

7655

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

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

PERSONAL INFORMATION

NAME: HIGO, Toyokichi

EXHIBIT No. 1331-6

DATE: 1 June 48

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

FILED BY: J. W. B. Munster
Cm.

REGISTRATION NUMBER 04797

SEX: Male

AGE: 41

OCCUPATION: Fisherman.

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

EMPLOYER: Self

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Kimie "(yellow card)"

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

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

Adusa (M)

ADDRESS OF CHILDREN: In Japan

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

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

1. LOCATION AND DESCRIPTION:

2. BUILDINGS AND OTHER IMPROVEMENTS:

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

4. TAXES (Amount and where payable)

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

6. OCCUPANCY AND LEASES (If vacant so state)

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Grace Press, Leeburg, E.C. Dwelling House.

2. LANDLORD'S NAME AND ADDRESS: Mrs. B. Turner
Care, Grace Press, Leeburg, E.C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: £25.00 per year.
Paid up till end of year, 1962.

4. STATE WHEREABOUTS OF LEASE:

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

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

STATEMENT OF PERSONAL PROPERTY OWNED:

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

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

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR

CLAIM ON ANY SUCH PROPERTY

4. INSURANCE CARRIED ON ABOVE PROPERTY:

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

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

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

(4) \$5.00 War Saving Certificates

8. BANK ACCOUNTS:

9. LIFE INSURANCE: \$1,000.00 Manufacturer Life Ins. Co., Vancouver, B.C.
Policy No. 751282, Beneficiary Wife

10. INTEREST IN ANY ESTATES OR TRUSTS

11. SAFETY DEPOSIT BOX:

LIABILITIES:

1. PERSONAL DEBTS:

2. TRADE DEBTS:

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

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

Dated this 4th day of May, 1942

By Broadbent

Witness

(Signature)

T. Higo

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.
July 29, 1942

FOR DEPARTMENTAL USE

P.O. 18/12/42

INFORMATION FROM R.C.M.P.

Date

June 21/43

Our File No. 7655

Full Name

HIGO, Toyokichi
(Surname in Block Letters)

Registration No.

04797

Male - Female
(check)

Age

Dec. 1/1899

Former Address

Canoe Pass, B.C.

Date Evacuated

Naturalized - Canadian-Born - National
(check)

Present Address

New Denver, B.C.
2077 Aylmer St., Montreal, Que. (2/5/47)

Married - Single
(check)

Name of Wife

Kimie 04796 NEF
(KURUIWA)

Name of Husband

Name of Mother

Yoshi (Japan)

Name of Father

Suekichi (died)

Names of Children under 16

Mitsuyo (F) 12, Akira (M) 10

Azusa (M) 7, Iroko (F) 14 (Japan)

Requested by

Agnes Platt
ECP

Registered with Custodian

Yes
(Yes or No)

Additional Information

Fisherman

(Information supplied by Ins. Co.)

LIFE INSURANCE

Name Toyokichi Higo

File No. 7655

Reg. No.

Company Manufactures Life Ins. Co. Agency Vancouver

Policy No. 751,288

Premium - \$49.30

Payable: Annually, Semi-annually or monthly

Month November Day 10

REMARKS:

SUMMARY TAKEN FROM VESSELS RECORDS

Date: July 8, 1944

Name: HIGO, Toyokichi

Reg. No. 04797

File ~~743~~ 7655

Boat File No.: JFVDC 489

Name of Vessel: "T.H. 1253", 29'x7'5"x3' (1937) Easthope 10 HP (1941)

Lic. or Reg. No.: None

Naval No.: NW.077-L

Owner's Valuation: \$1,050.00

JFVDC Valuation: 575.00 Survey #407 NW

Custodian Valuation: None

Date of Sale: April 22, 1942

Purchaser: Canadian Fishing Co. Ltd.

Signature on Sales Papers: Vendor: Toyokichi HIGO, Copy unsigned

Selling Price: \$850.00

Paid to JFVDC ~~and Custodian~~: 850.00

Supervision Costs: 11.00

Balance due Owner: 839.00

Paid to: T. Higo, April 28, 1942

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None

Additional Information:

Jm

Memorandum to File #7655 & #13658

February 19, 1943.

HIGO, Tovekichi Reg. No. 04797

The only information I have on the above-named man is that he owned a boat "T.H." 1253, NW.077L, sold last April 22 for \$850.00 to Canadian Fishing Company Ltd.

In view of the fact that the nets sold to Phoenix Cannery, on October 29, are similar to those listed in the first two items shown on the fishing net inventory of nets owned by this man, and stored at Phoenix Cannery, it would seem likely that these two files should be combined.

If you have another T. Higo, who was likely to be the owner it might be different, but on looking these two files over, it would appear that these files refer to one man.


F. Matheson

REPORT

RE: SALE OF CHATTELS AT WESTHAM ISLAND, LADNER, B.C.

I took Mr. Mel Olsen of Sunbury and some of his friends down and sold the following to them.

