

Name of Claimant **MAYEDE, Yoshiharu**

Case 266

Custodian File **7255**

<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	Amount
		305	30.50	00 12.50						43.00
<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			
<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										43.00

CASE NO: 266

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

May 25, 1948

IN THE MATTER OF THE CLAIM OF

YOSHIHARU MAYEDE

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 ERIC P. DAWSON, SUB-COMMISSIONER)

10

Grand Forks, B.C.
May 25, 1948

IN THE MATTER OF THE CLAIM OF
YOSHIHARU MAYEDE

PROCEEDINGS AT HEARING

20 APPEARANCES:

- | | |
|--------------------------|---------------------------------------------|
| HAROLD W. McINNES, Esq., | appearing for the
Dominion Government. |
| A.E. COBUS, Esq., | appearing for the
Claimant. |
| <hr/> | |
| L.A. DODD, Esq., | Secretary to Grand
Forks Sub-Commission. |
| MRS. I.C. SMITH, | Official Interpreter |
| G. HAMBLETON, Esq., | Official Reporter. |

30

Y. Mayde
In Chief

MR. COBUS: The claim, your honour, of Mayede, Yoshiharu, No. 39 on the original list.

THE COMMISSIONER: Could I have the claim form, please, Mr. Secretary. (Handed to the Commissioner)

YOSHIHARU MAYEDE, the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

THE COMMISSIONER: The number of this claim will be
10 266, is that right?

MR. COBUS: Yes, your honour.

I would ask for leave, your honour, to amend the claim by showing the value of the real estate for which the claim is being made as \$800.00 instead of \$840.00.

THE COMMISSIONER: Yes.

MR. COBUS: We amend, also, the amount at which the Custodian sold the property and credited the claimant's account to \$305.00 instead of \$291.00.

20 THE COMMISSIONER: That is \$800.00 less \$305.00.

MR. COBUS: Leaving a net claim of \$495.00.

THE COMMISSIONER: Yes.

MR. COBUS: There is no claim being made for personal property, so that the total claim is \$495.00.

MR. McINNES: You gave us a credit of \$305.00 for the sale?

MR. COBUS: That is correct, Mr. McInnes.

THE COMMISSIONER: \$305.00, yes.

DIRECT EXAMINATION BY MR. COBUS:

30 Q: Witness, I produce to you a statement concerning

the real estate for which you are claiming.

Did you instruct Mr. Leckie to prepare this statement for you and is that your signature?

A: Yes.

Q: Are the statements contained therein true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask to file the real estate statement as an exhibit, your honour.

10 (STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to the statement, your honour, the subject matter of the claim is a parcel of land consisting of 1.6 acres on the waterfront in the Clayoquot District at Ucluelet, Vancouver Island. There were no buildings on the property, but there had been erected certain cement blocks as a scow base on the foreshore of the waterfront. He purchased the property for the purpose of clearing and building a home later. He
20 made no improvements, but states that he considers that the 8 cement blocks would be of real value to anybody who might decide to use it as a scow base.

THE COMMISSIONER: What is a scow base?

MR. COBUS: I gather, your honour, a scow base is a series of cement blocks upon which a scow which calls at a fishing cove is placed and where purchases of fish are made, and then it withdraws from the base.

30 The Commissioner: I see, yes.

Y. Mayede
In Chief

MR. COBUS: It was located in a fishermen's area at Ucluelet. There were Occidental fishermen and farmers in the district as well and its location, he says, was a quarter of a mile from Ucluelet Station, and that the steamship wharf was a quarter of a mile away.

10 As to the appraisor's report, he agrees with the appraisor that the parcel was well located, but disagrees with the valuation of \$300.00 made thereon which he does not consider represents a fair market value.

20 In October, 1941, he adds, he was called in to consult with the Royal Air Force Officer at their headquarters in Ucluelet, a Mr. Henry, about selling his property, and he told him that he would be prepared to sell for the assessed value of the property, \$2000.00. He, Mr. Henry, said that he would refer the matter to Victoria. The witness says that he didn't hear anything further as to this up to the time of his evacuation in 1942.

