

8467

BUREAU POWELL STREET
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 8467

EXHIBIT No. 776-3
DATE October 8 1948
FILLED BY G. E. A. Rice

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

NAME: TOYODA, Yoshinaru

REGISTRATION No. 10344

HOME ADDRESS: 2590 Eton Street, Vancouver, B.C.
(As per card-Knight Inlet, B.C.)

MARRIED? Yes

SEX: Male AGE: 41

OCCUPATION AND EMPLOYER: Fisherman, ABC Packers, Vancouver, B.C.

ADDRESS: 2590 Eton St., Vancouver

NAME OF WIFE OR HUSBAND: Fusako

ADDRESS: Same as above.

NAMES OF LIVING CHILDREN: Yoshinobu (M) 17 yrs

ADDRESS: " " "

Hideko (F) 16 yrs

ADDRESS: " " "

Kahoru (F) 14 yrs.

ADDRESS: " " "

Minoru (M) 3 yrs

ADDRESS: " " "

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

Dated this 7th day of May 1942.

(Signature) Y. Toyoda

WITNESS: [Signature]

FOR DEPARTMENTAL USE

HOW DO YOU PROPOSE TO PAY THESE OFF?

LIST OF LIABILITIES:

None

8467
INFORMATION FROM R.C.M.P.

Date Oct. 2/43.

Our File No. 8467

Full Name Yoshikawa
(Surname in Block Letters)

Registration No. 10344

Male - Female
(check)

Age May 25, 1901

Former Address Knight Inlet, B.C.

Date Evacuated 12/3/42

Naturalized - Canadian-Born - National
(check)

Present Address 90 C.H. Gillies Picture Butte, B.C.
Checked Oct 20/47

Married - Single
(check)

Name of Wife Fusako #10342

Name of Husband

Name of Mother Kiyoko

Name of Father Keigo

Names of Children under 16

Shigeo (14) 22/4/31

Yasuo (16) 11/4/26

Requested by J. B.

Registered with Custodian
(Yes or No)

Additional Information Fusako. lives here.

On balance
2-42

VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

8th November, 1950

A. GLADSTONE VIRTUE, M.C.K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.
FREDERICK JOHN MORGAN, B.A., LL.B.

PLEASE REFER TO FILE NO. 3212-169

Rec'd	Nov. 10/50
File No.	
By	J. H. Shears
Per	C. H. Reed

Attention: Mr. F. G. Shears,
Director.

OFFICE OF THE CUSTODIAN,
Department of the Secretary of State,
506 Royal Bank Building,
VANCOUVER, B. C.

Dear Sir:

Re: Yoshiharu TOYODA, ~~Esq.~~,
Case No. 776. Our No. 3212-169

We enclose herewith Release Form and
Letter of Authority to Pay Fees duly signed by Yoshiharu
TOYODA, and shall be pleased to receive cheque in due
course.

Thanking you, we are,

Yours truly,

VIRTUE RUSSELL & MORGAN,

Per



AGV/mk

encl

XXXXXXXXXXXX 306 Royal Bank
XXXXXXXXXXXX Building,

12th September 1949.

1212-169

A.G. Virtue, Esq.,
McFarland Building,
Lethbridge, Alberta.

Dear Sir,

Case No. 776 - Yoshihara Toyoda

I have your letter of the 13th August and note your comments.

The net claim here can be divided as follows:

Claim for note	\$605.00
Sold by tender	
(990 claim)	60.00
Left with agent	515.00

The transcript shows definitely that these notes were left with the Company and that the Custodian was not informed of their existence.

We have on our records a card signed by the claimant on 7th May 1942 informing the Custodian that he had no property of any kind in the protected area.

The Company later made an offer to the claimant for the sale of his note and apparently there is still a debt owing on these by the claimant. We would also point out that in November 1948 the claimant valued his note at \$360 and now suggests that they are worth \$605.

In view of the above will you kindly advise me.

Yours very truly,

File No. 8467

August 31st, 1949

MEMORANDUM

TO: MR. D. T. BRAIDWOOD

FROM: MR. GOOD

Re: Yoshiharu TOYODA, Case No. 776
Mr. Virtue's letter of August 13th

Claim for nets	\$605.00
Sold by tender claim	90.00 for \$60.00
Left with Agent	515.00

Mr. Virtue can change his feelings and be convinced that he is not entitled to any award. Perusal of the transcript shows definitely that these nets were left with the Cannery Company and that the Custodian was not in any way made aware of their existence. The claimant on the 7th May, 1942 signed a yellow card (flagged on the file for your convenience) informing the Custodian that he had no property of any kind in the Protected Area.

The Cannery Company made an offer to the claimant for the sale of his nets, and he apparently still owes them \$250.64 on these same nets, but he just "did nothing" about the offer.

