

866511

EVACUATION SECTION

Rec'd 14998
File No. 14998
Ans. S.M.C.
Referred Close

FILE NO. 14998

**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: (in full) HIGASHI, YOSHIMITSU JOHN
HOME ADDRESS: (before evacuation) 546 Powell Street, Vancouver, B. C.
REGISTRATION NUMBER 05961 SEX: male AGE: 25

OCCUPATION: newspaper
(formerly business mgr. of The New Canadian
396 Powell St. Vancouver)

(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: (present) Monitor Publishing Co. Ltd. 2191 Hampton, Mtl.

MARRIED? no

NAME OF WIFE OR HUSBAND: _____

ADDRESS OF WIFE OR HUSBAND: _____

NAMES OF ANY LIVING CHILDREN: _____

ADDRESS OF CHILDREN: _____

AGE OF CHILDREN: _____

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) _____

CLAIM ON ANY SUCH PROPERTY

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

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS
by Mr. Art Koo at 552 Union St. Vancouver

stored for my father, Rev. Zengo Hlgashl, reg. no. 10134,

12 miscellaneous

2 of kitchenware

including 14 boxes of books, photos & printed matter
4 of clothes and bedding

32 boxes and pieces of chattel

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

STATEMENT OF PERSONAL PROPERTY OWNED:

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

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

4. STATE WHEREABOUTS OF LEASE:

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:

2. LANDLORD'S NAME AND ADDRESS:

1. LOCATION AND DESCRIPTION:

STATEMENT OF REAL PROPERTY OCCUPIED

9. IF FARM LAND STATE CROPS SOWN

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST:

7. STATE WHEREABOUTS OF TITLE DOCUMENTS:

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) _____

8. BANK ACCOUNTS: _____

9. LIFE INSURANCE: _____

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 _____ day of _____ 1942.

(Signature) _____

Witness _____

FOR DEPARTMENTAL USE _____

Deceased

INFORMATION FROM R.C.M.P.

Date

July 28/43.

Our File No.

14998

Full Name

HIGASHI, Yoshimitsu, Deceased
(Surname in Block Letters)

Registration No.

05961

Male - Female
(check)

Age

26-13, 1917

Former Address

546 Powell St., City

Date Evacuated

Mar 2/42

Naturalized - Canadian-Born - National
(check)

Present Address

Deceased - Montreal 28/4/45

Grey Nuns Convent,

St. Laurent, PQ

Rte 5, 5780, Boulevard Ave, Montreal, Quebec

Married - Single
(check)

Name of Wife

Name of Husband

Name of Mother

nee (SERIGUCHI) Shige

Name of Father

Zengo # 10134

Names of Children under 16

Requested by

EC

Registered with Custodian

(Yes or No)

Additional Information

Newspaperman

9246

G-578

DEPARTMENT OF LABOUR - CANADA
BRITISH COLUMBIA SECURITY COMMISSION

Date: <u>May 3rd 1945.</u>
EVACUATION SECTION
Rec'd <u>MAY 4 1945</u>
File No. <u>14998</u>
Ans. _____
Referred <u>Mulson</u>

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

Dear Sirs:

Please be advised that (NAME) Yoshimitsu HIGASHI
(REGISTRATION NO.) 05961 died at (PLACE) Montreal, Que.
on (DATE) April 25th, 1945.

This is for your information.

Yours truly,
M.L. Brown
M.L. Brown
Office Manager

September 20, 1946.

GENERAL SUMMARY

File No. 14998

Yoshimatsu HIGASHI, Dec'd.

Reg. No. 05961

Yoshimatsu Higashi died in Montreal, Quebec, on April 28, 1945. He is survived by his father, Zengo Higashi, File No. 7646, and his mother and a brother in Japan.

Yoshimatsu Higashi declared no assets or liabilities of his own, but mentioned books, photos and household effects which were being stored by Mr. Art Lee at 552 Union Street, Vancouver, for his father, Zengo Higashi. From the file of Zengo Higashi (7646), it appears that these were all either taken with the owner upon evacuation or shipped to him subsequently.

The deceased had two Life Insurance Policies: one for \$2000.00 issued by the Dominion Life Insurance Company, and one for \$1000.00, which was a group insurance policy issued to the deceased through his employer by the Sun Life Insurance Company. The father of the deceased was the beneficiary under both policies.