M. OLSEN:	1 tub of floats	Belonging to: HIGO, Kuni	\$ 1.00	X
	3 " " "	" " HARAGA, E	\$ 5.00	
	Quan. Misc. pieces of metal etc.		\$ 2.00	
		Total	\$ 8.00	

Mr. TORVIK:	1 Old wooden boat pump	Bel. to: HIGO, Kuni	\$.50	X
	1 " pr. Cars	" " AKUNE, N & H	\$.75	
	1 Water tank (Boat)	" " " "	\$.50	
	Few old misc. articles	" "	\$1.00	
		Total	\$ 2.75	

Mr. JOHNSON:	1 Old boat stove &	Belonging to: TABATA, Inao	\$ 2.50	
	Quan. of misc. parts & articles (very old)			
	1 Bed spring	" " " "	\$ 3.00	
	1 " "	" " HIGO, Miteru	\$ 4.00	
	1 Boat Boat stove	" " HARADA, E	\$ 1.00	
	2 Sml. Pieces of 5 1/2" net	" " " "	\$ 2.00	
		Total	\$12.50	

GRAND TOTAL \$23.25

RE: chattels left at Westham Island. We have been fortunate in disposing of articles that were thought useless and valueless and I feel that what is left is not worth making another trip over.

Signed

Harlan

MEMORANDUM

File No.: 7655

June 2nd, 1943

To: FILE

From: Mr. Green

Re: Tovokichi HIGO

In common with all the Japanese properties on Westham Island, much trouble has been experienced with pilfering by passing fishermen and by the residents of the island. This has been reported several times to the Ladner Police but no convictions have been secured.

This Japanese did not declare anything, neither did his wife, but a number of articles listed under her name have been moved to storage at the Bailey Road Hall and one or two have been sold.

HFG:LF

BRITISH COLUMBIA SECURITY COMMISSION

EVACUATION SECTION

SEP 18 1943

CUSTODIAN RELEASE FORM

Address: House #148,

New Denver, B.C.

Date: September 11, 1943.

To: The Secretary of State, acting in his capacity as Custodian, Vancouver, B.C.

I, HIGO, Toyokichi, Police Registration No. 94797

hereby request you to release to me the under-noted property stored at
Formerly stored at home in R.R. #1 Ladner, B.C.-- c/o Mr. Bolton Trim, Westham Island.
May have been moved by Custodian.

in possession of. Custodian.

and I release you from any claim whatsoever with respect to such property.

Description of Property:

- 1 box carpenter tools--size of box 12" x 18" x 24" (approx;)
- 1 new mattress for double bed.
- kitchen utensils--pots, pans, kettles, fry pan, etc. (Not packed in cupboard.
- chinaware: rice bowls, cups, saucers, bowls, etc.
- 1 box of dress patterns, etc. (3 paper boxes tied in one bundle)

Original Address: R.R. #1 Ladner, B.C. (c/o Mr. Bolton Trim, Westham Island.)

Date Evacuated to Vancouver: May 4, 1942 to Kaslo, B.C.

Date Evacuated to Present Address: July 24/42 to New Denver, B.C.

Number in Family--12 years and over: 2

Number in Family--6 years to 11: -

Number in Family--under 6 years: -

Total Number in Family: 2

I agree to pay all charges as required by the British Columbia Security Commission.

APPROVED:

BRITISH COLUMBIA SECURITY COMMISSION

For: [Signature]

[Signature: Toyokichi Higo]

CLAIM Claimant Signs Here.

G-183-A

la

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

SEP 29 1943

JAPANESE EVACUATION SECTION

PHONE PACIFIC 8131

PLEASE REFER TO
FILE NO. 7655

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

September 23rd, 1943

TRANSPORTATION

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

Attention Mr. M. L. Brown

Dear Sirs:-

Re: Toyokichi HIGO--Reg.No. 04797

Thank you for your letter and enclosure of September 15th asking for shipment of some of this man's effects. Neither he nor his wife declared anything to the Custodian and we regret to report that between the time we first visited his former home and the time when we were able to move its contents to storage, practically everything had been stolen. We have in storage for him the following.

- 2 Kitchen chairs
- 1 Card table
- 1 Cooler
- 1 Dresser
- 1 Box of books, patterns etc.
- 1 Small table
- 1 Bamboo bookcase
- Small box leads
- 1 Box books etc.
- 1 Box lamps

equipment:

- 1 Tub of floats
- 1 Old wooden boat pump

We expect you will send him a copy of this letter and we much regret what has happened. However, this



File No.

7655

Date

SUMMARY

Name: HIGO, K. & Toyokichi. ?

Address: Canoe Pass Westham Island B.C.

(1) - We have today moved to auction room at Townline and Sandel Rds. effects as per enclosed list at a total cost of \$ 1.15 as per attached bill.

(2) - We have also moved the personal effects as per attached list to storage at New Westminster. Temple where they will remain until called for. Cost of moving is included in bill above.