Further in November 1948 he valued his nets at \$360.00 and now suggests that they are worth \$605.00

BG:BK

MEMORANDUM

June 24/48

Re: TOYODA, Yoshiharu, Reg. No. 10344

Papers on File, following Miscellaneous Correspondence filed at back, are as follows:

1. Apr. 25/42 Ltr. and Inventory of goods of "Y. Toyoda". As no person of this name reported goods at Knight Inlet owner of goods could not be identified.
2. May 7/42 "J" Card "I have no property of any kind" signed "Y. Toyoda"
3. Aug. 17/43. Ltr. replying to inquiry of B.C. Security Commission re goods of Yoshiharu Toyoda.
4. Aug. 25/43. Ltr. from Knight Inlet Cannery Manager - offers to purchase made to Toyoda in 1942 refused - nets hanging at plant for disposal.
5. Sept. 1/43 Custodian to Mgr. Knight Inlet Cannery "Accept any offer which appears at all reasonable."
6. Sept. 1/43 Custodian to B.C.S.C. reporting on information received from Knight Inlet.
7. Nov. 29/43 Undated ltr. rec'd from Toyoda expressing annoyance that his goods had not been sold by Custodian - for first time reporting his goods to Custodian - ending "If you don't want to help -- I will handle this by myself."
8. Dec. 6/43 Custodian to Toyoda - Outlining history of his property to date - ending with "We do not see there is anything further that can now be done and in view of your last paragraph we shall take no further steps unless we hear further from you."
9. Apr. 25/45 Ltr. from Toyoda re nets and wood - reporting for first time kitchen goods at 2590 Eton St.
10. May 4/45 Ltr. to Toyoda referring to previous correspondence. Reporting goods sold at auction and stating that two boxes of books were held in warehouse.
11. Aug. 3/46 Ltr. from Anglo-British Columbia Packing Co., Knight Inlet enclosing \$50.00 for net sold in 1943, reporting 2 nets still on hand and referring to mortgage on net account. (The mortgage referred to, according to Mr. Matthews who was Mgr. of Knight Inlet Cannery in 1942 and 1943, was actually a net contract on which Toyoda owed \$250.64 - which is still unpaid)
12. Aug. 14/45 Ltr. to Toyoda re nets and mortgage of \$250.64.
13. June 23/48 Ltr. from Anglo B.C. Packing Co. stating nets still at Knight Inlet Cannery, rotted away and useless for fishing.

Verbally, Mr. Matthews has informed this office that after the offers received in 1942 had been refused by Toyoda, there was no chance for sale of these nets because of seine-fishing having supplanted gillnet-fishing.

.....

WAREHOUSE GOODS

- 14 & 15 - Auction Sheets July 12/44 & Dec. 21/45. 3 boxes & 1 carton identified as property of Yoshiharu Toyoda were found at 2590 Eton St. There is no record of the abandoning of the Japanese books, but Japanese books were not saleable, suffered deterioration from storage and, when warehouses were sold, books generally were abandoned.

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

(d) Title or interest held by Claimant in the real property:

(e) Fair market value of real property at date of sale:

(I) Land— \$

(II) Buildings— \$

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

\$

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

Nets were left at the A.B.C. Packing Co., Knight Inlet, B.C.
House belongings at 2590 Eton St., Vancouver, B.C.

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

Nets were left at the Knight Inlet Cannery's Net House.
Households were left at the residence of Mr. J. Hamaura,
2590 Eton St., Vancouver, B.C.

- (c) In whose care was property left by the Claimant at date of evacuation?

Anglo British Columbia Packing Co, Knight Inlet, B.C.
and at 2590 Ston St. Vancouver, B.C. and later turned
in to the care of the Custodian.

- (d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

1 Gehoe net
3 Sockeye net
1 set of net line
Household belongings

\$ 90.00
240.00
30.00

50.00

560.-
50.-

410.-

- (e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

\$410.00

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will be required.

DATED this 12th

Nov.
day of October, A.D. 1947.

J. Ikeda

Witness to Signature of Claimant.

Y. Toyoda

Signature of Claimant.

STATUTORY DECLARATION

IN THE MATTER OF THE EVIDENCE ACT

I, **Yoshihara Toyoda**
(Full Name of Claimant)

of **Picture Butte, Alta.**
(Present Address)

Best Worker
(Occupation)

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.
2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.
3. The above Claim is true and correct.
4. I have not received any payment upon the above Claim other than the following:

Have not received any payment for my belongings. ?

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at **Picture Butte**

in the Province of Alberta,

this **13th** day of **November**

A.D. 1947.

Russell D. Webb
A Commissioner for Oaths in and for
the Province of Alberta.

Y. Toyoda

VIRTUE & RUSSELL
Barristers & Solicitors
Lethbridge, Alberta

VIRTUE & RUSSELL, Barristers, Lethbridge.

THE ANGLO-BRITISH COLUMBIA PACKING COMPANY,
LIMITED

TELEPHONE: PACIFIC 7277
CABLE ADDRESS
BELLIRVING

H. BELL-IRVING & CO. LIMITED
AGENTS

HEAD OFFICE IN ENGLAND
2-4 BOUL LANE, EASTCHEAP,
LONDON, E. C. 3.

