

11198

BUREAU POWELL STREET
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO.

11198

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

NAME: HIGANO, Kiyoshi.HOME ADDRESS: 819¹/₂ Prior St., Vancouver, B. C.SEX: MaleAGE: 16REGISTRATION No. 14239 ✓MARRIED? No.OCCUPATION AND EMPLOYER: Student - Britannia High School, Vancouver, B. C.NAME OF WIFE OR HUSBAND: ----ADDRESS: ----NAMES OF LIVING CHILDREN: ----ADDRESS: ----ADDRESS: -----ADDRESS: -----

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

Dated this 8th,

day of

July,

1942.

WITNESS: D. M. Clape.

(Signature)

Kiyoshi Higano

INFORMATION FROM R.C.M.P.

Date 11198
Mar 20/43

Our File No. 11198

Full Name HIGANO, Kiyoshi
(Surname in Block Letters)

Registration No. 14239

Male - Female
(check)

Age July 31, 1925

Former Address 819 1/2 Prince St., City

Date Evacuated July 14/42 Naturalized - Canadian-Born - National
(check)

Present Address Mezzitt, B.C.

Married - Single
(check)

Name of Wife —

Name of Husband —

Name of Mother (SHIBA) Kinue Name of Father Kunitaro # 05691

Names of Children under 16 # 05693

Requested by ECF Registered with Custodian
(Yes or No)

Additional Information Student

Case 9 - 1

EXHIBIT No.

10 Dec 1947

DATE

FILED AS Watson Secy.

Box 1639,
Merritt, B.C.
November 29, 1947.

Japanese Property Claims Commission
Court House
Vancouver, B.C.

Gentlemen:

Attention of Mr. Watson:

I am in receipt of your letter of November 24, in which you inform me that my hearing will be held on Monday December 8th. Also from another accompanying letter, I am aware that anyone who has lost his statement should notify you for a duplicate.

My receipt for the radio which was given me by the R.C.M.P. in Vancouver at the time of evacuation has been lost since. I believe Dr. J. J. Gillis here can verify this statement. He had at that time proposed to buy this radio from me, and before he had sent in my receipt, it seems that he had accidentally misplaced it.

Furthermore as I am unable to attend the hearing, I wish to have Dr. Gillis who is aware of my situation thoroughly to present my claims to you through communication with you. I would appreciate very much if you can communicate him over this matter.

If my previous letters of communications with the custodian are necessary I shall be just too glad to forward them to you. I am sincerely hoping that you can understand my situation and grant me this privilege.

Yours very truly,

"Albert Higano"

B.V.

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

March 24, 1948

M. W. H. H. H.

Victoria

February 28, 1949.

Campbell, Brasier, Fisher & McMaster,
Barristers & Solicitors,
Royal Bank Building,
Vancouver, B.C.

Dear Sirs:

Re: Japanese Cooperative Committee and
Japanese Property Claims Commission.

I have just received a letter from Albert K. Higano,
enclosing your letter to him of February 8, regarding the above.

Now it is quite true that I did have the receipt of this
radio, and called at the Commissioner's office in Vancouver some
years ago about it, and he was very courteous, and willing to
explain to me all that he knew, but regretted to say that he
felt that this particular radio had been stolen. If I remember
correctly, he said that it had been stored away along with many
more, and that when they went to look for this one, they found
that this particular one had been taken.

I do not know the exact value placed on this radio, but I
do know that this family is quite reliable. They worked for
me for several years, and I found them honest and conscientious.

As far as the receipt is concerned, I not only saw it, but
had it in my possession when I spoke to the Commissioner and
showed it to him, but of course, I could not even describe it now.

Yours sincerely,
J.J.GILLIS

J.J.Gillis, M.D., C.M., M.L.A.

SUMMARY

File No. 11198

December 1, 1947

Re: Higano, Kiyoshi, #14239

This man declared to the Custodian, on July 8, 1942, that he owned no property in the protected area of British Columbia.

