

2196

**BUREAU HASTINGS PARK
OFFICE OF THE CUSTODIAN**

FILE NO. 2126

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: OYU: Kamano (Mrs. Tsunetaro)
HOME ADDRESS: P. O. Box 18, Ucluelet, B. C.
REGISTRATION NUMBER 12162 SEX: Female AGE: 43
OCCUPATION: Housewife

(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: None

MARRIED?: Widow

NAME OF WIFE OR HUSBAND: None

ADDRESS OF WIFE OR HUSBAND: None

NAMES OF ANY LIVING CHILDREN: Tatsumi (M), Toshio (M), Shuichi (M),
and Mamoru (M)

ADDRESS OF CHILDREN: P. O. Box 18, Ucluelet, B. C.

AGE OF CHILDREN: 13, 11, 8 and 5 years.

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

1. LOCATION AND DESCRIPTION: None

2. BUILDINGS AND OTHER IMPROVEMENTS: None

3. INSURANCE (Give particulars; state where policies are) None

4. TAXES (Amount and where payable) None

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) None

6. OCCUPANCY AND LEASES (If vacant so state) None

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

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Five room house at Ucluelet, B. C.
2. LANDLORD'S NAME AND ADDRESS: OYE: Masaji, 21 year old son of OYE: Kameno,
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: None
4. STATE WHEREABOUTS OF LEASE: None
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) None
6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS: None
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS None
3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

4. INSURANCE CARRIED ON ABOVE PROPERTY:

None

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

None

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

None

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
1 War Savings Certificate for \$5.00, and 2 War Savings Certificates for \$10.00, all in the possession of the owner.

8. BANK ACCOUNTS:

None

9. LIFE INSURANCE:

None

10. INTEREST IN ANY ESTATES OR TRUSTS:

None

11. SAFETY DEPOSIT BOX:

None

LIABILITIES:

1. PERSONAL DEBTS:

None

2. TRADE DEBTS:

None

REMARKS:

None

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 30th day of March 1942.

T. T. Williams

Witness

(Signature)

大江カキ
Cannot write English

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE Dec. 15/1940

Our File No. 2196

Full Name OYE, Kameno
(Surname in Block Letters)

Registration No. 12162

^V
Male - Female
(Check)

Age July 6/1898

Former Address P.O. Box 18, Ucluelet, B.C.

Date Evacuated Sept. 5/42 ^V
Naturalized - Canadian-Born - National
(Check)

Present Address Blocan, B.C.

^V
Married - Single
(Check)

Name of Wife

Name of Husband Tsunetaro #12161

Name of Mother ^{nee} (TSUJI) Kymae (Dec'd) Name of Father FUKUDA, Kamenosuke (Dec'd)

Names of Children under 16

(See Husband's File)

Requested by

Registered with Custodian

(Yes or No)

Additional Information

File No. 13766 & 2196

July 25th, 1949

MEMORANDUM

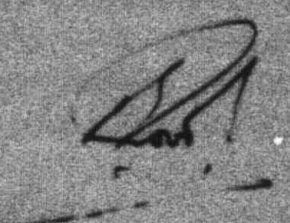
TO: MR. MACDONALD

FROM: MR. GOOD

Re: Case No. 888

Replying to your memo re claim for damage to boat for \$168.26 paid to the purchaser. I would suggest that neither Mr. Cherniack nor Mr. Ferg, counsel for the Japanese and the Government respectively, read the file very carefully as Mr. Cherniack states "see transcript page 8, lines 18 and 19". The fact is that the sum of \$168.26 was assigned to the purchaser as a condition of sale (see analysis on file) and it is a strong probability, although no proof can be produced either way, that the boat was damaged when the owner himself went aground at Point Roberts on the trip to New Westminster. The boat was of course at that time under the custody of the Navy although being brought on the trip by the Japanese owner.

The Japanese claimant received credit for the full purchase price less the usual administrative charges and the amount of \$168.26 was paid by the Navy and assigned to the new purchaser to compensate him for his expenditure for putting the boat in seaworthy condition.



BG:EK

25th July 1949.

To: Mr. Good

From: Mr. Macdonald

Case No. 42

It appears to me that the claim for lost equipment and repairs in the amount of \$148.25 was paid in error to the purchaser of the boat, because the boat was sold at the suggested negotiating price and was appraised by Phillipson & Gould while it was still damaged.

May I please have your views regarding this.

CLAIM ON REAL AND PERSONAL PROPERTY

Claimant: Mrs. Isamu OYE, Reg. #12162, Widow of
Tsunetaro OYE (Deceased - Jan. 3/42).

File 2196
File 13766.

Amount	On	Jan. Valuation	Ass. Value	Ass. Value	Sold for	Remarks
(1) \$ 600.00	Parcel of 5.2 acres of Land, Hakoda Bay.	\$ 600.00	\$100.00	—	\$350.68	(1) This property (Custodian Cat. No. 518 - Block 4 of Lot 795, Clayquist District, Plan 2971) was one of eleven parcels of land, each of approximately 5 acres, which made up the Japanese fishing village of Hakoda Bay, on the West Coast of Vancouver Island.
(2) \$ 850.00	Dwelling on above land	\$ 850.00	\$800.00	\$150.00		(2) The 3-room dwelling was built of old boards and siding, with shingle roof and lined with roofing paper. Foundation (wood) was not raised and would therefore be subject to more than usually rapid deterioration. This dwelling and outhouse, in common with all other buildings on the above mentioned 11 parcels of land, were built without regard to boundary lines, being assessed to Tsunetaro OYE as on another lot.
\$1,450.00	Gross Real Property total					
322.68	Acknowledged Custodian Credit					
\$1,099.32	Amount of Real Property Claim					
(3) \$2,240.00	Fishing Vessel "T.O."	\$2,700.00	—	\$460.00	\$460.00	Due to the inaccessible position of Hakoda Bay (access to Ucluelet, 3 miles away, being by private boat), these properties proved exceptionally difficult to sell and no purchaser was found until the Indian Affairs Branch of the Department of Mines and Resources became interested, negotiations culminating in a sale at the maximum lumpsum price they were prepared to pay (\$4,750.00). Distribution of proceeds of sale was effected on the basis of assessed values (on which owners had been paying their taxes). This Estate's proportionate share was \$350.68, as per statement dated December 31st, 1946, on file.
(4) \$ 367.00	Chattels as listed in Claim	\$ 367.00	—	—	—	
\$2,607.00	Amount of Personal Property Claim					
\$3,706.32	Total amount of Claim					

(3) The fishing vessel "T.O.", a salmon troller (32' x 8' x 4.5') is shown as having
been built in 1931. It was appraised (August, 1942) for the Custodian by Marine Surveyor
John Gould, at \$350.00/\$400.00. In spite of a very active demand for fishing vessels of all
types no buyer was found at this price until October 1st (1942). A claim against the Navy
for damage to hull (\$125.00) and loss of equipment (\$43.26) while under naval custody, was
assigned to purchaser as a condition of sale.

(4) The chattels listed in Claim at \$367.00 were not declared by either Mr. or Mrs. Oye,
nor were they reported by Custodian investigating agent, and Custodian records carries no
trace of them.

Vancouver, B. C., Aug. 14/48.

222/7.

[Handwritten signature]

File No. 2196

August 12th, 1943.

CLAIMS DEPARTMENT

Mrs. Kameno (Tsunetaro) OYE
Reg. No. 12162

CREDITORS:-

NO CLAIMS ON FILE, at this date.

/ND

Slovan City, B.C.,
Jan. 22, 1943.

Mr. P. H. Russell,
Administration Dept.
Office of the Custodian,
Vancouver,
B.C.,

EVACUATION SECTION	
Rec'd.	JAN 27 1943
File No.	2196-1664
Ans.	
Referred	

ms

Dear Sir:

In reply to your letter of January 1,
1943.
File No. 2196 - or 1664.

With regard to property owned by
my deceased husband Isenmetaro, Block 4,
Lot 975, Clayoquot, Plan 2971.

I wish to have the title
transferred to my name. Can you inform
me on the procedure to do so, and
also, how I can get in touch with
the Government Administrator?

Thanking you

Yours Truly
Mrs. Kameko Aye
Reg. No. 12162

Copy to
2/13/66

2196
W. A. ACKLAND
OFFICIAL ADMINISTRATOR

PORT ALBERNI, B.C.

COPY

March 5th, 1943.

Mrs. Kameno OYE,
Registration No. 12162,
Sloean City, B. C.

Dear Madam;

We have been requested by the Administration Department of the Office of the Custodian at Vancouver, to write you with reference to your desire to have the property now registered in the name of Tsunetaro OYE (deceased) transferred into your name.

In order to do this, it will be necessary to have you renounce your right of administration in my favour. In this connection there will be certain necessary administration fees and legal costs involved, amount to around \$100.00.

Will you please advise me if you wish to pay these costs, or is it your desire that the property should be sold and these expenses deducted from the proceeds of the sale of same.

Awaiting your reply,

Yours truly,

"W. A. Ackland"

Official Administrator.

c.c. for Office of the Custodian,
(Japanese Evacuation Section)
Vancouver.B.C. File Nos. 1664.2196 & 13766.

For your information, this property is assessed at Land \$100.00. and Improvements \$1800.00, and consists of 5.20 acres.

(Orig. in File 13766).

Files # 2196 & 13766

August 10, 1943

To: Major McAllister

From: F. Matheson

Re: Vessel "T.O." licensed in name of Tsunetaro OYE, Reg. #12161.

File #2196 contains a claim from the Uelualet Engineering Works for the sum of \$31.75.

This claim covers work done on the vessel "T.O."

It would appear that this claim should be transferred to File 13766 (Estate of the late Tsunetaro OYE). It is now on the file of Kameno OYE, widow of Tsunetaro.

The proceeds of the sale of the above-named vessel are being transferred to File #12766.

FM x Claim transferred
to file 13766
12.8.43
m.j.

Please later send both files
to RO Bell for administration
RM

1664, 1766 & 2196.

December 17th, 1943.

Mr. Masaji OYE,
Registration No. 12042,
P. O. Box 360,
Chapleau, Ontario.

Dear Sir:

In your letter of the 27th ultimo you refer to a house owned by you at Uelualet, which is rented at the present time.

According to our records, you own no Real Property and we would be obliged if you would clarify the situation by giving us all the information you can regarding the property to which you claim ownership.

Our File 1766 shows Tsunetaro OYE (Deceased) to be the registered owner of "Block 4, Lot 795, Clayoquot District, Plan 2971". On this 5.2 acres situated at Hakoda Bay our records further show two Houses, one belonging to S. Mori (\$600.00 assessed value) and one belonging to H. Yoshihara (\$1,200.00 assessed value). There is no evidence of any house belonging to the late Tsunetaro OYE (your father) or yourself on this land. Further, owing to its isolated position, none of the houses at Hakoda Bay, Uelualet, are rented.

Your File 1664 shows that in your "JP" form you declared ownership of "District Lot 795, Clayoquot District, Plan 2971" and a 3-room Bungalow and Barn presumably situated thereon, but there is no other evidence on your file to substantiate your statement.

Our File 2196 shows that your mother did not declare any Real Property but that she desires to have your father's property transferred into her name.

When replying to paragraph 2 above, please let us know whether your father left a Will, and if so, where it is at the present time.

Yours truly,

H. G. Bell,
Administration Department.

RGB/P.