689 WEST HASTINGS STREET
VANCOUVER, B. C.

June 23rd, 1948.

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

Dear Sirs:

Re: Yoshiharu Toyoda, Reg. No. 10344.

Regarding nets held by us for the abovenamed Japanese at our Knight Inlet Cannery, we have been advised by the Manager of that cannery that the balance of these nets are still there and have rotted away and useless for fishing.

Mr. Green, Custodian, has already been notified of the condition of these nets.

Yours truly,

H. BELL-IRVING & CO. LIMITED,
Agents.

Per 

WJM/R.

8467

November 26, 1946.

Mr. W. J. Matthews,
Anglo-British Columbia Packing Co.,
989 W. Hastings St.,
Vancouver, B.C.

RE: Yoshiharu TOYODA

Dear Sir:

Mr. TOYODA declared the following fishing nets at the Knight Inlet Cannery:

1 Sockeye net 5"	- new
1 Johnston net	- 1 year old
1 Sockeye net 5 1/2"	- 1 year old
1 Cohoe net 6"	- 1 year old
1 Cohoe net 6"	- 2 years old

On August 12, 1946, we received the sum of \$60.00 from your Company for one Cohoe net belonging to TOYODA. The following is what we were told about the other nets by the Manager of the Knight Inlet Cannery:

We still have on hand an old Sockeye net and part of one Cohoe net, the other two nets we cannot trace except that there was a mortgage against him on net account for some \$250.64. We suggest that you communicate with Mr. W.J. Matthews who was manager at that time and is now at our Vancouver office.

Any information you can give us about the two missing nets and the mortgage on nets mentioned by Mr. Corker, will be much appreciated.

Yours truly,

F. Matheson
Office of the Custodian

LMH:

8467

August 14, 1946.

Mr. Yoshihara TOYODA,
Reg. No. 10344,
C/o C. H. Gillies,
Picture Butte, Alta.

Dear Sir:

Re: Fishing nets

We enclose for your information copy of letter we have just received from the Anglo-British Columbia Packing Co., Ltd., Knight Inlet Cannery regarding your nets.

According to their letter, there was a mortgage against you on net account amounting to \$250.64.

We would ask you to kindly verify the accuracy of this account.

Please let us have a reply as early as possible.

Yours truly,

G. B. Spain,
Protection Department.

GBS:CG

Encl. (1)

ALL COMMUNICATIONS TO BE ADDRESSED TO THE
COMPANY'S AGENTS
H. BELL-IRVING & CO., LTD.
VANCOUVER, B. C.

THE ANGLO-BRITISH COLUMBIA PACKING COMPANY
(LIMITED)

Knight Inlet

Cannery

Aug 8th

1946

Department of the Secretary of State
Japanese Evacuation Section
Vancouver B. C.

EVACUATION SECTION

Rec'd AUG 12 1946

File No. 8467

Ans.

Referred

Dear Sirs,

Reference your #8467 of July 24th re "Yoshiharu Toyada" we find that an old Cohoe net of Toyada's was sold in 1943 for \$60.00 and that amount has been carried in our books since that date to the credit of the Japanese Custodian and we enclose our draft for that amount.

We still have on hand an old sockeye net and part of one coho net, the other two nets we cannot trace except that there was a mortgage against him on net account for some \$250.64. We suggest you communicate with Mr W J Matthews who was manager here at that time and is now at our Vancouver Office.

With regard to the wood we understand this was stolen by Indians and we cannot recognise any claim.

Yours truly,

Anglo-British Columbia Packing Co., Ltd.
KNIGHT INLET CANNERY

W. N. Borku
MANAGER

8467/10344

TOYADA, Yoshiharu

May 4th, 1945.

Mr. Yoshiharu TOYODA,
Reg. No. 10344,
c/o C. H. Gillies,
Picture Butte, Alta.

Dear Sir:-

In answer to yours of April 25th, we should like to remind you of what we wrote in ours of December 6th, 1943.

"We do not see that there is anything further that can now be done and in view of your last paragraph, we shall take no further steps unless we hear further from you. We do not, however, agree that we are unwilling to help you but that you have yourself been remiss in co-operating with this office."

In case you do not recall what you said in the letter to which our previous paragraph was in answer, we quote it in order to refresh your memory.

"If you do not want to help us out, it is okay because I will handle this by myself."

Finally, we have sold at auction some of your belongings as removed from 2590 Eton Street and are enclosing a list of these. This money can be sent to you or can be used to make shipment to you of two boxes of books we still hold in our warehouse.

Yours truly,

H. F. Green
Protection Department

Enc.
HFG:IP

8467

December 6th, 1943

Mr. Yoshiharu TOYODA,
Registration No. 10344,
c/o C. H. Gillies,
Picture Butte, Alta.

Dear Sir:-

Thank you for your undated letter received here on November 29th enquiring about your nets and wood. We draw your attention to the fact that you declared no property when you registered with the Custodian on May 7th last year. Subsequent investigations by this office resulted in the writing of the following letter to the Welfare Department of the B. C. Security Commission which we think calls for very little further comment.

