

3106

FORM 1-3

HASTINGS PARK
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 3106

To be completed by persons of the Japanese race having no property in any protected area.

NAME: HAYASHI, Yonokichi
HOME ADDRESS: 646 E. Cordova St., Vancouver, B.C.
SEX: Male
AGE: 46
OCCUPATION AND EMPLOYER: Porter in Belmont Hotel, Vancouver, B.C.
MARRIED? Yes
REGISTRATION No. 01620
NAME OF WIFE OR HUSBAND: KATSU
ADDRESS: 646 E. Cordova St., Vanor.
NAMES OF LIVING CHILDREN: NAHUYOSHI (M) 14 yrs.
ADDRESS: 646 E. Cordova St. Vanor.
YRIKI (M) 13 yrs. KATSUMI (M) 12 yrs. TOSEKO (F) 8 yrs.
ADDRESS: ■ ■ ■
KENJI (M) 6 yrs. YORIO (M) 3 yrs.
ADDRESS: ■ ■ ■

I certify that the above information is true and complete and state that I have no property of any kind whatsoever in any protected area in British Columbia.

Dated this 2nd day of April 1942

(Signature) *Y. Hayashi*

WITNESS: *[Signature]*

LIST OF LIABILITIES:

None

HOW DO YOU PROPOSE TO PAY THESE OFF?

None

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date Jan 14/43.

Full Name HAYASHI Yonokichi - Died on April 6/45.
(Surname in Block Letters)

Registration No. 01620

☒ Male - Female
(check)

Age Feb. 27, 1892

Former Address 646 E Cordova St. Vancouver B.C.

Date Evacuated Aug 25/42.

☒ Naturalized - Canadian-Born - National
(check)

Present Address Died April 6/45
new 1000 W. B.C. Deceased
New bar of 1412 dead flower Hotel 4/45

☒ Married - Single
(check)

Name of Wife HIKADA, Tatsui. 01621

Name of Husband

Name of Mother Deceased

Name of Father Deceased

Names of Children under 16 Nobuyoshi (m) 8/3/28; Yieki (m) 16/8/29;
Tatsuemi (m) 17/7/30; Toseko (F) 17/4/34; Kenji (m) 26/1/36;
Yorio (m) 8/12/37. Goshio Hayashi (Son of Kuni's 1st wife)

ur File No. 3106

Registered with Custodian yes.
(yes or no)

Requested By [Signature]

ditional Information Porter - (Belmont Hotel Vancouver)

Carded

File #3106

April 19, 1943.

CLAIMS DEPARTMENT.

Yenokichi HAYASHI - Reg. No. 01620

DEBTS.

Dr. M. Uchida-----	\$ 3.00	} Confirmed
Kikujiro TANAKA-----	\$14.87	

The above debts are acknowledged, but is
unable to pay.

MR. CAPP

claim

Debtors

11-5-45

80.00



126H/1946

In the Supreme Court of British Columbia

IN PROBATE.

B.C.L.S.
605

Nelson Registry.

In the Matter of Yonokichi Hayashi, Deceased,
late of New Denver, in the Province of British Columbia;
and in the Matter of the "Administration Act."

Dated the 17th day of August, A.D. 1946.

Upon the application of Claude Macdonald
dated the 20th day of July, 1946, and upon reading
the affidavit of Claude Macdonald, sworn
the 20th day of July, 1946,

all filed herein

It is ordered that Claude Macdonald, Official
Administrator for the ~~Comox~~ Kaslo-Slocan Electoral District
shall be administrator*
of all and singular the estate of the said Yonokichi Hayashi
who died at New Denver, British Columbia
on the 6th day of April, 1945, intestate, and
that notice of this Order be published Once in the Arrow Lakes News.

"W. A. Nisbet"

L.J.

Extracted by E. P. Dawson, Esq.,

Solicitor, etc.

* Insert "with the Will annexed" [or as the case may be].

126-445-6802 (12)

Certified a True Copy.

W. A. Nisbet

DIST. REGISTRAR OF SUPREME COURT

(Information supplied by Ins. Co.)

LIFE INSURANCE

Name HAYASHI, Yonokichi

File No. 3106

(Covering on life of Yoshio HAYASHI)

Reg. No. 07620

New Denver

Company Sun Life

Agency Vancouver

Policy No. 659624

Premium - \$ (FREE)

Payable: Annually, Semi-annually or monthly

Month

Day

REMARKS: No further premiums payable on this policy.

21
letter sent 20/8/43

Dear Sir.

EVACUATION SECTION	
Rec'd FEB 6 1943	
File No. 3106	
Ans.	
Referred	Medical

Y. Hayashi
(VETERAN)

New Denver
B.C.

January 31/43

Received your note and dated on
Jan 22nd/43.

I am agree with both claims.

That is.

Re
Mr. M. Uchida \$ 3.00
K. Tanaka \$ 14.87

I am a Naturalized Canadian
and Ex Soldier of Canadian
army in the first Great War
and have been married and
have six (6) children.

I have responsibility and am
willing to settle them,
But at present I am unable to
do so because I have no cash
nor can't save any (just about getting by)
Hoping you to understand my position
and thanks.

Yours Respectfully
Yonokichi Hayashi

SUN LIFE ASSURANCE COMPANY OF CANADA
HEAD OFFICE: MONTREAL

VANCOUVER BRANCH
A.L. WRIGHT, C.L.U., BRANCH MANAGER
H.A. FAIRBAIN, ASSISTANT MANAGER
S.B. HAY, BRANCH SECRETARY

ROYAL BANK BUILDING
VANCOUVER, B.C.

IN ALL CORRESPONDENCE ABOUT POLICIES
PLEASE REFER TO THEIR NUMBERS

March 13, 1945.

Attention: Mr. Gibson

Custodian of Enemy Property,
506 Royal Bank Bldg.,
Vancouver, B.C.

Dear Sir:

Re: Policy #659,624 - Kimi Hayashi

EVACUATION SECTION	
Recd	MAR 14 1945
File No.	12648, 3106, 3778
Ans.	SM 5 1/2
Remarks	Gibson

The above mentioned policy was issued on October 1/24, on the 20-Year College Endowment Plan, on the life of Mrs. Kimi Hayashi, for her child, Yoshio Hayashi. Mrs. Hayashi died in 1925, and in accordance with the terms of the policy it became fully paid-up and payable at Maturity, October 1/44.

The policy originally provided for payment to Kimi Hayashi, the assured, at maturity or in the event of her death, then to her estate. However, in 1925 she completed a special appropriation form which reads in part as follows:

"I, Mrs. Kimi Hayashi of Vancouver, British Columbia, the assured named and described in policy number 659,624, of the Sun Life Assurance Company of Canada, do declare that I hereby vary the said policy, but only in the event of my death before the end of the endowment period, by appropriating and transferring the benefits thereof to Yonokichi Hayashi my husband and guardian for my son, Yoshio Hayashi, or his executors administrators or assigns whose receipt shall be a full discharge to the Company, and I do in that event hereby revoke all interest any other person or persons may have in it."

The assured later died and since maturity we have been endeavouring to arrange for a settlement through the husband, Yonokichi Hayashi, provided he can establish a legal guardianship to the son, Yoshio Hayashi, providing the son was still a resident in Canada. The father failed to prove title to the insurance proceeds, and he later placed the matter in the hands of Mr. Eric P. Dawson, Barrister and Solicitor, Nelson, B.C., from whom we received the information that the son, Yoshio, Hayashi, was not resident in Canada, but is stated to be living in Japan.

*531 Penell U
New London*

SUN LIFE ASSURANCE COMPANY OF CANADA
HEAD OFFICE: MONTREAL

VANCOUVER BRANCH
A.L. WRIGHT, C.L.U., BRANCH MANAGER
H.A. FAIRBAIN, ASSISTANT MANAGER
C.E. HAY, BRANCH SECRETARY

ROYAL BANK BUILDING
VANCOUVER, B.C.

IN ALL CORRESPONDENCE ABOUT POLICIES
PLEASE REFER TO THEIR NUMBERS

-2-

In consequence of this information, we have been requested by our Montreal office to give you this information and file with you the enclosed report form "D". If you require us to make payment to the Custodian, and you decide that it should be on the basis of commuted value, which we may say is \$1,104.00, you should then give the Company a written request to that effect. You will, of course, understand that we shall require surrender of the policy when making payment, and have no doubt that this could be obtained from the father through Solicitor, Mr. Eric P. Dawson, whose address is 415 Baker Street, Nelson, B.C.

Yours faithfully,



BRANCH SECRETARY

CER:ED

THE CUSTODIAN
DEPARTMENT OF THE SECRETARY OF STATE
VICTORIA BLDG., 7 O'CONNOR STREET
OTTAWA, CANADA

THE CUSTODIAN
REGULATIONS RESPECTING
TRADING WITH THE ENEMY (1939)

FORM "D"

Ref. No.
From the ~~Sun Life~~ Insurance
Company of Canada

Date of Discovery. February 1945.

Particulars of Life Insurance Policies and Annuity Contracts on Life of an Enemy

N.B. Separate forms should be used for each policy
or annuity contract for each "enemy"

Policy No. 659,624

Life Insured - Name Mrs. Kimi Hayashi
Born for son Yoshio Hayashi
Address

Owner - if third
party insurance - Name
Address

Beneficiaries - Names See correspondence
Addresses
Relationship to
Life Insured

Record of Current Assignments
(other than to company for
policy loan)

- give names and addresses -

Date of Policy (i.e., due date of first regular premium) October 1, 1924.