However, the RCMP reported that an R.C.A. Victor Mantel Radio, Serial No. 0732, had been surrendered in the name of Kiyoshi HIGANO, Reg. No. 14239, 819 Prior Street, Vancouver.

On July 11, 1944, this radio was handed by the RCMP to the Custodian and was stored at 992 Powell Street.

On February 10, 1945, it was discovered that this radio was missing from 992 Powell Street, and it was believed that it had been stolen during a breakin at the warehouse on December 15, 1944. The city police were notified, but the radio has not been recovered.

While the radio was in the hands of the RCMP, the Custodian had it appraised for insurance purposes, and a value of \$30.00 was placed on it, according to lists on file. The report of the appraiser, however, cannot be found. This appraisal apparently was made sometime in 1942.

There is nothing on file to show the value of this radio at the time it was stolen.

Matison

ROYAL CANADIAN MOUNTED POLICE

Form 244A

No. 196

EXHIBIT REPORT

HEADQUARTERS File No.

SUB-DIV'N and File No. Vancouver

DIVISION and File No. J.R. No. 1,239

DETACHMENT and File No. C.I.B.

DATE July 13th. 1944.

Re: Kiyoshi HIGANO - 819 Prior St. Vancouver, B. C.

On Mar. 9th. 1942. (Date) I D. E. MacLaren (Member's Name)

Came into possession of the following described goods by

Handed over by Toshio OHOTO 819 Prior St., Vancouver, B. C.
(State Authority from whom seized and place of seizure)

No. OF EXHIBIT	No. OF PACKAGES	CAPACITY OR SIZE	DESCRIPTION OF EXHIBITS
	1		R.C.A. Victor Mantel Radio, Serial No. 0732.
			11171

REMARKS: Handed over to Custodian of Alien Property

DATE July 11th. 1944.

(State briefly disposition)

for Custodian
(Signature of Recipient or Witness)

CERTIFIED CORRECT
D. E. MacLaren 10555 Det.
(Signature of Member)

MEMORANDUM

May 25th, 1943.

To: File 11198

From: Specified Articles Department

Re: HIGANO, Kiyoshi - Reg. 14239.

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE</u>
RADIO	R.C.A. VICTOR Mantel Radio. Serial No. 0732.	\$ 30.00

This radio was surrendered to the Royal Canadian Mounted Police on March 9, 1942, and was listed under RCMP No. 186. On July 11, 1944, it was handed to the Custodian, and stored at 992 Powell Street, Vancouver.

This radio does not appear to have been sold, and the Protection Department state that it is not at 992 Powell Street. It would appear that this radio has been stolen in one of the burglaries that occurred at Custodian warehouse.

The above is certified to be in accordance with information on file and information supplied by Mr. Spain and Mrs. Wills.

*D. M. on file
Oct. 13, 1945*

Name of Claimant **HIGANO, Albert, Kiyoshi**
 Custodian File **11198**

Case **9**

REAL PROPERTY											
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices		
						% of Total	Amount		% of Total		Amount
PERSONAL PROPERTY											
Motor Vehicles		Boats and Boat Gear									
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & 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			
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%	92.00	42.32				42.32		
TOTAL RECOMMENDATION										42.32	

11198

October 26th, 1950.

Mr. Albert Kiyoshi HIGANO,
P. O. Box 1639,
Marriott, B. C.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 9

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 ... \$42.32.

Cheque in your favour is enclosed for \$40.87
and we have paid the Co-Operative Committee .. \$ 1.45
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS/js
1 encl.

BRIEF

Notes in Defence

Albert Kiyoshi HIGANO

File No. 11198

Case No. 9A

Kamloops
9 Dec. 47

Claim:

Chattels \$92.00 Cust. Valuation \$30.00
\$92.00 Recorded but now missing.

Claimant did not attend hearing, but leave was given
to file a declaration from Dr. Gillis.