"Further to ours of August 17th, we now hear from the Knight Inlet Cannery as follows:

"We beg to advise you that these nets are hanging here at this plant for disposal. Last spring an offer was made to this man with his gear, which he at that time refused to accept. At the time this offer was made, we had a chance for disposal of same but now at this late date it is impossible for us to get return of same."

"We have written to the Knight Inlet Cannery advising them to accept any reasonable offer they can obtain, and we consider that this Japanese is wholly responsible for any loss he may suffer due to the nets deteriorating so as to become valueless. He did not declare anything to this office when he registered on May 7th, 1942 or we could have done something about it before now."

We do not see that there is anything further that can now be done and in view of your last paragraph, we shall take no further steps unless we hear further from

Mr. I. Toyoda

- 2 -

Dec. 6, 1943

You. We do not, however, agree that we are unwilling to help you but that you have yourself been remiss in co-operating with this office.

Yours truly,

H. F. Green
Protection Department

HFG:IF

2467

September 1, 1943.

The Manager,
The Knight Inlet Cannery,
Knight Inlet, B. C.

Dear Sir:

Re: Yoshihara WOODA

Many thanks for yours of August 25th, from which we are sorry to see that this man turned down your offer for this equipment last spring. Under the circumstances we consider that there is nothing more to be done except to leave the gear where it is, if you will consent to this, and accept any subsequent offer you may receive which appears at all reasonable. It obviously would not be worth while shipping this equipment anywhere else, and we must just hope that you may receive some offer before it depreciates too far.

Thanking you very much for your assistance in this matter,

Yours truly,

H. F. Green,
Protection Department.

HFG:BS

ALL COMMUNICATIONS TO BE ADDRESSED TO THE
COMPANY'S AGENTS
H. BELL-IRVING & CO., LTD.
VANCOUVER, B. C.

THE ANGLO-BRITISH COLUMBIA PACKING COMPANY
(LIMITED)

Knight Inlet

Cannery

August 25th,

19 43.

EVACUATION SECTION	
Date	AUG 25 1943
File No.	8A67
Ans.	1/1
Referred	Green

H. F. Green,
Protection Department,
Department of the Secretary of State,
Office of the Custodian,
506 Royal Bank Bldg.
Hastings and Granville,
Vancouver, B. C.

Dear Sir:

Referring to your letter re fishing nets
of Japanese named Yoshiharu Toyoda, file no. 8467.
We beg to advise you that these nets are hanging
here at this plant for disposal. Last spring an
offer was made to this man with his gear, which
he at that time refused to accept. At the time
this offer was made, we had a chance for disposal
of same but now at this late date it is impossible
for us to get return of same.

Would you kindly advise us procedure in
this matter as we can make no offer for them now?

Yours truly,

Anglo-British Columbia Packing Co., Ltd.
KNIGHT INLET CANNERY

[Signature]
MANAGER

W.M.G.B.

8467

August 14, 1946.

The Anglo-British Columbia Packing Co., Ltd.,
Knight Inlet Cannery,
C/o H. Bell-Irving & Co., Ltd.,
Vancouver, B.C.

Dear Sirs:

Re: Yoshiharu TOYODA

We thank you for your letter of the 8th, instant and thank you for your draft in the sum of \$50.00 representing the sale of one old Cohoe net. Our official receipt is enclosed and a copy of your letter has been forwarded to Mr. TOYODA for his information. We will be pleased to hear from you as soon as possible regarding the disposal of the balance of his nets.

Yours truly,

G. B. Spain,
Protection Department.

GBS:CG

Encl (1)

8467

February 17, 1944

Mr. A. E. Russell,
British Columbia Security Commission,
Lethbridge, Alta.

Dear Sir:

Yoshiharu TOYODA. Reg. 10344

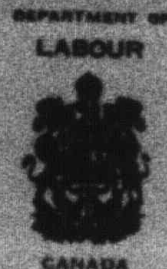
In reply to your letter of February 17th, we wish to advise that we have no record of the radio left in the care of Norman Corker, Comox, B. C.

There are no claims registered against Yoshiharu TOYODA.

The Custodian sees no reason why this radio should not be shipped to Toyoda.

Yours very truly,

F. Matheson,
Specified Articles Department.



EVACUATION SECTION

Rec'd FEB 19 1944

File No. 84674

Ans.

Referred

Matheson

BRITISH COLUMBIA SECURITY COMMISSION

Lethbridge, Alberta,
February 17, 1944.

The Official Custodian,
506 Royal Bank Building,
VANCOUVER, B.C.

Dear Sir:

Re: Yoshiharu TOYODA, #10344-138251.

Subject person advises that he left a radio in care of Norman Corker at Comox, B.C., and from the context of the letter it would appear that this was not registered with the Custodian.

If the Custodian has no claim against Mr. Toyoda's estate, may authority be given to Mr. Corker to forward this radio, charges collect, to Mr. Yoyoda, c/o Mr. C.H. Gillies, Picture Butte, Alberta.