Zengo Higashi instructed his solicitors, Messrs. Hackett, Mulvana, Hackett & Mitchell, to apply to the Court for the appointment of Hideo William Iwasaki as Executor of the Estate. This was done and considerable correspondence with Ottawa ensued due to the fact that the mother and brother of the deceased were residents of Japan. However, as Life Insurance cannot be considered to be part of an Estate unless the Estate is named as beneficiary, the Estate was insolvent.

The father of the deceased, Zengo Higashi, signed an order on the Dominion Life Insurance Company, authorizing them to reimburse the British Columbia Security Commission for hospitalization charges in the amount of \$135.20 incurred by the deceased in Montreal.

No claims, other than mentioned above, appear on this file.

This summary is certified to be
in accordance with information
on file at this date.

R. Cleaver

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

Rec'd	10 1945
File No.	
Ans'd	
Refer'd	

Victoria Building, 7 O'Connor St.,

Ottawa, May 15th, 1945.

RECEIVED ALL
CORRESPONDENCE
IN THE
LEGISLATIVE OFFICE

PLANNED OFFICE

FILE NO. 33962

Legal Section.

YKAB/LDR

Dear Sir:

RE: Estate of Yoshimitsu John HIGASHI

Messrs. Hackett, Mulvena, Hackett & Mitchell, Barristers, Montreal, have on the 3rd instant reported the Estate of the above mentioned who had been a resident of Montreal for some time and who died at Montreal on the 28th of April, 1945. At the time he was at the employ of the Monitor Publishing Company Limited. He is purported to have made a will dated July 2nd, 1943, but the document was not executed in a form recognized as legal by the laws of the Province of Quebec.

The deceased must therefore be considered as having died intestate. According to the information we have, his legal heirs are his father, Rev. Zengo Higashi, heretofore of British Columbia but presently residing in Montreal, and his mother and brother who both reside in Japan. The solicitors have been advised that the father is without personal means but is in receipt of a sustenance allowance from the Dominion Government.

There is no doubt, under the circumstances, that the interests in the Estate of the mother and brother are vested with and under the control of the Custodian under the Revised Regulations Respecting Trading with the Enemy (1943) on account of their residence in Japan, i.e. in an enemy country.

I would be obliged if you would investigate the father's case and advise me as to the way his share in the Estate should be dealt with and if the Custodian must insist that, on account of the maintenance allowance granted to the said father, his share in the Estate should be paid

K.W. Wright, Esq.,
Counsel to the Custodian,
509 Royal Bank Building,
VANCOUVER, B.C.

...2

K.W. Wright

- 2 -


May 15th, 1945.

to this office or to yours.

The principal assets of the Estate appear to be a \$2000 life insurance policy issued by the Dominion Life Assurance Company, of which the beneficiary is the father, and a \$1000 group insurance policy taken through the deceased's employer with the Sun Life Assurance Company, of which I do not know who is the beneficiary. Will the Custodian consent that the proceeds of the \$2000 policy be paid to the father, or should it be attached in repayment of advances already made to him.

As the solicitors appear to be very anxious to settle this Estate as soon as possible, kindly let me have your decision at your earliest convenience.

Yours truly,


F.X.A. Biron
for Assistant Deputy Custodian

14996 & 7646
Dueson Section

509 Royal Bank Bldg.,
Vancouver, B. C.
May 17th, 1945

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

Attention Mr. H. L. Brown

Re: Estate of Yoshimitsu John HIGASHI #09961
and Reverend Zengo HIGASHI #10134

Dear Sirs:

We have a letter from our Head Office in Ottawa stating that the above named, Yoshimitsu John HIGASHI, died at Montreal on the 26th day of April, 1945.

He was employed by the Monitor Publishing Company Limited in that City and is reported to have made a Will, dated July 2, 1943, but the document was not in a form recognized as legal by the laws of the Province of Quebec. The deceased must therefore be considered as having died intestate and according to present information, his legal heirs are his father, Reverend Zengo HIGASHI, now of Montreal, and his Mother and brother, who reside in Japan. According to our records, Reverend Zengo HIGASHI is at Tokyo.

We have no assets belonging to the father or the deceased in this office. The principal assets of the Estate appear to be a \$2,000.00 Life Insurance Policy issued by the Dominion Life Assurance Company, of which the beneficiary is the father, and a \$1,000.00 Group Insurance Policy taken through the deceased's employer with the Sun Life Assurance Company, but information has not yet been received in regard to the beneficiaries.

Will you be kind enough to let us know by return mail if Reverend Zengo HIGASHI has been transferred to Montreal and also advise if you have any claim for maintenance.

