

3899

BUREAU HASTINGS PARK
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 3899

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: NAKASHIMA Eikichi

HOME ADDRESS: 668 E. Cordova St., Vancouver, B.C.

REGISTRATION NUMBER 02994

SEX: Male

AGE: 63

OCCUPATION: Fish buyer

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

EMPLOYER: B.C. Packers Co. Ltd., Vancouver, B.C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: ATOYE 7-9

ADDRESS OF WIFE OR HUSBAND: 668 E. Cordova St., Vancouver, B.C.

NAMES OF ANY LIVING CHILDREN: SHINJI (M)

ADDRESS OF CHILDREN: Same address

AGE OF CHILDREN: 11 yrs.

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

1. LOCATION AND DESCRIPTION: Lot 14, Block 59 D.L. 196, Group 1, New Westminster District, Plan 196, 668 E. Cordova St., Vancouver, B.C.

2. BUILDINGS AND OTHER IMPROVEMENTS:

Dwelling house 7 rooms, frame building, shingle roof

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

Insured with agnet, 235 Homer St., Vancouver, B.C., amount unknown

4. TAXES (Amount and where payable) \$40. paid up to date at City Hall

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

None

6. OCCUPANCY AND LEASES (If vacant so state)

Self

Certificate of title number 69862 in own possession

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: None
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None
9. IF FARM LAND STATE CROPS SOWN:

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Dwelling house same address

2. LANDLORD'S NAME AND ADDRESS: Self

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: None

4. STATE WHEREABOUTS OF LEASE: None
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid): None

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS: Furniture, household effects and kitchen utensils left in house at 668 E. Cordova St., Vancouver, B.C. including Singer Sewing Machine

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4. INSURANCE CARRIED ON ABOVE PROPERTY: _____

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

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

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
\$50 Victory Bond 1954 maturity, in own possession

8. BANK ACCOUNTS: Royal Bank, Main & Hastings Branch, \$200

9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS: _____

11. SAFETY DEPOSIT BOX: _____

LIABILITIES:

1. PERSONAL DEBTS: _____

2. TRADE DEBTS: _____

REMARKS: _____

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 10th day of April 1942.

James

Witness

(Signature)

E. Wharling

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE Apr. 24/43

Our File No. 3899

Full Name NAKASHIMA, Eikichi
(Surname in Block Letters)

Registration No. 02994 Male - Female
(Check) Age Oct. 11, 1878

Former Address 668 E. Cordova St., City

Date Evacuated Sept. 2/42 Naturalized - Canadian-Born - National
(Check)

Present Address Sloan Extension, B.C. 55 1/2 Ave. Sloan
To J.K. Ryburn, McLean Ave, North Kildonan, Man. (15/2/47)

Married - Single
(Check)

nee
(MASATANI) Otoy #02993

Name of Wife NISHI, Toyo (Dec'd)

Name of Husband -

Name of Mother -

Name of Father -

Names of Children under 16 Shinji Oct. 25/30

Manabu Mar. 15/26 #15459

Requested by ECT

Registered with Custodian
(Yes or No)

Additional Information Fish buyer. Owner of house & property 668 E. Cordova

#1970 Gasboat Lic. # Another gasboat but licence forgotten

Extract from O.W. Phillipson's notebook. Mr. Phillipson was employed by the Japanese Fishing Vessels Disposal Committee as appraiser in the period March & April, 1942.

Survey #533- New Westminster

Packer	Kuroshima	V 073N
17 years		Van 1970

Cond - Good

Damage Nil

Boat new	950	
Engine "	1400	V 14 HD 13 years
Ex "	200	
Value "	2500	

" 1942 \$500.

Old Godfisher - Plugs in hold (\$575)
Rebuilt 1937
Bad state repair

\$575.00 was the JFVDC suggested negotiating price.

① Please refer to "Certificate of British Registry" in filling this blank; special attention is required in cases of "Length" "Width" and "Depth"
此ノ書式ヲ記入スルニ充分「登録証」ヲ参照セヨ 特ニ「長さ」「幅」及「深さ」ニ對シテ注意セヨ

Name of Vessel (船名)	KUROSHIMA	Official Number (登録番号)	1970	Naval Control Number (海軍番号)	V 073 N
Port of Registry (登録港名)	Vancouver, B. C.	Date of Registry (登録日)			
Gross Tonnage (総噸数)		Net Tonnage (ネット噸数)			
Length (長さ)	37'	Width (幅)	7' 6"	Depth (深さ)	2' 6"
Make of Engine (Present) (機軸ノ名) (現在ノ)	Vivian Gas	Date When Re-installed (若シ入替ヘテ場合ニ其ノ期日)			13 yrs. ago
Horse Power (馬力)	14 H.P.	Knot (Speed) (速力)			
When Hull Built (船体建造期日)	17 yrs. ago	When Hull Rebuilt (若シ改修ノ場合ニ其ノ期日)			4 yrs. ago
Type of Vessel (船ノ型)	Seiner <input type="checkbox"/> セイナー	Packer <input checked="" type="checkbox"/> パッカー	Gill-Netter <input type="checkbox"/> ギルネット	Trawler <input type="checkbox"/> トローラー	Other <input type="checkbox"/> 其他
Formerly Used as (従来ノ使途)	Packer	Value (Replacement) (船價) (建造スル場合)			
Date When Surveyed Last (最近ノサーベイサレタル期日)		Value (Present) (船價) (現在ノ)			\$1,300.00
Place of Operation (使用區域)	Gulf Area	Value (Insured) (船價) (保険ヲ附スル場合)			
Charter Rate: 1940 (船舶賃金率)	Own use	Chartered To: 1940 (賃借主)			
	1941				1941
Amount of Mortgage, If Any (抵當額ノ金額)		Mortgaged To: (抵當權者ノ名)			
Registered Owner's Name (登録船主名)	Eikichi Nakashima	Actual Owner's Name (現實所有者名)			Eikichi Nakashima
ADDRESS (住所)	668 E. Cordova St., Vancouver, B.C.	ADDRESS (住所)			668 E. Cordova St., Vancouver, B.C.
Remarks: (注)					

Nikichi NAKASHIMA

Dolson E. Nichols

"Kuroshima"

Vancouver, B. C.

VAN 1970

37 ft.

7 ft. 6 in.

2 ft. 6 in.

Vivian Gas 14 H.P.

450.00 (Four Hundred and Fifty Dollars)

Cash

Dolson E. Nichols

his

11th

February, A. D., 1943.

11

SUMMARY TAKEN FROM VESSELS RECORDS

Date: July 22, 1944

Name: NAKASHIMA, Bikichi

Reg. No. 02994

File: 3399/1

Boat File No.: JFVDC 842

Name of Vessel: "Lake Biwa", 42.4'x9.2'x4.9' (1915) Vivian 20 HP (1932)

Lic. or Reg. No.: Vancouver 134,424

Naval No.: V.022-G

Owner's Valuation: \$1,600.00

JFVDC Valuation: 575.00 Survey #546 NW

Custodian Valuation: None

Date of Sale: July 31, 1942

Purchaser: James Paddy Moran

Signature on Sales Papers: No copy

Selling Price: \$600.00

Paid to JFVDC ~~custodian~~: 200.00 (See below)

Supervision Costs: 8.50

Balance due Owner: 191.50

Paid to: E. Nakashima, August 3, 1942

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.:

Claim #282- (Inventory) J. P. Moran \$150.00 (Paid)

Repairs- Star Shipyard Job 156 488.14 (Paid)

Additional Information: The purchaser paid the following debts of
Bikichi NAKASHIMA:

J. Swann Machine Shop	\$200.00
Chappell Bros.	200.00
	400.00
	400.00

J. P. Moran

SUMMARY TAKEN FROM VESSELS RECORDS

Date: March 17, 1944
Name: Eikichi NAKASHIMA Reg. No. 02994 File: 3899
Boat File No.: JFVDC 139
Name of Vessel: "Nirigahama" 40.5'x8.9'x4.1'(1913) Easthope 15 HP (1939)
Lic. or Reg. No.: NEW WESTMINSTER 134,113
Naval No.: None
Owner's Valuation: \$500.00
JFVDC Valuation: None
Custodian Valuation: None
Date of Sale: March 19, 1942
Purchaser: British Columbia Packers Ltd.
Signature on Sales Papers: No copy
Selling Price: \$500.00
208.34 (Mortgage held by purchaser)
Paid to JFVDC or Custodian: 291.66
Supervision Costs: 5.00
Balance due Owner: 286.66
Paid to: E. Nakashima on March 24, 1942
Location of Boat at Sale: Egmont, B. C. (Not in custody)
Claims Against Canadian Govt.: None

Additional Information:

E. Nakashima

LIABILITY SUMMARY

File No. 3899

March 15, 1948.