P.S. House No. 5 Fraser's Bay, Uelualet, is rented, but the registered owner of this property is Masayoshi OYE (Int. File 873) and it cannot be the property to which you refer.

13766, 2196, 1664
Revenue Section

W.A. Ashland, Esq.,
Official Administrator,
Port Alberni, B.C.

Dear Sir:

Re: Estate of Tsumetaro OYE, Deceased

We are advised by the Department of Labour, Japanese Division, that the above named Japanese, who resided at Sehnalst, B.C., died on January 3, 1942 at Vancouver, B.C. and we are writing to request that you kindly undertake the administration of this Estate.

We have no information as to whether the deceased left a will and our file indicates that his family consisted of the following:

Kaneko OYE, Widow,	Slocan, B.C.
Tatsui OYE, Son, 17 years	"
Toshio OYE, Son, 14 years	"
Shuichi OYE, Son, 11 years	"
Kanora OYE, Son, 8 years	"
Masaji OYE, Son, 25 years	"
Tosoni OYE, Son, 20 years	Lanette, Manitoba.

We are informed by the R.C.M. Police that Mrs. Kaneko Oye is a naturalised Canadian and that the six sons are Canadian born.

Assets of the deceased of which we have knowledge are as follows:

Property described as Block 4 of Lot 795, Clayquot District, Plan 2974, on which are situated two dwellings not owned by the Estate.

Due to entire lack of market for property in this area, efforts to find a purchaser over two years have failed, and the actual value of same will not be established until such sale can be effected. At the present time efforts are being made to sell 60 acres in this vicinity which are owned by Japanese, including the above property.

309 Royal Bank Bldg.,
Vancouver, B.C.,
1st August, 1945.

Oye is also reported to own a house situated on Block 5 of Lot 795.

This man was the owner of Fishing Vessel "T.O." Vic. 1614 which was sold for the net price of \$397.53.

Credit balance with the Custodian is \$390.30.

There is a claim lodged against the Estate by the Valuciet Engineering Works for \$31.75 for work done on the vessel "T.O."

We will be pleased to have you advise us as to your willingness to act in this Estate, and when Letters of Administration are issued to you, kindly forward a certified copy to this office so that we may remit the funds now in our hands.

Yours truly,

L. S. WRIGHT
COUNSEL TO THE CUSTODIAN

KWT/DC

2196

13766

November 25, 1946.

H.A. Schindler, Esq.,
Official Administrator,
Fort Alberni, B.C.

Dear Sir:

Re: Estate of Tomotaro OYE, Reg. #12161, Deceased.

Your letter of November 20th has been received.

With reference to the shares of the minor heirs as a general rule we consider it preferable for such funds to remain under the control of the Official Administrator until the beneficiary becomes of age although special circumstances might determine otherwise.

In this case as far as we are aware the minor beneficiaries named in your letter of November 14th all reside with their mother at Whittemouth Manitoba and we see no reason to exercise authority over these funds. We will therefore return to you the shares payable to the children listed below, the ages given being supplied by the Department of Labour.

Tatami OYE, Son - 1/6th of 2/3 share,	Born - June 23, 1926.
Tochie OYE, Son - 1/6th of 2/3 share,	Born - Jan. 5, 1931.
Shuichi OYE, Son - 1/6th of 2/3 share,	Born - Mar. 15, 1934.
Samoru OYE, Son - 1/6th of 2/3 share,	Born - Apr. 1, 1937.

As stated above special consideration is given the circumstances of each case and for that reason we are requesting that we be advised of the names of the beneficiaries and the amount payable to each before the surplussage is vouchered for through the Treasury Department. This enables our office to advise whether the Custodian wishes the funds sent to this office or disbursed by the Official Administrator in the usual manner.

Since receiving your letter of November 14th the files of the widow and adult children have been reviewed and this office would have had no objection to the funds going direct to Mrs. Kazuo Oye and Tomomi Oye, but we would wish to have the share of Masaji sent here.

W. A. Ackland, Esq.,

2.

November 25, 1946.

However, since these three shares have already been requisitioned we will be pleased to handle them through this office forwarding the shares of Mrs. Kameno Oye and Tomomi Oye without delay.

For your information the present addresses of the three adult beneficiaries are as follows:

Mrs. Kameno OYE, Reg. #12162, Whittemuth, Manitoba.
Mr. Masaji OYE, Reg. #12042, Black Sturgeon, Ontario.
Mr. Tomomi OYE, Reg. #12160, Camp 78, Hays, Ontario.

Yours truly,

A. G. McArthur,
Office of the Custodian.

AM:AS

C
O
P
Y

2196

Original on File 13766

W. A. ACKLAND,
Official Administrator

Port Alberni, B.C.
November 14th, 1946.

Office of the Custodian,
509 Royal Bank Bldg,
Vancouver, B.C.

13766, 2196, 1664
Evacuee Section.

Dear Sirs:

Re: Estate of Tsunetaro OYE - Deceased.

In connection with the above estate, I beg to advise having to-day vouchered through the Treasury Department at Victoria, for payment of the surplusage of the estate, in the amount of \$567.11. This amount is for distribution amongst the beneficiaries, as per your letter of August 1st. 1945, as follows:

Kaneno OYE	Widow.	Slocan, B.C.	1/3rd share of \$567.11	-	\$189.05
Tatsumi OYE,	Son	" 1/6th of 2/3	"	\$378.06	- 63.01
Toshio OYE	Son	" 1/6th of "	"	"	- 63.01
Shuichi OYE,	Son	" "	"	"	- 63.01
Manoru OYE	Son	" "	"	"	- 63.01
Masaji OYE	Son	" "	"	"	- 63.01
Tomomi OYE	Son, Manitoba	" "	"	"	- 63.01
					<u>\$567.11</u>

This closes the estate and I enclose my Official Receipt No. 29802 covering your remittance of \$645.42.

Yours very truly,

"W.A. Ackland"

Official Administrator.

2196.

October 2nd, 1946.

Attention Mr. M. L. Brown.

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

Dear Sirs:

Re: Kameno (Mrs. Tsunetaro) OYE - Reg. #12162.

We are in receipt of your letter of the 24th ultimo passing on a request from the above widow that the balance of her funds be remitted to her.

We have no ledger account in this name and assume that she refers to the estate funds, which, until the 26th August, were carried in her deceased husband's account (Tsunetaro OYE, File 13766). On that date the balance in this account (\$645.42) was remitted to the Official Administrator, Mr. W. A. Ackland, Port Alberni, for the administration of the Estate.

In due course we expect to receive from the Official Administrator a cheque for the net residue accruing to the beneficiary, or beneficiaries, named by him, whose interest vests in the Custodian.

Yours very truly,

R. G. Ball,
Administration Department.

RGB/P.

13766, 2196

November 29, 1946

Mrs. Kasene OYE,
Reg. No. 12162,
Whittemouth, Manitoba.

Dear Madam:

Re: Estate of Tsunetaro OYE, #12161,
Deceased.

We have today received from Mr. W.A. Ackland, Official Administrator, the proceeds from the estate of your late husband to be distributed to the heirs. We are advised that your share is \$189.05 and accordingly enclose herewith Custodian cheque in that amount. The balance of the estate is divided equally among the six children but since the four youngest children are not yet of the age of twenty-one years their shares will remain under the control of Mr. Ackland. The shares of Masaji and Tomomi in the sum of \$63.01 each are being credited to their respective accounts.

It is important that you acknowledge receipt of this cheque and we would ask you to send an acknowledgment by return mail using the enclosed stamped addressed envelope for that purpose.

Yours truly,

A. G. McArthur,
Office of the Custodian.

AGH:AS
encl. Cheque \$189.05
Envelope.

P.S. If you wish to inquire further concerning the shares payable to the four younger children, it will be in order for you to write to the Official Administrator whose address is, Mr. W.A. Ackland, Official Administrator, Port Alberni, B.C.

13766

November 29, 1946.

W.A. Ackland, Esq.,
Official Administrator,
Port Alberni, B.C.

Dear Sir:

Re: Estate of Tsunetaro OYE, #12161, Deceased.

We have to advise you that we have received from the Government of the Province of British Columbia a cheque in the sum of \$567.11 relative to the estate of Tsunetaro Oye, Deceased.

In accordance with your letter of November 14th and our reply of November 25th we are returning to you Custodian cheque in the sum of \$252.04 which represents the shares of Tatsumi Oye, Toshio Oye, Shichi Oye and Masoru Oye, all minor children of the deceased according to the records of the Department of Labour.

The shares of the widow Kameno Oye and the sons Masaji Oye and Tatsumi Oye are being credited to their respective accounts in the amounts named in your letter of November 14th. The estate account therefore as far as the Custodian is concerned is closed and the beneficiaries are being so advised.

Yours truly,

A. G. McArthur,
Office of the Custodian.

AGM:AS
encl. Cheque \$252.04

EVACUATION SECTION

Rec'd JAN 26 1947

File No. 2196

Ans.

Referred

White Mouth Men.
Jan 22 - 1947A. B. McArthur
Office of Custodian
Vam B. B.

Dear Sir,

My late husband's estate
or property, boat house and the land had
been sold without been notified at such
a low price. And I am not satisfied
with the sale. They are not even half
the price it's worth. I want to support
my children from my husband's estate until
they are old enough, but with my share
of \$189.05 it hardly last two months in
the prairie province.

Please keep this check of \$189.05 as I am
returning it to you.

Thank you.

Yours truly
Kaye

Reg # 12162

Representing the
family.

P.S.

The signature had been forgotten to
be signed in the previous letter
so I am sending another copy.

A.B. McArthur
Office of Custodian
Van. B.C.

White Mountain Man.

Jan 2nd 1947

EVACUATION SECTION	
JAN 24 1947	
Rec'd	
File No.	
Ans.	
Referred	

Dear Sir:

My ^{late} husband's estate or property
(house boat and the land) had been sold
without been notified, at such a low
price. And I am not satisfied with the sale.
They are not even the half price its worth.
I want to support my children from
my husband's estate, until they are old enough
but with my share of \$189.06 it hardly last two
months in this prairie province.
Please keep this check of \$189.06 as I am
returning it to you.

Thank you
Yours truly

Reg #12162
Representing the
family

13766 & 2196

February 10, 1949.

Mrs. Kameno Oye,
Whitemouth, Manitoba.

Dear Madam:

Re: ESTATE OF TSUNETARO OYE, DECEASED

In reply to your letter of February 8, we wish to inform you that the money payable to the minor children is held by Mr. Ackland, the Official Administrator, as explained to you in our letter of November 29, 1946. We suggest that you write direct to Mr. Ackland and refer to the Estate of Tsunetaro Oye, as his papers will be filed under this name.

You should address your letter as follows:

W. A. Ackland, Esq.,
Official Administrator,
Port Alberni, B. C.

Yours truly,

A. G. McArthur,
Office of the Custodian.

AGM/AC

December 21st, 1948.

REGISTERED MAIL

Mrs. Kamano OYE,
Reg. No. 12162,
Whitemouth, Manitoba.

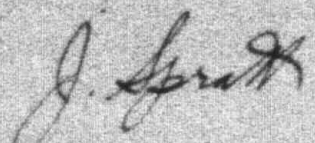
Dear Madam:

We are presently making final distribution of all funds in this office and we enclose herewith Custodian cheque in your favour for the sum of \$189.05.

Acceptance by you of this cheque does not prejudice in any way your claim for loss which you may feel you sustained in the sale of your property, as the Commissioner, Mr. Justice H. I. Bird, has made a ruling to this effect.