(3) - We have sold to the tenant articles as per attached list at \$ _____ for which herewith cheque or cash. Bills in the office.

(4) - After the above transactions, the following important shortages were noticed between the original inventory as taken by this office, and the effects accounted for as above:

See separate list attached.

The tenant gave us the following explanation: _____

House lay vacant for considerable time, and being in an isolated spot was ripe for vandals and was thoroughly ransacked.

Signed.

J. M. Anderson
Jan 26 /44.

CHATELS MOVED TO AUCTION
Belonging to HIGO, K.T. (from Bailey Hall)

103 2 Kitchen chairs
1 Card Table
1 Cooler
1 Dresser
1 Small Table.
1 Bamboo Book Rack.
1 Oil Lamp.

Formerly from Canoë Pass, Westham Island, B.C.

Signed. *R. Anderson*
Dec. 22/43.

CHATELS MISSING BELONGING TO

HIGO; K.T.

(Formerly from Canoe, pass, Westham Island B.C.)

1 Box of Leads.

1 Float (Sold)

Gone to Storeage. In Japanese Temple
New Westminster,

V
Books

W. M. Anderson

1331 - 4

EXHIBIT No.

1 June 1948

DATE

FILED BY

J. W. G. Hunter

Name of Owner: Toyokichi Higo

Registration No. 04797

Address: New Denver, B. C.

FISHING NET INVENTORY

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

2. Description of nets as follows:

<u>Type</u>	<u>Mesh</u>	<u>Ply</u>	<u>Meshes Depth</u>	<u>Fathom Length</u>	<u>Valuation</u>	<u>Any other marks of identification</u>
GillNet	6 $\frac{3}{4}$ "	6/40	45	125)	\$ 160.00	Both in One nets for 200
" "	7"	6/40	40	75)		fathoms with cork and lead
496	6 $\frac{3}{4}$ "	5/40	45	150	45.00	line complete
493	5 $\frac{1}{2}$ "	5/40	45	150	40.00	Web only
494	5 $\frac{1}{2}$ "	5/50	50	200	* 75.00	" "
486	8 $\frac{1}{2}$ "	9/40	40	100	15.00	" "
477	9 $\frac{1}{2}$ "	10/40	38	50	10.00	" " 345.00
		Corks with line		150	20.00	
		Corks with line		150	20.00	
		Corks with line		50	7.50	
		Lead Line		350	30.00	77.50

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

"See statement of Nov. 25/43 for sales, etc."

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

July 28, 1948

C. MacLachlan
J. G.

*Higo and Higo
read and confirmed
June 27/48*

EXHIBIT NO. 1331 - 5

DATE 1 June 1948
FILED BY

J. W. G. Hunter

REPORT
ON EVACUATED JAPANESE PROPERTY

File No. 7655
10259

MUNICIPALITY: Delta

Date: Jan. 13th, 1943

NAME: Higo, K. & T.

REGISTRATION NO.

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

PROPERTY:

ACREAGE:

KIND OF CROPS:

APPROXIMATE ACREAGE OF EACH:

HOUSE: 1 storey

VACANT: Yes

OCCUPIED:

DESCRIPTION: Large Warehouse with house built in.

ROOF:

SIZE: 42 x 68

NO. OF ROOMS: 4 & 4 in warehouse

CONDITION: Living quarters good

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

NAME OF LESSEE OR RENTOR:

TERM:

WATER:

ON:

OFF:

LIGHT:

ON:

OFF:

REMARKS:

INVENTORY OF CHATTELS LEFT ON PROPERTY:

SEE ATTACHED LIST.

Signed: "S. M. Anderson"

"S. C. Carlson"

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

July 29, 1948

Carlson

of the Stephen

IN HOUSE

- [illegible]

"S: Sold by Auction /18/1/44
Surrey 1."

IN WAREHOUSE SECTION

OUTSIDE ON WHARF

- 4 Bluestone tubs
2 Net buoys
1 Clothesline

LARGE QUANTITY OF JUNK INCLUDING
IRONS & METALS OF ALL KINDS

SIGNED "S. C. Carlson"

"R. M. Anderson"

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

July 29, 1948

L. MacLughan *W. J.*

*Receipt from
Cannery for net gear*

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

T. HIGO

MARCH 10, 1942.

Nets.

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

Cotton Rope

11/32 x 220 - 48 lbs.

7/32 x 220 - 19 lbs.

7/32 x 220 - 20 lbs.

57 lbs

Lead

200 lbs.

Floats

400 Tarred

Cotton Twine

10 lbs. #36

Net Twine

2 lbs. 5/40 Barbour.

1 lb. 6/40 Barbour.