1. Esso Oil Distributors Ltd. \$101.12
(settled March 12, 1943 for \$50.00)
2. Esso Oil Distributors Ltd. 16.00
(disputed by Nakashima - Creditor advised no further action could be taken to collect)
3. Dr. S. Uchida 5.00
(settled March 12, 1943 for \$5.00)
4. Edward Lipsett Ltd. 19.33
(Paid in full March 12, 1943.)
5. Vancouver General Hospital 35.75)
Vancouver General Hospital 12.40)
(paid in full March 12, 1943)
7. B. C. Electric Railway Co. 1.94
(withdrawn as incorrect, Feb. 24, 1943)
8. Standard Oil Co. of B. C. Ltd. 11.00
(withdrawn as incorrect, Feb. 19, 1943, later refilled but disputed by Nakashima. Creditor told no further action could be taken)
9. Dr. S. Harris (a/o Miss Nakashima) 140.00
(Settled for \$100.00 June 9, 1943)
10. Kikujiro Tanaka 63.08
(creditor advised nothing further can be done to collect)
11. Mitsugi Shimokura 8.00
(withdrawn, February 10, 1944)

CLAIMS DEPARTMENT

February 1st, 1943.

File No. 3892

Eikichi NAKASHIMA - Reg. No. 02994

CREDITORS:

Home Oil Distributors Ltd.	
(assigned from Mrs. T.M. LePage)	16.00
Home Oil Distributors Ltd.	16.00
Dr. W. Uchida	10.00
Edward Lipsett Ltd.	10.00
Vancouver General Hospital - Balance	10.00
Vancouver General Hospital - Balance	10.00
B.C. Electric Railway Co., Ltd.	11.00
Standard Oil Co. of B.C. Ltd.	11.00
Dr. W. Morris	
(account of Miss Nakashima	
658 Cordova St. E.)	
Kikujiro TANAKA	63.00

END-DE

also see new summary June 1/43

Case No. 954-B - Eikichi Nakashima, File 3899

Boat Claim: "Kurishima", Van. 1970, V.0738

Packing boat purchased used in 1936 at \$900.00

Engine 15 HP included in purchase

Repairs to hull & engine- \$450.00

Gear: 2 Drums 16.00

1 Kitchen Stove 42.00

1 Gasoline Stove 8.00

1 Fr. Rubber Boots 6.00

1 Gasoline Lamp 7.00

1 Extra Battery 19.00

2 Anchors 24.00

2 Anchor Ropes 40.00

Gross Claim: \$1,000.00

Sale: Sold by Custodian Feb.11,1943. Sale Price: \$450.00

Expenses: 61.11 (proportionate share)

Repairs: 19.50

Net Credit: 369.39

Valuation: O.W.Phillipson: \$500.00 (JFVDC price: \$575.00)

John Gould: 450.00 (Est.Mkt.Value:\$500.00)

Damage: There is no record of repairs while in Naval custody. Phillipson's report showed no new damage, but stated boat in bad state repair. Survey made Aug.3/42 by Gould and Naval Surveyor shows damage, does not state whether this was new or old damage.

Loss: Essential equipment missing at time boat surveyed by Gould & Naval surveyor was, an anchor & line, a compass & a battery. Claim of \$28.00 to cover this loss was paid to purchaser. This boat was sold at Gould's "as is" valuation.

Age: Claimant - Page 6, Line 29- has no idea of age of boat. The person who supplied information to JFVDC re boat (presumably the owner) gave the age in 1942 as 17 years for hull and 13 years for engine.

Information received from Registrar of Shipping, Vancouver, is that this boat was originally licensed under Lic.No.1206, New Westminster and that this licence was dated May 8,1920.

Boat was, therefore, 23 years old at time of sale. There is no record to show whether or not engine was newer than hull.

Boat, sold Feb.11/43, was one of the last of the approximately 1,200 impounded boats to find a purchaser.

/PM

3899

March 22nd, 1943.

Mr. Eikichi NAKASHIMA,
Registration No. 02994,
Slocan Extension, B.C.

Dear Sir:

This is to advise you that we have paid the following claims as per your authorization:

1. Dr. M. Uchida	\$5.00
2. Edward Lipsett Ltd.	19.33
3. Vancouver General Hospital	35.75
4. Vancouver General Hospital	12.45
5. Home Oil Distributors (assigned from Mrs. T.N. LePage) \$82.10 - settled for	50.00

We retain receipts in this office for all monies paid by us on account of claims. Our statement herein that the foregoing have been paid will be sufficient evidence to you of same. These claims are numbered and referred to in ours of the 2nd of March to you.

Nos. 6, 7 and 8 of that letter are still unsettled. We have written to No. 8 - TANAKA - quoting your letter regarding this claim, and are awaiting his reply. Nos. 6 and 7 are awaiting your further comments.

We are returning the following papers received from you in your letter of the 28th February,

1. Receipt dated March 23rd, 1942 - re Mrs. LePage;
2. Letter dated April 17th, 1942 - T.N. LePage - to you.

We shall be glad to have your acknowledgment of this letter with further comments regarding the unsettled claims referred to here.

Yours truly,

A. McAlister,
Claims Department.

HM:DE
Encl. 2.

EVACUATION SECTION
Rec'd MAR 13 1943
File No. 3899
Ans.
Referred *Accounting*

50 1/2 Avenue,
Lemon Grove,
Ill., 60
March 8, 1943

Dear sir:-

Referring to your letter of
2nd of March, you did not let me know
the ^{sale} price of the boat. I want to know
the price before I pay for the claimed
so please let me know in your next letter.
As for Mrs. Le Page's account. Please
pay her \$30.00 for the full settlement.
The claims of \$33.20 of New Fish
Market ^{is wrong} I know Mr. Shiomi ^{is the} ^{grocery supplier} ^{part of}
of Mr. Tanaka so I ordered from him. The
balance was \$41.20. I paid to Mr. Shiomi
\$21.20 cause I borrowed it from him. On Feb.
1941 Mr. Tanaka came to get the payment of his
account. I told him about the payment and
he said that since I paid \$21.20 to Mr. Shiomi
he'll take twenty-dollars then for the full
payment. I didn't have the money then
I couldn't pay it. Please tell Mr. Tanaka
about this and let me know the answer.

162/43
D

Yours truly
E. Nakashima

3899

March 2nd, 1943.

Mr. Eikichi NAKASHIMA,
Registration No. 02994,
Slocan Extension, B.C.

Dear Sir:

Referring to your letter of the 3rd February last regarding claims, we are submitting a revised list for your information and our record as of the present standing as follows:

No. 1.	Dr. M. Uchida	- \$5.00 ⁷²
No. 2.	Edward Lipsett Limited	- 19.33
No. 3.	Vancouver General Hospital	- 35.75
No. 4.	Vancouver General Hospital	- 12.45
No. 5.	Home Oil Distributors Ltd. (assigned from Mrs. T. N. LePage)	82.10-60 ^u
No. 6.	Home Oil Distributors Ltd. (Drums)	16.00
No. 7.	Dr. W. Morris	140.00
No. 8.	Kikujiro TANAKA	63.08.

312.71

373.71
32.10
341.61
82.10
50-
32.10 all in

Nos. 1, 2, 3 and 4 you have previously admitted as correct.

No. 5 you disputed the amount of \$101.12 which we submitted previously. We investigated this claim further, and received reply from which we quote as follows:

"We find that Mrs. LePage did give Nakashima an acknowledgement that the balance owing on April the 17th, 1942 was \$82.10, and that she would accept payment of \$50.00 in full settlement, provided that the payment was made on or before the 25th of April 1942.

In view of this we think if you can get payment now, we may accept \$50.00 in full settlement of Mrs. LePage's account. Our drum account of \$16.00 should be paid also."

