking him to inform you that Mrs. Nishizaki had been unable to find the receipts and that McLellan & McCarter, Limited intended to sue for the account. We stated that in the event of the claimant doing this, it would be necessary for you to retain a solicitor, and pay all costs, should you lose the case. This office advised that it would seem of small use to spend money on solicitor's fees unless payment evidence could be produced. We asked that you let us know what you wanted done in the matter.

On June 11, 1943, a letter from the Camp Commandant acknowledged receipt of our letter, and informed us that you had stated: "I have no knowledge of the claim made against me in this letter, therefore it is their business to take the step they want."

On December 23, 1943, McLellan & McCarter, Limited filed an affidavit in proof of debt, which stated that notwithstanding your denial you were indebted to the company in the amount of \$115.59 for goods delivered to you, and that the company had received no manner of satisfaction or security whatsoever.

Since you did not supply this office with any evidence that payment had been made to McLellan & McCarter, Limited, payment of the claim was made from your funds to save you the expense of Court costs which would have been added to the claim had that company sued and obtained a Judgment against you. Without evidence to support your denial of the claim, there seemed little chance of your winning a Court action.

We trust this letter will explain why payment of this claim was made by the Custodian from your funds.

Yours truly,

F. Matheson

F. Matheson,
Office of the Custodian.

/FM