Plan of Policy 20 year college endowment

~~Sum Assured or~~
Amount of Annuity \$20.00 per month for 60 months - beginning
October 1, 1944, or alternatively the
commuted value of these monthly instalments \$1104

Premium - Amount
How Payable
Due Dates

Policy Loans (automatic or otherwise)

Approximate Cash Value, if any, including
dividends, after deducting all policy
indebtedness

Nature of Automatic Non-forfeiture
Provision

Approximate Cancellation Date under
Automatic Non-forfeiture

Special Notes:

SEE CORRESPONDENCE FOR DETAILS

3106

March 21, 1945.

Mr. Yonokichi HAYASHI,
Registration No. 01620,
NEW DENVER, B. C.

Dear Sir:

Re: Sun Life Policy No. 659624

We are endeavouring to identify the person entitled to the proceeds of the above numbered policy. If you have this policy in your possession or know where it is, kindly have it sent to this office.

If by any chance you have married a second time, please supply us with the full name of your first wife and the names and present addresses of any children by this marriage.

Yours truly,

S. M. Gibson,
Insurance Department

SMG:JS



EVACUATION SECTION	
Rec'd	MAY 12 1945
File No.	306
Ans.	
Referred	Molson

BRITISH COLUMBIA SECURITY COMMISSION

360 Homer Street,
VANCOUVER, B.C.,
May 11th, 1945.

Department of the Secretary of State,
Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B.C.

Dear Sir:

Re: Yonekichi HAYASHI #01620 Dec'd

We wish to make claim for recovery of the sum of \$50.00 from the estate of the above mentioned deceased, to cover the cost of funeral expenses paid by this Commission in connection with his burial.

Please advise as to whether there are sufficient funds available in the estate to take care of this account, or if there is a relative of the deceased with sufficient assets who would have legal responsibility for the funeral expenses.

For your information, Mr. HAYASHI died on April 6th, 1945.

Yours truly,

BRITISH COLUMBIA SECURITY COMMISSION

M.L. Brown
M.L. Brown
Office Manager

15-9-45
J

1106

June 16, 1945.

Attention Mr. H. L. Brown

B. C. Security Commission,
360 Homer Street,
Vancouver, B. C.

Dear Sir:

Re: Yonekichi HAYASHI
#01620 - Deceased.

We are in receipt of your letter of May 11th with reference to the claim for \$80.00 from the Estate of the above mentioned Japanese to cover cost of funeral expenses paid by the Commission. We are placing your claim on file.

The deceased Japanese had no assets in our hands, but there is a matter of insurance which, at the present time, is under investigation and has to be clarified.

You will hear from us as soon as this matter has been cleared.

Yours truly,

George Peters,
Administration Department.

GP:EB

3106

September 18th, 1945.

Mr. Eric P. Dawson,
Barrister & Solicitor,
Nelson, B.C.

Dear Sir:-

Re:- Policy #659624
Kimi HAYASHI, Deceased.

We have been advised that Yonikichi HAYASHI, husband of the above and guardian of her son Yoshio HAYASHI, placed the matter of settlement in respect to the above policy in your hands sometime ago. Yonikichi HAYASHI passed away on April 6th, 1945, and had not answered a March letter of ours to him requesting that he forward the policy to us.

As the Insurance Company requires this policy before effecting settlement, we shall be obliged if you will let us have same if you have it in your possession.

An early reply will be appreciated.

Yours truly,

BRD/DD.

B.R. Dusenbury,
Administration Department.

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
415 BAKER STREET
NELSON, BRITISH COLUMBIA

RECEIVED SECTION
SEP 24 1945
File 1278 3106
Ans Discontinuity
Ref Ad

September, 20th, 1945

Department of the Secretary of State,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Bldg,
Hastings and Granville Streets,
Vancouver, B.C.

Attention B.R. Dusenbury
Administration Department

Dear Sir:-

Re: Policy #659624, Kimi Hayashi

I received your letter of September 18th, but have no authority in respect to turning over the insurance policy, and it will be necessary to obtain some authority before dealing with the same. The policy was received by me from Mr. James Draper, who I understand had been requested by Yonikichi Hayashi to obtain payment of the monies to himself as guardian, and I wrote on February 20th, 1945 to the Sun Life Assurance Company of Canada, stating that proceedings might have to be taken under the "Curators Act" for the appointment of a curator to receive payment of the policy. I was then advised by the Sun Life Assurance Company further in regard to the matter, they suggesting proceedings under the "Insurance Act" that an application be made to the Court for Letters of Guardianship so that some person might be able to give a proper release.

They further stated, however, that it was not then their knowledge until I had written to them that the beneficiary was not resident in Canada and that it seemed to them that the matter of payment would require to be turned over to your Department.

This was in February last and since that time I have received no further communication from the Sun Life Assurance Company or your Department and have simply been holding the policy.

I have therefore had no knowledge as to the death of Yonikichi Hayashi, who you state died on April 6th, 1945. I am not therefore in a position to act in the matter until

P.To.

further instructed. I have therefore written to Mr. James
Draper who acting on behalf of Yonikichi Hayashi, delivered
the policy to me.

Yours truly,
ERIC P. DAWSON

Per:

Eric P. Dawson

D/C

3106

September 25th, 1945.

Eric P. Dawson, Esq.,
415 Baker Street,
Nelson, B.C.

Dear Sir:- Re:- Policy #659/624, Kimi HAYASHI

We are in receipt of your letter of the 20th instant in respect to the above numbered policy of insurance.

From the last paragraph of your letter we understand that if you receive the approval of Mr. James Draper to the forwarding of the policy to this office, that we shall receive it in due course. As the Insurance Company requires the policy, and as they will disburse the funds through this office, we shall appreciate hearing further from you, as soon as convenient.

Yours truly,

BRD/DD.

B.R. Dusenbury,
Administration Department.

September 25th, 1945.

Sun Life Assurance Company of Canada,
Royal Bank Building,
Vancouver, B.C.

Dear Sirs:-

Re:- Policy #659/624, Kimi HAYASHI

Please refer to your letter to us of the 13th of March last, relative to the above numbered policy of insurance.

On receipt of that letter we acknowledged same and also wrote to Yonakichi HAYASHI, asking that he forward the policy of insurance to this office. Before we received any answer he passed away on April 6th, 1945.


We have recently written to Mr. Eric P. Dawson, Barrister, of Nelson, B.C., asking that he forward the policy if in his possession. He replied that he has the policy but that he received it from a Mr. James Draper to whom he is writing regarding same.

We are advising him again that you require the surrender of the policy to you before making disbursements under same, which disbursements would be through this office.

As soon as we receive the policy from Mr. Dawson, we shall take the matter up again with you.

Yours truly,

BRD/DD.



B.R. Dusenbury,
Administration Department.

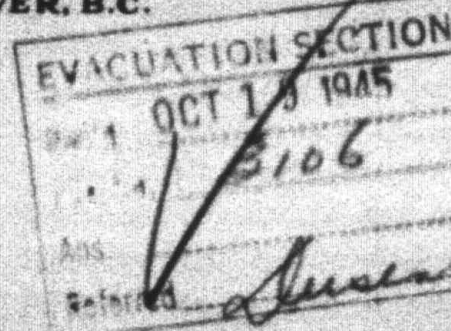
SUN LIFE ASSURANCE COMPANY OF CANADA

HEAD OFFICE: MONTREAL

VANCOUVER BRANCH
A. L. WRIGHT, C.L.U., BRANCH MANAGER
H. A. FAIRBAIN, ASSISTANT MANAGER
C. E. MAY, BRANCH SECRETARY

ROYAL BANK BUILDING
VANCOUVER, B.C.

IN ALL CORRESPONDENCE ABOUT POLICIES
PLEASE REFER TO THEIR NUMBERS



October 18, 1945.
Your File #3106.

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

Dear Sir: Re: Policy #659,624 - Kimi Hayashi (M/E) Yonokichi Hayashi

The information contained in your letter of September 25th has been placed before our Claims Department in Montreal and as the beneficiary is reported to have died on April 6, 1945 we shall now require to be furnished with an Official Certificate of Death of the said late Yonokichi Hayashi together with the policy which is said to be in the possession of Mr. Eric P. Dawson, Barrister, who is looking after the estate.

You will have noted from the previous correspondence that the appropriation form completed by the late assured was rather ambiguous as to the actual intention in reference to title and we would, therefore, prefer having the concurrence of the estate of the late Yonokichi Hayashi when making payment to the Custodian. It is our hope, therefore, that steps will be taken to secure from the estate the signed consent through the co-operation of Mr. Dawson. We will appreciate hearing from you in this matter in due course.

Yours faithfully,


BRANCH SECRETARY.

CEH:WR

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
418 BAKER STREET
NELSON, BRITISH COLUMBIA

EVACUATION SECTION
Rec'd OCT 26 1945
File No. *[initials]*
Ans. *[initials]*
Referred *[initials]*
October 26 1945

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

Attention B.R. Dusenbury

Dear Sirs:-

Re: Policy #6595624, Kimi Hayashi

I have received a communication from Mr. Draper in connection with the above matter and he states that the widow is now left with eight children and is receiving relief. She has suggested that if possible, the policy be left with the Company for the time being, but if necessary she would sign an order for the release of the same to the Custodian.

Just what authority she may have until appointed by the Court as guardian for the beneficiary under the policy I do not know.