This agrees with your statement in your February letter. If you desire to make payment now of \$50.00 it seems that it will be accepted in full settlement of the \$82.10.

No. 6. You state in your February letter that you left one drum in care of Martin Onika of Pender Harbour, and if so, you are of course responsible for it until such time as Home Oil Company

VACUATION SECTION
 Rec'd FEB 9 1943
 File No. 3899
 [Signature]

Dear Sirs,
 Leon Kuch,
 Sheran, B.C.,
 Ostranay, 3, 1943

Dear sir:-

I received your letter showing the claims against me. I disagree with the following claims:-
 Home Oil Dis. Ltd. ✓

On March 23, 1942. I made a payment of fifty dollars to the Manager of the Home Oil Secor. After the payment there was a balance of eighty-two dollars and ten cents. He wrote me an agreement that if I sold Kuroshima (boat) he told me to pay him fifty dollars ~~and~~ cash and the rest of the balance will be discounted. I couldn't sell my boat but the ~~balance~~ ^{claims} above is mistaken.

Home Oil Dis. Ltd.

\$16.00

I think this is for the drums (two) I left one drum in care of Martin Onika of Pender Harbour. And the other drum was in ~~the~~ my boat Kuroshima when it was ~~stolen~~ ^{claimed} to the navy. So please ~~cancel~~ it from them!!

B.C. Electric Railway Co.

10 Cancel ~~11.94~~

There should be no claim from this company cause I went with my son to play ~~for~~ ^{them} to the last ~~and I work there~~ day and I paid them.

Standard Oil Co. of B.C. Ltd.

10 ~~11.00~~ ^{presented}

There should be no claim from this company cause

I paid all the balance to Paddy Moran of the
Standard Oil Co. Ltd. I saw.

The others are right but will you ~~make~~ them
wait cause I could not make the payment at
present.

Dr. H. Morris Atok, mid 10

\$140.00

I don't see him as much as \$140.00 but I think
it was around fifty dollars or so.

Will you please let me know in your next
letter (~~intending to do so~~) about my last "Krookim"
in ^{the} name of the government. And please let me know
how you are handling our ^{house} ~~house~~ money. I've written
to the agent (Richard ~~W. H. D.~~ Abayd ~~W. H. D.~~) and they
said to ask the custodian.

Yours truly,
G. Nakashima

November 30th, 1942

File: 38899

MEMO - To Mr. Spain

Re: NAKASHIMA, Eikichi

From our letter of September 23rd to Messrs. Richards, Akroyd & Gall Ltd., you will see that all furniture was sold by this Japanese prior to evacuation except a marine engine left in the care of the tenant, Mr. Casperson. I am sending this memorandum in duplicate and if Mr. Casperson agrees to continue caring for the engine, perhaps you would request him to sign the duplicate copy for our records.

HFG:IF

Confirmed:

Date.....

Dec. 17/47

Signed.....

C. Casperson

H. F. G.

62

C
O
P
Y

Mr. S.M. Gibson,
Insurance Department,
Department of Secretary of State,
Japanese Evacuation Section,
506 Royal Bank Building,
VANCOUVER, B. C.

Dear Sir:

Re: Your Form Letter No. 69.

As requested in your letter of the 4th instant,
we now enclose list of insurance of which we have records on
Japanese properties.

We also enclose the following policies turned over to
us by Amano Brothers:

"Nationale" Policy #278705-Expires July 26th, 1943.
"Lumbermen's" Policy #5496 - Expires December 20th, 1942.
"Merchant's Fire" Policy #39044-Expires December 20th, 1942.
"Bankers and Traders" Policy #2200/Expires December 20th, 1942.
"Bankers and Traders" Policy #28626-Expires March 13th, 1945.

In addition to the above, copies of policies are
enclosed for those where the originals or copies have not already
been sent to you, as follows:

"Atlas" M-246220-T. Arikado; M-247066-Estate of Y. Aoki, Deceased;
M-214995-Mrs. Louie Edwards to E. Nakashima also M-246260.

Assuring you of our co-operation in all matters, we are,

Yours truly,

RICHARDS, AKROYD & GALL, LIMITED,

Director.

ARS.
D.
Encls.

P.S. WE also enclose "LAW UNION & ROCK" Policy M-28193-Ernest T.
Arikado.-Expires April 24th, 1943.

Original letter on File No. 8206

Copies for File No's
3899 6155
8204 5511

J. H. Whittome & Co., Limited

Real Estate, Financial and Insurance Agents.
Bonds and Stocks

Victoria Branch,
1012 Broad Street

Whittome Building,
Duncan, B.C.

23rd September 1942.

The Manager,
Insurance Department,
Office of the Custodian.
506 Royal Bank Building,
Vancouver, B.C.

Your Reference Form Letter 69.

Dear Sir,

As requested we give you hereunder a list
of the policies issued by this office covering
Japanese property under your management:-

		Expires
Union Marine #74030.	E. Nakashima \$600 Dwelling 300 Furniture	20th May 1945
Union Marine #74050	S. Asada \$1000 Dwelling	3rd June 1945
Union Marine #74075	T. Kawabata \$1000 Dwelling	23rd June 1945
Union Marine #74076	K. Tamura & \$800 Dwelling T. Tamura	23rd June 1945
Union Marine #74076	T. Kawabata & \$800 Dwelling K. Tamura	23rd June 1945
Union Marine #74082	T. Kawabata & \$700 Hall K. Tamura	23rd June 1945
Union Marine #74083	T. Kawabata & \$450 Gymnasium K. Tamura	23rd June 1945

Yours faithfully,
J. H. Whittome & Co. Limited.
(Signed) R. W. Whittome
Manager

CRD/RWW.

File No. 3899

March 1948.

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

Receipt of Certificate of Title No. 191048-L in the
names of Joan Wong and Thomas Wong and covering Lot 14, Block 59,
D.L. 196, C. 1, New Westminster District, Plan 196, is acknowledged
by me, one of the purchasers, or by me, their authorized agent.

Signed

John P. Martin

File No. 3899
Catalogue No. 72

March 8, 1948.

MEMORANDUM

TO: Mrs. A. G. McArthur

FROM: Ian MacPherson

Eikichi NAKASHIMA
Lot 14, Block 59, D.L. 196
G. 1, Plan 196, New Westminster.

With reference to the above property as was recorded in the Vancouver Land Registry Office, February 26, 1948, the following documents in connection therewith have been placed on file.

1. Copy of application number 191047, dated February 23rd, 1948, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 191048, dated February 23rd, 1948, registering the property in the name of Joan Wong and Thomas Wong (Deed).
3. Duplicate of Transmission dated October 15th, 1943.
4. Duplicate of Deed dated February 20th, 1948.
5. Certificate of Indefeasible Title number 191048-1, dated March 4th, 1948, covering the above property in the names of Joan Wong and Thomas Wong.

IMac/CH

Ian MacPherson

REAL PROPERTY MEMORANDUM

FILE NO. : 3899

NAME: Eikichi NAKASHIMA

CATALOGUE NO.: 72

PROPERTY: Lot 14, Block 59, D. L. 196, Group 1, N. W. D.,
Plan 196.

Clear Title subject only to Custodian Vesting No. 36164.

Taxes paid for 1947.

AMOUNT RECEIVED BY CUSTODIAN: \$1400.00 cash. Adjustments as of
February 23, 1948.

NAME OF PURCHASERS: JOAN WONG of 922 East Pender Street of the
City of Vancouver in the Province of British
Columbia, wife of Dan Wong of the same place,
Carpenter,
and
THOMAS WONG of 1956 East Fifth Avenue of the
City of Vancouver in the Province of British
Columbia, Contractor, as TENANTS IN COMMON.

APPRAISAL: \$1150.00 by Mr. Harvey in 1943, later revised by him to
\$950.00 - \$1000.00.

SALE APPROVED: \$1000.00 offer approved by the Advisory Committee
on September 15, 1943.

Offer of \$1400.00 less 5% commission referred to the
Registered owner and approved by him February 10, 1948.

This was one of the three test cases but J. A. MacLennan, in a letter on
file dated October 7, 1947, stated that in so far as he is concerned, he
has no further interest in the property and can see no reason why sale
cannot be consummated.

February 14, 1948.