Yours truly,

B. C. SECURITY COMMISSION,

A. E. Russell

A. E. Russell.

AER/T.
cc - M.L. Brown.

BRITISH COLUMBIA SECURITY COMMISSION.

CUSTODIAN RELEASE FORM

EVACUATION SECTION	
Rec'd	Jan 23 1943
File No.	8467
Ans.	
Referred	

Address L.C.H. Dillie

Date Nov. 25/42

Police Data 2/43

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

I, Yoshie Takeda, Police Registration No. 10247

hereby request you to release to me the under-noted property stored at 2590 Eaton Street Vancouver B.C.

in possession of apartment front bed room set

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

Description of Property:

1 double bed with spring

Original Address Glendale Ave. Knight Island B.C.

Date Evacuated to Vancouver March 25 1942

Date Evacuated to Present Address May 25 1942

Number in Family - 12 years and over 5

Number in Family - 5 to 11 years old —

Number in Family - under 5 1

TOTAL NUMBER IN FAMILY 6

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

APPROVED:
BRITISH COLUMBIA SECURITY COMMISSION

Per:

[Signature]

Claimant Signs Here, [Signature]

Deposit Received \$5.00 Receipt #1395.
Receiver General Draft Forwarded 15/12/43.

STATEMENT OF ASSETS

British Columbia Security Commission.

Custodian's Office

No. 1: 2167

Reg. No. 1034

Name: TOTOPI, Yoshihara

Address: ALBERTA

Special Enquiry:

Credit with Custodian: No account

Credit in Bank: None declared May 7th, 1942 1st Form

Life Insurance: None declared

Real Property: Nil

Negotiable Assets: None declared May 7th, 1942.

Remarks: Owned boat which was sold to H. Bell - Irving & Co. Ltd., for \$700.00 and proceeds paid to J. Y. Toyoda on April 9th, 1942. Signature on Agreement for Sale and (JP) Form differ but possibly a member of family signed A/S on his behalf.

He also owned fishing nets which were left at Knight Inlet Cannery and a Radio left at Comox, B. C.

Compiled by:

W. J. Johnston.

Date: June 2nd, 1944

COPY

THE ANGLO-BRITISH COLUMBIA PACKING COMPANY (Limited)

Knight Inlet Cannery,
May 19th, 1948

H. Bell-Irving and Co. Ltd.
Vancouver, B. C.

Dear Sirs,

Reference your letter of May 10th re a communication from the Office of the Custodian of Enemy Property a file was left with Mr. Matthews containing all information we have regarding Japanese property left at the Cannery.

Mr. Matthews at the time was local Custodian of Enemy Property.

For your information the following nets are still in storage here, they have gradually rotted away and are useless for fishing purposes.

I. Toyada	1 Sockeye net
S. Suguira	2 Do
	1 Piece Sockeye net
H. Fujinami	1 do do
	1 Sockeye net
R. Hori	1 do
K. Kajawara	1 do
S. Hamaura	1 piece Sockeye net
S. Kawaguchi	1 do do
T. Nakanishi	1 Sockeye net

We enclose also a letter received recently from a lawyer at Lethbridge concerning the same I. Toyada.

Yours truly,
Anglo-British Columbia Packing Co. Ltd.
Knight Inlet Cannery
Per "W.N. Corker"
Manager.

SUMMARY TAKEN FROM VESSELS RECORDS

Date: Jan. 11, 1944

Reg. No. 10344

File: 8467

Name: Yoshiharu TOYODA

Boat File No.: JFVDC 339

Name of Vessel: "Y.T" 29'x 7'2"x3' (1937) Easthope 7 HP

Lic. or Reg. No.: Vancouver 6357

Naval No.: None

Owner's Valuation: \$975.00

JFVDC Valuation: No appraisal

Custodian Valuation: "

Date of Sale: April 2, 1942

Purchaser: H. Bell-Irving & Co. Ltd.

Signature on Sales Papers: Yoshiharu TOYODA (See below)

Selling Price: \$700.00

Paid to JFVDC ~~and Custodian~~: \$700.00

Supervision Costs: \$ 9.50

Balance due Owner: \$690.50

Paid to: J. Y. Toyoda on April 9, 1942 (See below)

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.:

Repairs: Star Shipyard Job. 163 - \$12.30 (Paid) *Through J. Y. Toyoda*

Additional Information:

Toyoda, Yoshiharu, Reg. 10344, appears to be the man who owned this boat, but the signatures on the receipt and on the agreement for sale differ, and neither bear any resemblance to that of Toyoda as shown on his declaration to the Custodian. Probably some member of his family signed for Toyoda, as was done on the Custodian Release Form, Nov. 26, 1943 and on letter dated (received) Nov. 29, 1943.

F. Matheson
Dec 17/46

PERSONAL PROPERTY SUMMARY

File No. 8467

July 22, 1946.