Kindly acknowledge receipt of the enclosed cheque.

Yours truly,



J. Spratt,
Office of the Custodian.

/JS
1 encl. - cheque \$189.05.

W. A. ACKLAND
Official Administrator

Rec'd	NOV 15 1946
File No.	13766
Ans.	
Exd.	<i>Heard</i>

PORT ALBERNI, B. C.

November 14th. 1946.

Office of the Custodian,
509. Royal Bank Bldg,
Vancouver. B.C.

13766, 2196, 1664.
Evacuee Section.

Dear Sirs:

Re: Estate of Tsunetaro OYE-deceased.

In connection with the above estate, I beg to advise having to-day vouchered through the Treasury Department at Victoria, for payment of the surplusage of the estate, in the amount of \$567.11. This amount is for distribution amongst the beneficiaries, as per your letter of August 1st. 1945, as follows:

Kameno OYE.	Widow.	12/62	Slocan, B.C.	1/3rd share of \$567.11-	189.05
Tatsumi OYE.	Son.	"	"	1/6th of 2/3 "	\$378.06- 63.01✓
Toshio OYE.	Son.	"	"	"	" - 63.01✓
Shuichi OYE.	Son.	"	"	"	" - 63.01✓
Mamoru OYE.	Son.	"	"	"	" - 63.01✓
Masaji OYE.	Son.	12042	"	"	" - 63.01
Tomomi OYE.	Son.	Manitoba	"	"	" - 63.01
		12/62			\$ 567.11

This closes the estate and I enclose my Official Receipt No. 29802 covering your remittance of \$645.42.

Yours very truly,

W. A. Ackland
Official Administrator.

*Telephone!
As suggested advised
to take care of minor.
Will*

W. A. ACKLAND

Official Administrator

PORT ALBERNI, B. C.

November 14th. 1946.

Statement of Accounts re Estate of Tsunetaro OYE, deceased.

1946.

Sept 3. Received from the Office of the Custodian
Balance of monies at credit of Account \$ 645.42

Sept 30. Ueluelet Engineering Works. A/c paid 31.75
West Coast Advocate. Adv'g " " 3.38
G.M. Campbell. Solicitor. " " 33.20
Official Administrator. Fee. 10.00

Novr 14 Balance vouchered for through the
Treasury Department at Victoria. B.C. 567.11
for account of Beneficiaries.

\$ 645.42 \$ 645.42

Certified Correct,

W. A. Ackland

Official Administrator.

INTERIM

PERSONAL PROPERTY SUMMARY

File 13766.

Tsunetaro OYE (Deceased).

Reg. No. 12161.

This 52-year old Naturalized Canadian Fisherman from Hakoda Bay, Uclumlet Inlet, was "blown away from the convoy" of boats on their way from Barclay Sound to the Fraser River. He landed at Point Roberts and was placed in jail by the U. S. Immigration Officials, and committed suicide there, date of death being given as 3rd January, 1942.

His wife, Kameno (File 2196) signed a Custodian "JP" declaration form on the 30th March, 1942. She was evacuated, presumably with her 6 children, on the 5th September, 1942.

Real Property: See Real Property Summary for particulars of Hakoda Bay property (Cat. 518) which formed part of a collective sale, of which this account's share was \$350.68.

Liabilities: See Liabilities Summary, dated 24th August, 1946.

Personal Property: No chattels are carried in this file.

Specified Articles: See Fishing Vessels Summary, dated October 30th, 1944, for particulars of Fishing Vessel, the "T. O.", sold for \$460.00 less \$62.47 = \$397.53.

Accounts Receivable: A claim of \$12.25 was included in the list of claims filed with the Dominion Government for recovery of transportation expenses incurred in connection with delivery of boat, but as this man did not incur any return expenses this amount has not been credited to this account.

Bonds, Shares, etc.: None.

Bank Accounts: None.

Life Insurance: None.

NOTES: An application to have this Estate administered was filed with the Official Administrator (W. A. Ackland), Port Alberni, on the 3rd March, 1943, but due to the high cost ("about \$100.00") indicated in Official Administrator's letter dated March 5th, 1943, on wife's file (2196) further action was suspended until the 1st August, 1945, when our application was renewed, Letters of Administration being granted to Mr. W. A. Ackland under date of June 12th, 1946.

There is no other personal property interest in this file.

The above summary is certified to be in accordance with the information on file.

26th August, 1946.

RGR/P.

GENERAL SUMMARY

File No. 13766

Tsunetaro OYE, Deceased

Reg. No. 12161

While transporting his boat from Barclay Sound to the Fraser River, this Japanese was "blown away from the convoy" and landed at Point Roberts where he was jailed by the U. S. Immigration Authorities. He committed suicide in jail on January 3, 1942. He is survived by his widow, Kameno, file #2196; and six sons, Masaji, file #1664, Tomomi, file #4956, Tatsumi, Toshio, Suichi and Mamoru, minors.

The deceased was the registered owner of Block 4 of Lot 795, Claycoot District, Plan 2971, administration of which is covered on the Real Property Summary on file.

A fishing vessel owned by this Japanese was sold for the net amount of \$460.00, as shown on the Fishing Vessel Summary on file, and the funds were credited to the Estate account in this office.

The only claim filed against the deceased is for the sum of \$31.75 claimed by the Ueluelet Engineering Works. This company was advised by this office to submit a Certified Statement of their account or a Statutory Declaration to the Official Administrator.

Letters of Administration in this estate were granted to W. A. Ackland on June 14, 1946. Funds to the credit of the estate in this office, amounting to \$645.42, were turned over to the Administrator on August 26, 1946. On November 14, 1946, a statement of Receipts and Disbursements was received from the Administrator, together with a letter giving particulars of the distribution of the residue of the estate to the heirs. Provincial Government cheque in the amount of \$567.11 was received on November 28, 1946. The share of the widow, amounting to \$189.05, was forwarded to her on November 29, 1946. The share of Tomomi Oye, son of the deceased, in the amount of \$63.01, was forwarded to him; the share of Masaji Oye, amounting to \$63.01, was placed to the credit of his account in this office; the shares of the four minor children, amounting to \$252.04, were returned to W. A. Ackland, Official Administrator, to be held in trust until such time as these children become of age or until application is made for the use of the funds for their maintenance.

Both the widow and Tomomi Oye returned their cheques for redeposit to their separate accounts in this office.

This summary is certified to
be in accordance with the
information on file.

G. Cleaver

April 1, 1947.

/AC

GENERAL SUMMARY

File No. 2196

November 22, 1946.

Re: Kameno OYE, Reg. No. 12162

This woman signed a declaration to the Custodian on March 30, 1942. She was evacuated on September 5, 1942.

In her declaration, Mrs. OYE declared one \$5.00 and two \$10.00 War Savings Certificates in "the owner's possession". These were not brought under the control of the Custodian.

The real property and vessel referred to in this file were registered in the name of Tsunetaro OYE, deceased husband of Kameno OYE. The file of the estate of the deceased is No. 13766.

An undated memorandum, filed behind letter dated August 24, 1942, states that Mr. Prior Wheadon (Custodian representative) had reported 2 tubs of open fish located at House #7, Uelualet, and gives the owner as Tsunetaro OYE. File 2196 contains no further reference to this, but File 1664, the file of Mrs. OYE's son, Masaji, shows that 2 boxes of preserved fish were shipped from Uelualet on March 25, 1942, and released to M. Oye on arrival in Vancouver.

This file reveals no other property of any kind.

This file reveals no liabilities.

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

J. MacLean
November 22, 1946.

/v

Assignment of Claim

Whilst in the custody of the Royal Canadian Navy, this vessel
"H. O." 3120 VIG 1411 suffered loss and/or damage as set forth
in report of surveyors.

If the Dominion Government will allow me \$168.26 to make good
that damage and missing inventory, I shall make no further claim
of any nature whatsoever against the Dominion Government, and
herely authorize the payment of the sum allowed to E. McLeod.

E. McLeod

(E. G. McLEOD)

(~~Ch. W. McLeod~~)

Authorized Deputy of the Secretary
of State and/or Customs

The damage claim of \$168.26 is fair and just.

[Signature]
Authorized Deputy of the Secretary
of State and/or Customs

Dated at Vancouver,
December 15, 1942.

*\$178.00 Hull
+ 45.26 Equip
168.26*

JOHN GOULD

Marine Surveyor and Appraiser

VANCOUVER, B. C.

CABLES:
"GOULD" VANCOUVER, B. C.

TELEPHONE:
PACIFIC 9046

M. V. "T. O." 3128.
Vic. 1614.

Survey Report

To whom it may concern:

This vessel was hauled out on the
Cates Marine Ways, North Vancouver, B. C. for exam-
ination on the 9th, Oct. 1942.

Found as follows:-

Hull.

Stbd side.

Nos 2 & 3 Strakes up from keel badly
chafed and several holes $\frac{3}{4}$ " deep in
planks Fore & Aft full length.

Nos 4 & 5 Strakes, planks fractured
amidships and a temporary wood patch
nailed on 20"x 10". These 2 planks
are also badly chafed & grooved Fore
and Aft full length.

Port side.

Nos 3 & 4 Strakes up from keel badly
chafed & holes $\frac{3}{4}$ " deep at several
points along the full length of these
planks.

Nos 4 & 5 Strakes, planks fractured
amidships and a temporary wood patch
nailed on 24"x 18", these planks are
also badly chafed & grooved Fore &
Aft for their full length

No 6 Strake plank badly chafed & grooved
with holes $\frac{3}{4}$ " deep in places.

Keel.

Chafed $\frac{1}{2}$ " deep Fore & Aft, full length,
on both Stbd & Port sides

RECOMMEND.

Hull.

Stbd side.

Nos 2, 3, 4 & 5 planks to be taken out,
all nail holes in frames plugged and
new 1" cedar planks fitted & fastened
in place, using galv nails.

Port side

Nos 3, 4, 5 & 6 planks are to be taken
out, nail holes in frames plugged and
new 1" cedar planks fitted & fastened
in place, using galv nails.

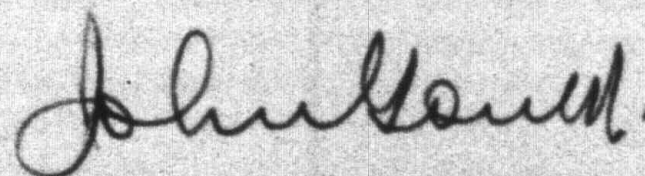
Keel.

Port and Starboard sides to be dressed off half an inch and a hardwood false stiffener keel 1"x 4 $\frac{1}{2}$ " full length of keel to be fitted and fastened in place with a felt strip between keel & false keel.

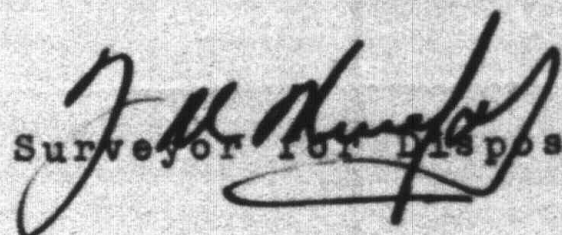
Estimated cost of all this work, finished to the satisfaction of the Owner and the Surveyors for the Japanese Fishing Vessels, Disposal Committee and the Custodian of Alien Enemy Property, is One Hundred twenty five (\$125.00) dollars.

Vancouver. B.C.

Oct 16th, 1942.



Surveyor for Custodian of
Alien Enemy Property.