The matter, however, as to which she is now enquiring is what will be the disposition of any monies which may be received by the Custodian, when and if such monies are paid to the Custodian.

My instructions in respect to the policy were that this was an educational policy and that the payment in respect to the same became payable to the father as guardian for the son Yoshio Hayashi, and it also appeared from information which had been received that the son had been missing for a considerable time, and that no information concerning him had been received and no one knew of his whereabouts.

I shall be glad therefore if you will advise me in detail as to the manner in which your office would intend to deal with the proceeds of this insurance policy, if and when the same was paid over to you as Custodian.

Yours truly,
ERIC P. DAWSON
Per: *[Signature]*

D/C

MEMORANDUM TO FILE NO. 3106

October 26th, 1945.

FROM: Mr. Dusenbury
Yonokichi HAYASHI,
Reg. No. 01620
Died April 6th, 1945

ASSETS: Life Insurance policy No. 659,624 in the name of Kimi HAYASHI. Mrs. HAYASHI died in 1925. A letter dated March 13th, 1945 from the Sun Life Assurance Company of Canada sets out the particulars of the situation, to which later reference is made. As an ambiguous situation exists, this memo does not determine to whom the proceeds of the policy go.

LIABILITIES: Claims on file:

1. Dr. M. UCHIDA \$3.00
2. Kikujiro TANAKA 14.87

These two claims have been approved by Yonokichi HAYASHI

3. Jiichiro MURISHITA,
(Kowaya Company) 5.78
4. Department of Labour
Japanese Div. 80.00

No. 3 had not been presented to HAYASHI before his death.

BRD/DD.


Administration Department.

Jan 9/45. Mr. Mayo stated over the telephone that benefits under such policies as this are paid to the assured without any things attached & no obligations on the part of the beneficiary to use the money for any particular purpose. Further in case the appropriation clause set up a trust in favor of the son Yoshio, which is not dead, he will write his Head Office to get permission to pay the benefits to the Estate December 8, 1945 of Yonekichi, upon receipt from Adair of a check named.

Yes The File.

From: A. G. McArthur.

Re: Yonekichi HAYASHI, Reg. No. 659,624
Deceased.

RECEIVED	SECTION
DEC 10 1945	
File No. 3,06	
Ans'd	
Rel'd	

With reference to the ownership of the endowment policy No. 659,624, Kimiye Hayashi (Deceased 1925) I discussed the matter with Mr. Hay of the Sun Life Assurance Co. and he stated that it was not the practice of his company to interpret the meaning or validity of the additional clauses added to the original contract even though these were prepared by their own agent as it was in this case. I gave him the particulars regarding the surviving widow and eight children in Slocan and the original object of the Endowment Policy, Yoshio, who can not now be located. I also drew his attention to the last part of the appropriation clause in which the assured revoked all interest of any other person or persons in the policy other than that transferred to her husband Yonekichi. I have advised Mr. Hay that the Custodian will have no objection to the benefits under this policy accruing to the Estate of Yonekichi Hayashi and that this office is advising Mr. Dawson, Barrister, accordingly. (2nd wife)

Under these circumstances the Custodian will claim on behalf of the Estate Yoshio's share in the estate instead of the full amount of the policy which will make it possible for the widow to make application for Administration of the Estate and for the Administrator to pay the funeral and other claims on file against Yonekichi together with the Custodian's claim for Yoshio's share.

I would gather from Mr. Dawson's letter of October 23rd, that he expects to make application for Hayashi's widow, but in writing to Mr. Dawson, who does not appear to have been directly instructed by her, I think I would indicate that he was to obtain instructions from the next-of-kin. From the standpoint of economy to the Estate, it would probably be better to have the Official Administrator of the district approached to take out Letters, but it may be that through Mr. Draper a considerable bill has already been incurred and it might be better to let Mr. Dawson complete the action if the widow desires him to do so.

In the meantime, if Mr. Dawson sends in Certificate of Death and the insurance policy the Sun Life will remit the funds to this office.

AGM:AS

Orla

HAYASHI, Monokichi, father
died Apr 6/25.

was Veteran of last war
& naturalized Canadian

HAYASHI, Kimi, first wife
died in 1925

She took out an educational
policy with Sun Life - 20 yrs
plan. Has a commuted value
of \$1104.00.

Terms of policy changed to
read:

"In event of my death before end
of endorsement period, by agreement
transferring benefits thereof to
Monokichi HAYASHI, my husband
& guardian for my son, Yoshio
HAYASHI, or his executor, administrator
or assigns whose receipt
shall be a full discharge to the
Company, and I do in that event
hereby revoke all interest any other
person or persons may have in it"

Son, Yoshio HAYASHI, of the above
last known to be in Japan

Katsu HAYASHI, 2nd wife.

She is living at New
Denver & has 8 children -
all ^{are} receiving relief.

A Mr. James Draper turned
the Ins Policy over to Mr
Eric Dawson, President of Nelson
& he wants to know what we
intend to do with money if turned
over to Custodian.

The Ins Co. are prepared to
turn money over to us when they get
policy contract

Father has no funds with Custodian
Claims against father

1. B.C. Sec. Comm. \$80.00
2. Mr. M. Uchida 3.00 app'd by Mr.
3. K. Tanaka - 14.87 app'd
4. J. Moroshita 5.78 app'd not
(Koneya co.) submitted to
him by us

3106 & 12232
Evacuee Section

509 Royal Bank Building,
Vancouver, B. C.
December 21st, 1945

Eric P. Dawson, Esq.,
Barrister and Solicitor,
Nelson, B. C.

Re: Policy #659624 - Kimi HAYASHI

Dear Sir:

Reference is made to your letter of October 23, 1945, and previous correspondence relating to the above mentioned.

We have discussed this matter with Mr. C. E. Hay, Branch Secretary of the Sun Life Assurance Company and have given him particulars regarding the surviving widow and children in Slesan, and the original object of the Endowment Policy, Yoshio, who cannot now be located. We also drew his attention to the last part of the appropriation clause, in which the assured revoked all interest of any other person or persons in the policy other than that transferred to her husband, Yonekichi. We have advised Mr. Hay that the Custodian will have no objection to the benefits under this policy accruing to the Estate of Yonekichi Hayashi, and that we were advising you accordingly.

Under these circumstances the Custodian will claim on behalf of the enemy, Yoshio's share in the Estate, instead of the full amount of the policy, which will make it possible for the widow to make application for administration of the Estate and for the Administrator to pay the funeral and other claims on file against Yonekichi, together with the Custodian's claim for Yoshio's share, as well as the shares accruing to the other beneficiaries.

We are not certain whether or not you have received instructions to act in this matter directly from the next-of-kin, but we would appreciate being advised in this connection. In the meantime, if the Certificate of Death and Insurance Policy are forwarded to us, the Sun Life Assurance Company will remit funds to this office.

Yours truly,

WJJ/JV

F. J. Johnston
Administration Department

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
415 BAKER STREET
NELSON, BRITISH COLUMBIA

ENEMY SECTION	
Rec'd	JAN 3 1946
File No.	
Ans'd	<input checked="" type="checkbox"/>
Refer'd	

December 28, 1945.

W. J. Johnston, Esq.,
Administration Department
Office of the Custodian,
509 Royal Bank Building,
Vancouver, B. C.

EVACUATION SECTION	
Rec'd	JAN 2 1946
File No.	3106, 12232
Ans.	
Referred	Johnston

File No. 3106 & 12232
Evacuee Section

Re: Policy #6595624 - Kimi Hayashi

Dear Sir:-

I received your letter of December 21st and will be obtaining instructions in respect to the estate of Yonekichi Hayashi.

I understand from your letter that while the policy of the assured, Kimi Hayashi, was appropriated as to benefits to Yonekichi Hayashi, as guardian for Yoshio Hayashi, you are willing, nevertheless, to have the insurance monies paid to the administrator of the estate of Yonekichi, and instead of claiming from the administrator the whole of the fund for which he would have appeared to have been appointed as trustee, you are content to claim only for what share he might have been entitled as one of the next of kin of the deceased, Yonekichi, such share, of course, to be subject to funeral expenses and other claims which might be filed against the estate.

I take it, therefore, that acting as Custodian, and the person entitled in the place of Yoshio Hayashi, you are willing to abate your claim against this fund to this extent.

Will you please advise me if I am correct in this understanding?

In your letter of December 21st you referred to the last part of the appropriation clause as filed with the Company, but I have not this appropriation before me, only references to it contained in correspondence with the Sun Life Assurance Company, and I shall be glad, therefore, if you will let me have a copy of this.

W. J. Johnston, Dec. 28, 1945.

- 2 -

In the meantime I am writing for instructions
to proceed with the administration.

Yours truly,
ERIC P. DAWSON

PER



D/M

3106 & 12232
Evacuee Section

509 Royal Bank Building,
Vancouver, B. C.
January 9th, 1946

Sun Life Assurance Company of Canada,
Royal Bank Building,
Vancouver, B. C.

Attention: Mr. C. E. Hay

Re: Policy No. 659,624 -
Kimi Hayashi (W/E) Yonokichi Hayashi

Dear Sirs:

Mr. Eric P. Dawson, Barrister and Solicitor, Nelson, B.C., has written us, under date of December 28, 1945, requesting a clarification regarding payment of benefits under the above-mentioned Policy, and, as suggested by you during a telephone conversation today with our Mrs. A. G. McArthur, we would ask you to kindly write him in order that he will have a clear understanding of the action you propose to take in this matter.