RE: Yoshiharu TOYODA, Reg. No. 10344

CHATELS:

The above who registered with the Custodian on May 7/42 and was evacuated on March 12/42, signed a yellow "No property" card stating that he owned no property of any kind whatsoever in any protected area of British Columbia.

However, 3 boxes and 1 carton identified as belonging to the above were removed by Custodian agent from the address of the above at 2590 Eton St., Vancouver. Contents consisted mostly of plates and glassware, and these were sold at auction for the net sum of \$2.92 and this amount was credited to the account of TOYODA.

TOYODA sent us a Custodian release on Nov. 25/43 asking for shipment of one bed and spring left at 2590 Eton St., Vancouver, and this was shipped to him through the B.C. Security Commission on Jan. 4/44.

On Nov. 29/43 TOYODA wrote to us asking for information regarding 4 nets he stated he had left at the A.B.C. Packing Co., Knight Inlet, B.C. He also stated that he had left 16½ cords of wood there. We had been advised previously (Aug. 25/43) by the Manager of the A.B.C. Packing Co. at Knight Inlet that TOYODA had refused an offer made to him the previous spring for his nets but that it would now be impossible to get an offer for them as they had depreciated greatly in value. We answered this letter on Sept. 1/43 and told the Cannery to accept any reasonable offer they might get for the nets. We received no further word from them so it is very likely the Cannery was able to sell the nets at any price.

SPECIFIED
ARTICLES:

According to information supplied to this office the above was the registered owner of a fishing vessel the "Y.T." which was sold through the Japanese Fishing Vessel Disposal Committee for the net sum of \$690.50 and this sum was paid to TOYODA on April 9/42. Full details are given on Specified Articles Summary on file.

On Feb. 17/44 a letter was received from the B.C.S.C. at "ethbridge advising that the above stated he had left a radio in care of Mr. Norman Corker at Comox, B.C. They asked permission to ship this radio to the above. Permission was given to them in our letter of Feb. 17/44.

No property interests other than those mentioned above are found on this file.

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

July 22/46

GBS:LEM

P.S. On Aug. 12/46 we received from the A.B.C. Packing Co. the sum of \$60.00 in payment of one net which they had purchased from Yoshiharu TOYADA and this sum was credited to his account with this office.

G.B. Spain

L. McKinnon

File No. 8467
Reg. No. 10344

Yoshihara Toroda

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1944 August 16	Proceeds auction sale		\$ 2.53	
			.39	
	Proceeds auction sale	2.92	60.00	
1946 March 22	Cheque to you			
July 25	Sale of cohee net	60.00		
August 13				
1947 February 21	Cheque to you			
		\$ 62.92	\$ 62.92	

NIL

Accounting Department
April 26th, 1948

NAME WILSON, Yoshitane

REGISTRATION NO. 10344

FILE NO. 5157

The following chattels were sold by public
auction at 922 Powell St., Vancouver, B.C. on July 12, 1944.

Box of string
Plates & glassware
Small Sausages

\$1.90
0.80
0.50

Total

\$ 3.20

Less Expenses: (Auctioneer's Fee: \$0.32
(Advertising: 0.08
(Moving: 0.27

\$ 0.67

Net Proceeds Credited:

\$ 2.53

Members of Custodian Staff Present.

Mr. Wills

Extracted from Auctioneering List No.

Vancouver 27

Remarks. *no inventory on file*

NAME WILLIS, F. W.

REGISTRATION NO. 10344

FILE NO. 2407

The following chattels were sold by public

auction at WILLIS, F. W. on December 21st, 1945.

Assorted box

.30

Total

\$.30

Less Expenses:

(Auctioneer's Fee \$.05
(Advertising .03
(Moving .02

\$.11

Net Proceeds Credited:

\$.19

Members of Custodian Staff Present. Mr. Willis

Extracted from Auctioneering List No. Van 2407 38

Remarks.

Name of Claimant

TOTOTA, Tachikawa

Case 775

Custodian File

8487

REAL PROPERTY											Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village				
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total			
PERSONAL PROPERTY											
Motor Vehicles		Boats and Boat Gear									
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column				
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			
						30.00 100.00	13%	60.00		73.00	
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				
30.00	3.70								1.11		
TOTAL RECOMMENDATION											74.11

8467

November 10, 1950.

Messrs. Virtue, Russell & Morgan,
Barristers & Solicitors,
McFarland Building,
Lethbridge, Alta.

Dear Sirs:

Re: Yoshiharu TOYODA
Case No. 776. Your No. 1212-169

We thank you for your letter of November 8th enclosing completed Release form and Letter of Authority to Pay Fees, signed by Yoshiharu TOYODA.

The total award in this case is \$74.11, and our cheque in favour of Yoshiharu TOYODA in the amount of \$63.00 is enclosed.

We also enclose cheque in your favour for \$11.11 covering legal fees.

Yours truly,

F. G. Shears,
Director.

FGB/GB
Encl. 2 cheques.