Surveyor for Disposal Committee.

Extract from survey report of O.W. Phillipson, appraiser for Japanese
Fishing Vessels Disposal Committee. Survey No. 215-New Westminster.

10 Years T.O. 1614 - Troller

Condition - Good

Damage - Slight - (\$15) Stem cracked

Boat new 1000

Engine " 1000 Enterprise 12

Ex " 200

Value 2200

" 1942 \$400

(\$460)

.....

\$460.00 was the suggested negotiating price of the JFVDC.

/m

Case No. 888 - Estate of Tsunetaro Oye, File 13766

Boat Claim: T.O., Victoria 1614 Troller purchased 1931
Enterprise 12-14 engine.

Gross Claim: \$2,500.00 to \$3,000.00 - Original Claim was for \$2,700.00

Sale: Date: October 1, 1942
Location: Coal Harbour
Purchaser: Thomas McLeod
Sale Price: \$460.00
Expenses: 62.47 (proportionate share)
Net Credit: 397.53

Valuation: Phillipson: \$400.00 (JFVDC price: \$460.00)
Gould: 350.00 (Est.Mkt.Value:\$400.00)

On the JFVDC "catalogue sheet" the value is shown as \$1,900.00. The age of the hull and engine is shown as 10 years. This "catalogue sheet" was brought to the Japanese Fishing Vessels Disposal Committee office by representative of the boat-owners, and was understood to have been filled out by the boat-owner. In this case the boat-owner would be dead at the time, and it is not known whether the information was supplied by his widow or by someone acting on her behalf.

Equipment Loss and Damage: This boat was sold at the JFVDC "suggested negotiating price". The understanding was that the JFVDC appraiser valued the boats on the basis of boat being equipped with essential gear and with any damage (new) attributable to the seizure and impounding being repaired.

At the time of appraisal O.W. Phillipson noted minor damage to stem. This damage is not shown on the report of the Naval surveyor at the time the boat was turned over to the Custodian, and it is not referred to in John Gould's appraisal. It may be assumed that this minor damage was repaired by Naval personnel.

Essential equipment missing at the time the boat was turned over to the Custodian was listed. On the basis of this list, claim of \$43.26 was paid to the purchaser. Following purchase, the purchaser had the boat hauled out for examination, and it was found that the boat had suffered damage to the keel and to the hull below waterline. The boat was examined by the Naval surveyor who agreed that the damage could have taken place following the seizure of the boat. There is no means of knowing whether the boat was damaged at the time it went ashore at Point Roberts, Washington, or while being moored in the Fraser River. In either case, damage would have taken place after seizure. Repairs to value of \$125.00 were made by purchaser. Surveyors for Navy and Custodian recommended that these repairs be paid from funds granted for payment of damage to impounded vessels.

Boat would be moored at time of appraisal by Phillipson in April or March, 1942 and at time of appraisal by Gould in August, 1942. The damage below the waterline would not be visible, and neither survey report refers to this damage. It seems obvious that valuations were based on the hull in an undamaged condition.

Age: On basis of information given by claimant, hull and engine were 11 years old at time of sale.

/PM Mysterious death of Tsunetaro Oye- On Dec.25/41 Oye attempted suicide by cutting his throat. He died in Vancouver General Hospital of this self-inflicted wound.

See Transcript Page 11 and information received from RCMP.

04-21

Name of Vessel (船名)	T. O. 3128	Official Number (登記番號)	VIC 1614	Naval Control Number (海軍省ノ番號)
Port of Registry (登記港名)	Date of Registry (登記期日)			
Length (長さ)	32'	Width (幅)	8'	Depth (深さ)
Make of Engine (Present) (機名) (現在)	Enterprise (10 yrs.)	Date When Re-Installed (若シ入替ヘテ場合ヘ其ノ期日)		
Horse Power (馬力)	12 H.P.	Knot (Speed) (速力)	7 Knots	
When Hull Built (船体建造期日)	10 years old	When Hull Rebuilt (若シ改造ノ場合ヘ其ノ期日)		
Type of Vessel: (船ノ型)	Seiner ☐	Packer ☐	Gill-Netter ☐	Troller ☒
	セイナー	パッカー	ギルネット	トロラー
Formerly Used as (従来ノ用途)	Troller	Value (Replacement) (船價) (建造スル場合)		
Date When Surveyed Last (最近ノカーベイサレタル期日)		Value (Present) (船價) (現在)	\$1,900.00	
Pace of Operation (使用區域)	West Coast of Vancouver Island	Value (Insured) (船價) (保険ヲ付スル場合)		
Charter Rate: 1940 (賃船料金率)	Own use	Chartered To: 1940 (賃船先)		
	1941		1941	
Amount of Mortgage, If Any (抵當額ノ金額)		Mortgaged To: (抵當權者入先)		
Registered Owner's Name (登録船主名)	Tsunetaro Oye	Actual Owner's Name (現實所有者名)	Tsunetaro Oye	
ADDRESS (住所)	Ueluelet, B. C.	ADDRESS (住所)	Ueluelet, B. C.	

© Please refer to "Certificate" of British Registry in filling this blank; special attention is required in cases of "Length" "Width" and "Depth"
此ノ書式ヲ記入スルニ充分「登録證」ヲ御覽下サイ 特ニ「長さ」「幅」及「深さ」ニ御注意セヨ

INDIA RAIL PROJECT

DISTRIBUTION OF PROCEEDS FROM SALE ON THE BASIS OF THE ASSESSED VALUE OF OTHER UNDERTAKING CEMENT PAID TAXES

Collective sale price (to Indian Affairs Branch of Department of Mines & Industries)	\$4,750.00
Final adjustment credits	\$ 27.01
Proceeds of sale available for distribution	<u>\$4,777.01</u>

(For Key to Columns See Under)

- *1 = Assessed value of land (each \$100.00) and Buildings.
- *2 = Proportional share of above proceeds.
- *3 = Proportional share of: (1) total 1942/1946 Taxes (\$769.87); and
(2) total 1942/1946 Fire Insurance premiums (\$319.39) = \$1,089.26.
- *4 = 1942/1946 Taxes and 1942/1946 Insurance premiums already charged.
- *5 = Result according to above basis.

Location	*1 Ass. Value	*2 Share	*3 & *4 Charged	*5 Transfer
Establihs. YAMHARA, File 5232, Dist. 517 (Mile 3, D.L. 795)	\$ 1300.00	\$ 506.54	\$ 130.42	\$ 195.60
Establihs. OHL, File 13764, Dist. 518 (Mile 4, D.L. 795)	\$ 900.00	\$ 350.66	\$ 90.39	\$ 142.44
Establihs. BAHARA, File 1476, Dist. 519 (Mile 5, D.L. 795)	\$ 1000.00	\$ 389.65	\$ 100.32	\$ 260.42
Establihs. GARA, File 1476, Dist. 520 (Mile 6, D.L. 795)	\$ 1000.00	\$ 389.65	\$ 100.32	\$ 260.42
Establihs. THAKARA, File 1504, Dist. 521 (Mile 7, D.L. 795)	\$ 1400.00	\$ 533.44	\$ 160.32	\$ 117.26
Establihs. VITHARA, File 2294, Dist. 522 (Mile 8, D.L. 795)	\$ 1100.00	\$ 428.60	\$ 110.36	\$ 64.30
Establihs. YAMHARA, File 5181, Dist. 523 (Mile 9, D.L. 795)	\$ 1600.00	\$ 623.44	\$ 160.32	\$ 48.54
Establihs. NURI, File 1532, Dist. 524 (Mile 10, D.L. 795)	\$ 700.00	\$ 272.76	\$ 70.23	\$ 49.10
Establihs. THAKI, File 669, Dist. 525 (Mile 11, D.L. 795)	\$ 400.00	\$ 155.86	\$ 40.13	\$ 43.56
Establihs. GARA, File 13001, Dist. 526 (Mile 12, D.L. 795)	\$ 100.00	\$ 38.97	\$ 10.03	\$ 13.43
Establihs. MOHITHARA, File 487, Dist. 527 (Mile 13, D.L. 795)	\$ 1300.00	\$ 506.55	\$ 130.42	\$ 34.46
Establihs. BAHARA, File 1476, Dist. --- (Mile ---)	\$ 1000.00	\$ 389.65	\$ 100.32	\$ 31.00
	<u>\$13850.00</u>	<u>\$5007.01</u>	<u>\$1309.16</u>	<u>\$1309.16</u>

REAL PROPERTY SUMMARY

Cat. No. 518.

File No. 13766.

Name: Tsunetaro OYE, deceased. (Jan. 3/42).

Reg. No. 12161.

Address: Hakoda Bay, Uluulet Inlet, B. C.

Legal Description: Block 4 of Lot 795, Clayoquot District, Plan 2971.

Classification: Two dwellings (not owned by landowner).

Registered in the name of: TSUNETARO OYE.

State of Title (55337-1): Clear.

Sold to: HIS MAJESTY THE KING, IN THE RIGHT OF THE DOMINION OF CANADA.

For: One of 11 properties (Cat. Nos. 517-527) sold collectively for \$4,750.00, this account's proportionate share being \$350.68.

As at: June 1st, 1946.

Title (No. 162245-1) delivered to new Registered Owner on: September 30th, 1946.

Net proceeds (\$402.83) released to credit of Tsunetaro OYE on: August 1st, 1946.

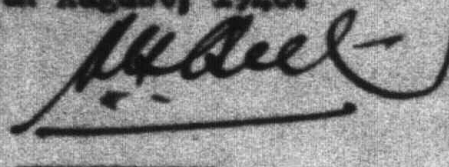
Chattels: Not involved.

Insurance: Transferred to Purchaser (May 11/46).

Administration: This property is one of the group constituting the ex Japanese Fishing Village known as Hakoda Bay. Owing to the inaccessible position of the Bay, at the entrance of Uluulet Inlet, Barkley Sound, all the properties remained vacant throughout the period of our administration, except for the house occupied by Custodian caretaker, due to whose presence the properties remained undamaged and made possible the collective sale of all to the Indian Affairs Branch of the Department of Mines & Resources. For complete statement of the distribution of total proceeds of this sale see statement in Property Section of this file.

The above summary is certified to be in accordance with the information on file.

27th August, 1946.



ROB/P.

CLAIM ON REAL AND PERSONAL PROPERTY

Claimant: Mrs. Kamano OYE, Reg. #12162, Widow of
Tsunetaro OYE (Deceased - Jan. 3/42).

File 2196
File 13766.

<u>Amount</u>	<u>On</u>	<u>Jap. Valuation</u>	<u>Ass. Value</u>	<u>Appr. Value</u>	<u>Sold for</u>
(1) \$ 600.00	Parcel of 5.2 acres of Land, Hakoda Bay.	\$ 600.00	\$100.00	—	} \$350.68
(2) \$ 850.00	Dwelling on above land	\$ 850.00	\$800.00	\$150.00	
\$1,450.00	Gross Real Property total				
350.68	Acknowledged Custodian Credit				
\$1,099.32	<u>Amount of Real Property Claim</u>				
(3) \$2,240.00	Fishing Vessel "T.O."	\$2,700.00	—	\$460.00	\$460.00
(4) \$ 367.00	Chattels as listed in Claim	\$ 367.00	—	—	—
\$2,607.00	<u>Amount of Personal Property Claim</u>				
\$3,706.32	<u>Total amount of Claim</u>				

(1) This property (Custodian Cat. No. 518 - Block 4 of Lot 795, Clayoquot District, Plan 2971) was one of eleven parcels of land, each of approximately 5 acres, which made up the Japanese fishing village of Hakoda Bay, on the West Coast of Vancouver Island.