*Funds rec'd. cheque Mrs Wong 3000.-
" J.P. Aladdin 3000.-
Cash - - - 722.37*

MEMORANDUM

File No. 3899

February 12, 1948.

TO: MR. I. McPherson
FROM: Mrs. A. G. McArthur

Re: Lot 14, Block 59, D.L. 196, Group 1,
H. W. D., Plan 196, being known as
668 East Cordova Street.

The above-described property has been sold with the consent of the owner, Eikichi Nakashima, for the sum of \$1400.00 cash, according to telegram dated February 10, 1948, to Joan Wong of 922 East Pender Street, Vancouver, B. C., wife of Dan Wong, same place, Carpenter, and Thomas Wong of 1956 East 5th Avenue, Vancouver, B. C., Contractor, both British Subjects of Chinese origin, who wish to hold as "Tenants in Common".

Transmission to the Custodian has already been signed by Dr. Colahan and it will only be necessary to prepare a Deed

AGM/AC

Alu



CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

W.D. NEIL, GENERAL MANAGER, MONTREAL

WN4231 10

1948 FEB 10 PM 1 13

Z WINNIPEG MAN 10 300P

OFFICE OF THE CUSTODIAN 640

VANCOUVER

RECEIVED CASH OFFER FOURTEEN HUNDRED LESS FIVE PER CENT COMMISSION

EIKIOMI WAKASHIMA

Rec'd	Feb 10 1948
File No.	
By	
Checked	

C
O
P
Y

NORRIS & MacLENNAN

Bank of Nova Scotia Building,
602 Hastings Street West,
Vancouver, B.C.

6th March, 1947.

The Custodian,
Royal Bank Building,
Hastings & Granville Streets,
Vancouver, B.C.

Dear Sir:

Re: Rikichi NAKASHIMA
668 E. Cordova Street

We acknowledge your letter of the 3rd instant and have also
been in touch with Mr. Thornthwaite.

The position simply is that none of the persons whose property
is the subject of the Test Cases can at the present time deal with the
property. The instructions for the Test Cases have come from the
Japanese Property Owners' Association and it would be a breach of faith
on that Association's behalf if even they were to authorize the disposal
of any of the properties before the decision had been rendered by the
Exchequer Court.

This is so because we have not been able to arrange with the
Department of Justice for the properties to be sold without prejudice
to the pending decisions. To dispose of the properties now would be to
dispose of the necessity for any decision ever being rendered.

Actually, we feel the Japanese owners of the properties in
question have not been prejudiced because their properties would have
been sold a long time ago at sacrifice prices (compared at any rate with
present day prices), and when the time comes for the owners to be able
to sell, it is felt they will be in a better position to realize a proper
price than they would have been had the properties originally been sold
by the Custodian during the war.

We appreciate your willingness to negotiate a sale to the best
advantage if the petition of right did not stand in the way, and when
the decisions have been made, it may be that the owners will request
your co-operation then.

Thanking you, we are,

Yours truly,

NORRIS & MacLENNAN,

Per: "J.A. MacLennan"

JAN: A

1899/1

3rd March, 1947.

Messrs. Norris & MacLennan,
Barristers & Solicitors,
602 West Hastings Street,
Vancouver, B.C.

Dear Sirs:

Re: Eikichi NAKASHIMA
668 E. Cordova Street

Mr. Eikichi Nakashima has again written in regard to the sale of the above property. His letter reads as follows:

"Received your cheque for \$20.--

I would like to sell my house for \$1,500.-- so if you find any buyer please let me know.

Also if you could not put it on sale with me getting released from the lawyer please let me know as I will write to the lawyer about it."

We understand from Mr. Thornthwaite of Messrs. Richard, Akroyd & Co. that Mr. Nakashima has also written to them asking them to dispose of this property.

In July last when Mr. Nakashima stated that he was prepared to sell for the sum of \$2,000.-- we advised you that if the Petition of Right was withdrawn we would endeavour to negotiate a sale to the best advantage and we will be glad to do so at the present time.

We shall be glad to hear from you in this connection.

Yours truly,

F. G. Shears,
Director.

FCS/PMH

24th October, 1946.

MEMORANDUM

To: THE FILE

From: Mr. F.G. Shears

Re: Eikichi NAKASHIMA
667 E. Cordova St.

Mr. Thornthwaite of Messrs. Richards, Akroyd & Gail Ltd. 'phoned that repairs were badly needed but is aware of the Petition of Right proceedings.

I informed him that Nakashima had expressed a desire to withdraw the fiat provided the property could be sold for \$2,000.-- but that we had advised him that any withdrawal would require to be unconditional.

Mr. MacLennan's attitude is that a vacant house would increase the sale value on account of immediate possession and that if the tenant was not satisfied and as his rental was small repairs should be made at the tenant's expense.

✓ However, I agreed with Mr. Thornthwaite that \$10.-- or \$15.-- might be spent if they so recommend it.

F. G. Shears

F. G. Shears,
Director.

COPY

Lemon Creek, B. C.,
June 15, 1946.

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

3899

Re: NAKASHIMA Hikichi #08994
645 Cordova Street East

Dear Sirs:

Upon receipt of advice from Messrs. Morris & MacLennan that they have withdrawn the petition filed on my behalf to restrain you from selling the above property, this will be your authority to take whatever steps necessary to sell the same on my behalf for a sum of not less than Two Thousand Dollars (\$2000.00).

Yours truly,

Robert H. MacLennan

WITNESS:

A. H. MacLennan

3699/1

8th February, 1946.

Mr. Eikichi Nakashima,
Registration 102774,
50 Fir Avenue,
Lenox Creek,
Sloans, B.C.

Dear Sir:

Re: 666 Cordova Street, East

We are in receipt of your letter of the 4th instant in which you write saying "Please put up a sale for my house at two thousand dollars (\$2000.00) in cash".

On April 23rd, 1945, Messrs. Richard, Akroyd & Gail Ltd., sent us your letter dated April 15th in which you said you would like to sell your house for \$1,500.- At that time we advised Messrs. Richard, Akroyd & Gail as follows:

"Referring to your letter of April 23rd in which you enclose a letter from Mr. Eikichi Nakashima reading as follows:

"I would like to sell my house for \$1,500.00 (net less). If you find any buyer at this price please let me know at your earliest convenience. As I haven't received monthly statement of last few months please send it as soon as possible."

Through Mr. MacLennan of Messrs. Morris & MacLennan, Barristers and Solicitors, this Japanese has served on the Attorney General of Canada a Petition of Right to restrain us from selling his property.

It will be in order for you to advise Mr. Nakashima that the Custodian is not prepared to take any action to dispose of his property until such time as he has discontinued the action now pending. If Mr. Nakashima wishes to arrange a sale of this property the Custodian will be pleased to co-operate provided that the action above referred to is discontinued."

The reply just quoted will serve to answer your present enquiry so that unless action is taken along the lines mentioned, for the time being no endeavour will be made to dispose of your property.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

RECEIVED ALL
CORRESPONDENCE
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
FILE NO.

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

April 27, 1945.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Mr. Shears:

Re: Eikichi NAKASHIMA, naturalized

I have your letter of April 24th and wish to advise that the Custodian is not prepared to take any action to dispose of this party's property until such time as he has discontinued the action now pending.

If Mr. Nakashima wishes to arrange a sale of this property, the Custodian will be pleased to co-operate on the understanding that the action is discontinued.

Yours very truly,


G. W. McPherson
Executive Assistant

GWMcP/TC.

506 Royal Bank Building,
Vancouver, B.C.

24th April, 1945.

3899

G.W. McPherson, Esq.,
Executive Assistant,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. McPherson:

Re: Catalogue No. 72
668 E. Cordova St.
Eikichi NAKASHIMA, naturalized

The above property is one of those in the Petition of Right served on the Attorney General on November 26th, 1943.

The following letter has been received from Mr. Nakashima:

"I would like to sell my house for \$1,500.00 (not less).
If you find any buyer at this price please let me know
at your earliest convenience."

The valuation made by Mr. A.R. Harvey, one of our Appraisers, has been submitted to the Committee and they have approved of a minimum price of \$1,000.00.

On August 10th, 1943, we received an offer for the sum of \$1,000.00 but the deposit was returned in view of the action pending.

Will you kindly advise what reply should be made to Mr. Nakashima. Would you suggest that we write to him stating that unless he instructs his Solicitor to withdraw his application to the Court that we are not prepared to take any steps towards liquidation at the present time?