Yours truly,

E. V. BRIGHT
COUNSEL TO THE COMMISSIONER

EVV/JF

14988 & 7646
Evacuee Section

509 Royal Bank Bldg.,
Vancouver, B. C.
May 23rd, 1945

F. X. A. Biron, Esq.,
Office of the Custodian,
Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario

Re: Estate of Yoshimitsu HIGASHI
and Reverend Zengo HIGASHI
Your File No. 35969

Dear Mr. Biron:

We have delayed answering your letter of the 15th instant pending receipt of information from The B. C. Security Commission regarding maintenance claims.

Mr. Brown, Manager of the Commission, informed us today that he cannot furnish us with particulars of their claim until he hears from the Supervisor in Tashme and receives an account from their Montreal representative. Mr. Brown indicated that they would communicate with their Montreal representative and endeavour to have him obtain an order from Reverend Zengo Higashi directing the Insurance Company to pay the Commission such amount as may be due. This will include a claim for the son's hospitalization, which, we understand, amounts to \$135.20.

If you find that the \$1,000.00 Group Insurance Policy taken through the deceased's employer with the Sun Life Assurance Company is payable to the Estate, the personal representative appointed by the Court should pay to the Custodian the amount due the Mother and brother, as they reside in Japan. As the father, Zengo Higashi, is a National, the Administrator in Quebec may also be obliged to pay the father's share to the Custodian.

The Minister of Finance of British Columbia has issued instructions to Official Administrators of this Province, as follows:

"In case of:

(a) Persons of the Japanese race who were born in Canada, you may pay direct to them any moneys to which they are entitled from any estate either as beneficiaries or creditors without the consent of the Minister of Finance, provided you obtain the consent of the Custodian, as in many cases Certificates of Naturalization have been revoked.

14988 & 7646

F. X. A. Biron, Esq.,

-2-

May 23rd, 1945

In case of:
Nationals of Japan, any moneys to which they are entitled should be paid
to the Custodian*.

We would be obliged if you would ascertain if a similar ruling
has been rendered in regard to distribution of funds to which persons of the
Japanese race, resident in Quebec, are entitled.

We will write you as soon as we hear from The B. C. Security Commission,
and meantime, you might let us have further information concerning the Sun Life
Policy.

Yours truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

Dominion Life Assurance Company,
WATERLOO, ONTARIO

Dear Sirs:

Re: Estate of Yoshimitsu John HIGASHI #05961
Policy No. 200695

This will be your authority to reimburse the Receiver General of Canada for the account of the Department of Labour, Japanese Division, (British Columbia Security Commission), in the amount of \$135.20 out of the proceeds of the above Policy, in full settlement of their claim for institutional care and for funeral expenses incurred by them in connection with my deceased son, Yoshimitsu John HIGASHI.

DATED AT Montreal, P. Q.

this 31st day of May, A.D. 1945.

(Signed) "Zengo Higashi"
Reverend Zengo HIGASHI#10134

Witness: "Hideo William Iwasaki"

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ENEMY SECTION
Rec'd JUN 6 1945
File No.
Ans'd
Refer'd

Victoria Building, 7 O'Connor St.,

Ottawa, June 5th, 1945.

RECEIVED ALL
CORRESPONDENCE
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
FILE NO. 35969
Legal Section.
FXAB/LDR

Dear Sir:

RE: Estate of Yoshimitsu John HIGASHI,
Your File Nos. 14988 & 7646
Evacuee Section

I acknowledge receipt of yours of the 23rd
ultimo.

First of all, I want to inform you that
the Government of the Province of Quebec has not issued
instructions similar to those made by the Minister of
Finance of British Columbia to the Official Administrators
of the province. There are no official administrators in
the Province of Quebec to take charge of the management of
estates. Furthermore, on account of the small number of
Japanese residing in this province it was not deemed neces-
sary to issue such instructions.

The \$1000 group insurance policy issued
by the Sun Life Assurance Company at the request of the
Monitor Publishing Company Limited, Montreal, is payable
to the deceased's father.

I have been informed by Messrs. Hackett,
Mulvena, Hackett & Mitchell that they have been instructed
by the father of the deceased, who is his only heir at law
in Canada, to apply to Court under the Civil Code of the
Province of Quebec for the appointment of Hideo William
Iwasaki as Executor of the Estate. Iwasaki is a Canadian-
born Japanese residing in Montreal who was a friend of
the deceased and has apparently reported the Estate to
the solicitors. I advised them that the B. C. Security
Commission had a claim of approximately \$135.20 against
the Estate for the deceased's hospitalization. Kindly
get a detailed statement of the claim and I will forward
it to them, to be included in the Estate's liabilities.