8 Mar 49
Copy Declaration of 28 Feb 49
now on file

RW:HW

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

10

Kamloops, B. C.,

December 9th, 1947.

IN THE MATTER OF THE CLAIM OF
ALBERT KUROSHI HIGASHI

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

R.J. McMASTER, Esq.,

appearing for the
Claimant.

A. WATSON, Esq.,

Secretary.

G.H.R. UPTON, Esq.,

Official Interpreter.

T.P. HORROBIN, Esq.,

Official Reporter.

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THE COMMISSIONER: There is one claim on the list for today, that of Higano.

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: He has written in to say that he is not able to attend, but he believes Dr. J.J. Gillis can verify his statement relative to a radio. I presume so far as that claim is concerned, we will have to take the claimant's proof as contained in the declaration.

10 MR. McMASTER: My lord, did he give any reason as to why he could not come, such as for reasons of illness or for some other reason?

THE COMMISSIONER: "I am in receipt of your letter of November 24, in which you inform me that my hearing will be held on Monday December 8th. Also from another accompanying letter, I am aware that anyone who has lost his statement should notify you for a duplicate.

20

"My receipt for the radio which was given me by the R.C.M.P. in Vancouver at the time of evacuation has been lost since. I believe Dr. J.J. Gillis here can verify this statement. He had at that time proposed to buy this radio from me, and before he had sent in my receipt, it seems that he had accidentally misplaced it.

30

"Furthermore as I am unable to attend the hearing, I wish to have

Proceedings.

"Dr. Gillis who is aware of my situation thoroughly to present my claims to you through communication with you. I would appreciate very much if you can communicate him over this matter."

MR. McMASTER: My lord, I would take it, then, that the claimant's statement is the proof of his claim, but it might be verified at a later date by further evidence, possibly from Dr. Gillis.

10 THE COMMISSIONER: There is no reason why that should not be done. Perhaps claimant's counsel would get a declaration from Dr. Gillis and we will file it along with the claim and deal with it on that basis.

MR. McMASTER: We can deal with it on that basis.

THE COMMISSIONER: Dr. Gillis is well known to me, and if he verifies that statement, it should be sufficient proof.

20 Is counsel for the Government content with that?

MR. HUNTER: I don't see any objection to that, my lord.

THE COMMISSIONER: Very well, we will deal with it in that way.

Hamloops, B. C.,

December 10th, 1947.

30 MR. McMASTER: My lord, I would like to speak to No. 4 on the list, Case No. 9, the claim of Higano. We dealt with it yesterday. There

Proceedings.

was a letter from him put in, you will recall, and you requested that a Statutory Declaration be filed from Dr. Gillis, or some evidence.

THE COMMISSIONER: Yes.

MR. McMASTER: We realized last night that no case number had been assigned to it, and I think a case number should be assigned.

THE COMMISSIONER: We can take it as Case No. 9. What is the name of it again.

10 MR. McMASTER: It is Albert Kiyoshi Higano.

THE COMMISSIONER: May I have the Higano claim for a moment, Mr. Secretary? What disposition do you want to make of it?

MR. McMASTER: I had understood that you had suggested that you would give leave to file an affidavit from Dr. Gillis, whom the claimant had referred to in his letter.

20 THE COMMISSIONER: The claimant does not wish to appear, and leave was given to file a declaration from Dr. Gillis. You may file that at the opening in Kamloops in January.

MR. McMASTER: Very good, my lord.

THE COMMISSIONER: Incidentally, what was done with the letter yesterday? It should be put in as Exhibit 1. It completes our record in this regard.

MR. HUNTER: That is the letter stating he cannot appear will be Exhibit 1.

THE COMMISSIONER: That is right.

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(LETTER MARKED EXHIBIT NO. 1)

(Proceedings adjourned until January Session)

Certified a correct transcript.

J. P. Harrobin
"T.P. Harrobin"
Official Reporter.