Yours very truly,

F. G. Shears,
Director.

FGS/PME

C
O
P
Y

Tashme, B. C.
Feb. 10, 1944.

Dear Mr. Dusenbury:

Thank you very much for your past services.
Regarding Miss Miura's account (now Mrs. A. Usukawa) File No. 8971, 12814, I can definitely say that it is not paid so far, but with us people the times are very hard and I do not wish to make it any worse by making harsh demands now. I think I can fix things up without any trouble after the war so please drop the matter altogether for the present.

This also goes for all the other unpaid accounts.
I hope you will understand. //

Yours truly,

(signed) "H. M. Shimokura"

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

RECEIVED ALL
CORRESPONDENCE
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
FILE NO. 3-71B

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario
January 8th, 1944

ENEMY SECTION	
Rec'd	JAN 8 1944
File No.	3879
Ans'd	
Refer'd	

K. W. Wright, Esq.,
Office of the Custodian,
Royal Bank Building,
Vancouver, B. C.

Dear Mr. Wright:- re Eikichi Nakashima


This is another one of the Petition of Right cases and the Petition states that the above party is a naturalized British subject who formerly resided in Greater Vancouver, and now resides at Lemon Creek. He states he left Vancouver on or about the 2nd September, 1942 and that he listed his property with the Custodian on the 1st September, 1942.

He claims he is the owner in fee simple of the property at 668 East Cordova Street, known as Lot 14, Block 59, District Lot 196, Group 1, New Westminster District. He states further the property is presently rented and rents are sufficient to maintain the property.

Will you please forward the file by registered mail, but in the meantime let me have an airmail letter stating whether or not the above statements of fact are true, together with a copy of the J. P. Declaration form he claims to have made.

I would also appreciate a statement of revenue and disbursements, certified by Mr. Goode.

Yours very truly,


G. W. McPherson
Executive Assistant

GWM/L

COPY

MEMORANDUM FOR THE FILE #3899 & 3899/1 January 6, 1944.

Re: Eikichi NAKASHIMA, Reg. No. 02994, Naturalized.

On April 10, 1942, Eikichi Nakashima declared to the Custodian that he owned the following property:

668 E. Cordova Street, Vancouver, described as Lot 14, Block 59 D.L. 196, according to Certificate of Title No. 69862 L.

This property is listed in the Catalogue of real property offered for sale by public tender as No. 72.

Assessed Value:	Land \$550.00	
	Imp. \$650.00	total \$1200.00
Rentals - \$22.50 per month		\$270.00 per annum.
Less expenses:		
Agent's Commission	\$13.56	
Taxes. (1943)	43.75	
Water rates (per annum)	14.00	
Repairs-(\$176.35 less Capital		
electrical wiring \$91.00)	85.35	
Insurance (per annum)	<u>4.40</u>	<u>\$161.06</u>
Balance		<u>\$108.94</u>

This property was appraised by Mr. Harvey at \$1150.00, a valuation subsequently revised by him to \$950 - \$1000. A bid of \$1000 was received and approved by the Advisory Committee on September 15, 1943. The necessary documents were accordingly prepared and signed deeds are now held by Mr. Shears.

The file of this Japanese person discloses no other real property interest.

"A. G. M."

3899/1

10th September, 1943.

Messrs. Richards, Alroy & Gail Ltd.,
614 Pender Street West,
Vancouver, B.C.

Dear Sirs:

Re: Catalogue No. 72
668 East Cordova St.

Adverting to your letter of August 26th in regard to which we informed you that we were having the appraisal of this property reviewed, we are now in a position to inform you that we are prepared to recommend the acceptance of your offer of \$1,000.00.

Will you please forward to us a certified cheque for \$1,000.00 the full amount of the purchase price.

Kindly advise the full name, address and occupation in which this property is to be registered and also state whether or not the Transferee is a British subject.

The necessary documents will then be prepared and forwarded to the Secretary of State at Ottawa, and if our recommendation is acted upon, the documents will be signed and returned.

A statement of adjustments of taxes etc. will then be prepared, including registration fees, and forwarded to you, after which the documents will be submitted for registration.

The tenant will then be advised that the property has been sold, subject to the existing tenancy, and your client will then be in a position to assume control of this property.

Yours truly,

F. G. Shears,
Director.

FGB/PMH

EVACUATION SECTION	
Rec'd	SEP 10 1943
File No.	3899
Ans.	
Referred	Watson

50 Riv Avenue,
Lemon Creek,
Hocan, Bls,
September 7, 1943.

Dear Sirs:-

on 1st E. Brown

Referring to your letter of August 24th you asked for the bill of sale of our boat "Kurashima". ~~We are enclosing the bill of sale in this letter.~~ We also have the license here - the new number #6078, old number #1970. We obtained the new license on April 25, 1943, under my name.

On April 6, 1943, we received a letter telling us our boat "Kurashima" was sold on February 11th for a total of \$450.00. Referring to the statement of our account you sent us on June 21st, we see that the balance from Boat Accounts only totals up to \$376.14. I would like to know what you did with the remaining 73.86. Please let us know at your earliest convenience. There is also "Balance expenses boat Kurashima" \$6.75 charged to my account. I would like to know what the expenses are for. After you let us know what you did with the remaining balance of our boat we will send the bill of sale & the license together.

Thank you.
Sincerely yours,
E. Nakashima

#02994

NO DRAFT

Files 8983
3899/1
10026

4th August, 1943.

To: Mr. F.O. Shears
From: Mr. R.P. Alexander

Attached you will find File No. 8983 covering Canadian-born Tadao WAKABAYASHI, which I have borrowed from Mr. Wilson, together with File No. 3899/1 covering naturalized Eikichi NAKASHIMA which I have borrowed from Mr. Gibson, and File No. 10026 covering Japanese National Takajiro TANAKA, which I have borrowed from Mr. Doust.

These three real estate cases are the ones being used by Norris & MacLennan for testing the legality of the Custodian's actions with a view toward obtaining an injunction, and it occurs to me, therefore, that you may desire to review them briefly.

WAKABAYASHI was an employee of the Farmers' Products Distributing Company for whom Messrs. Norris & MacLennan have been acting. The property at 2456 McGill Street has been valued at \$3,000.00.

Mr. Nakashima (naturalized) was a fish buyer employed by the B.C. Packers. You will recall that in his letter dated May 1, 1943 he stated "I will not sell this house."

TANAKA, the Japanese National, was manager of the West Coast Trading Company Limited for whom Messrs. Norris & MacLennan have been agents long previous to evacuation. He has only a half-interest in the house at 162 West 5th Avenue with Jitaro TANAKA. Please see letter dated July 23rd to Jitaro TANAKA.

After you have reviewed the files briefly, I would appreciate your sending the files duly transferred to the three individuals from whom I borrowed them.

RPA:FM

Enc.

File No. 3899
Catalogue No. 72

March 8, 1948.

MEMORANDUM

TO: Mrs. A. G. Reithner

FROM: Ian MacPherson

Eikichi NAKASHIMA
Lot 14, Block 59, D.L. 196
S. 1, Plan 196, New Westminster Dist.

With reference to the above property as was recorded in the Vancouver Land Registry Office, February 26, 1948, the following documents in connection therewith have been placed on file.

1. Copy of application number 191047, dated February 23rd, 1948, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 191048, dated February 23rd, 1948, registering the property in the name of Joan Wong and Thomas Wong (Deed).
3. Duplicate of Transmission dated October 19th, 1943.
4. Duplicate of Deed dated February 20th, 1948.
5. Certificate of Indefeasible Title number 191048-2, dated March 4th, 1948, covering the above property in the names of Joan Wong and Thomas Wong.

IMac/CH

Ian MacPherson

MEMORANDUM

To: Mr. Nelson (Russell).

From: A. G. McArthur

Re: 668 E. Cordova St. Vancouver
14/59/196

Acceptance of a bid of 190,000 on the above property is being recommended to the Secretary of State.

Transmission of ownership to the Secretary of State and Deed from the Secretary of State to the purchaser are to be prepared by the Titles Department.