Defence Brief

LETHBRIDGE
8 Oct. 48

Yoshiharu TOKODA

File No. 8467

Case No. 776 ✓

PERSONAL PROPERTY CLAIM

1. Chattels

\$50.00

Goods valued \$50 sold by auction for \$3.70

All articles found were sold by auction for \$3.70.

Witness: Thompson & B., Auctioneers.
A. Wills, attended sales.

2. Fishing Nets

\$605.00

(a) One Cohoe net valued
by claimant at

90.00 Sold for 60.00

Sold by A.B.C. Cannery.

(b) Nets & lines valued at 515.00 left under the custody, control
or management of someone other
than the Custodian, appointed by
the owner of the property.

Ex. 3 - Registration card stating that
claimant had no effects whatsoever in
any protected area in B.C.

Submission: That the nets and personal property were sold
for their fair market value. That if the
Custodian is responsible for any of these
articles that the claimant is claiming for,
that his claim is exorbitant, and that the
Custodian is not responsible for the same.
I would point out that certain nets that
apparently belonged to the claimant were
stored at the A.B.C. Packing Co., and an
offer was submitted to the claimant which
he refused, and after that it was impossible
to sell the nets.

CASE NO. 776.

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1. REVISED STATUTES OF CANADA 1927, CHAPTER 92.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR JUDGE L. H. STACK, SUB-COMMISSIONER)

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Lethbridge, Alberta,
 October 8th, 1948.

IN THE MATTER OF THE CLAIM OF
YOSHIMARU TOYODA,

PROCEEDINGS AT TRIAL.

20

APPEARANCES:

G.E.A. RICE, Esq., K.C., appearing for the
 Dominion Government.

W.S. RUSSELL, Esq., K.C., appearing for the
 Claimant.

MISS LILLIE THOMAS, Secretary.
 MRS. LUCIE HANDFORD, Official Interpreter.
 S.R. HOWARD, Esq., Official Reporter.

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2
Y. Toyoda,
In Chief.

THE SECRETARY: Case No. 776, Yoshiharu Toyoda.

YOSHIHARU TOYODA, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Toyoda, I am showing you this -- can't you
talk English?

A: No.

Q I am showing you this summary of evidence in which
you are claiming \$46.30; you are familiar with
the contents of it?

A: Yes.

THE SUB-COMMISSIONER: How much did you say that his
total claim is?

MR. RUSSELL: There are some nets for which he is
claiming \$540.00 for; that was just the personal
property.

THE SUB-COMMISSIONER: Very well.

MR. RUSSELL: Q: And you are claiming \$545.00 for
the nets, are you?

A: Yes.

Q That is your signature at the end of this document?

A Yes.

Q And the same is true to the best of your knowledge,
information and belief?

A: Yes.

Q And it was prepared on your own instructions?

A Yes.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. RUSSELL: All right.

MR. RICE: I am submitting, your Honour, that the nets
and personal property were sold for their fair
market value. I am submitting if the Custodian
is responsible for any of these articles that

3
Y. Toyoda,
Cross Exam.

the claimant is claiming for that his claim is exorbitant; and I am submitting that the Custodian is not responsible for the same.

I would point out, your Honour, that certain notes that apparently belonged to the claimant were stored at the A.B.C. Packing Company and an offer was submitted to the claimant for the same which he refused, and after that it was impossible to sell the notes.

10 I submit an analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 2).

CROSS EXAMINATION BY MR. RICE:

Q I show you a registration card dated the 7th of May, 1942 (indicating); does that bear your signature? A: Yes.

Q And in this card you state that you have no property of any kind whatsoever in any protected area in British Columbia? A: Yes.

20 MR. RICE: I tender that as an exhibit.

(CARD MARKED EXHIBIT NO. 3).

MR. RICE: Q: I show you a proof of claim form, dated the 13th of November, 1947 (indicating); did you complete that form or was it completed under your instructions and does it bear your signature?

A Yes.

MR. RICE: I tender the proof of claim form.

(PROOF OF CLAIM FORM MARKED EXHIBIT No. 4).

MR. RICE: Q: There was a mortgage against your notes for \$250,647, was there not?

30 A Yes.

I. Toyoda,
Gross Exam.

Q You left your nets at the Anglo-British
Columbia Packing Company, did you not?

A Yes. It was called the A.B.C. Cannery.

Q The A.B.C. Cannery? A: Yes.

Q And they wrote you and made you an offer for your
nets? A: Yes.

Q And you refused to accept the offer?

A Oh, I didn't do anything about it.

Q You didn't do anything about it?

A No.

Q Is the A.B.C. Cannery the same as the Knight Inlet
Cannery? A: Yes.

Q The same thing. The A.B.C. Cannery is located at
Knight Inlet? A: Yes it was.

Q When you filed your claim last November, the
12th of November, at that time you swore that
your nets were worth \$360.00, today you swear
that these nets are worth \$605.00. Just what
has raised the price of nets in that short length
of time? A: I was informed

by the cannery that the nets were worth that much.
That amount, I believe, includes some cord wood
on it.