K.W. Wright, Esq.,
Counsel to the Custodian,
509 Royal Bank Bldg.,
VANCOUVER, B.C.

....2

K. W. Wright

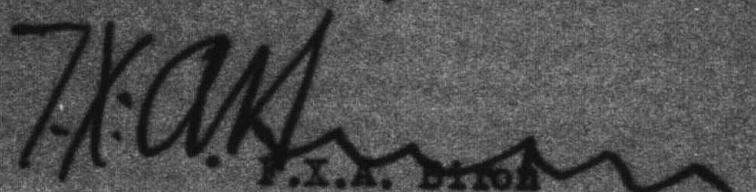
- 2 -

June 5th, 1945.

Referring to the claim of the B. C. Security Commission for maintenance advances made to Rev. Zengo Higashi, I think that the Commission's representative in Montreal should be requested to produce the Commission's claim with Messrs. Hackett & Company. I have no doubt that they will assist in getting from Rev. Higashi an order to either the Sun Life Assurance Company or the Dominion Life Assurance Company to pay the Commission's claim out of the proceeds of the policies of which he is the beneficiary.

The solicitors have been advised that the shares in the Estate proper payable to the heirs who reside in Japan must be reported and paid to the Custodian.

Yours truly,


F.X.A. Birch
for Assistant Deputy Custodian

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE

PLEASE REFER
TO

FILE NO. 35969
Legal Section
FXAB/LR

Victoria Building, 7 O'Connor St.,

Ottawa, June 15th, 1945.

ENEMY SECTION

Rec'd JUN 20 1945

Re: Estate of Yoshimitsu Higashi and
Rev. Zengo Higashi - Your File Nos.
14998 & 7646 - Evacuee Section

Refer'd

Dear Sir:

Pursuant to my letter of the 8th instant, I wish to advise you that I have now received from Messrs. Hackett, Mulvena, Hackett & Mitchell, the estate's solicitors, a statement of the assets and liabilities. The assets amount to \$3,535.34 including \$3,013.84 being the proceeds with interest of the two life Insurance Policies issued on the life of the deceased and of which the beneficiary is the father. The liabilities including the B.C. Security Commission claim for \$135.20, but not the legal and administrative costs, amount to \$539.20. It would, therefore, appear that the estate is insolvent because the proceeds of the Insurance Policies cannot be included in the estate. I have requested the solicitors to forward the administrator's final report of his administration.

The deceased's father has already signed an order authorizing the Dominion Life Assurance Company to pay to the B.C. Security Commission its claim of \$135.20 covering the costs of the deceased's hospitalization. The solicitors wish to receive a detailed statement of this claim and I would appreciate if you would ask the B.C. Security Commission to request their Montreal Office to produce the said statement to the solicitors.

Yours very truly,

F. I. A. Biron
F. I. A. Biron
For Assistant Deputy Custodian

K. W. Wright, Esq.,
Counsel to the Custodian,
509 Royal Bank Bldg.,
Vancouver, B.C.

14998 & 7646
Evacuee Section

509 Royal Bank Building,
Vancouver, B. C.
June 15th, 1945

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

Attention: Mr. H. L. Brown

Re: Estate of Yoshinaka John HIGASHI (D5961)

Dear Sirs:

We are in receipt of your communication of the 13th instant, enclosing Order on the Dominion Life Assurance Company, Waterloo, Ontario, duly signed by Reverend Zengo Higashi, authorizing them to reimburse your Department in the amount of \$135.20, being hospitalisation charges in connection with the above noted deceased.

We are today forwarding this correspondence to Ottawa for attention.

Yours truly,

E. V. FRIGHT
COUNSEL TO THE CUSTODIAN

KFW/JY

7646 & 14998
Evacuee Section

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

San Life Assurance Company of Canada,
5th Floor - Royal Bank Building,
Vancouver, B. C.

Re: Policy No. 2850-G-76 and
Yoshimitsu John HIGASHI, Deceased,
Reverend Zengo HIGASHI

Dear Sirs:

With reference to your communication of the 20th instant,
we wish to advise that the Custodian has no objection to the payment
of \$1,000.00 to Reverend Zengo Higashi as beneficiary under the
above noted Policy.

Yours truly,

K. V. WRIGHT
COUNSEL TO THE CUSTODIAN

KVW/JV