Will you please examine the file carefully, assuring yourself that all necessary evidence of title is therein, namely:

- A. Certificate of encumbrance showing -
 - (1) Name of owner and legal description clearly identified with that of the Japanese evacuee and his property.
 - (2) Filing of vesting order.
 - (3) Encumbrances.
- B. Copies or detailed memoranda of all encumbrances shown on the title together with certified statements of the position of each.
- C. Statements of all other charges such as taxes, water rates, dyking or other charges including unregistered charges such as option agreements, hypothecations, or other interests.

A memorandum outlining the above is to be prepared and submitted to Mr. Macpherson who will prepare the transmission and conveyance. Would you please prepare such memorandum as soon as possible attach it to the file and return the file to me.

Further than this, wherever the property is tenanted, all details of rental arrangements should be on file, with copies of leases and particulars of chattels in order that -

1. Adjustments relative to rents may be made as between vendor and purchaser.
2. Special arrangements relative to rent for chattels as apart from buildings may be made, if this is not already the case, or
3. Chattels may be moved or otherwise disposed of either before or after possession is given to the purchaser.

It will be the duty of the Administration Department to see that each file covering property to be transferred by the Secretary of State contains all the information above referred to and that the member of the department dealing with each property should be in a position to consult with and agree with the Real Estate agent in each case as to the adjustments of the purchase price, as at the date of the sale.

The Real Estate agent will be advised to prepare a statement of adjustments as at a given date which will be submitted to the Administration Department for approval and appropriate action.

Sept 18/43

A. G. McArthur

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

CLAIM SETTLEMENT STATEMENT

FISHING VESSEL: "KURISHIMA"

CLAIM No.: 535-T

REG. OR LIC. No.: VAN 1970

OWNER AT TIME OF IMPOUNDING:

NAVAL No.: V.073-W

~~Nimish-Makashima~~

CLAIM PAYABLE TO:

Dolson E. Nichols

Dolson E. Nichols

QUANTITY	DESCRIPTION	VALUE ORIGINALLY CLAIMED	ALLOWANCE BY SURVEYORS
1	Anchor & Line	10.00	10.00
1	Compass	11.00	11.00
1	Battery	<u>7.00</u>	<u>7.00</u>
		28.00	28.00

Assignment of claim to Dolson E. Nichols is attached.

*Koland
Extra Strong*

APPROVED: *F. G. Shears*
(F. G. SHEARS)
Authorized Deputy of the Commissioner
of State and/or Custodian

RECOMMENDED:

SURVEYOR FOR J.F.V.S.C.
J. M. Murphy
SURVEYOR FOR NAVAL SERVICE

UNTERSIGNED:

COMMANDING OFFICER,
PACIFIC COAST.

VANCOUVER, B. C.

I HEREBY CERTIFY THAT THE WORK HAS
BEEN PERFORMED, THE GOODS HAVE BEEN
RECEIVED, AND THE PRICES ARE FAIR AND
JUST.

EXECUTIVE ASSISTANT.

File No.
3899

MEMORANDUM

Case #954-B

Eikichi NAKASHIMA,
Reg. No. 02994

re "Kuroshima"

Boat was sold "as is" according to Survey of John Gould-
August 1942- for \$450.00.

According to that Survey the boat was short of the following
gear, -

Anchors, chains, rope, compass and Fire Extinguisher

According to claim - Exhibit #1- there was the following
gear on boat when impounded by Navy,-

2 Drums
1 Stove (kitchen)
1 Gasoline stove
1 pair Rubber hip boots
1 Gasoline lamp
1 Extra battery
2 Anchors
2 Anchor ropes

All these were bought new by the Claimant between 1936 and
1941 inc; some of them would be "replacements".

It would seem that these items may be disposed of as follows:-

- (1) 2 Drums - According to letters of Eikichi NAKASHIMA to Custodian
dated Feb. 3/43 and Oct. 7/44 he states there was only
one Drum on the boat when seized by the Navy. It was
not the property of NAKASHIMA but of the Home Oil Co.,
as NAKASHIMA had not paid for it, and it was considered
as "loaned".
- (2) 1 Stove(kitchen) not found
- (3) 1 " (gasoline) on boat when surveyed by Gould.
- (4) 1 pair rubber hip boots - Not found
- (5) 1 Gasoline lamp " "
- (6) 1 Extra battery included in \$28.00 bill paid.
- (7) 1 Anchor " " " "
- (8) 1 Anchor not found
- (9) 2 Anchor ropes included in \$28.00 bill paid.

If assumed that Nos. 6,7 and 9 were on the boat when seized, then
it seems that the Claimant has an interest in this \$28.00. No compass is claimed
for by NAKASHIMA.

It does not seem that the following were found at any time:-

No. 1 - Drums
2 - " Kitchen stove
4- Rubber boots

File No.
2899

- 2 -

Case #954-B

No. 5- Gasoline lamp

8- 1 Anchor

Item No. 3- Gasoline stove was sold with the
boat as part of sale price.

Letter August 1st, 1944- Dept. of National Defense
to Custodian says:-

"Records kept in this office disclose no
information regarding miscellaneous gear on
the Japanese vessels and it is therefore
regretted that this office can be of little
assistance in the matter".

BRD/DD.

February 28, 1949.

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

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

3899

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

- (1) NAME NAKASHIMA KIKICHI (RCMP) Reg. No. 02994
(Printed Surname) (Given Name)
- (2) Pre-Evacuation Address 668 East Cordova Street, Vancouver, B.C.
- (3) Present Address 68 Bute Street, Winnipeg, Manitoba.
- (4) REAL ESTATE
- (a) Street Address (if any) _____
City or Municipality _____ Province _____
- (b) Legal description (lot number, block number, section number, etc.) _____

- (c) Type of Real Property (cross out words which do not apply):
(i) Farm _____
(ii) Residence _____
(iii) Business _____ Type of business _____
(iv) Any other type of property (describe) _____
- (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) _____
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ _____
(ii) Buildings - - - - - \$ _____
(iii) If business, put value on business as going concern
(including land and buildings, tenancies, chattels,
fixtures, stock-in-trade, goodwill and accounts re-
ceivable) - - - - - \$ _____
(iv) Total value (if you cannot give separate values for lands and buildings just
fill in total value) - - - - - \$ _____
(v) Amount at which Custodian sold property and credited your account - - - - - \$ _____
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - - - \$ _____
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation Fishing Vessel
New Westminster, B.C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) _____
- (c) How stored or packed at time of evacuation _____

(over)

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

CUSTODIAN

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

1. Fishing Vessel "Eureashia" V.M. 1970, Length 37'	Estimated Value \$	
2. Beam 7'6", Depth 2'6", Tonnage approximately 5 tons	Estimated Value \$	
3. Engine 14 Horsepower Vivian.	Estimated Value \$	1,000.00
4. Amount credited by Custodian (Sale Price)	Estimated Value \$	150.00
5. Loss	Estimated Value \$	550.00
6.	Estimated Value \$	
7.	Estimated Value \$	
8.	Estimated Value \$	
9.	Estimated Value \$	
10.	Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 550.00

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e)) - - - - - \$ 550.00

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

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

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA,
Province of Manitoba,
TO WIT:

I, Eukichi Nakashima
of Winnipeg in the City
of the Province of Manitoba

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the City
of Winnipeg
in the Province of Manitoba
this 7th day of January.

A.D. 1947 1948. Eukichi Nakashima
A Commissioner &c.

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

June 16, 1948

File No. 3899

ANALYSIS OF
CLAIM

PERSONAL PROPERTY
SECTION

Eikichi HAKASHIMA,
Reg. No. 02994

PERSONAL PROPERTY-

Claim as follows:- (Gross)

Fishing Vessel "Kuroshima Van.1970
Length 37' Beam 7'6" Depth 2'6"
Tonnage approximately 5 tons
Engine 14, Horsepower Vivian " - \$1000.00

Sale Price (Gross) 450.00

Appraisal -
John Gould - 450.00

Purchaser
Dolson E. Nichols 450.00
as Feb. 11, 1943
Accepted - - 450.00

RECAP:

Gross amount of Claim 1000.00
" " " Sale 450.00

B.R. Dusenbury
B.R. Dusenbury,
Office of the Custodian.

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

JAPANESE PROPERTY CLAIMS COMMISSION

SUB-COMMISSION

BEFORE

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

Winnipeg, Manitoba,
20th September, 1942.