(2) The 5-room dwelling was built of old boards and siding, with shingle roof and lined with roofing paper. Foundation (wood) was not raised and would therefore be subject to more than usually rapid deterioration. This dwelling and outhouse, in common with all other buildings on the above mentioned 11 parcels of land, were built without regard to boundary lines, being assessed to Tsunetaro OYE as on another lot.

Due to the inaccessible position of Hakoda Bay (access to Ucluelet, 3 miles away, being by private boat), these properties proved exceptionally difficult to sell and no

purchaser was found until the Indian Affairs Branch of the Department of Mines and Resources became interested, negotiations culminating in a sale at the maximum lumpsum price they were prepared to pay (\$4,750.00). Distribution of proceeds of sale was effected on the basis of assessed values (on which owners had been paying their taxes). This Estate's proportionate share was \$350.68, as per statement dated December 31st, 1946, on file.

(3) The fishing vessel "T.O.", a salmon troller (32' x 8' x 4.5') is shown as having been built in 1931. It was appraised (August, 1942) for the Custodian by Marine Surveyor John Gould, at \$350.00/\$400.00. In spite of a very active demand for fishing vessels of all types no buyer was found at this price until October 1st (1942). A claim against the Navy for damage to hull (\$125.00) and loss of equipment (\$43.26) while under naval custody, was assigned to purchaser as a condition of sale.

(4) The chattels listed in Claim at \$367.00 were not declared by either Mr. or Mrs. Oye, nor were they reported by Custodian investigating agent, and Custodian records carries no trace of them.

Vancouver, B. C., Aug. 16/48.

BGB/P.

DEC - 5 1947

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

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

13766
2196

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

- (1) NAME OYE, Tsunetaro. Estate of Ueluelet, B. C. (RCMP) Reg. No. 12161
(Print) Surname Given Name 12162
- (2) Pre-Evacuation Address _____
- (3) Present Address c/o Kanano Oye, His Widow, Whitemouth, Manitoba.
- (4) REAL ESTATE
- (a) Street Address (if any) Ueluelet, B. C.
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.)
Block 4 of Lot 795, Clayoquot District, Plan 2971
- (c) Type of Real Property (cross out words which do not apply):
(i) ~~Farmland~~
(ii) ~~Residence~~ Type of business _____
(iii) ~~Business~~
(iv) Any other type of property (describe) _____
- (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)
Sole owner
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land and improvements \$ 600.00
(ii) Buildings \$ 850.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) \$ _____
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) \$ 1,450.00
(v) Amount at which Custodian sold property and credited your account \$ 350.68
(f) Loss (This figure is arrived at by deducting item (v) from item (iv)) \$ 1,099.32
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
Ueluelet, B. C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
House
- (c) How stored or packed at time of evacuation _____

(over)

State of Tennessee Dec - Jan. No. 12141

LIST OF QUANTITIES

1	Only	Spice Box	8.00
Quantity		Miscellaneous tools - carpenter	30.00
6	Doz.	Saws and Spring Saws	48.00
1	Only	Galvanized Water Tank - Fishing Vessel	10.00
1	"	Aluminum Pan for use on Fishing Vessel	3.00
Quantity		Best tools	15.00
100	Feet	or more (4 coils) of Manila Rope	65.00
100	"	" " Manila Rope	25.00
1		Hooks and plates	15.00
Quantity of		new lead for fishing lines	65.00
1	Only	Galvanized Anchor (large)	18.00
1	"	" " (small) with chains	25.00
1	"	Water Pump for Fishing Vessel	9.00
1	"	Propeller used	17.00

TOTAL

\$ 367.00

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

RELEASE AND DISCHARGE

FISHING VESSEL: "T.O." 3128
REG. or LIC. No.: Victoria 1614
NAVAL No.: None
CLAIM PAYABLE TO:
Thomas McLeod

CLAIM No.: 457-C
Owner at Time of Impounding:
Tsunetaro OYE, #12161,
File 13766.
Present Owner:
Thomas McLeod

This vessel was sold by the Secretary of State of Canada acting in his capacity as Custodian as vested owner of the interest of Tsunetaro OYE, on October 1, 1942, to Thomas McLeod, and as a condition of sale all interest in claim for the loss and/or damage referred to herein was assigned to the purchaser.

While in the custody of the Royal Canadian Navy, this vessel suffered damage to the value of \$125.00, as assessed by the surveyor for Naval Service, which sum is approved by the undersigned and accepted as adequate compensation.

In consideration of the payment of the sum of ONE HUNDRED AND TWENTY-FIVE DOLLARS AND NO CENTS ----- (\$ 125.00)

(of lawful money of Canada) (the receipt of which is hereby acknowledged), we, the undersigned, being the owners and/or mortgagees, shipyard repairers and all others having any interest, claim or demand against the said motor vessel registered at the Port of Victoria, B. C. Official or License No. 1614 DO HEREBY RELEASE and forever discharge His Majesty the King, as represented by Royal Canadian Naval Service or any patrol or auxiliary service, acting through or under the authority of Royal Canadian Naval Service, and all boards, commissions or departments of His Majesty's Canadian Government of and from claims which we may now have or which hereafter may arise and which now could or at any time hereafter be made in consequence of damage sustained or any alleged damage sustained, to the above-named motor vessel while in custody of His Majesty's Royal Canadian Naval Service or any auxiliary patrols, commissions, boards or departments hereinbefore named.

AND FURTHER, we covenant that we are the owners and/or mortgagees, shipyard repairers and all others having any interest, claim or demand against the said vessel and are the only parties or persons having any interest, claim, lien, demand or charge over the above-named motor vessel, and should any claim hereafter be made by or through any parties whatsoever, we hereby agree to indemnify and save harmless His Majesty the King as represented by any of the naval services, boards, patrols, departments, or commissions hereinbefore referred to.

AND FURTHER, that this discharge and release enures to the benefit of and is binding upon all the parties hereto, their respective heirs, executors, administrators, assigns, successors and representatives.

DATED at Vancouver, British Columbia, this

"17th" day of "April" 1945

WITNESS:

[Signature]

Thomas McLeod

EXHIBIT No.

888-8

DATE

Sept. 8/45

FILLED BY

Crown

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

RELEASE AND DISCHARGE

FISHING VESSEL: "T.O." 3128
REG. or LIC. No.: Victoria 1614
NAVAL No.: None
CLAIM PAYABLE TO:

CLAIM No.: 457-C
Owner at Time of Impounding:
Tsunetaro OYE, #12161
Pr. File 012746

Thomas McLeod

Thomas McLeod

This vessel was sold by the Secretary of State of Canada acting in his capacity as Custodian, as vested owner of the interest of Tsunetaro OYE, to Thomas McLeod, on October 1, 1942, and as a condition of sale, all interest in claim for the loss and/or damage referred to herein was assigned to the purchaser.

While in the custody of the Royal Canadian Navy, this vessel suffered loss and/or damage to the value of \$43.26, as assessed by the surveyor for Naval Service, which sum is approved by the undersigned and accepted as adequate compensation.

In consideration of the payment of the sum of FORTY-THREE DOLLARS and

TWENTY-SIX CENTS (\$ 43.26)

(of lawful money of Canada) (the receipt of which is hereby acknowledged), we, the undersigned, being the owners and/or mortgagees, shipyard repairers and all others having any interest, claim or demand against the said motor vessel registered at the Port of

Official or License No. 1614 DO HEREBY RELEASE and forever discharge His Majesty the King, as represented by Royal Canadian Naval Service or any patrol or auxiliary service, acting through or under the authority of Royal Canadian Naval Service, and all boards, commissions or departments of His Majesty's Canadian Government of and from claims which we may now have or which hereafter may arise and which now could or at any time hereafter be made in consequence of damage sustained or any alleged damage sustained, to the above-named motor vessel while in custody of His Majesty's Royal Canadian Naval Service or any auxiliary patrols, commissions, boards or departments hereinbefore named.

AND FURTHER, we covenant that we are the owners and/or mortgagees, shipyard repairers and all others having any interest, claim or demand against the said vessel and are the only parties or persons having any interest, claim, lien, demand or charge over the above-named motor vessel, and should any claim hereafter be made by or through any parties whatsoever, we hereby agree to indemnify and save harmless His Majesty the King as represented by any of the naval services, boards, patrols, departments, or commissions hereinbefore referred to.

AND FURTHER, that this discharge and release enures to the benefit of and is binding upon all the parties hereto, their respective heirs, executors, administrators, assigns, successors and representatives.

DATED at Vancouver, British Columbia, this

"9th" day of "April" 1942⁵

WITNESS:

[Signature]

Thomas McLeod

EXHIBIT No.

DATE

FILLED BY

888-9

Sept. 9/44

Crown

EXHIBIT No. 888 - 7
DATE Sept. 9/48
FILED BY Claimant

JOHN GOULD
Marine Surveyor and Appraiser
VANCOUVER, B. C.

No. 67A.

Cables:
"GOULD" VANCOUVER, B. C.

Telephone:
Pacific 9046

"T O 3128".

SURVEY REPORT

TO WHOM IT MAY CONCERN:

Name	"T O 3128".		
Official No.	Vic 1614.	Type	Troller.
Owner	Tsaretaro Oye.		
Dimensions	L. 32 ft. B. 8 ft. D. 4.5 ft.		
Engine	Gasoline. Enterprise.		
Horsepower	20 B.H.P.		
Fuel	Gasoline.		
Tank Capacity	70 Gallons.		
Pumps	On deck.		
Lighting	Electric.	Drive	Off main engine.
anchors	None.		
Chains	None.	Rope	None.
Compass	None.		
Stoves	1 Stove.		
Fire Extinguishers	None.		
Valuation	Three Hundred fifty (\$350.00) dollars.		
Estimated Market Value	Four Hundred (\$400.00) dollars.		

August 1942.

Vancouver, B. C.

Marine Surveyor

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

December 7, 1948.

[Signature]

EXHIBIT No. 888 - 6
DATE Sept. 9/48
FILED BY Claimant

SUMMARY TAKEN FROM VESSELS RECORDS

Date: October 30, 1944
Name: Tsunetaro OYE (Deceased) Reg. No. 12161 File: 13766
Boat File No.: Custodian 13766
Name of Vessel: "T.O." 32' x 8' x 4.5' (1931) Enterprise 12 HP (1931)
Lic. or Reg. No.: Victoria 1614
Naval No.: None
Owner's Valuation: \$1,900.00
JFVDC Valuation: 460.00 Survey # .215 NW
Date of Sale: October 1, 1942
Custodian Valuation: None
Purchaser: Thos. McLeod
Signature on Sales Papers: Custodian sale
Selling Price: \$460.00
Paid to ~~STUBBINS~~ Custodian: 460.00
Supervision Costs: 62.47
Balance due Owner: 397.53
Paid to: Cr. Account of Tsunetaro OYE Estate
Location of Boat at Sale: New Westminster
Claims Against Canadian Govt.:

Claim #457 Thos. McLeod - \$165.26 (Unpaid)

168.26 Reg 6757
Apr 17/45

Additional Information:

"F. Matheson"
June 22/46

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

December 7, 1948.