"130.00"

*Higo
7/29/48
4000 lbs.*

Anglo-British Columbia Packing Co. Ltd.
Phoenix Cannery

"M. S. Robertson"

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

July 29, 1948

*C. M. Chapman
S. J.*

*put 800
Lup 100 with
1000*

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

T. Higo

Net					Line				
Brand	Length	Ply	Depth	Mesh	Value	Length	Value		
	125	6/40	45	6 $\frac{3}{4}$	Cork & Lead) Line) " " ")	160.00	150	Cork Line	20.00
	75	6/40	40	7			150	" "	20.00
	150	5/40	45	6 $\frac{1}{2}$		45.00	50	" "	7.50
	150	5/40	45	5 $\frac{3}{4}$		40.00	350	Lead Line	30.00
	200	5/50	50	5 $\frac{3}{8}$		75.00			
	100	9/40	40	8 $\frac{1}{2}$)		25.00			
	50	10/40	38	9 $\frac{3}{4}$)					

245.00

77.50

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

July 29, 1948

E. McLaughlin
J. J.

File #7655

Exhibit 9

- EXTRACT -

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

	<u>Owner</u>	<u>Description</u>	<u>Value</u>
c-496	T. Higo	1 net 40/5 x 6 $\frac{1}{2}$ x 45 x 250 F., Stretched - three years old)	\$ 30.00

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

July 29, 1948

C. McChesney
dy

1331 - 10
EXHIBIT No. _____
DATE 1 June 1948
FILED BY J. W. G. Hunter

File No. 7655

Steveston, B. C.

October 29th 1942

ANGLO-BRITISH COLUMBIA PACKING COMPANY LIMITED

PHOENIX CANNERY

Nets and Gear sold for account of T. Higo

40	Net 6/40 - 6 $\frac{3}{4}$ " - 45 - 125 fath 200 fath. cork and line net 6/4 - 7" - 40 - 75 fathoms.	130.00
46	150 fathom cork line	12.50
72	150 fathom lead line	<u>15.00</u>
		<u>157.50</u>

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

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

July 29, 1948

L. McChesney
JG

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

Steveston, B. C.
Nov. 30, 1943

ANGLO/BRITISH COLUMBIA PACKING COMPANY LTD.

PHOENIX CANNERY

Fishing Supplies ^{based} purchased from T. Higo

	Price	Amount	Total
Net 6/40 - 6 $\frac{1}{2}$ - 45 M. D. - 15 lbs.	2.95	44.25	
48 lbs. 11/32 - 220 fath. cotton Cork Line	.40	19.20	
20 lbs. 7/32 - 220 Fath. " Lead Line	.40	8.00	
200 lbs. Lead	.06	12.00	
400 Tarred Floats	.03 $\frac{1}{2}$	14.00	
10 lbs. #36 Cotton Hanging Twine	.40	4.00	
2 lbs. 5/40 Barbour Twine	2.55	5.10	
1 lb. 6/40 " 2	2.47	2.47	
			<u>109.02</u>

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

July 29, 1948

C. MacLachlan
J. H.

Trans 17 June 15
Complete list of net
left.

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EXHIBIT NO.

DATE 1 June 1948

FILED BY

J. W. G. Hunter

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

NET STATEMENT

<u>Cust. No.</u>	<u>Description</u>	<u>Japanese Value</u>	<u>Purchase Price</u>
498	9/40 x 8 1/2 x 40 - 100	\$ 15.00	\$ 7.50
495	5/40 x 5 1/2 x 45 - 150	40.00	25.00
496	5/40 x 6 1/2 x 45 - 150	45.00	30.00
497	10/40 x 9 1/2 x 40 - 80	10.00	5.00
Cannery	6/40 x 6 1/2 x 45 M. D.		44.25
Cannery	6/40 x 6 1/2 x 45 - 125)	160.00	130.00
	6/40 x 7 x 40 - 75)		
	200 fa. cork line)		
Cannery	48 lbs. -/32 - 220 fath cotton cork line		19.20
Cannery	150 fa. cork line	20.00	12.50
Cannery	20 lbs. 7 x 32 - 220 fath. " lead "		8.00
Cannery	150 fa. lead line		15.00
Cannery	220 lbs. Lead		12.00
Cannery	400 Tarred Floats		14.00
Cannery	10 lbs. #36 cotton hanging twine		4.00
Cannery	2 lbs. 5/40 Barbour Twine		5.10
Cannery	1 lb. 6/40 Barbour Twine		2.47
TOTAL SALES:.....			\$334.02

UNACCOUNTED FOR

494 X 5/50 x 5 1/2 x 50 - 200 75.00

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

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

July 30, 1948

E. MacLaughlin

EXTRACT

From appraisals made by C.P. Leckie & Co.,
for the Custodian in regard to Japanese Nets

July 22, 1942 -	40/6 x 6 $\frac{3}{4}$ x 45 x 125 hung	)		
	40/6 x 7 x 40 x 75 hung	)	Asks	\$160.00
	200 Fa. hung with lines	)	Value	130.00

B. MacKinnon

EXHIBIT No.

1331-13

DATE

1 June 1948

FILED BY

J. W. Miller

C O P Y

MEMORANDUM

October 5, 1943

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

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

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

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

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

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

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

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

He would appreciate another thorough investigation into this matter.