IN THE MATTER OF THE CLAIMS OF

HIKIOH NAKASHIMA

PROCEEDINGS AT HEARING

20 APPEARANCES:

T.M. FERG, Esq., Appearing for the
 Dominion Government.
J.M. CHENYACK, Esq., Appearing for the
 Claimant.

S. HIRAYAMA, Esq., Official Interpreter
MARK E. FRASER, Esq., Sr., Official Reporter.

1.
S. Nakashima,
In Chief.

MR. CHENWICK: Mr. Ferg has suggested we take the small case and complete it and that we adjourn again and review the particulars of the other case and that will facilitate things.

SHIGEMI NAKASHIMA, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. CHENWICK:

Q Mr. Nakashima, I show you a statement; was this prepared in accordance with your instructions? A Yes.

10 Q Is that (indicating) your signature? A Yes.

Q You swear the contents to be true to the best of your knowledge and recollection? A Yes.

MR. CHENWICK: I file the statement, as identified by the claimant, as Exhibit 1.

(Personal Property Statement, EXHIBIT 1.)

20 MR. CHENWICK: Your honour will note that this claim is for a fishing boat which was sold by the Canadian for \$450.00. The claimant sets out that this boat was purchased by him in 1934 for \$900.00, at which time it was not new, that he rebuilt the hull and overhauled the engine at that time at an estimated cost of \$200.00, and in 1940 did more extensive work, rebuilt deck and repaired motor at a cost of \$250.00. Your honour will then note that he indicates a quantity of different types of gear on the boat, which cost him a total of \$150.00, and he includes the value of these goods with the boat in showing the estimated value of \$1,000.00. His comment is, that there was a claim against the Navy for this inventory which he has indicated and this claim was assigned to the purchaser, but he didn't put it in

30

the Custodian's Appraisal. The inventory was not included by the Appraiser, that it ever was assessed. I think possibly this would be a good time to file the Appraisal and possibly the Custodian's summary of records, which would then put all the information before your honor. On behalf of my learned friend I will file as Exhibit 2 an unsigned copy of the Survey Report by John Gould, dated August 1942. The survey shows anchors - none, chains - none, stoves - 1 in after cabin, rope - none, and your honor will note that in Exhibit 1 there is mention of 2 stoves, 2 anchors, 2 anchor ropes, in addition to other goods, and none of the other goods appear to show on this survey report. The valuation is \$450.00 and the estimated market value is \$500.00 and there is mentioned in the remarks, "Portside rail damaged, forward stowage to replace."

THE COMMISSIONER: Was the damage done by the Navy, or the work done by the Navy?

MR. CHERWICK: The repair work?

THE COMMISSIONER: What does the final sentence mean?

MR. CHERWICK: No sir, the damage was done by the Navy. He said the portside rail was damaged and the forward stowage had to be replaced.

THE COMMISSIONER: You had better make that clear.

MR. CHERWICK: Yes, I will have that through the witness in a moment, and he indicates he didn't receive compensation for same and the Appraiser appraised this boat on the basis of certain damage having been done, and in spite of the fact his valuation would be lower had this damage not been done, the claim against the Navy was assigned

to the purchaser who only paid \$450.00.
(Survey Report, EXHIBIT 3.)

MR. CHURCHILL: I will go into the question of damage in a moment. I will also file as Exhibit 5 the Summary taken from Vessel's Records produced from the Customs' file in reference to this boat, which shows J.F.V.D.C. valuation was \$675.00. The sale was made February 11, 1945, the selling price was \$450.00, supervision costs \$80.61, which was charged to the claimant and there is mention here of a claim against the Canadian Government - Indemnity Inventory Claim \$22.00 - and it indicates this was in the name of the purchaser of the boat. Apparently I was in error when I indicated the damage on the boat, or the claim for the damage for the boat was assigned to the purchaser. Apparently there was no claim, because this claim appears to be for inventory. Whether or not that inventory is the same inventory as is shown on Exhibit 1, I could not say.

(Summary, EXHIBIT 5.)

20 THE COMMISSIONER: Was that while it was in possession of the J.F.V.D.C.?

MR. CHURCHILL: There again we wouldn't know in whose possession the boat was at the time of the damage. I will see if I can prove that the damage was not done before it was turned over to the Navy. That is as far as we can go.

THE COMMISSIONER: Do you know how much the damage amounts to?

MR. CHURCHILL: No, sir.

Q Mr. Sebastian, according to the man who appraised your boat, the Port side rail was damaged and the forward

E. Nakashima,
In Chief.

steamer had to be repaired. Were these damaged while the boat was in your possession before it was turned over to the Navy? Or was the boat in perfect condition at the time you turned it over to the Navy?

A. It was not damaged when I turned it over to the Navy.

MR. CHERNIAK: I will ask my learned friend to produce a letter to the Custodian from Nakashima, dated March 30, 1943, since in the records a reference is made to this.

(Letter dated March 30, 1943. EXHIBIT 4.)

10 Letter above referred to, read as follows:

" 30 Fir Avenue, Larch Creek, Sloan, B.C.,

March 30, 1943.

Dear Sir:-

Referring to the letter of the twenty-third you did not tell me the price of the boat. I said in the last letter to let me know the price so I could pay for the claims against me. What is the reason for not letting me know the price of the boat? I've waited long enough for the answer so please let me know as soon as you receive this letter. Also I would like to know what is going to be done about the things that were left in the boat. I've got the list showing all the things left in the boat when it was taken so please let me know about it.

Yours truly,

(Signed) E. Nakashima.

MR. CHERNIAK: May I ask my learned friend if there is any indication on file if the Custodian requested this list of gear.

20 MR. FERN: None whatever.

6.
J. Nakashima,
Dr. Kama.

MR. CHERNIACK: And is there anything on file to show the nature of the inventory claim which is referred to in the Summary of Records to show the gear?

MR. FERG: None.

10 MR. CHERNIACK: Your honour, my learned friend has produced from his file an original duplicate copy of the release and discharge signed by Nelson E. Nichols, who is the purchaser of the boat, for \$25.00 for the claim against the Navy. Now this states that while in the custody of the Navy the vessel suffered loss to the value of \$25.00. It doesn't show where, that is for inventory or damage, and the only indication we have that the loss was inventory loss, is in the Summary of Records and I submit it will be a matter for the Custodian to clear up, whether it is an inventory loss or a damage loss, and if an inventory loss, to show what inventory is claimed for. That is all.

(Release and Discharge Statement, EXHIBIT 5.)
20 MR. FERG: It is submitted, your honour, that the boat in question was sold at the fair market value and that the amount claimed for the other chattels, apparently accompanying the boat on the sale of the boat, the prices claimed are excessive and unreasonable.

CROSS EXAMINATION BY MR. FERG:

Q You didn't have an independent valuation made of the boat yourself, witness? A No.

Q So that the valuations and the amount that you are now claiming is your own valuation? A Yes.

Q Well, now, have you any idea of the age of this boat?

A No.

30 Q You bought it, you say, in 1947? A Yes.

7.
S. Nakashima,
Cr. Exam.

Q And it was a second-hand boat then? A Yes.

Q And you don't know the age of it? A No.

Q How long have you been an owner of boats?

A About thirty-five years.

Q Were you a fisherman? A I was a fisherman and
packer, I was buying fish for about twenty-five years.

Q So that this boat, the "Kuroshima", was not used in the
fishing business, but for carrying freight?

A Yes.

10 Q And you used it in your business constantly all the time
after you became the owner of it? A Yes.

Q Do you know what it was used for before you purchased
it? A It was used as a fishing boat.

Q When you purchased the boat you say you paid \$900.00 for
it? A Yes.

Q Who did you buy it from? A From a man named
Nishio.

Q A Japanese gentleman? A Yes.

Q What equipment did you get with the boat at the time of
20 purchase? A There was an anchor with it, and
ropes, motor.

Q Any oil drums? A No.

Q Was it equipped with a stove? A Yes, there was
a stove, but I had to buy another one, it was very old.

Q But you got a stove with the vessel? A Yes.

Q And what other equipment now, just run it off if you can
remember, just run us off a list of it?

A There was complete equipment with the boat.

Q What do you mean by complete equipment?

20 A Gasoline tanks.

E. Sakashima,
Sr. Man.

Q And arms? A No arms.