M. Matheson
D. J.

OTI, estate of Tumbetaro
(Claimant's Name)
per widow, Lemene Oye

REAL ESTATE
(Other than farm)

EXHIBIT No. 888-1
DATE Apr. 9/48
FILED BY Claimant

Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
house	5	shingle on frame inside half paper on shiplap half V joint	dwelling	don't know	1934	unclear

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
fishing village	do not know	house was built in 1934 and was renovated several times. The last time was about 1938 when the house was enlarged, dug well in 1934 woodshed built in 1934 bath house built in 1938	1450.00

Comments re upkeep of premises:

Comments re ~~Appraiser's report not covered above~~

I have fixed my valuation of the property on the basis of a discussion my husband had in 1940 with a land appraiser who came to our village. They agreed at that time that the land was worth \$500.00 and the buildings \$850.00. I don't know who the man was nor why he came.

Signature

OTL, estate of Tsumetaro

PERSONAL PROPERTY

(Fishing Vessels, gear and equipment)

EXHIBIT No. 888-2

DATE Apr. 9/48

Reg. No. _____

FILED BY Glenn T

NETS: per widow, Tsumetaro

Type	Size	Mesh	Fathoms	Age at Evacuation	Original Value	Estimated value at Evacuation
------	------	------	---------	-------------------	----------------	-------------------------------

VESSELS SOLD BY CUSTODIAN

NAME	Reg. No.	Type	Date Purchased	New or Used	Price Paid	Maintenance Work	Condition When Evacuated	With whom Left	Estimated Value
T.O.	No. 1614	troller	1931		do not know	kept in good condition		Navy	

Improvements to Vessel since date of purchase:

Type	Date	Cost
Installed Enterprise 12-14 engine		

OTHER GEAR:

Description

Date Purchased	New or Used	Price Paid	Condition when Evacuated	Estimated value at date of evacuation
----------------	-------------	------------	--------------------------	---------------------------------------

I do not know the value of this boat but I discussed it with Toshiro Shimizu, who was a boat builder and who knew this boat, and he told me that the market value of the boat at date of evacuation was between \$2500.00 and \$3000.00

Arrangements made for storage when evacuated:

Additional Comments, if any:

Signature

EXHIBITS

- (1) Exhibit 888-1. Claimant's Real Property Summary.
- (2) Exhibit 888-2. Claimant's Personal Property Summary.
- (3) Exhibit 888-3. H. G. Winter's Appraisal re Cat. 518.
- (4) Exhibit 888-4. Custodian Analysis of Personal Property Claim.
- (5) Exhibit 888-5. Assessment Notice - 1946.
- (6) Exhibit 888-6. Fishing Vessel Summary - October 30th, 1944.
- (7) Exhibit 888-7. Survey Report re Fishing Vessel.
- (8) Exhibit 888-8. JFVDC Release & Discharge Form.
- (9) Exhibit 888-9. JFVDC Release & Discharge Form.
- (10) Exhibit 888-10. Photo of Fishing Vessel.

SUPPLEMENTARY DEFENCE BRIEF DOCUMENTS

- (11) Original Claim (November 15th, 1948).
- (12) Custodian combined Analysis.
- (13) Custodian Real Property Summary (August 27th, 1946).
- (14) Certificate of Encumbrance (October 24th, 1942).
- (15) Tax Notices with attached statements.
- (16) Letter (December 31st, 1946) outlining distribution of Real Property proceeds.
- (17) Hakoda Bay properties Distribution Statement (August 1st, 1946).
- (18) Fishing Vessel Specification.
- (19) Naval receipt (Point Roberts - Jan. 3/42) for Fishing Vessel.
- (20) Naval certificate (Aug. 1/42) of missing Fishing Vessel equipment.
- (21) Extract of JFVDC appraisal record.
- (22) Survey Report (Oct. 9/42) on Hull of Fishing Vessel.
- (23) Assignment of Claim (December 15th, 1942).
- (24) Statement of Account (December 19th, 1946).
- (25) General Summary (April 1st, 1947).
- (26) Official Administrator's Distribution Statement (Nov. 14/46).
- (27) Custodian "JP" form (Mar. 30/42 - Mrs. Tsunetaro OYE).

COPY

HAKODA BAY PROPERTIES

DISTRIBUTION OF PROCEEDS FROM SALE ON THE BASIS OF THE ASSESSED
VALUES ON WHICH REGISTERED OWNERS PAID TAXES

13766

Collective sale price (to Indian Affairs Branch of Department of Mines & Resources)	\$4,750.00
Final adjustment credits	<u>\$ 257.01</u>
Proceeds of sale available for distribution:	<u><u>\$5,007.01</u></u>

DISTRIBUTION

- "A" = Assessed value of Land (each @ \$100.00), and Buildings.
 "B" = Proportionate share of above proceeds.
 "C" = Proportionate share of: total 1942/1946 Taxes (\$969.87) and Fire
 Insurance premiums (\$319.29) = \$1,289.16.
 "D" = 1942/1946 Taxes and Insurance premiums already charged.
 "E" = Total Credit accruing on above basis.

Account	"A" Ass. Value	"B" Share	"C" & "D" Charges		"E" Transfer
			Payable	Paid	
Motoichiro YOSHIHARA, File 5232, Cat. 517 (Blk. 3, D.L. 795)	\$ 1300.00	\$ 506.54	\$ 130.42	\$ 195.60	\$ 571.72
Tsunetaro OYE, File 13766, Cat. 518 (Blk. 4, D.L. 795)	\$ 900.00	\$ 350.68	\$ 90.29	\$ 142.44	\$ 402.83
Naotsugu HAKODA, File 1478, Cat. 519 (Blk. 5, D.L. 795)	\$ 1000.00	\$ 389.65	\$ 100.32	\$ 260.42	\$ 549.75
Minoru NASU, File 1452, Cat. 520 (Blk. 6, D.L. 795)	\$ 1850.00	\$ 720.85	\$ 185.60	\$ 256.49	\$ 791.74
Susumu TERASHITA, File 1588, Cat. 521 (Blk. 7, D.L. 795)	\$ 1600.00	\$ 623.44	\$ 160.52	\$ 117.26	\$ 580.18
Tsuneharu WATANABE, File 2294, Cat. 522 (Blk. 8, D.L. 795)	\$ 1100.00	\$ 428.62	\$ 110.36	\$ 64.10	\$ 382.36
Nobuo YOSHIHARA, File 5181, Cat. 523 (Blk. 9, D.L. 795)	\$ 1600.00	\$ 623.44	\$ 160.52	\$ 48.54	\$ 511.46
Seiichi MORI, File 1532, Cat. 524 (Blk. 10, D.L. 795)	\$ 700.00	\$ 272.76	\$ 70.23	\$ 49.10	\$ 251.63
Tokumatsu TAMAI, File 669, Cat. 525 (Blk. 11, D.L. 795)	\$ 400.00	\$ 155.86	\$ 40.13	\$ 43.56	\$ 159.29
Chosuke OTAKE, File 13001, Cat. 526 (Blk. 12, D.L. 795)	\$ 100.00	\$ 38.97	\$ 10.03	\$ 25.00	\$ 53.94
Kintaro MOCHITSUKI, File 457, Cat. 527 (Blk. 13, D.L. 795)	\$ 1300.00	\$ 506.55	\$ 130.42	\$ 54.65	\$ 430.78
Chonosuke MATSUBARA, File 1620, Cat. — (Blk. —)	<u>\$ 1000.00</u>	<u>\$ 389.65</u>	<u>\$ 100.32</u>	<u>\$ 32.00</u>	<u>\$ 321.33</u>
	<u>\$12850.00</u>	<u>\$5007.01</u>	<u>\$1289.16</u>	<u>\$1289.16</u>	<u>\$5007.01</u>

VANCOUVER, B. C., 1st MARCH, 1946.

MEMORANDUM

ESTATE OF TSUNETARO OYE
(Died Vancouver, January 3, 1942, from wound, self-inflicted Dec. 25/41)

Case 888.

File 13766.

Jan. 8, 1943: Letter to Mrs. Kameno OYE pointing out necessity of having husband's Estate administered.

Jan. 22, 1943: Reply to above, asking for information on procedure.

Mar. 3, 1943: Letter to W. A. Ackland, Official Administrator, Port Alberni, V.I. advising widow's desire to have husband's estate administered and referring him to her for necessary data.

Mar. 5, 1943: Letter from Official Administrator to Widow re above Custodian letter; and mentioned cost would be "around \$100.00".

Mar. 12, 1943: Letter to Mrs. Kameno OYE pointing out that in view of high fee mentioned above immediate action not necessary.

July 27, 1945: Office Memorandum re administration of Estate.

Aug. 1, 1945: Mr. K. W. Wright's letter to Official Administrator, Port Alberni, requesting administration of Estate and supplying data for that purpose, family being listed as:

Kameno OYE, Widow
Masaji OYE, Son (25 yrs.)
Tomomi OYE, Son (20 yrs.)
Tatsumi OYE, Son (17 yrs.)
Toshio OYE, Son (14 yrs.)
Shuichi OYE, Son (11 yrs.)
Mamoru OYE, Son (8 yrs.)

Aug. 3, 1945: Reply to above, accepting appointment.

Jan. 17, 1946: Letter to W. A. Ackland, enquiring position of administration.

Jan. 22, 1946: Reply to above (Letters of Administration expected within one week).

June 1, 1946: Real Property included in collective sale of all Hakoda Bay properties to Department of Indian Affairs.

June 14, 1946: Certified copy of Letters of Administration (June 12/46) in favour of W. A. Ackland.

June 17, 1946: Letter enclosing above.

Aug. 26, 1946: Letter to Official Administrator enclosing statement of Estate Account and cheque for balance therein (\$645.42).

Nov. 14, 1946: Letter from Official Administrator enclosing certified statement of Receipts (\$645.42) and Disbursements (\$78.31) and giving schedule of distribution of net residue (\$567.11), i.e.

Kameno OYE, Widow, 1/3rd	\$189.05
Masaji OYE, Son, 1/6th	\$ 63.01
Tomomi OYE, Son, 1/6th	\$ 63.01
Tatsumi OYE, Son, 1/6th	\$ 63.01
Toshio OYE, Son, 1/6th	\$ 63.01
Shuichi OYE, Son, 1/6th	\$ 63.01
Mamoru OYE, Son, 1/6th	\$ 63.01
Net residue of Estate:	<u>\$567.11</u>

(Over)

MEMORANDUM....Page 2.

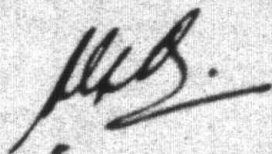
Nov. 18, 1946: Letter to Official Administrator re distribution to minor children.
Nov. 20, 1946: Reply to above.
Nov. 25, 1946: Letter to Official Administrator returning shares of minor beneficiaries, i.e.

Tatsumi OYE, born June 23rd, 1928	\$ 63.01
Toshio OYE, born Jan. 5th, 1931	\$ 63.01
Shuichi OYE, born Mar. 15th, 1934	\$ 63.01
Mamoru OYE, born Apr. 1st, 1937	<u>\$ 63.01</u>

Cheque No. 3388 (Nov. 28/46) for: \$252.04

to be held under control of Official Administrator until above minor beneficiaries become of age.

VANCOUVER, B. C.
11th JANUARY, 1949..



RGB/P.

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 92

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

B E F O R E

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

Winnipeg, Manitoba.

September 9th, 1948.