Mr. Dawson has also requested a copy of the entire appropriation clause, as filed with your Company, and it would be appreciated if you would enclose same with your letter.

We are advising Mr. Dawson by letter today that he may expect to hear from you as soon as you receive certain information from your Head Office in Montreal.

Yours very truly,

W. J. Johnston
Administration Department

WJJ/JY

Office of the Custodian.

SUN LIFE ASSURANCE COMPANY OF CANADA
HEAD OFFICE: MONTREAL

COPY
ENEMY SECTION
JAN 31 1946
Rec'd _____
File No. _____
Ans'd _____
Refer'd _____

EVACUATION SECTION
Rec'd JAN 29 1946
File No. 3778
Ans. _____
Referred _____

January 29, 1946.

Johnston

Mr. Eric P. Dumas,
Barrister & Solicitor,
415 Baker Street,
WILSON, B. C.

Dear Mr. Dumas:

Re: Policy No. 685,584 - KIMI HAYASHI

The Custodian's Office has requested us to send you a photostatic copy of the special appropriation form executed by the late insured in favour of Yonkichi Hayashi, her husband, and also to advise you of our requirements for settlement of the proceeds.

You will observe that in the appropriation, the insured, Mrs. Kimi Hayashi, appropriated the benefits to "Yonkichi Hayashi, my husband and guardian for my son, Yoshio Hayashi, or his Executors Administrators, or Assigns". It has been pointed out by our Head Office that the appropriation form, as completed by the late insured, was rather ambiguous as to the actual intention in reference to title, but as it was the intention to pay the proceeds to the Custodian, we could do so on having the concurrence of the estate of the late Yonkichi Hayashi. We have since learned that when the insured died on the 15th of October, 1938, her husband, Yonkichi Hayashi, filed evidence of her death and completed a Claimant's Statement wherein question 14, "In what capacity or by what title is the insurance claimed?", was answered, "As guardian for my son, Yoshio Hayashi". As we have already pointed out, the actual appropriation seems somewhat ambiguous, but, on the other hand, Yonkichi Hayashi apparently was satisfied that his title was restricted to the extent of guardian for his son, Yoshio Hayashi. Insofar as our settlement is concerned, we do not believe that we can disregard the interest of Yonkichi Hayashi or of his estate if he is deceased, although it was our thought that the concurrence of the estate of Yonkichi Hayashi would help to clarify the title situation.

If the Custodian of enemy property expects that payment will be made to him, we could possibly arrange to make the settlement to the Custodian with the concurrence of the estate of the late Yonkichi Hayashi. If you will furnish us with certified copy of Letters of Administration and signed authorization to pay the Custodian, the matter will have our further attention.

Yours faithfully,

na

BRANK SECRETARY.

SHIRAZ
Inc.

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
415 BAKER STREET
NELSON, BRITISH COLUMBIA

ENEMY SECTION

Rec'd FEB 4 1946
File No.
Ans'd
Referred

February 1st, 1946

W. J. Johnston, Esq.,
Administration Department
Department of the Secretary of State
509 Royal Bank Building,
Vancouver, B.C.

Dear Sir:-

Re: Policy No. 659,624
Kimi Hayashi (M/E) Yonokichi Hayashi

I received a letter from you dated January 9th, in which you advised that you were taking the above matter up with the Sun Life Assurance Company, and I today received a letter from the Sun Life Assurance Company in which they have enclosed a copy of the appropriation form which was executed by Mrs. Hayashi. It would appear that the appropriation is exceedingly ambiguous, since instead of being made to Yonokichi Hayashi simply as guardian for the son, it was made to him with the words and description describing him as "my husband and guardian for my son, Yoshio Hayashi". These appearing to be the actual words of description, it is doubtful as to whether they would be sufficient to have made him trustee for the son, Yoshio Hayashi.

I understand from your letter of December 21st, that under the circumstances the Custodian is satisfied not to make a claim for the whole of the fund or full amount of the policy, as being monies which Yoshio Hayashi would have been entitled to as a cestui que trust of the husband Yonokichi Hayashi, but that you would be satisfied to accept as Yoshio's share the amount which he would have been entitled under the administration as one of the next of kin of Yonokichi Hayashi.

This would mean that you would be regarding the appropriation as payment to Yonokichi Hayashi in his beneficial capacity, but he having died, distributing ^{the fund} amongst his next of kin.

February 1st, 1946

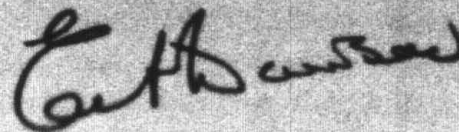
W. J. Johnston, Esq.,

If this understanding is clear I can proceed to have Letters of Administration taken out for the estate of Yonokichi Hayashi. Presumably also the Sun Life Assurance Company would require an authorization signed by yourself and by the administrator of the estate authorising them to make distribution of the funds in accordance with these arrangements.

Will you please advise if this is satisfactory to you, so that I may have the administration proceeded with.

Yours truly,
ERIC P. DAWSON

Per:



D/C

3106 & 12232

February 25, 1946

The Sun Life Assurance Company,
Royal Bank Building,
Vancouver, B. C.

Re: Policy No. 659,624 - Kimi HAYASHI
(W/E) - Yonokichi HAYASHI

Dear Sirs:

We duly received copy of your letter, dated January 28, 1946, addressed to Mr. E. P. Dawson, Barrister and Solicitor, Nelson, B. C., and, for your information, we are enclosing herewith copy of our letter to him, under even date.

On receipt from Mr. Dawson of certified copy of Letters of Administration and signed authorization to pay to the Custodian funds due under the above Policy, kindly forward your check to us made payable to the Estate of Yonokichi HAYASHI, deceased.

These funds will be placed to the credit of this Estate in our office and, on receipt of certified copy of Letters of Administration from Mr. Dawson, our check will be forwarded to him for the full amount.

Yours truly,

F. G. Shears
Director

FJJ/JF
Encl.

3106 & 12232

February 25, 1946

Eric P. Dawson, Esq.,
Barrister and Solicitor,
415 Baker Street,
Nelson, B. C.

Re: Sun Life Policy No. 659,624
Kimi HAYASHI (W/E) Yonokichi HAYASHI

Dear Sir:

We duly received your letter of the 1st instant and in reply wish to advise you that the Custodian will be satisfied to accept, as Yoshio's share, the amount he would have been entitled to receive as one of the next-of-kin of Yonokichi HAYASHI, deceased.

We have written to the Sun Life Assurance Company requesting that the funds payable under the above Policy be forwarded to this office on receipt of a certified copy of Letters of Administration from you, together with signed authorization to pay all funds to the Custodian, and we have enclosed a copy of this letter for their records.

Kindly forward a certified copy of Letters of Administration to this office in order that we may release the above-mentioned funds to you, when received from the Insurance Company, and, in due course, when distribution of funds is to be made by you to those entitled to receive same, they should be forwarded to this office with a notation regarding the share each of the beneficiaries is to receive.

Yours truly,

F. G. Shears
Director

FJJ/JF

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
415 BAKER STREET
NELSON, BRITISH COLUMBIA

ENEMY SECTION	
Rec'd	MAR 1 1946
File No.	
Ans'd	
Refer'd	

February 27th, 1946

F. G. Shears, Esq.,
Director,
Department of the Secretary of State,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Bldg,
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	MAR 1 1946
File No.	3106, 12232
Ans'd	
Referred	J. H. H. H.

Dear Sir:-

Re: Sun Life Policy No. 659,624
Kimi Hayashi (M/E) Yenokichi Hayashi

I received your letter of February 25th, in respect to the above matter.

Mr. Claude Macdonald, the official administrator for the Kaslo-Slocan Electoral District, has at the request of the widow of the deceased, agreed to apply for letters of administration in the above estate.

He is obtaining all the particulars necessary on his application and as soon as I receive instructions from him I will be making the application. As soon as the letters of administration have been issued I will forward to you a certified copy of same in order that the funds payable by the Insurance Company may be released. //

I note that you will be satisfied to accept for Yoshie's share, the amount which he would have been entitled to receive as one of the next-of-kin of Yenokichi Hayashi.

Yours truly,
ERIC P. DAWSON

Per: *Eric P. Dawson*

D/C

3106
Evacuee Section

AIR MAIL

509 Royal Bank Building,
Vancouver, B. C.,
March 5, 1946.

E. P. Dawson, Esq.,
Barrister and Solicitor,
415 Baker Street,
Nelson, B. C.

Dear Sir:

Re: Sun Life Policy No. 659,624
Kimi Hayashi (M/E) Yonokichi Hayashi.

We are in receipt of your letter of the 27th ultimo and note that Mr. Claude Macdonald, Official Administrator for the Kaslo-Slocan Electoral District, has been requested by the widow to apply for Letters of Administration in the above Estate.

In this connection we wish to advise you that the domicile of Japanese evacuated from the Protected Area does not change by reason only of such evacuation. The above deceased formerly resided at 646 East Cordova Street, Vancouver, B. C., and the Official Administrator who should act in this Estate, therefore, would be Mr. Samuel A. Moore, Court House, Vancouver, B.C.

We regret any inconvenience this advice may cause you and Mr. Macdonald, but we were under the impression that this regulation was generally known.

Kindly let us hear from you at your early convenience regarding this matter.