Q Hip Rubber Boots? A No.

Q Gasoline lamps? A Yes.

Q Extra batteries? A Yes.

Q And that is the usual equipment that goes with a boat, isn't it? A Yes.

Q Now, all this equipment that you purchased would be included in the price of \$900.00? A Yes.

10 Q Now, in your experience as a freighter and owner of boats, you say you have owned them and operated them for thirty-five years, what would you say was the average life of a boat of this type?

A You could use it for about forty years if the repairs were done.

Q How many boats have you owned? A Three boats.

Q And you had two at the time of evacuation?

A Two vessels.

20 Q Now, the equipment that you are claiming for here was the equipment that accompanied the boat, that is the usual equipment that accompanied the boat, and was used with a boat as a going concern, isn't that a fact?

A These were all new goods that I bought.

Q But they were used in connection with your boat?

A Yes.

Q And you left the arms and stove and the hip rubber boots and the gasoline lamps and the batteries and the anchors on the boat when you turned it over to the Navy?

A Yes.

30 Q Why didn't you take it off? A I was told to take the boat immediately and I didn't have the time to remove it.

9.
S. Nakashima,
Cr. Exam.

Q You left this stove on 117 A Yes.

MR. PARS: No more questions, your honor.

THE COMMISSIONER: All right, witness.

(PROCEEDINGS ADJOURNED SINCE DIX)

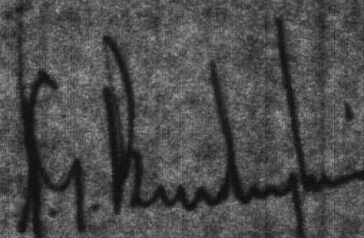
Certified to be a true and accurate transcript.



MARK H. PEARCE, ST.,
OFFICIAL REPORTER.

CERTIFICATE

I, the undersigned Sub-Commissioner, hereby
certify that the foregoing 3 pages of typewritten matter
contain a true and accurate record of the Sub-Commission
held in the Law Courts Building, Winnipeg, Manitoba, at the
time and date first above mentioned.



SUB-COMMISSIONER.

File No.
3899

DEFENSE BRIEF

Eikichi NAKASHIMA,
Reg. No. 02994

File #3899

Case #954-B

Winnipeg, Man.
Sept. 28, 1948
Case #954-B.

*Case 954-B
File 3899*

PERSONAL PROPERTY CLAIM- GROSS -

<u>Gross Claim</u>	<u>Appraisal</u>	<u>Sold for</u>
\$1000.00 Total as original and Revised Claim	\$450.00 Exhibit #2	\$450.00 at Tender Feb. 11/43
Exhibit #1	\$500.00	

Witnesses:-

1. John Gould,
Appraiser,
Marine Surveyor.
2. O.W. Phillipson,
Appraiser.
3. F.G. Shearn,
re appraisals
and
tenders.

Submissions:- Phillipson reported this vessel in "Bad state repair" in March- April 1942 when appraising for J.F.V.D.C. Survey #533 New Westminster. Phillipson's valuation was \$500.00. J.F.V.D.C. suggested negotiating price was \$575.00, perhaps not intended as the Committee's valuation as stated in Exhibit #1 and in Exhibit #3.

The valuation of \$450.00 by Gould was on vessel "Kuroshima" as is " that is, while it was short of

anchors, chains, rope, compass, fire extinguisher and but 1 stove as shown in survey.

Claimant
includes in
value as
shown
Exhibit #1

2 Drums
1 Stove (kitchen)
1 Gasoline stove
1 pr. Rubberhip boots
(boats)
1 Gasoline lamp
1 Extra battery
2 Anchors
2 anchor ropes

Gould's
Survey
August 1942
as shown
Exhibit #2

no mention
"
1 in cabin
no mention
"
"
none
None

Equipment
missing at
time boat
surveyed by
Gould Aug./42

Anchor & line
Compass & battery
Claim of \$28.00 to cover
above loss was paid to
purchaser by Government

File No.
3899
Eikichi NAKASHIMA,
Reg. No. 02994

- 2 -

Winnipeg, Man.
Sept. 28, 1948
Case #954-B

Extract from letter of February 3, 1943 by Eikichi NAKASHIMA to Custodian says

"I think this is for the drums(two) I left one drum in care of Martin Onika of Pender Harbour and the other drum was in my boat Kuroshima when it was taken to the Navy. So please claim from them".

It appears from this that the "2 Drums" now claimed as above were not Nakashima's and, if so, that there was only one on the boat when taken over by the navy. NAKASHIMA was told in letter March 2/43- that there was no record of a drum on the Kuroshima when taken over by the navy and that he was still responsible to the Home Oil Company for this drum.

Letter July 4, 1944 of Eikichi NAKASHIMA to Custodian states,-

"When the Navy took over my boat, Kuroshima, both of the drums were on the boat with the contents of gasoline. As the Navy is responsible for it please check this up. The Navy has the list saying the contents of the goods at when the boat were taken".

Letter August, 1, 1944- Dept. of National Defense to Custodian says,-

"Records kept in this office disclose no information regarding miscellaneous gear on the Japanese vessels and it is therefore regretted that this office can be of little assistance in the matter".

This statement by NAKASHIMA is different than that of Feb. 3, 1943 re Drums.

Letter Oct. 7, 1944-NAKASHIMA to Custodian says:-

"When the Navy took our boat one drum & 40 gallons of gasoline were included with the rest" etc. This seems to agree with his letter of Feb. 3, 1943 but not with his letter of July 4, 1944.

As between Home Oil Distributors Ltd. and NAKASHIMA this account re 2 Drums - \$16.00 was never settled as far as this office was concerned and Canadian Credit Men's Trust Association who were acting for Home Oil, was advised December 1st, 1944 by Custodian that we were "closing our files" in connection with same.

It seems therefore that he does not claim having 2 drums on the Kuroshima when seized by the Navy(see letters Feb. 3/43 and Oct. 7/44) but only one. But whether he had one drum or two Drums on the boat when seized, he owed the Home Oil for them and as far as Custodian records show the Company did not at any time receive payment from him. As a matter of fact they were not his property at any time being returnable to the Home Oil or if not returned were to be paid for.

Exhibit #1 states "I note that the purchaser was assigned a claim against the Navy for the above Inventory." No Inventory is mentioned "above" unless it refers to "other gear" in which case the assigned claim did not cover all the items in "other gear" but only -

Anchor&Line	-	10.00
Compass	-	11.00
Battery	-	7.00
Total		\$ 28.00

File No.

3899

Eikichi NAKASHIMA,

Reg. No. 02994

- 3 -

Case #954-B

This Exhibit #1 also states under "other gear"-

" 2 Drums - price paid \$16.00"

As shown herein NAKASHIMA did not pay for these drums- they were the property of Home Oil and according to NAKASHIMA's two letters there was only one drum, on the boat when seized by the Navy.

Of the "other gear" there then remains,

1 stove (kitchen)

1 pr. rubber hip boots

1 Gasoline lamp and

1 anchor

"not found"

BRD/DD

February 28, 1949

File No.
3899
Eikichi NAKASHIMA,
Reg. No. 02994

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Case #954-B

Summary of
Defense
Witnesses

Where
Required

Summary of
Documents
to be filed

Witness
Proving
same

John Gould

Surveyor
and
Appraiser
re Boat

O.W. Phillipson

Appraiser
re Boat

F.G. Shears

re appraisal
re Boat

Memo
re "other
gear" as
Exhibit #1

BRD/DD.

February 28, 1949

Name of Claimant **SAKASHIMA, Hiroshi**Case **PSL B.**Custodian File **3899**

REAL PROPERTY										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
PERSONAL PROPERTY										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
		490	116.25	128.25	28.09					156.25
NETS										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price		
MISCELLANEOUS CHATTELS										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										156.25

3879

October 11th, 1950

Mr. Eikichi NAKASHIMA,
294 Sutton Avenue,
Winnipeg, Manitoba.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 9543

We have received from the Co-Operative Committee
on Japanese Canadians, our form of Release which has been
executed by yourself covering the award recommended under
the above Claims Commission for the sum of ... \$ 156.25.

Cheque in your favour is enclosed for \$ 147.21
and we have paid the Co-Operative Committee .. \$ 9.04
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS:EK
Encl.