

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices	Sale Price	Total Award 125% of all Sale Prices:	% of Total	Amount
						% of Total		% of Total		
<u>PERSONAL PROPERTY</u>										
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			
		225		64.12	30.00					94.12
<u>NETS</u>										
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
<u>MISCELLANEOUS CHATTELS</u>										
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										94.12

CASE NO: 205

JAPANESE PROPERTY CLAIMS COMMISSION

Vernon, B.C.

April 26, 1948

IN THE MATTER OF THE CLAIM OF
TOSHIKAZU KOYAMA

PROCEEDINGS AT HEARING

IN THE MATTER OF "THE INQUIRIES ACT."
PART 1, REVISED STATUTES OF CANADA, 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE J.R. ARCHIBALD, SUB-COMMISSIONER)

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Vernon, B.C.

April 26, 1948

IN THE MATTER OF THE CLAIM OF
TOSHIKAZU KOYAMA

PROCEEDINGS AT HEARING

20 APPEARANCES:

D.S. McTAVISH, Esq.,	appearing for the Dominion Government
R.J. McMASTER, Esq.,	appearing for the Claimant.
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T.J. MARRION, Esq.,	Secretary to Vernon Sub-Commission.
MRS. I.C. SMITH,	Official Interpreter
G. HAMBLETON, Esq.,	Official Reporter.

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MR. McMASTER: T. Koyama, No. 280 on the original list,
Case No. 205.

TOSHIKAZU KOYAMA, the Claimant herein, being
first duly sworn, testified
as follows:

MR. McMASTER: In this case, your honour, I would ask
to abandon the chattel claim other than the claim
for the fishing vessel. Apparently the claimant's
goods were somewhat mixed with his father's and his
10 father has since died and it doesn't appear that the
Letters of Administration and Probate have been
taken out, and the claimant doesn't feel he wants
to go to that expense for this purpose.

DIRECT EXAMINATION BY MR. McMASTER:

Q: Witness, did you instruct Mr. Leckie to prepare this
statement with regard to your boat, TK768, and is
that your signature on it?

A: Yes.

Q: Are the contents of that statement true to the best
20 of your knowledge and recollection?

A: Yes.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: Referring to Exhibit 1, your honour, the
boat is described therein as the T.K. 768, and the
claimant shows he purchased it December 1, 1942 for
\$800.00 cash. He states that it was in good condi-
tion when he handed it over to the Navy and the boat
was turned over to the Navy with gear as equipped
when he bought it. He considers that a fair value
30 for the boat would be \$800.00.

Your witness

MR. McTAVISH: It is submitted, your honour, that the boat claimed for was sold for its fair market value.

CROSS EXAMINATION BY MR. McTAVISH:

Q: Who did you purchase the boat from?

A: Mr. Y. Oye.

Q: Would you disagree with any value he put upon it?

10 A: No, sir, I agree with the price.

Q: You what? A: We just agree about the price of \$800.00.

Q: What date did you buy the boat?

A: December 1, 1941

Q: How old are you now? A: Twenty-eight.

Q: When did Mr. Oye buy the boat?

A: I don't know exactly, but the same year, 1941, I think.

Q: Do you know what he paid for it?

20 A: Yes.

Q: How much did he pay for it?

A: I think about the same price. He paid -- he used to be salmon fishing, and he have another boat, and he never used that boat, however, but he doesn't use it.

Q: How old was this boat?

A: I think about 1939 it was built.

Q: Mr. Oye placed a value of \$300.00 on this boat. Would you agree with it?

30 A: I don't think so.

Q: You don't agree with his valuation? A: No.

MR. McTAVISH: That is all, your honour. It is purely a question of value.

THE COMMISSIONER: Very good.

MR. McMASTER: I would ask my learned friend to admit that on another occasion Mr. Oye placed a value of \$800.00 on the boat with the Fishing Vessels Disposal Committee.

10 MR. McTAVISH: There is an unsigned certificate here, your honour, I don't know quite what it is, in which a value is placed of \$800.00 on the boat. There is no signature on it.