Yours very truly,

WJJ/AC

W. J. Johnston
Administration Department.

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
418 BAKER STREET
NELSON, BRITISH COLUMBIA

ENEMY SECTION
Rec'd MAR 11 1946
File No. 3106
Ans'd
For'd

March 7th, 1946

W. J. Johnston, Esq.,
Administration Department,
Department of the Secretary of State,
Office of the Custodian,
509 Royal Bank Building,
Vancouver, B.C.

Dear Sir:-

Re: Sun Life Policy No. 659,624
Kimi Hayashi (M/E) Yonokichi Hayashi

I received your letter of March 5th, in respect to the application of Mr. Claude Macdonald in the above estate and note your suggestion that the administrator should be Mr. Samuel A. Moore, official administrator for Vancouver.

I doubt very much whether the suggestion to have Mr. Moore act as administrator in the estate will suit the widow, as Mr. Claude Macdonald was simply acting at her request.

It is my impression that if it should be that Mrs. Claude Macdonald cannot act, she will be making the application herself personally.

Furthermore the matter would be very complicated and considerable delay caused if all the information has to be forwarded to Mr. Moore in Vancouver in connection with the matter.

You will also note that the section dealing with the official administrator does not entirely depend upon the domicile of the deceased at the date of death.

The official administrator may make the application, if the deceased at the time of his death had his fixed place of abode within the county for which he is appointed, and it would appear to me that while the domicile may not have changed, yet at the same time the deceased had a fixed place of abode within the jurisdiction of Mr. MacDonald, at the time of his death, and this would be sufficient to base his application. However, I am taking

P.T.O.

the matter up with Mr. Claude Macdonald, and will advise you further.

Yours truly,
ERIC P. DAWSON

Per: 

D/C

Phone No. 51

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
415 BAKER STREET
NELSON, BRITISH COLUMBIA

ENEMY SECTION	
Rec'd	MAR 15 1946
File No.	3100
Ans'd	
Refer'd	

March 12th, 1946

W. J. Johnston, Esq.,
Administration Department,
Department of the Secretary of State,
Office of the Custodian,
509 Royal Bank Building,
Vancouver, B.C.

*To
but you*

Dear Sir:-

Re: Sun Life Policy No. 659.624
Kimi Hayashi (M/E) Yonokichi Hayashi

I have received a letter from Mr. Claude Macdonald further in respect to the above matter, and he has advised me that since the Japanese evacuees were sent to Kaslo in the Spring of 1942, he has handled several of their estates, and that no objection was raised to the same, either by your office or by any other person.

He was rather surprised that the matter should now be raised at this state of the proceedings.

He also points out that it is more or less a personal matter between himself and the widow who has requested him to assist her to the best of his ability.

He has also interested himself in obtaining the necessary information upon which to proceed and there would seem to be no object now in making a fresh start and dealing with the administrator in Vancouver.

I shall be glad to hear from you.

Yours truly,
ERIC P. DAWSON

Per: *[Signature]*

D/C

3106 & 12232
Evacuee Section

April 9, 1946.

Eric P. Dawson, Esq.,
Barrister & Solicitor,
415 Baker Street,
Nelson, B. C.

Dear Sir:

Re: Estate of Yonokichi Hayashi, Dec'd.

We duly received your letters of the 7th and 12th ultimo and the matter mentioned therein has received the consideration of the Custodian.

In reply we wish to advise you that this Office does not wish to interfere in the respective jurisdictions of the Official Administrators appointed by the Provincial Government and, as long as Mr. Macdonald is satisfied that he is acting in accordance with the Regulations of the Attorney General of British Columbia, the Custodian has no objection to his handling the above mentioned estate.

Thanking you for your interest in this matter,
we are

Yours very truly,

WJJ/AC

W. J. Johnston,
Administration Department.

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
415 BAKER STREET
NELSON, BRITISH COLUMBIA

July 26, 1946.

EVACUATION SECTION	
Rec'd	JUL 29 1946
File No.	3106
Ans.	
Referred	<i>Whitaker</i>

The Department of the Secretary of State,
Japanese Evacuation Section,
506 Royal Bank Bldg.,
Hastings & Granville,
Vancouver, B.C.

ENEMY SECTION	
Rec'd	JUL 29 1946
File No.	
Ans'd	
Refer'd	

Dear Sirs:

I am now proceeding to obtain Letters of Administration in the estate of Yonokichi Hayashi. On February 25th you wrote and stated that the Custodian would be satisfied to accept as Yoshio's share the amount he would have been entitled to receive as one of the next of kin of Yonokichi Hayashi, deceased.

The circumstances of the case would appear to be, as I understand them, that Kimi Hayashi was the insured under the Sun Life Insurance Co. policy and that she died on the 15th day of October, 1925.

It would further appear that after her death Yonokichi Hayashi married again, the second wife being Katsu Hayashi. He appears to have acquired quite a family in his second marriage since I understand that there were seven sons and one daughter.

In your letter of February 25th wherein you state that you are willing to accept Yoshio's share as one of the next of kin of the deceased Yonokichi Hayashi I assume that Yoshio as one of the next of kin is to be regarded as sharing equally with the children

- 2 -

acquired by Wonekichi Hayashi in his second marriage that is to say, the funds after payment of debts would be distributed so as to provide one third of the whole of the proceeds of the insurance policy to the present widow, Katsu Hayashi, and the Custodian would take an eighth of the balance, there being at the present time seven children by the second marriage.

Will you please confirm my understanding in this matter as I wish to have the inventories filed in the Provincial and Dominion Departments setting out the facts of the case and the basis of the distribution in accordance with the arrangements made.

Yours truly,

ERIC P. DAWSON.

per.



D/R.

3106, 12232
Evacuee Section

509 Royal Bank Building,
Vancouver, B. C.
August 13, 1946

Eric P. Dawson, Esq.,
Barrister and Solicitor,
415 Baker Street,
Nelson, B. C.

Re: Estate of Yonokichi HAYASHI, Dec'd

Dear Sir:

We are in receipt of your letter of the 26th ultimo
and in reply wish to confirm that your understanding of the matter
referred to therein is correct.

Yours truly,

W. J. Johnston
Administration Department

WJ/JT

SUN LIFE ASSURANCE COMPANY OF CANADA
HEAD OFFICE: MONTREAL

VANCOUVER BRANCH
A.L. WRIGHT, C.L.U., BRANCH MANAGER
H.A. FAIRBANKS, ASSISTANT MANAGER
S.E. HAY, BRANCH SECRETARY

ROYAL BANK BUILDING
VANCOUVER, B.C.

IN ALL CORRESPONDENCE ABOUT POLICIES
PLEASE REFER TO THEIR NUMBERS

November 12th, 1946.

Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B. C.

Dear Sirs:

Re: Policy No. 659,624 - Kimi Hayashi
Beneficiary - Yonokichi Hayashi

EVACUATION ACTION	
NOV 13 1946	
Rec'd	
File No.	12648 / 3106
Ans.	
Referred	McArthur

Proofs of claim under the above policy as submitted by Mr. Eric P. Dawson of Nelson have been approved for settlement and we are enclosing our cheque in the sum of \$1169.67 payable to the order of the Custodian and Claude Macdonald, official administrator and as administrator of the estate of the late Yonokichi Hayashi and being in full settlement of all claims.

In Mr. Dawson's letter to us of October 10th he pointed out that a final settlement had been arranged between the Custodian and himself in respect to the proceeds of this policy. Your correspondence file will no doubt disclose our contention that as there seems to be some ambiguity in the wording of the appropriation forms completed by the original assured and that the late Yonokichi Hayashi, husband of the assured was apparently satisfied that his title was restricted to the extent of guardian for his son, Yoshio Hayashi. We do not believe that we could disregard the interest of Yoshio Hayashi or of his estate if he was deceased and it was our thought that the concurrence of the estate of Yonokichi Hayashi would help clarify the title situation.

In view of the situation as it now stands, our Montreal Office believe that settlement of this claim should be arranged between the administrator of the estate of Yonokichi Hayashi and the Custodian of Enemy Property and that is the reason for the cheque having been made out jointly in the favour of the Custodian and the Administrator. We are also enclosing a photostat copy of the appropriation form completed by the late assured under date of January 5th, 1925 as both the administrator and the Custodian will no doubt wish to give consideration to the effect of this form when considering distribution of the policy proceeds.

A copy of this letter with another photostat copy of the appropriation form is being sent to Mr. Dawson direct for his information. We would ask you to kindly acknowledge receipt of the enclosures which acknowledgment is required for our Head Office files.

Yours faithfully,



BRANCH SECRETARY.

CEH:LS
Enc.

Special Appropriation of a Part Interest in an Endowment Policy.

I, MRS. MIMI HAYASHI
of Vancouver, B.C. The assured named and described
in policy No. 627528 of the

Sun Life Assurance Company of Canada,

do hereby state I hereto state the said policy, but only in the event of my death, during
of the endowment period, by appropriating and transferring the same to MIMI HAYASHI
MIMI HAYASHI my husband and guardian for my son
YOSHIO HAYASHI, or his executor, administrator
whose receipt shall be a full discharge to the Company, and I hold that said receipt shall be a full
interest any other person or persons may have in it.

Dated at Vancouver, B.C. this 5th day of May
1925

Witness MIMI HAYASHI
the person so designated

Residence at British Columbia
County of Vancouver

On this 5th day of May 1925 personally appeared before me Mrs. Mimi Hayashi known to me to be the
person described in and who executed the foregoing appropriation, and who acknowledged to me
that she executed and signed the same on the day it bears date.