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

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

1 bedstead--double bed mattress (new)

P.T.O.

1 cupboard--new--about 4' x 6' --Detachable top and bottom.

1 heater

1 oil stove (2 oil containers)

2 carpets (from 2 rooms).

1 box of carpenter tools

1 set of Japanese bowls and lids--everything new.

Kitchen utensils ---Pots, pans, kettles, wash board, wash tubs, etc.

1 big black iron pt.

5 gals. coal oil

5 gals. gasoline

1 row boat T.H. engraved on back

Fishing equipment -- also stored in the bedroom

Chinaware -- sandwich sets, tea sets, etc.

"I. Scott"
(Miss) I. G. Scott,
Welfare Manager.

EXHIBIT No. 1331-14
DATE 18 June 1948
FILED BY JWS Hunter

7655

October 18th, 1943

TRANSPORTATION

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

Attention Mr. M. L. Brown

Dear Sirs:-

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

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

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

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

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

2X

1331

NAME HIGO, Toyokichi

REGISTRATION NO. 04797

FILE NO. 7654

The following chattels were sold by public
auction at Surrey, B. C. on January 18, 1944.

- Cast Iron Pot	\$ 1.00
- Book Rack & Table	.75
- Tin of Net & Twine	.25
- 2 Baskets & Sundries	.50
- Bridge Table	1.50
- Metal Safe	.25
- Linoleum	4.00
- Dresser	1.75
- 2 Chairs	1.00

Total:		\$ 11.00
Less Expenses:	(Auctioneer's Fee \$ 1.10	
	(Advertising) .16	\$ 1.61
	(Moving) .35	
Net Proceeds Credited:		\$ 9.39

Members of Custodian Staff Present.

Mr. Carlson

Extracted from Auctioneering list No.

Surrey 1.

Remarks.

File No. 7655
Ref. No. 04797

Torokichi HGO

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1943 February 11	Sale of 1 web	\$ 5.00		
	" gear	7.50		
	" "	25.00		
	" "	30.00		
March 26	" old pump (wood)	.50		
May 26	" 1 tub float	1.00		
August 4	" net, cork & lead line	157.50		
			109.02	
1944 January 10	Sale of twine, net, lines & floats		9.39	
March 3	Proceeds Auction Sale			
		\$.00	\$ 344.91	

CR \$ 344.91

Accounting Department
March 5th, 1948

Name of Claimant

HICO, Toyokichi

Case 1331

Custodian File

7655

REAL PROPERTY										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% 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 & Not Found & Recorded Now Missing	45% of amount in next preceding column			
NETS										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price	
						477.50 75.00		306.75	534.02	
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	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
			46%	195.00			89.70			
TOTAL RECOMMENDATION										142.43

7655

October 24th, 1950.

Mr. Toyokichi HIGO,
1445 Aylmer St.,
Montreal 2,
Quebec.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 1331

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 ... \$142.43.

Cheque in your favour is enclosed for \$137.75
and we have paid the Co-Operative Committee .. \$ 4.68
for legal fees as authorized by you.

Yours truly,

FGS/js
1 encl.

F.G. Shears
Director

DEFENCE BRIEF

Montreal, Que.
1 June 48

Tovokichi HIGO

File No. 7655

Case No. 1331 ✓

PERSONAL PROPERTY CLAIMS

1. Chattel Claim

\$215.00 See Ex.2

Neither claimant or his wife declared any chattels on their J.P. forms, dated 4 May 1942, but a list was received from the B.C. Security Commission dated Kaso, 5 Oct. 43, Ex.13. This list corresponds with inventory attached to Ex. 2. In the meantime (13 Jan. 43) Carlson and Anderson of Custodian staff inspected the property and took an inventory (see Ex.5), which is the basis of the following:

- (a) The following goods valued by claimant as shown were not found 13 Jan. 43.

Ex. 2 Item 3 1 Heater (wood)	\$5.00
" " 4 1 Oil stove (2 oil containers)	10.00
" " 6 1 Box carpenter's tools	50.00
	<u>65.00</u>

- (b) Ex. 2 Item 7 miscellaneous articles - claim 20.00

The only articles found 13 Jan. 43 are:

Enamel pot & basins
Wash board
Wash tub
Wash boiler
of these one iron pot was sold at auction for \$1.00.

- (c) Ex.2 Item 9 Fishing equipment stored in bedroom claim 25.00.

The articles found 13 Jan. 43 are:

1 bundle fish net #
Net buoys
Fishing equipment
of these there was sold by auction # "net & twine" 25¢

- (d) Ex.2 Item 10 Chinaware, sandwich & tea sets claim 15.00

The articles found 13 Jan. 43 are

Carton packed dishes
Cabinet of dishes
3 tea pots.
No sales are recorded of above articles.

As individual prices are not given on claim, comparisons between claim and sale prices cannot be made.