IN THE MATTER OF THE CLAIM OF

TSUMITAKE OYE

20 ESTATE OF

APPEARANCES:

F.M. PERG, Esq., Appearing for the
 Dominion Government

S.M. Cherniak, Esq., Appearing for the
 Claimant. (Estate)

SHIGEMU HIRAYAMA, Esq., Official Interpreter.

20 MARK H. PEARSE, Esq., Official Reporter.

K. Oye
In Chief.

KAMENO OYE, widow of Claimant, being first
Duly sworn, testified as follows:-

MR. CHERNIAK: Your Honour will note that this
claim has been filed by Kameno Oye who is the
widow of Tsunetaro Oye, who died intestate. She
is one of his heirs and the estate is being
administered by W.A. Ackland, the Official Admin-
istrator in Port Alberni, B.C.

DIRECT EXAMINATION BY MR. CHERNIAK:

10 Q Mrs. Oye you are the widow of the late Tsunetaro
Oye? A Yes, Sir.

Q You remember when we met and you gave me certain
instructions which I subsequently put on these
typewritten sheets of paper and you signed them?

A Yes.

Q And these are your signatures?

A Yes.

And to the best of your knowledge, information
and belief are the statements contained herein
true? A Yes.

20

MR. CHERNIAK: I will file as Exhibit 1, Your Honour
the Real Estate Statement signed by the witness.

(REAL ESTATE STATEMENT, EXHIBIT 1)

MR. CHERNIAK: And as Exhibit 2, the Statement as
to personal property, the fishing vessel, also
signed by the witness.

(PERSONAL PROPERTY STATEMENT, EXHIBIT 2.)

MR. CHERNIAK: And on behalf of my learned friend I
will file the appraisal of the real estate property
as Exhibit 3.

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K. Oye,
In Chief.

(APPRAISAL, EXHIBIT 3.)

MR. CHERNIAK: And the Custodian's analysis sheet as Exhibit 4.

(ANALYSIS, EXHIBIT 4.)

MR. CHERNIAK: The information given in Exhibit 1, Your Honour is that this property, which is in a fishing village on the West Coast of Vancouver Island, actually it is on an Inlet called Nakada Bay - this property was purchased in 1924 at which time a house was built and the house was renovated several times and the last time the house was renovated was in 1938 when the house was enlarged, and a well was dug in 1934. A woodshed was built in 1934 and a bath house in 1932. It is a five roomed house shingle on frame, inside half paper on shiplap half V joint. The witness sets out that her estimate of the value of the property is \$1,450.00 and states that she fixed her valuation of the property on the basis of a discussion with her husband, that she had in 1940, with a land appraiser who came to their village. At that time they agreed that the land was worth \$600.00 and the buildings \$850.00. She states she does not know who the man was or why he came. From Exhibit 3 Your Honour will note the appraisal filed by the Custodian is in a very sketchy form. You will note that all it states is that it is a frame building, approximately 32 x 12. Five Rooms. Need re-roofing. Value, \$150.00. No mention as to the size of the lot or

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K. Oye.
In Chief.

location. No mention of the finishing of the house. Nor do we know anything as to the qualifications of the appraiser. And since this is filed, of course, subject to the production of the appraiser, we have yet to obtain information about him. Now I would just like the assessment of the real property put on the record, I have it at \$100.00 for the land and \$800.00 for the dwelling. Your Honour, contrary to what I have said my learned friend has given me from his file an assessment notice for 1946 which shows the land at \$100.00 and improvements at \$1,800.00, making a total of \$1,900.00. I will file that as an Exhibit, Your Honour.

(ASSESSMENT NOTICE, EXHIBIT 5.)

MR. CHERNIAK: As to the fishing vessel, Your Honour, the witness sets out the year of purchase of the boat and the nature of the engine installed. She does not know the price but says it was kept in good condition. She says she does not know the value of this boat but that she discussed it with Teshiro Shimizu who was a boat builder and who knew this boat, and he told her that the market value of the boat at date of evacuation was between \$2,500.00 and \$5,000.00

Q Do you know anything about the value of the engine or about the nature of the engine in the boat for which you are claiming?

A The name of the engine is Enterprise

Q And do you know whether an Enterprise engine is

K. Oye.
In Chief.

cheap or expensive, large or small?

A It is a better brand of engine than most.

Q Did you ever hear your husband mention what he paid for it, in a general way?

A No, I don't remember.

MR. CHERNIACK: Your Honour, the practice has been to file an appraisal on the boat and I think Mr. Ferg will likely want to follow that practice.

MR. FERG: Yes.

MR. CHERNIACK: Your Honour, on behalf of my learned friend I am filing a summary taken from vessels records, dated October 30th, 1944, dealing with this boat and it sets out that the owner's valuation was \$1,900.00; the J.F.V.D.C. Valuation \$460.00; the date of sale was October 1st, 1942; signature on sales papers, Custodian sale; and the selling price \$460.00.

(SUMMARY, EXHIBIT 6.)

MR. CHERNIACK: On his behalf I also produce an unsigned survey report on the stationery of John Gould, Marine Surveyor and Appraiser, Vancouver, B.C., in connection with this boat, showing a valuation of \$380.00 and an estimated market value of \$400.00.

(SURVEY REPORT, EXHIBIT 7.)

MR. CHERNIACK: In this connection, Your Honour, the boat was sold for \$460.00. There was certain damage done to the boat by the Navy. This information I obtained from the Custodian's file.

K. Oye
In Chief.

There was certain damage done to the boat by the Navy, or while in the custody of the Navy estimated at: damage to the hull \$125.00; loss of equipment \$45.25, making a total of \$169.25. My learned friend has on his file a report and assessment as to this damage which he is now producing to me.

MR. FERG: Does that come under the terms of reference?

10

MR. CHERNIAK: I want to point out that the appraisal at \$350.00 to \$400.00 was made after the damage was done and I should have pointed out that there is mention on that appraisal by Gould that there is certain damage done to the boat. The appraisal was made on the damaged basis at that price.

THE COMMISSIONER: Where is that notation of damage on Gould's Report?

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MR. CHERNIAK: I was just speaking from memory Your Honour, maybe I am thinking of another case, however, that will be a matter of cross-examination, something for us to find out in Vancouver as to what the condition was. Can I note the date again on that Report, Sir?

THE COMMISSIONER: August, 1942

MR. FERG: That is the appraisal?

MR. CHERNIAK: The appraisal. The same man Gould on October 16th, 1942, estimated the cost of repairing the damage at \$125.00, but I don't know what was decided or what compensation should be made in respect to the lost equipment. However, from

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K. Oye
In Chief.

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the Custodian's file I learned that the boat purchaser received an assignment of this admitted claim against the Navy for a total of \$168.00 and my submission is that by simple arithmetic he actually paid for the boat \$291.74 and that is a credit which I feel we ought to acknowledge to the Custodian because of the fact we say he should not have received this assignment of claim or, had he received it he should have paid that much more for the boat, our contention being that the boat was worth more in a whole state than it was as damaged by the Navy. We are withdrawing the claim for chattels, Your Honour. We are proceeding only on the real property and the boat. The values are shown. The real property was sold for \$338.60 and the fishing vessel was sold for \$460.00, less, we submit, \$168.26, making a sale price of \$291.74. I would also like to put on the record that I have in my possession a certificate of title dated January 9th, 1942 in the name of the deceased for the property claimed.

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MR. FERG: It is submitted, Your Honour, that the real property was sold at its fair market value and that the boat in question was sold at its fair market value and I would just like to make the observation now, with regard to the damage to the boat, that these boats did not come into the hands of the Custodian until the 1st of

9.
K. Oye
Gr-Exam.

August, 1942 and, I submit, do not come within the terms of reference.

MR. CHERNIACK: That is correct, we are not contending that the Custodian is responsible for it, all we are saying is that the Custodian settled the claim and settled it with someone other than the deceased.

MR. FERG: There is a document here that I can file and which might dispose with that feature of the matter in which the amount in question was settled for \$125.00 and this sum was released to the purchaser of the boat. This release, in part, reads "While in the custody of the Royal Canadian Navy, this vessel suffered damage to the value of \$125.00, as assessed by the surveyor for Naval Service, which sum is approved by the undersigned and accepted as adequate compensation - - -"

THE COMMISSIONER: This woman was credited with the full sum for which the boat was sold?

MR. CHERNIACK: Yes, our contention being that it was valued at \$350.00 to \$400.00 in its damaged condition and that if it were assessed in its damaged condition then the estate should have received this claim against the Navy.

MR. FERG: I will file that release as an Exhibit, Your Honour.

(RELEASE AND DISCHARGE, EXHIBIT 3)

CROSS-EXAMINED BY MR. FERG:

Q Mrs. Oye, this real property that you owned was at Hokada Bay? A Yes.

K. Oye:
Gr-Nash.

Q And it was very inaccessible, that is, it was hard to get at? A It was in an Inlet right on the Pacific Ocean.

Q And was part of a little fishing village, there were only about eleven houses there?

A Yes, ten or eleven houses.

Q Do you know anything about your husband's boat being blown away? A When my husband was bringing the boat into New Westminster under escort of the Navy, he must have had engine trouble or something and he was lost.

Q And this is the same boat you are claiming for?

A Yes.

Q Was the boat damaged on that occasion?

A It was left in Seattle, Washington for a long time.

Q As a matter of fact he was blown away from the convoy and landed at Point Roberts in the United States? A Yes.

Q Was that in January, 1942?

A It was before Christmas, 1941.

Q How do you know anything about the value of the boat or real property yourself?

A I don't know anything about the price.

MR. CHERNIACK: Might I ask my learned friend Mr. Ferg if he has some knowledge as to where the damage was done, whether it was done at that time or subsequent to that? Isn't there some way we can learn when the damage was done?

THE COMMISSIONER: Evidently it was done while in the Custody of the Navy

K. Oye.
Gr-Exam.

MR. FERG: They paid the damage.

THE COMMISSIONER: Yes, but I was just wondering whether it was done at the time he was questioning the witness or subsequent to that. There might have been two occasions on which the boat was damaged.

MR. CHERNIACK: I will pursue that further, Your Honour. We have been speaking of \$125.00 damage from the Navy, there is also \$45.26 which the Navy paid for loss of equipment. Again the Custodian's file which I was loaned does not reveal to me what equipment was lost or how it was made up or how it totalled \$45.26, but I contend that that equipment was missing at the time of the valuation by Gould and that there again the amount by which the purchase price was reduced was wrongly done that way because the equipment belonging to the boat was not there on the date it was valued and it belonged to the estate.

THE COMMISSIONER: You withdrew your claim as to the personal property?

MR. CHERNIACK: The reason I did that, Sir, was because of the amount of money involved, I didn't want to bring out the reasons why she did not declare those chattels. I don't know if it is of any import but there was something mysterious about the way the deceased died. The witness does not know what happened, but it was during this trip that my learned friend referred to,

McGee.
Gr-Mann.

apparently he turned up in Vancouver injured in some way, as far as I can gather, by a rifle bullet. He died before she had an opportunity to speak to him and she was so upset that I wanted to spare her the pains of discussing something that is so hard on her and that is the reason I am withdrawing this claim. There is some equipment mentioned here. The Custodian's file does not tell us whether or not this is the equipment for which we claim an equipment for which the Custodian made claim to the Navy, so again my only recourse has been to reduce the sale price by the amount of the acknowledged claim against the Navy. I don't know if I make sense or not, but I think it is fairly clear what I have in mind.

MR. FERG: I have another release here on the master file, it refers to \$43.00.

MR. CHERNIACK: I think it should be filed.