Notary Public
A Notary Public in and for
the Province of British Columbia

Before the claim under the above policy will be paid, the signatures to this document must be authenticated. It is
therefore, very desirable to have them attested at the time of executing the document, before a Judge, Notary, Clerk of a
Court of Record, or other duly appointed official, and the seal of such attesting officer affixed.

Duplicates of appropriation must in all cases be sent to the Head Office, Montreal, Canada.

N.B.—The Company expresses no opinion as to the suitability or otherwise of this form for the purposes
for which it may be used, or as to the validity or regularity of any appropriation or assignment, and respectfully
requests those making use of it to consult their legal advisers in regard to all such matters.

THIS FORM IS ONLY TO BE USED IN APPROPRIATING THE INTEREST IN AN ENDOWMENT POLICY
IN THE EVENT OF THE ASSURED NOT SURVIVING THE ENDOWMENT PERIOD, TO ONE WITHIN THE
CLASS DESIGNATED AS PREFERRED BENEFICIARIES IN THE PARTICULAR PROVINCE.

THE CUSTODIAN
DEPARTMENT OF THE SECRETARY OF STATE
VICTORIA BLDG., 7 O'CONNOR STREET
OTTAWA, CANADA

THE CUSTODIAN
REGULATIONS RESPECTING
TRADING WITH THE ENEMY (1939)

FORM "D"

Ref. No.
From the **San-Life** . . . Insurance
Company of Canada

Date of Discovery **February 1945.**

Particulars of Life Insurance Policies and Annuity Contracts on Life of an Enemy

N.B. Separate forms should be used for each policy
or annuity contract for each "enemy"

Policy No. **659,624**

Life Insured - Name **Mrs. Kimi Hayashi**
Born **for son Yoshie Hayashi**
Address

Owner - if third
party insurance - Name
Address

Beneficiaries - Names **See correspondence**
Addresses
Relationship to
Life Insured

Record of Current Assignments
(other than to company for
policy loan)

- give names and addresses -

Date of Policy (i.e., due date of first **October 1, 1924.**
regular premium)

Plan of Policy **20 year college endowment**

~~Sum Assured or~~
Amount of Annuity **\$20.00 per month for 60 months - beginning**
October 1, 1944, or alternatively the
Premium - Amount **commuted value of these monthly instalments**
\$1104

How Payable
Due Dates

Policy Loans (automatic or otherwise)

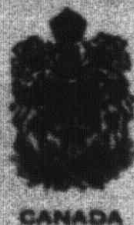
Approximate Cash Value, if any, including
dividends, after deducting all policy
indebtedness

Nature of Automatic Non-forfeiture
Provision

Approximate Cancellation Date under
Automatic Non-forfeiture

Special Notes:

SEE CORRESPONDENCE FOR DETAILS



DEPARTMENT OF LABOUR
JAPANESE DIVISION

EVACUATION SECTION	
Rec'd	NOV 12 1946
File No.	3106
Ans.	
Referred	<i>Secretary</i>

360 Homer Street,
VANCOUVER, B.C.
November 8th, 1946.

Department of the Secretary of State,
Office of the Custodian,
506 Royal Bank Bldg.,
VANCOUVER, B.C.

Dear Sir:

Re: Yonekichi HAYASHI #01620 Dec'd
Your file No. 3106

Would you kindly advise if there is any prospect
of settlement of our account for funeral expenses, in the
amount of \$80.00, in connection with the above-named deceased?

Yours very truly,

DEPARTMENT OF LABOUR - JAPANESE DIVISION

M. L. Brown
M. L. Brown
Office Manager

File 3106

November 13, 1946.

MEMORANDUM.

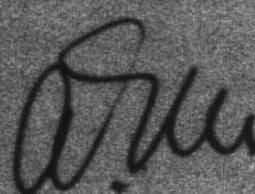
To: Mrs. Cleaver.

From: A. G. McArthur.

Re: Yonokichi HAYASHI, Deceased,
Reg. No. 01620.

Would you please read the above file and find out whether Dawson, solicitor, has been given a list of the debts which appear on our file. Please get the family files and see if there has been any report regarding the appointment of an administrator for distribution of funds. Please look at the file of Yoshio Hayashi, (Enemy) and see if he got his share from this estate.

When this information is at hand, we will reply to the Department of Labour letter dated November 8th.



AGM:AS

ERIC P. DAWSON
BARRISTER, SOLICITOR, ETC.
418 BAKER STREET
NELSON, BRITISH COLUMBIA
Phone No. 51

November 14, 1946.

Office of Custodian,
506 Royal Bank Building,
VANCOUVER, B.C.

EVACUATION SECTION	
Rec'd	NOV 18 1946
File No.	326
Ans.	
Referred	<i>Mr. P. L. Baker</i>

Dear Sir:-

I am advised by the Sun Life Assurance Company of Canada that a cheque has been forwarded to you, made payable to yourself and Claude Macdonald, Administrator.

It was my understanding that this cheque was to have been made payable to the Administrator and that he would be paying to you out of the same, the share in the estate to which Yoshio was entitled. I enclose you herewith my letter to the Sun Life Assurance Company in connection with same, but presume you will have no objection to endorsing this cheque and forwarding it to Mr. Claude Macdonald to make distribution as arranged.

Yours truly,

Enc:
D/V

ERIC P. DAWSON,
Per: *[Signature]*

C O P Y

Phone No. 51

November 14, 1946.

Sun Life Assurance Company of Canada,
Royal Bank Building,
VANCOUVER, B.C.

Dear Sirs:

re: Policy No. 659,624 - Kimi Hayashi
Beneficiary - Yonokichi Hayashi

I received your letter of November 12th in connection with the estate of Yonokichi Hayashi. I had thought from previous correspondence and in particular my letter of October 10th that you were informed as to the arrangement made in respect to the payment of these monies.

I note that you have paid \$1169.67 by cheque to the Custodian and Claude Macdonald, Administrator.

In my letter of October 10th the arrangement was that you were to pay the amount of the Policy to the Administrator and that he was to deal with the share of Yoshie who was to be regarded as sharing equally with the other children of Yonokichi Hayashi, his share to be on the basis of the monies to be distributed after payment of debts and administration costs. It would seem therefore to have been clear that the cheque could have been made directly to the Administrator.

However, I presume that the Custodian will have no objection to endorsing and turning over the cheque to be distributed by the Administrator on this basis.

Yours truly,

ERIC P. DAWSON,
Per:

D/V

MEMORANDUM

File No. 3106

November 14, 1946.

NAME: Yonokichi HAYASHI, Deceased.

FILE NO: 3106

DIED: April 6, 1945, at Slocan, B.C.

LETTERS OF ADMINISTRATION: Not yet received.

WILL: Not known

FAMILY: Kimi HAYASHI, Deceased. first wife of Yonokichi Hayashi.
Died in 1925.

Katsu HAYASHI, widow of Yonokichi Hayashi, (2nd wife),
residing at New Denver.

Yoshio HAYASHI, son of Yonokichi Hayashi and Kimi Hayashi.
Apparently in Japan.

Bobuyoshi, son of Yonokichi and Katsu, 18 years of age.

Yeiki, son of Yonokichi and Katsu, 17 years of age.

Katsumi, son of Yonokichi and Katsu, 16 years of age.

Toseko, daughter of Yonokichi and Katsu, 12 years of age.

Kenji, son of Yonokichi and Katsu, 10 years of age.

Yorio, son of Yonokichi and Katsu, 9 years of age.

ASSETS: The only asset of the Estate is the Sun Life Insurance
Policy of Kimi HAYASHI, deceased, under which Yonokichi
HAYASHI was beneficiary, amounting to \$1169.67.

LIABILITIES:

Dr. M. Uchida.....\$3.00 WITHDRAWN

Kikujiro TANAKA.....14.87 (admitted by Hayashi)

Jilchiro MORISHITA..... 5.78 (not admitted)
(Komeya Company)

Department of Labour.....80.00
(funeral expenses)

R. Chase

MEMORANDUM

File No. 3106

November 14, 1946.

TO: Mrs. A. G. McArthur

FROM: A. Cleaver

Re: Yonokichi HAYASHI, Deceased.
Registration No. 01620.

Mr. Dawson has not been advised of the claims against this Estate, neither has Mr. Claude A. Macdonald, Official Administrator, who, it appears will be acting in this Estate.

No distribution of funds has been made as Letters of Administration have not, as yet, been received and the only funds accruing to the Estate is the attached cheque from the Sun Life Assurance Company amounting to \$1169.67.

There is, as yet, no file for the Enemy, Yoshio HAYASHI, but as soon as the Estate is administered and funds disbursed, an Enemy file will have to be opened and also an account in his name.

Attached is a memorandum showing particulars of this Estate.

/AC



November 23, 1946.

Mr. Eric P. Dawson,
Barrister & Solicitor,
415 Baker Street,
Nelson, B.C.

Dear Sir:

Re: Estate of Yonokichi HAYASHI, #01620,
Deceased.

We have your letter of November 14th requesting the Custodian to endorse the Sun Life Assurance Co. cheque in favour of Claude Macdonald, Official Administrator, in order that he may distribute the Estate.

We have been expecting in accordance with the arrangement as set out in our letter of February 25th and your letter of February 27th, to receive from you certified copy of Letters of Administration. As soon as this is received we will be pleased to endorse the cheque in favour of the Administrator and accept as agreed the share of Ioshio Hayashi for his credit.