(e) Ex. 2 Item 1, Bedstead - double bed mattress new claim 30.00
2, Cupboard 4' x 6' " 20.00
8, Rowboat " 20.00
70.00

These articles were found 13 Jan. 43 but were missing when goods were removed to auction.

(f) Ex. 2 Item 5 2 carpets (linoleum) claim 20.00 Sold by auction 4.00

It is the custom of the Japanese to describe linoleum as "carpets".

On the basis of the inventory and report (Ex.5), the claim (Ex.2) is summarized as follows:

Claim 215.00

Goods valued by claimant (linoleum) at 20.00 sold at auction for 4.00
Goods claimant's value unknown - Sold at auction for 1.25
Goods valued @ approx. 130.00 Lost, destroyed or stolen.
Goods value 65.00 not declared until 11 Sept. & 5 Oct. 43
were not found on premises when inventory taken 13 Jan. 42

Witnesses: 1. Trapp Motors, Auctioneers

2. Anderson & Carlson, Cust. Staff. ^

Ex. 2 - Chattel Statement.

Ex. 5 - Custodian Inventory admitted subject to proof Witnesses - R.M. Anderson, S.C. Carlson. ^

Submission - Personal chattels sold were sold for fair market value.

Personal chattels not sold, claims are extremely exorbitant.

2. Fishing Nets & Gear Claim

\$552.50 See Ex.1

(a) Goods valued by claimant at 110.00 sold by tender for 67.50

Ex. 9 to be proven later.

Witness - Leckie, Appraiser. ^

(b) Goods valued at 367.40 sold by Cannery for
account of claimant for 266.52

Ex.10 & 11 to be proven later.

Trans.20 - Higo never received any statements from A.B.C.Packing Co.

Witness - A.B.C. Packing Co.'s manager. ^

Trans.15 Ex.12 is a statement prepared in Custodian Office. Claimant states this is a complete list of nets left with the Custodian.

(c) Goods valued at 75.00 lost, destroyed or stolen.

Witness - Robinson.✓

Re Trans. 4 - Further check indicates that this net was taken over from Cannery by Custodian Staff and is now missing.

Trans. 4 line 25. - After "were sold for 4.00" should read: "net twines, 2 lbs. were sold for 5.10 and 1 lb. for 2.47; and 6/40, 45 mesh deep, 6 $\frac{3}{4}$ " mesh 15 lbs. were sold for 44.25".

Trans. p.5 lines 1 to 5 - Mr. Ouimet is correct in his statement on same page lines 18-21.

Submission - Nets and gear sold for fair market value.

Claim for 1 net which was not sold is exorbitant.

RWN/mw

Settlement

Apply general rates to \$195 in last column
for minor chaetel - stroke out first
2 columns. Not sufficient identity
of anchored stones

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

JAPANESE PROPERTY CLAIMS COMMISSION

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

10

Montreal, P.Q.,

June 1st, 1948.

IN THE MATTER OF THE CLAIM OF
TOTOKICHI NIGO.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

ROGER OULMET, Esq., K.C.,

appearing for the
Claimant.

Y

A. WATSON, Esq.,

Secretary.

D.J. HANDFORD, Esq.,

Official Interpreter.

T.P. HORROBIN, Esq.,

Official Reporter.

30

2
T. Higo,
In Chief's
Discussion.

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

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

10 DIRECT EXAMINATION BY MR. QUINCY:

Q Mr. Higo, Toyokichi, you are claiming for No. 047977

A Right.

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

A: This is my signature.

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

20 less \$344.49 received, having a net balance of \$155.51?

A: Yes, that is correct.

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

A: Yes.

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

(STATEMENT MARKED EXHIBIT NO. 1).

Q Would you take communication of a document apparently bearing your signature, and apparently being a
30 claim for personal chattels for an estimated value

of \$215.00, original claim \$200.00, sold by
Custodian \$12.50, balance of claim \$157.50 and
say whether this is your claim and whether it
represents the truth?

A Yes.

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

Q Were these things given by you to anybody?

10 Q Were those comments given by you to anybody?

A Yes.

Q Do they represent the truth?

A Yes.

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

A Yes.

Q And does that represent the actual truth?

20 A Yes.

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

(STATEMENT MARKED EXHIBIT NO. 2).

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

MR. HUNTER: It is submitted, my lord, that the
nets were sold for their fair market value.

It is submitted that a claim for one net which
was not sold is exorbitant. It is submitted that
personal chattels sold were sold for their fair
30 market value. It is submitted that claims made

T. Nige,
In Chief.

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

THE COMMISSIONER: Yes.

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

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

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

20 Insofar as the gear is concerned shown further down, the cork lines with floats were sold for \$51.70. The leadlines were sold for \$23.00. Insofar as the remaining equipment is concerned, lead, 200 pounds of it, was sold for \$12.00; 400 tarred floats were sold for \$14.00, cotton ropes 87 pounds were not found, cotton twines, 10 pounds, were sold for \$4.00, net twines 3 pounds were sold for \$5.10, and all this mesh down below for which claim of 15 pounds is made, only one pound was found and sold for \$2.47.