MR. McMASTER: What does it say down in the bottom corner?

MR. McTAVISH: "Actual owner's name. Registered owner's name."

MR. McMASTER: I see. That is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton
G. Hambleton,
Official Reporter

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

J. Archibald
Sub-Commissioner.

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.

ACKNOWLEDGED

[Signature]

8829

[Signature]

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

(1) NAME ^{MR.} KOYAMA TOSHIKAZU (RCMP) Reg. No. 11451
(Print) Surname Given Name

(2) Pre-Evacuation Address MAYNE ISLAND, B.C.

(3) Present Address OYAMA, B.C.

(4) REAL ESTATE

(a) Street Address (if any) _____
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.) _____

(c) Type of Real Property (cross out words which do not apply):

- (i) Farm _____
- (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.) _____

(e) Fair market value at date of sale (estimate this to the best of your ability):

- (i) Land - - - - - \$ _____
- (ii) Buildings - - - - - \$ _____
- (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) - - - - - \$ _____
- (v) Amount at which Custodian sold property and credited your account - - - \$ _____
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ _____

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation _____

MAYNE ISLAND, B.C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) _____

OWN. HOUSE

(c) How stored or packed at time of evacuation PACKED IN ATTIC

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care") CUSTODIAN CARE

MR. GAVIN. C. MOUAT. (ISLAND CUSTODIAN OFFICER)

(e) Itemized description of personal property which is the subject of the claim:

1. <u>FURNITURE & FIXTURE</u>	Estimated Value \$	<u>8250.00</u>
2. <u>FISHING GEAR</u>	Estimated Value \$	<u>300.00</u>
3. <u>MISCELLANEOUS (KITCHEN STAFF ETC)</u>	Estimated Value \$	<u>350.00</u>
4. <u>CUSTODIAN SELLING PRICE ABOVE</u>	Estimated Value \$	<u>193.96</u>
5. _____	Estimated Value \$	_____
6. <u>FISHING BOAT</u>	Estimated Value \$	_____
7. <u>TROLLER (LENGTH) 30' BEAM. 7.6</u>	Estimated Value \$	<u>800.00</u>
8. <u>CUSTODIAN SELLING PRICE ABOVE</u>	Estimated Value \$	<u>182.96</u>
9. _____	Estimated Value \$	_____
10. _____	Estimated Value \$	_____

TOTAL CLAIM FOR PROPERTY LOSS \$ 1317.08

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$ _____

(6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)
VERNON

(b) Do you require the services of an interpreter at the hearing? Yes or no NO

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
Province of British)
Columbia TO WIT:)

I, Toshiyazu Koyama of Oyama of the Province of British Columbia

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the City of Vernon in the Province of British Columbia this 15th day of November

A.D. 1947. J. Koyama A Commissioner &c.

N.B.— THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

PERSONAL PROPERTY

(Fishing vessels, gear and equipment)

Reg. No.

T. Toyama
(Claimant's Name)

NETS:

Type	Size	Mesh	Fathoms	Age at Evacuation	Original Value	Estimated value at Evacuation
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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
TK 769	6103	Cod	1 Dec 1941	used (built 1939)	\$800.00 cash	never used but scraped & painted once	good	navy	\$800.00

Improvements to Vessel since date of purchase:

none

OTHER GEAR:

Description	Date Purchased	New or Used	Price Paid	Condition when Evacuated	Estimated value at date of evacuation
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Boat was turned over to navy with gear as equipped when I bought

Arrangements made for storage when evacuated:

Delivered to navy about 22 Dec 1941

Additional Comments, if any:

I have been advised that an OW Phillepion valued this boat for the JFVDC as worth 150.00 in 1942, and that he estimated its age as 20 yrs. I know that it was built in 1939 by S. Snowy, who was my next door neighbor on Mayne Island. I believe that this vessel was 800.00 of Toyamas worth at the time (less the sum of 800.00 which I paid for it) when sold by the Custodian in Sept 1942

SIGNATURE

T. Toyama

EXHIBIT NO. 205-1
DATE 26 April 1948
FILLED BY Claimant