We would draw your attention to a claim against the estate filed by Kikujiro Tanaka, Reg. # 05058, in the sum of \$14.87 which was acknowledged by Yonokichi Hayashi in his lifetime, and a claim filed by Jiichiro Morishita, Reg. #01972, in the sum of \$5.78 which he neither denied nor confirmed. In addition there is a claim for \$50.00 for funeral expenses paid by the Department of Labour in connection with the burial of the deceased, concerning which we have recently received an inquiry from that Department. We are referring the Department of Labour to Mr. Macdonald in this connection.

For your information, the addresses of the two Japanese creditors are as follows:

Mr. Kikujiro TANAKA, #05058, Mountain Forest, Ontario.
Mr. Jiichiro MORISHITA, #01972, Neys, Ontario.

Yours truly,

A. G. McArthur,
Office of the Custodian.

AGM:AS

3106 , 12648

November 23, 1946.

The Sun Life Assurance Company of Canada,
Royal Bank Building,
Vancouver, B.C.

Attention: Mr. C.E. Ray.

Dear Sir:

Re: Policy No. 659,624, Kimi Hayashi,
Beneficiary - Yonokichi Hayashi.

We have to acknowledge your letter with reference to the above policy enclosing cheque and photostat copy of the appropriation form.

This office has already been in communication with Mr. Dawson, Barrister & Solicitor, acting for Mr. Claude Macdonald Official Administrator and we have agreed upon a mutually satisfactory apportionment of these insurance funds. Upon production to us of a certified copy of Mr. Macdonald's appointment, we will endorse the cheque in favour of Mr. Macdonald and receive on behalf of Yoshio Hayashi the share agreed upon.

Yours truly,

A. G. Hearthur,
Office of the Custodian.

AGH:AS

3106

November 23, 1946.

Department of Labour,
Japanese Division,
360 Homer Street,
Vancouver, B.C.

Dear Sirs:

Re: Estate of Yonokichi HAYASHI, Reg. #01620,
Deceased. File 3106.

In reply to your inquiry of November 8th relative to your claim in the amount of \$80.00 for funeral expenses, we have to inform you that we are advised by Mr. E.F. Dawson, Barrister & Solicitor, 415 Baker Street, Nelson, B.C. that Mr. Claude Macdonald, Official Administrator, has been appointed administrator of this estate and we would suggest that your claim be filed with him.

Yours truly,

A. G. Ecarteur,
Office of the Custodian.

AGM:AS

3106

December 2, 1946.

Claude Macdonald, Esq.,
Official Administrator,
Kaslo, B.C.

Dear Sir:

Re: Estate of Yonokichi HAYASHI, #01620,
Deceased.

We have to-day received from Mr. Eric P. Dawson certified copy of Letters of Administration in the above estate and accordingly enclose herewith Sun Life Assurance Co. cheque in the sum of \$1169.67 endorsed by the Custodian in your favour. In due course we will be pleased to receive the share payable to Yoshio Hayashi from this estate.

Kindly acknowledge receipt of this cheque.

Yours truly,

A. G. McArthur,
Office of the Custodian.

AGH:AS

encl. Sun Life Assurance Co. cheque \$1169.67.

REGISTERED.

-15-

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

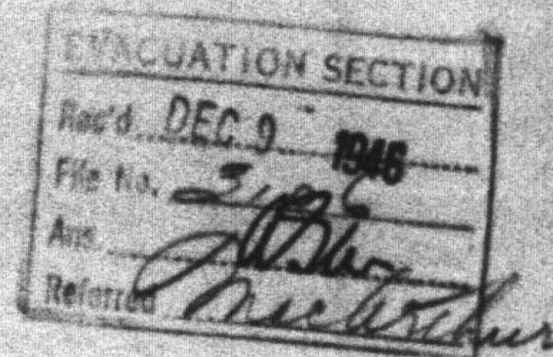
TO _____



Office of Official Administrator,
Kaslo, B.C., December 5th, 1946

John

The Custodian,
Department of Secretary of State,
Japanese Evacuation Section,
506 Royal Bank Building,
Vancouver, B.C.



Dear Sir:-

Re Estate of Yonokichi Hayashi -No. 01620

I have to acknowledge receipt of your letter of 2nd inst, File No. 3106, enclosing Sun Life Assurance Company Cheque No. 427492 in the amount of \$1169.67 in full settlement of Policy No. 659624 on the life of Mrs. Kimi Hayashi, in reference to the above estate, for which please accept my thanks.

The claims mentioned in your letter of November 23rd, 1946, to Mr. Eric P. Dawson, Barrister, etc., Nelson, will be taken care of in due course together with the funeral expenses and the share of the residue payable to Yoshio Hayashi. You will be advised when payment of these accounts is made.

Our official receipt for the Sun Life cheque for \$1169.67 is being forwarded direct to the Company for its records.

Yours Faithfully,

Claude Macdonald
Claude Macdonald,
Official Administrator.

August 13, 1947.

Claude Macdonald, Esq.,
Official Administrator,
Kaslo, B. C.

Dear Sir:

Re: Estate of Yonokichi Hayashi, #01620, Deceased.

On April 23, 1947, you advised us that distribution of the funds in the above estate was being delayed due to difficulty in settling two small claims against the estate.

If you have now been successful in settling these claims, we would be pleased to receive the usual statement of receipts and disbursements together with information regarding the heirs and the share each is to receive. We would also appreciate receiving the share payable to Yoshio Hayashi, son of the deceased by his first marriage, who we believe to be a resident of Japan.

Yours truly,

/AC

A. G. McArthur,
Office of the Custodian.

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

TO _____



Office of Official Administrator,
Kaslo, B.C., August 18th, 1947

The Custodian,
Japanese Evacuation Section,
Department of Secretary of State,
506 Royal Bank Building,
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	AUG 22 1947
File No.	2106
Ans.	
Referred	<i>[Signature]</i>

Dear Sir:-

Re Estate of Yonokichi Hayashi - #01620

I have to acknowledge receipt of your letter of the 13th inst, File No.3106, relative to the above, for which , thank you.

One of the claims referred to in your letter has been settled but the other is still outstanding and until it is cleared up it will not be possible for me to submit a complete statement of receipts and disbursements in the estate or forward to you the amount payable to Yoshie Hayashi the son of the Deceased by his first marriage.

I will do all I can to speed up a settlement of the claim still unpaid and will advise you when the matter has been finally completed.

Yours Faithfully,

[Signature]
Claude Macdonald,
Official Administrator.

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

TO _____



Office of Official Administrator,
Kaslo, B.C., April 23rd, 1947

EVACUATION SECTION	
Rec'd	APR 28 1947
File No.	3106
Ans.	<input checked="" type="checkbox"/>
Referred	<i>McArthur</i>

The Custodian,
Japanese Evacuation Section,
Department of Secretary of State,
506 Royal Bank Building,
Vancouver, B.C.

Dear Sir:-

Re Estate of Yonokichi Hayashi - No.01620

I have to acknowledge receipt of your letter of 17th inst, File No. 3106, in further reference to the above estate, for which please accept my thanks.

We are not yet in a position to distribute the residue as there are still two small claims outstanding against the estate which have not as yet been cleared up. The creditors concerned are in the East and I have recently been in touch with them with the idea of obtaining some further details respecting their claims as same are required for our records. As soon as the necessary information is received arrangements will be made for the settlement of the claims involved and the distribution of the residue among those entitled to receive same.

You will be hearing from us again as soon as the estate is ready to be wound up when a statement of receipts and disbursements will be sent to you for your records.

Trusting that the above will be satisfactory,

Yours Faithfully,

Claude Macdonald
Claude Macdonald,
Official Administrator.

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

TO _____



Office of Official Administrator,
Kaslo, B.C., December 11th, 1947

The Custodian,
Japanese Evacuation Section,
Department of Secretary of State,
506 Royal Bank Building,
Vancouver, B.C.

EVACUATION SECTION	
REC'D	DEC 15 1947
File No.	3106
Ans.	
Referred	<i>McArthur</i>

Dear Sir:-

Re Estate of Yonokichi Hayashi

I have to acknowledge receipt of your letter of the 2nd inst, File No. 3106, in further reference to the above estate, for which I thank you.

I regret to advise that since we last wrote you we have been unable to make any progress to settling the claim that is still outstanding against the estate. We have written the person concerned but do not receive any reply from him. Possibly he moves around a great deal and does not get his mail regularly.

We have written him once more urging him to furnish us with the information we require as quickly as possible and thus enable us to close the estate. You will be advised when we hear from him.

Yours Faithfully,

Claude Macdonald
Claude Macdonald,
Official Administrator.

February 1, 1949.

Claude Macdonald, Esq.,
Official Administrator,
Kaslo, B. C.

Dear Sir:

Re: Estate of Yonokichi Hayashi, #01620. Deceased

May we please have a report on the present position of this estate.

On December 11, 1947, you advised that you would make a further effort to settle the outstanding claim against the Estate in order that distribution of the funds might be made. If you have now been successful in settling the claim, we would appreciate receiving the usual statement of receipts and disbursements, together with information as to the heirs and the share each will receive. We would also appreciate receiving any funds which may become payable to Yoshio Hayashi, son of the deceased by his first marriage, whom we believe to be in Japan.