Q No, I left the cord wood out. Well, if it included
cord wood, there is no mention of cord wood in the
claim that you filed, and you were asked to complete
a J.P. form and you declared that you had no
property whatever in the protected area of
British Columbia? A: I believe I declared

my nets.

Y. Toyeda,
Cross Exam.

Q Well, last November you declared that your
nets amounted to \$360.00 and the house belongings
\$50.00?

A: Yes.

Q Today you swear that the same nets are worth
\$605.00?

A: Well, that
amount includes all the rest of my chattels.

Q I should think it would. Why didn't you declare
your household effects instead of signing that card?

A I didn't declare these articles because the cannery
said they would look after these nets for me, and
I believe they reported my personal effects to
the Custodian; I didn't have time to do so myself.

RE -DIRECT EXAMINATION BY MR. RUSSELL:

Q Is that the reason you signed that release saying
you had no personal property?

A Yes, and I had no house of my own; it was just my
personal property.

Q Why did you not do anything in regard to this
offer of the purchase of the nets that my learned
friend mentioned?

A: Well, I never

received any definite offer from the cannery.

Q You received no definite offer?

A I later wrote and asked them if they could sell
the nets for me and I got a reply saying that
the nets in the meantime had been stolen, had
disappeared.

MR. RICE: Q: Have you got that letter?

A Well, I did have a letter, but I have lost it, but
I definitely did receive a letter to that effect.

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Y. Toyeda,
No Direct.

MR. RUSSELL: Have you such a letter or a copy of it?

MR. RICH: No. You have gone through the file.

MR. RUSSELL: There is no such letter there, but that is only a portion of your entire file. We haven't got a copy.

MR. RICH: It might be well to bring it out, that they wrote and asked him about selling the nets, and they got no reply to that. He answered me that way on cross-examination.

10 MR. RUSSELL: I looked through the correspondence about that offer and so far as I could see there was no definite offer made for the nets at all. There was some correspondence saying there was an offer, but there was no value put on the nets or anything of that nature.

MR. RICH: Well, all we know, your Honour, is the information of the Anglo-British Columbia Packing Company, who wrote the Custodian's office under date of August 25th, 1946, and I quote from part of the letter,

20 "We beg to advise that these nets are hanging here at this plant for disposal. Last Spring an offer was made to this man of his gear which he at that time refused to accept. At the time this offer was made we had a chance for disposal of same but now at this late date it is impossible for us to get return of same."

MR. RUSSELL: Of course, you can understand him not
30 authorizing the sale with no figure set.

Y. Toyoda,
Cross Exam.

THE SUB-COMMISSIONER: He did not know what he was going to receive.

MR. RUSSELL: No.

MR. RICE: Their letter says "last Spring an offer was made to this man."

MR. RUSSELL: I looked through Mr. Rice's file and there is no mention of a sum, and we have evidence from this man that there were no figures set at all.

10

Q Mr. Toyoda, you say that you received a letter that the nets had been stolen? A: Yes.

Q Who was that letter from? A: From the manager.

Q The manager of what? A: The cannery, Norman Greker.

MR. RICE: Greker? A: Yes.

MR. RUSSELL: Q: When did you receive that letter?

A I think it was about two years ago I received that letter.

20

MR. RICE: I think perhaps I had better refer my learned friend to a letter received by the Custodian from the Anglo-British Columbia Packing Company Limited signed by Mr. W. H. Greker, under date of August 6th, 1946, which reads,

"Reference your No. 8467; of July 24th, re Yoshiharu Toyoda, we find that an old Coho net of Toyoda's was sold in 1943 for \$60.00, and that amount has been carried in our books since that date to the credit of the Japanese Custodian, and we enclose our draft for that amount. We still have on hand an old Seekeye net, and part of one Coho net."

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8
I. Toyoda,
Discussion.

And then he goes on to say,

"There was a mortgage against him on
net account for the sum of \$250.64. We suggest
you communicate with W. J. Mathews, ^{who} was manager
here at that time, and is now at our Vancouver
office.

"With regard to the wood, we understand
this was stolen by the Indians and we cannot
recognize any claim."

10 Now, the wood may have been stolen, but there is no
suggestion that the nets have been stolen.

You see, the Custodian is in an awkward position.
This man turns in a card that he has no property
in the protected area of British Columbia to declare
to the Custodian, and the Custodian makes no move,
and then when this matter of the nets comes up,
the Custodian does what he can. Before that,
apparently, if the letters have any foundation, the
claimant had a chance to sell his nets but he refused
to do so, and after that it was impossible to sell
the nets.

20 THE SUB-COMMISSIONER: Very well. Have you anything
more, Mr. Russell?

MR. RUSSELL: No, sir; that is all, thanks.

THE SUB-COMMISSIONER: That is all, thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SIMPLY)

I hereby certify the foregoing
transcript is true and accurate of the
proceedings herein.

30 "S. R. HOWARD" Official Reporter.

I hereby certify that the foregoing transcript
purports to be an accurate record of the evidence
adduced before me.