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

5
T. Higo,
in Chief.
Discussion.
Cross-Exam.

(ANALYSIS MARKED EXHIBIT NO. 5).

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

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

10 MR. HUNTER: He declared nothing in his J.P. form.

This was a subsequent declaration on January 27th, 1943, when he sent a letter in, of a net statement. I have that.

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

15 MR. QUINET: My lord, may I speak to that point? I believe that the claimant made the claim for \$85.00
20 for two nets, not for one, one being for \$45.00 and the other for \$40.00 making a total of \$85.00.

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

MR. QUINET: Thank you.

CROSS-EXAMINATION BY MR. HUNTER:

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

30 Q You will have to speak up.

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

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

A: Yes.

Q: And your fishing gear? A: Yes.

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

10 A: Yes.

MR. HUNTER: Now I would tender this not statement as Exhibit 4, my lord.

(STATEMENT MARKED EXHIBIT NO. 4).

THE COMMISSIONER: What is the date of the document?

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

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

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

is it, because he subsequently did declare them?
MR. HUNTER: Well it is material insofar as the rest
of his chattels are concerned.

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

THE COMMISSIONER: Yes, I see.

10 MR. HUNTER: The nets were all right. They were with
the A.B.C. Cannery, the Anglo-British Columbia
Cannery, my lord, but it is the personal chattels
I am interested in. However, if I could refer to
Exhibit 2, I could give your Lordship a very
quick history of what happened. The bedstead was
found but lost. The cupboard was home-made, it
was found and lost. The heater was not found,
the oil stove was not found. The two carpets
were not found, the box of carpenter's tools were
20 not found. I don't know anything about this
next item because it is impossible to reconcile
it with what was found. The dishes and kitchen
utensils were found and shown, but you can't
tell which is which. The next item, the rowboat,
was a flat bottom boat which was found and then
lost. There was some fishing equipment found in
one of the rooms, and it was lost.

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

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

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

THE COMMISSIONER: It could not be identified?

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

THE COMMISSIONER: It might be helpful.

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

(REPORT MARKED EXHIBIT NO. 5).

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

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

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

THE COMMISSIONER: Where was this?

MR. HUNTER: It was up at Ladner.

THE COMMISSIONER: You will appreciate, Mr. Guimet, that

30 I admit documents such as Exhibit 5, but it is only

for information and subject to later proof.

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

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

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

10 A Yes.

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

A It was a girl.

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

MR. QUINCY: My lord, I don't want to make any objection because I know the proceedings here must be as broad as possible, but it seems to me this might not be altogether a fair question to the
20 witness because he is asked both to identify the signature and a person presumably connected with the signature.

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

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

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

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

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

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

10 Q What information did you give her?

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

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

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

20 THE COMMISSIONER: Yes.

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

Q But it wasn't all left at the cannery, was it?
30 I file this J.P. form as Exhibit 6.

T. Nigo,
Crown-Exam.

(N.F. FORM MARKED EXHIBIT NO. 6).

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

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

MR. HUNTER: Q: Yes, but you didn't report them to her, did you?

A: There was nothing definite about it, but I had a receipt from the cannery manager in connection with the nets and fishing gear left there.

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

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

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

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

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

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

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

THE COMMISSIONER: Q: Let us have all the answers he has given in the meantime. What does he say, Mr. Interpreter?

A: This quarter-size form is an inventory of the goods left with the cannery and it is signed by the cannery manager

T. Higg,
Cross-Exam.

for safekeeping and for sale if possible.

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

(DOCUMENT MARKED EXHIBIT NO. 7).

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

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

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

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

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

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

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

A I believe he didn't sell them.

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

T. Higo,
Cross-Exam.

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

A Yes, my lord.

(LIST MARKED EXHIBIT NO. 8).

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

MR. HUNTER: Thank you, my lord.

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

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

MR. HUNTER: Not necessarily, my lord.

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

MR. HUNTER: I have an extract from an appraisal made by G.P. Leckie & Company for the Custodian in regard to Japanese nets, dated September 9th, 1942, and it shows the second net which is shown there as
20 a 40/5 x 6 1/2 x 45 x 250 fathoms which is appraised by them at \$30.00. I would tender this document for information to be proven later by Leckie & Company.

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

MR. HUNTER: An extract from an appraisal, my lord.

He says that net was three years old and stretched.

(EXTRACT MARKED EXHIBIT NO. 9).

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

A 1941.

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

A Yes.

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

A No.

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

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

A There was none bought in 1941.

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

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

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

A Some nets I replaced half.

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

A No, I think not.

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

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

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

T. Higo
Cross-Exam.

the Custodian

(ACCOUNT MARKED EXHIBIT NO. 10).

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

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

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

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

T (ACCOUNT MARKED EXHIBIT NO. 11).