Yours very truly,

A. G. McArthur,
Office of the Custodian.

/AC

OUR FILE _____

YOUR FILE _____

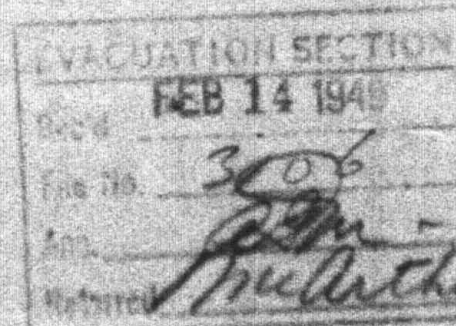
ADDRESS YOUR REPLY _____

TO _____



Office of Official Administrator,
Kaslo, B.C., February 10th, 1949

The Custodian,
Japanese Evacuation Section,
Department of Secretary of State,
506 Royal Bank Building,
Vancouver, B.C.



Dear Sir:-

Re Estate of Yonokichi Hayashi

I have to acknowledge receipt of your letter of the 1st inst, File No. 3106, in further reference to the above estate for which I thank you.

There is still one outstanding standing account against this estate. This account is for the sum of \$5.78 and I wrote to the creditor concerned in regard to same on December 11th, 1947, by registered mail, but to date have had no word from him. The letter was not returned so I presume that the creditor received it.

It would seem that until this account is settled we cannot very well distribute the funds on hand among those entitled to receive same.

According to our records there is the sum of \$862.87 to the credit of the estate in the Treasury. If the outstanding account of \$5.78 is deducted from this sum there would be left a balance of \$857.09 to be distributed among the heirs.

According to information furnished by the lawyer who acted for the estate when application for Letters of Administration was made the widow, Katsu Hayashi, would be entitled to one third of the residue while each of the eight children would be entitled to one twelfth. On this basis, Yoshio Hayashi, who is a son by the first marriage and who is supposed to be in Japan, would receive one twelfth of the residue since he is one of the eight children involved.

I am writing the creditor once more regarding his outstanding account and if I do not hear from him within a reasonable length of time I will take the matter up with a lawyer with a view of finding out whether it would be possible to disregard this account entirely and distribute the residue

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

TO _____



-2-

among those entitled to receive same rather than let
the closing of the estate drag along indefinitely.

Trusting that the above information will be
of some assistance to you,

Yours Faithfully,

Claude Macdonald
Claude Macdonald,
Official Administrator.

3106, 1902

February 14, 1949.

Claude Macdonald, Esq.,
Official Administrator,
Kaslo, B. C.

Dear Sir:

Re: Estate of Yonokichi Hayashi, Deceased.

We acknowledge with thanks your letter of February 10 reporting on the above Estate.

With reference to the outstanding account of Jiichiro Morishita in the sum of \$5.78, since writing to you in 1946, giving you the address of this man, we have had a letter from him dated September 3, 1947, giving his address as 528 McLaughlin Street, Fort William, Ontario. We have written to him at that address as late as December 20, 1948, and although we have had no reply to our letter it has not been returned to our office and we have no information that this address is not correct. We would suggest that you either write to this man with a covering letter to the Postmaster, or send him a letter by double registered mail.

We will be pleased to receive the share to which Yoshio Hayashi is entitled at as early a date as possible in order that his account may be closed.

Yours very truly,

AGM/AC

A. G. McArthur,
Office of the Custodian.

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

TO _____



Office of Official Administrator,
Kaslo, B.C., February 17th, 1949

The Custodian,
Japanese Evacuation Section,
Department of Secretary of State,
506 Royal Bank Building,
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	FEB 21 1949
File No.	3106
By	<i>[Signature]</i>

Dear Sir:-

Re Estate of Yonokichi Hayashi

I have to acknowledge receipt of your letter of the 14th inst, File Nos. 3106 and 1902, in further reference to the above estate, for which I thank you very much.

I wrote to Mr. Jiichiro Morishita at the address you mention, namely 528 McLaughlin Street, Fort William, Ontario, on the 10th inst by registered mail.

If I do not hear from him before the end of the month I will write by double registered mail as you suggest and will advise you as to the result later.

Trusting that this will be satisfactory,

Yours Faithfully,

[Signature]
Claude Macdonald,
Official Administrator.

June 1, 1949.

Claude Macdonald, Esq.,
Official Administrator,
Kaslo, B. C.

Dear Sir:

Re: Estate of Yonokichi Hayashi, Deceased.

In your letter to us dated February 17, 1949, you advised that you had written to Mr. Jiichiro Morishita by registered mail and would advise us of the result later.

If you have now been able to settle this outstanding account, we would appreciate receiving the usual statement of Receipts and Disbursements, together with information regarding the heirs and the share each will receive.

As previously stated, this office will be interested in any funds which may accrue to Yoshi Hayashi, the son believed to be in Japan.

Yours very truly,

A. G. McArthur,
Office of the Custodian.

/AC

OUR FILE _____
YOUR FILE _____
ADDRESS YOUR REPLY _____
TO _____



EVACUATION SECTION	
Rec'd	JUN 13 1949
File No.	3106
Ans.	
Referred	

Office of Official Administrator,
Kaslo, B.C., June 10th, 1949

The Custodian,
Japanese Evacuation Section,
Department of Secretary of State,
506 Royal Bank Building,
Vancouver, B.C.

Dear Sir:-

Re Estate of Yonokichi Hayashi

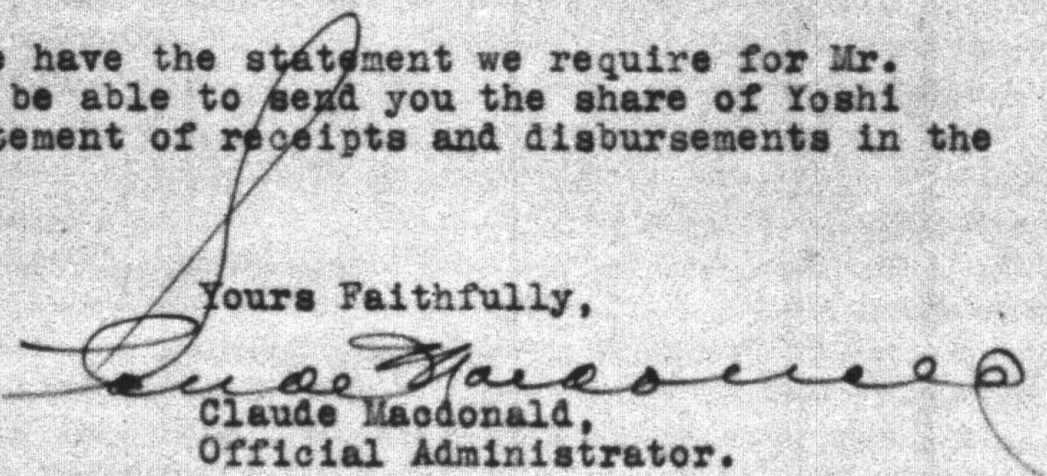
I have to acknowledge receipt of your letter of the 1st inst, File No. 3106, in further reference to the above estate, for which I thank you.

I wrote Mr. Jiichiro Morishita on February 10th, 1949, and shortly afterward received a reply but as he did not send the account that we require before making payment I wrote him again for it. I have not heard from him since in regard to same.

I have written him again this week and will advise you if and when I hear from him. I would have written him earlier but for some time past my duties as Registrar of Voters have kept me so busy that it has not been possible to do much work in connection with estates until now.

When we have the statement we require for Mr. Morishita we will be able to send you the share of Yoshi Hayashi and a statement of receipts and disbursements in the estate.

Yours Faithfully,


Claude Macdonald,
Official Administrator.

September 12, 1949.

Claude Macdonald, Esq.,
Official Administrator,
Hale, B. C.

Dear Sir:

Re: ESTATE OF YONOKICHI HAYASHI, DECEASED.

If you have now been able to make payment of the outstanding claim against the above Estate, we would appreciate being so advised.

We would also appreciate receiving the share of the heir in Japan in order that we may close our files relative to this Estate.

Yours truly,

A. G. McArthur,
Office of the Custodian.

/AC

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY _____

TO _____



EVACUATION SECTION

Rec'd SEP 14 1949

File No. _____

Ans. _____

Referred M. E. H. H. H.

Office of Official Administrator,
Kaslo, British Columbia,
September 15, 1949.

Custodian,
Japanese Evacuation Section,
Department of the Secretary of State,
506 Royal Bank Building,
Vancouver, B. C.

Dear Sir:

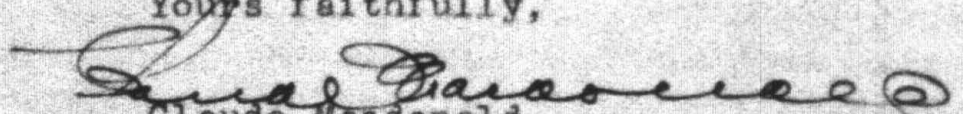
Re: Estate of Yonokishi Hayashi

I have to acknowledge receipt of your letter of the twelfth instant, File No. 3106, in further reference to the above estate for which I thank you.

To date we have not been able to make a payment of the outstanding claim against this estate although we have endeavoured to do so. I have written repeatedly to the party having the claim against the estate but to date have had no satisfaction from him. I am writing him once more with the hope that I will receive the necessary information at an early date and thus enable us to close the estate.

When I hear from him, you will be advised.
Trusting that this will be satisfactory.

Yours faithfully,


Claude Macdonald
Official Administrator

CM:pa