MR. FERG: It is a claim for \$43.00 but it is described 'While in the custody of the Royal Canadian Navy, this vessel suffered loss and/or damage to the value of \$43.26, as assessed by the surveyor for Naval Service, which sum is approved by the undersigned and accepted as adequate compensation', it is also signed on the same date as the other one - oh no - the other one is the 17th of April and this one is the 9th of April, 1945

K. Gye
Jr. - 12-12-12

(RELEASE AND DISCHARGE, EXHIBIT 9.)

MR. CHENNIER: Your Honour, that is the standard form used but the information on the Custodian's file is \$125.00 damage to the hull and \$43.26 is for loss of equipment.

THE COMMISSIONER: Maybe the stuff went overboard or something?

MR. CHENNIER: Or stolen, Sir, many of these moveable objects have disappeared while in the custody of the Navy.

MR. FERG: The position we take in regard to that is that these expenses were incurred after the vessels were delivered to the Navy at Steveston and it is questionable whether this claim is justified at all under the terms of reference. I have a photograph here also, Your Honour, which I think should probably be filed.

(PHOTOGRAPH, EXHIBIT 10)

(PROCEEDINGS ADJOURNED SINCE DUE)

Certified to be a true and accurate transcript.

Mark H. Pearce
(MARK H. PEARCE)
OFFICIAL REPORTER

I, the undersigned Sub-Commissioner hereby certify that the foregoing 15 pages of typewritten matter contain a true and accurate record of the sub-commission held in the Law Courts Building, Winnipeg, Manitoba, at the time and date first above mentioned.

A. G. B. B. B.
(SUB-COMMISSIONER)

13766

November 16th, 1950.

Mr. W.A. Ackland,
Official Administrator,
Port Alberni, B. C.

Dear Sir:

Estate of Teunetaro OYE, Deceased.
Re: Japanese Property Claims Commission

Case No. 868

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 ... \$561.18.

Cheque in your favour is enclosed for \$509.66
and we have paid the Co-Operative Committee .. \$ 51.52
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FCS/js
1 encl.

13766

October 19, 1950

Mr. R.J. McMaster,
Barrister & Solicitor,
1408 Royal Bank Bldg.,
Vancouver, B. C.

Dear Sir:

Re: Japanese Property Claims Commission
Case 888

Enclosed herein is a special Release form which we have prepared in connection with the above case, to be signed by Mr. W.A. Ashland of Port Alberni, B.C., Administrator of the Estate of Tametaro OHE, deceased.

Letter of Authority to Pay Legal Fees to the Co-Operative Committee for the amount of \$51.52 is also enclosed.

Yours very truly,

F. G. Shears,
Director.

FGS/GN
Encls.

W.A. Ackland

Port Alberni, B.C. Decr. 11th, 1950.

Official Administrator.

Mrs. Kameno Oye,
Whitemouth,
Manitoba.

Dear Mrs. Oye:

Re: Estate of Tsunetaro Oye-deceased.

As you have probably been advised, this estate has received from the Japanese Property Claims Commission, the sum of \$561.18 less the fees of the Co-operative Committee in Toronto, of \$51.52, making a net credit to the estate of \$509.66.

I propose making distribution of these monies in accordance with a y detailed statement below, and will be glad to have the correct addresses of your sons, Tatsumi, Masaji and Tomomi, so that their shares may be mailed to them.

Receipts:- Japanese Property Claims Commission. \$509.66

Disbursements: Legal expense re affidavits. 2.50
Official Administrator's
allowed fees. 5% of \$509.66. 25.48 27.98
Balance available for distribution as follows:- \$ 481.68

Mrs. K. Oye. One-third share of \$481.68.		160.56
Mrs. K. Oye. One-sixth of two-thirds share for		
benefit of Minor children: Toshio.	53.52	
Shuichi.	53.52	
Mamoru.	53.52	160.56
Masaji Oye. One-sixth of two-thirds Share.		53.52
Tomomi Oye. " " "		53.52
Tatsumi Oye. " " "		53.52
		\$ 481.68

A copy of this letter is being forwarded to the Office of the Custodian at Vancouver, B.C., for their information and records.

Trusting my action in this respect meets with your approval.

Yours very truly,

W.A. Ackland

Official Administrator.

Certified Copy for Office of the Custodian.
Vancouver, B.C.

Name of Claimant **OUR, Teumetare (decd)**
Kamene (widow)
 Custodian File **2293 & 2195**
13744

Case **2293**

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		
		350.68	35.06	12.50	<i>Spec by comm</i>				276.76 47.56 ✓	
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			
		460.00	131.00		105.76				105.76 131.30 ✓	
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			
TOTAL RECOMMENDATION									294.42 ✓	

Winnipeg, Man.
Sept. 9th, 1948.

DEFENCE BRIEF

Tsunetaro OYE, Reg. No. 12161 (ESTATE)
Case #888
File 13766

REAL AND PERSONAL PROPERTY CLAIMS
(All claims shown are gross)

- (1) Real Property: Hakoda Bay, V.I. (Cat. No. 518 -
Block 4 of Lot 795, Clayoquot District,
Plan 2971) - 5.2 acres.

Sold for

\$1,450.00 as per amended claim (Exh. 888-1)

\$ 350.68

Net amount of Real Property Claim:

\$1,099.32

Evidence: Evidence taken at Winnipeg hearing (Transcript p.3) shows value in amended claim (Exh. 888-1) to be based on hearsay. There is no evidence in Custodian records to support it and claimant (deceased's widow) has not produced any.

Claimant's counsel referred (p.5) to assessment notice for 1946 (year of sale) as giving the assessed value of the Land (5.2 acres) as \$100.00 and Improvements as \$1,800.00. While these figures do appear on Tsunetaro OYE'S assessment notice a tax office supplement attached thereto shows the improvements on his land consisted of a dwelling belonging to Seiichi MORI (File 1532) assessed at \$600.00, and a dwelling belonging to Motoichiro YOSHIHARA (File 5232) assessed at \$1200.00. Tsunetaro OYE'S own dwelling was assessed to him at \$800.00 (as per Custodian combined Analysis dated Aug. 16/48), this dwelling being on another person's land. As explained in this Analysis, Hakoda Bay consisted of 60 acres of land (uncleared except on foreshore) subdivided into 11 parcels of approximately 5 acres each. The buildings on this land were clustered together on the foreshore, being erected without regard to boundary lines. However, each house was known by its owner, to whom it was assessed. Each of the 11 parcels of land was assessed at \$100.00.

As further explained in Custodian combined analysis this group of properties was sold collectively to the Indian Affairs Branch of the Department of Mines & Resources for the lumpsum price of \$4,750.00 (final adjustment credits for unexpired taxes and insurance bringing total amount received in payment up to \$5,007.01). Distribution of proceeds of sale was based on the assessed values of the properties, on which the owners had been paying their taxes. On this basis this account's share of net proceeds amounted to \$350.68, as per our letter of Dec. 31/46. Taxes and insurance charged to this account during the period of Custodian administration

(Over)

DEFENCE BRIEF.....Page 2.

amounted to \$142.44. These charges calculated on the basis used for distribution of sale proceeds amounted to \$90.29, necessitating an adjustment in the sum of \$52.15 and bringing total adjustment credit to \$402.83, as explained in our letter of December 31st, 1946.

Sold for

Witnesses: F. G. Shears.
H. G. Winter (Appraiser).

- (2) Fishing Vessel (Troller "T.O." - 32' x 8' x 4.5' powered with a 12 H.P. Enterprise motor).

\$1,900.00 as per Transcript pp. 5-6

\$ 460.00

Net amount of Fishing Vessel Claim:

\$1,440.00

Evidence: It was reported that the naval convoy of fishing vessels from the West Coast of Vancouver Island to New Westminster (December, 1941) ran into bad weather and became scattered, this vessel running aground at Point Roberts in American territory. The owner was arrested by the American authorities and apparently attempted to commit suicide in jail. He was moved to hospital but died there as a result of his attempt. His widow has been unable to supply much information regarding her husband's fishing vessel but owner's valuation on Specification form (\$1900.00) is confirmed by JFVDC appraiser, O. W. Phillipson, who estimated the new value of hull @ \$1000.00, engine @ \$1000.00, and extras @ \$200.00, or a total of \$2,200.00. The value at date of survey (early in 1942) was put @ \$400.00. The JFVDC did not succeed in finding a purchaser and turned the vessel over, with the balance of their unsold fleet, to the Custodian as of 1st August, 1942. Custodian appraiser, Marine Surveyor John Gould, placed a value of \$350.00 on the vessel, which was eventually (Oct. 1/42) sold by the Custodian for \$460.00. A claim against the Navy for damage to hull (\$125.00) and loss of standard equipment (\$43.26) was assigned to purchaser. In this connection it should be mentioned that appraisals were made for vessels complete with standard equipment. Both appraisals were made while vessel was afloat. Damage to hull was not discovered until vessel was hauled up for inspection by purchaser at time of sale. The question of these claims was raised by claimant's counsel at Winnipeg hearing (Transcript pp.7-8 & 10-13).

Witness: John Gould.

- (3) Personal Property (Household chattels listed in original claim - Oct. 15/48).

\$ --- This claim for \$367.00 was withdrawn at Winnipeg hearing (Transcript p.11, line 21).

\$3,350.00 Gross total.

Net amount of Claim:

\$2,539.32

\$ 810.68

DEFENCE BRIEF.....Page 3.

<u>Summary of Witnesses</u>	<u>Where Required</u>	<u>Index to Defence Brief Documents</u>
F. G. Shears.	(1)	(A) DEFENCE BRIEF.
M. G. Winter (Appraiser).	(1)	(B) TRANSCRIPT.
John Gould.	(2)	(C) EXHIBITS:
		(1) Exh. 888-1 (Claimant's RP Summary).
		(2) Exh. 888-2 (Claimant's PP Summary).
		(3) Exh. 888-3 (HGW Appraisal - Cat. 518).
		(4) Exh. 888-4 (Cust. Anal. of PP Claim).
		(5) Exh. 888-5 (Assessment Notice - 1946).
		(6) Exh. 888-6 (F.V. Summary - 30/10/44).
		(7) Exh. 888-7 (Survey Report re F.V.).
		(8) Exh. 888-8 (JFVDC Release & Discharge).
		(9) Exh. 888-9 (JFVDC Release & Discharge).
		(10) Exh. 888-10 (Photo of Fishing Vessel).
		SUPPLEMENTARY DEFENCE BRIEF DOCUMENTS:
		(11) Original Claim (Nov. 15/48).
		(12) Custodian combined Analysis.
		(13) Custodian RP Summary (27/8/46).
		(14) C/E (24/10/42).
		(15) Tax Notices with attached statements.
		(16) Let. (31/12/46) outlining distribution of RP proceeds.
		(17) Hakoda Bay properties Distribution statement. (Aug. 1/46).
		(18) Fishing Vessel Specification.
		(19) Naval receipt (Point Roberts 3/1/42) for Fishing Vessel.
		(20) Naval certificate (1/8/42) of missing F.V. equipment.
		(21) Extract of JFVDC appraisal record.
		(22) Survey Report (9/10/42) on Hull of FV.
		(23) Assignment of Claim (15/12/42).
		(24) Statement of Account (19/12/46).
		(25) General Summary (1/4/47).
		(26) Official Administrator's Distribution Statement (Nov. 14/46).
		(27) Cust. "JP" form (30/3/42 - Mrs. Tsunetaro OYE).