20 MR. HUNTER: I think, my lord, I had better put in a copy of the net statement. It shows the various nets, the value placed on them by the Japanese and the purchase price or sale price. It may, at some time, give your Lordship some method of producing coherence out of chaos as far as these nets are concerned. It is dated April 24th, 1943, drawn recently, and taken from a statement of the cannery.

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

MR. HUNTER: Yes, that is right.

(STATEMENT MARKED EXHIBIT NO. 12).

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

T. Higo,
Cross-Exam.
Re-Direct Exam.

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

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

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

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

10 RE-DIRECT EXAMINATION BY MR. QUINET:

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

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

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

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

A It looks as though there is one missing.

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

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

MR. QUINET: There is one at the bottom unaccounted

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

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of \$75.00.

A Yes, this looks to be a complete list.

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

THE COMMISSIONER: The witness refers to Exhibit 12.

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

THE COMMISSIONER: That is his answer.

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

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

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

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

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

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

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

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wrote the Custodian?

A: No.

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

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

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

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

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

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

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

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

"The claimant has not received the \$3,652

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

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

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

A There were about three other Higos in the district apart from myself.

Q Are they related to you?

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

Q Do you know them? A: Yes.

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

A Yes, I have had some correspondence.

20 Q And the gist of that correspondence was what?

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

Q What are the names of the other Higos?

A Kiyoji, Seiso, and Mankichi.

Q When was it suggested to you by the Custodian's office that your chattels might have been sent to these other Higos?

A: I don't remember clearly, but I think some time in 1943.

Q You have filed as Exhibit No. 4 a description of nets which is in someone's handwriting. Would you

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be able to identify that handwriting?

A That is my handwriting.

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

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

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

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

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

Q This is the first time you have seen them? That is Exhibits 10 and 11, and I am showing you Exhibit 9, being an extract of the appraisal made by O.P. Leckie to be later proven of the valuation of a net. Would that be a net that belonged to you?
A: Yes, I think so.

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

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

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

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confused.

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

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

THE COMMISSIONER: I wonder if this is very material.

I take it that the witness contends that he wasn't given an opportunity to make a declaration, in fact was dissuaded from making it in Hastings Park. I do not think he can go much further than that.

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

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

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

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

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

issue.

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

MR. QUINCY: I won't insist.

Q Now I understand that there is in the Custodian's file or in the Government's file a memorandum by a Miss I.O. Stett, dated October 5th 1943.

10 There is also a letter dated October 18th, 1943, I believe in answer to this. Could I ask the Government to file these two as exhibits 13 and 14? This is really a copy of a letter addressed to the E.C. Security Commission, subject to later proof, of course, of the original.

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

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

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

20 MR. QUINCY: They might be helpful.

THE COMMISSIONER: Put them in as one exhibit.

MR. QUINCY: Yes, my lord. I am sorry, my lord, but the letter of October 18th is an answer to a letter of October 8th, whereas this memorandum is dated October 5th. Probably we might make two separate exhibits in order not to confuse them. Exhibit 13, my lord, is the memorandum, and a copy of a letter by H.F. Green of the
1
30 Protection Department, dated October 18th, 1943,

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will be Exhibit 14.

(MEMORANDUM MARKED EXHIBIT NO. 13)

(LETTER MARKED EXHIBIT NO. 14).

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

A Yes.

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

A The household effects were all placed in the bedroom and the door was locked and nailed up.

MR. HUNTER: Q: Was it boarded up?

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

Q Was it boarded from the inside as well as the outside?

A: Outside only.

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

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

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

MR. QUINCY: My lord, this letter-- in answer to your
Lordship's question, may I make a statement --

this letter, Exhibit 14, a copy of which is filed,
contains the following paragraph at the end.

10

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

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

MR. QUINCY: Oh, I see.

20

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

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

THE COMMISSIONER: Oh, it is?

30

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

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

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

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

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

MR. QUINCY: That is what I was troubled about, and I might add that under our laws no one can be presumed to have predatory instincts, so I can't see how Mr. Green might presume Mr. Hige might have thought so.

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

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

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

Q Of the nets mentioned in Exhibit 7?

A Yes, that is so.

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

cork and lead, $6/40$, $6\frac{1}{2}$ inches, and 7 inches.

Does that mean two nets or one net?

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

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

A Yes.

10 Q You also have gillnet $5/40$, $6\frac{1}{2}$ and $5\frac{1}{2}$ inches, 150 fathoms and 150 fathoms, two years old, original value \$300.00, valued at \$85.00. There is mention in the analysis of personal property claim of a gillnet having the same dimensions valued at \$45.00 for the web only, and another one \$40.00 for the web only. Would this \$85.00 be the same total as of this \$45.00 and \$40.00?

A Yes.

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

20 A Yes, I believe so.

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

A I purchased them through the cannery.

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

A Yes.

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

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

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

THE COMMISSIONER: Hoped he could get.

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

MR. QUINCY: No other questions.

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

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

(Witness aside)

(PROCEEDINGS ADJOURNED SINCE)

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

J. P. Harrobin

J. P. HARROBIN
OFFICIAL REPORTER.