30 The Custodian, he says further, rented this land after his evacuation and that he, the claimant, forwarded to the Custodian monies for the annual taxes right up to 1946 when the Custodian sold this land for \$305.00. The land, he says is really residential property, it could be used for a fisherman's purposes, and he believes that the \$800.00 indicated as the estimated value at the date of sale would be a fair market

Y. Mayede
In Chief

value in May, 1946.

I would ask my learned friend to produce the appraisal on this property.

(Handed to Mr. Cobus)

I have what purports to be an appraisal signed by one H.G. Winter.

MR. McINNES: What is the date of that, Mr. Cobus, please?

10 MR. COBUS: There does not appear to be a date. It was made at Port Alberni.

I would ask to file the appraisal on behalf of the Crown, your honour.

THE COMMISSIONER: What is the appraised value?

MR. COBUS: \$300.00, your honour.

THE COMMISSIONER: Yes.

MR. COBUS: With the only remark: "This is a good location."

THE COMMISSIONER: That will be Exhibit No. 2.

(APPRAISAL MARKED EXHIBIT NO. 2)

20 THE COMMISSIONER: Would there also be a provincial assessment for taxes?

MR. COBUS: Yes. I was just going on to that, your honour.

Would my learned friend admit that the assessment in 1941 was \$200.00 on land, \$1800.00 on improvements?

MR. McINNES: Yes, I will admit that.

THE COMMISSIONER: What were those amounts again, Mr. Cobus?

30 MR. COBUS: I am sorry, your honour. \$200.00 for land, \$1800.00 for improvements.

Y. Mayede
In Chief

THE COMMISSIONER: Yes. I presume something happened to the improvements in the meantime; there are no improvements at the present time.

MR. COBUS: No. He says the only improvements are these cement blocks, your honour, which I think were the only improvements in 1941, since the date of purchase is shown on the statement as being 1938.

THE COMMISSIONER: Yes.

10 MR. COBUS: Could my learned friend advise me the amount for which the property was rented whilst being administered by the Custodian?

MR. McINNES: I think I can. This property, consisting of 1.6 acres, situated on the waterfront of -- how does my friend pronounce it?

MR. COBUS: Ucluelet.

MR. McINNES: Ucluelet -- was leased for a short time, 22 months, to the Department of National Defence, at \$24.00 per annum as it came within the area
20 of their wartime activities at Ucluelet.

MR. COBUS: Thank you. Your witness.

MR. McINNES: It is submitted, your honour, that the land in question was sold for its fair market value.

I have the assessment notice for the year 1945 on this land and it shows there, land, \$200.00, improvements \$400.00, total, \$600.00.

MR. COBUS: That appears to be correct, your honour.

THE COMMISSIONER: The improvements are rather a mystery,
30 aren't they, in both assessments.

MR. McINNES: Yes, your honour.

CROSS EXAMINATION BY MR. McINNES:

Q: Just what were these cement blocks that we hear about in connection with this claim?

A: In the winter when the water rises, and at high water to prevent the waves coming over on the shore, he had built these cement blocks.

THE COMMISSIONER: A breakwater.

10 MR. McINNES: Q: Did you put them in?

A: They were there when he bought them.

Q: They were formerly there, and a fish buying scow was resting on them, isn't that correct?

A: Fishing scow?

Q: Fish buying scow. A: Yes, a fish buying scow was tied up there all winter.

Q: That is what the blocks were there for.

A: Yes.

Q: And when you bought the property, the fish buying scow was no longer there? A: Yes, it was there.

20

Q: It was there? A: Yes, when he bought the land.

Q: And resting on these blocks? A: Yes.

Q: Now, with the fish buying scow on the property, you bought it in 1938 for \$400.00?

A: The fishing scow did not belong to him, it belonged to the Ucluelet Fishing Company.

Q: Well, you bought the property in 1938.

30 A: Yes, but in the winter when the waves get high,

Y. Mayede
 Cross exam
 Re-Direct exam

they bring them to his place and he keeps them.

Q: That isn't what I am asking. I asked you: you bought the property in 1938 -- yes or no?

A: Yes.

Q: And you paid \$400.00 for it? A: Yes.

MR. McINNES: That is all I want.

MR. COBUS: Would my learned friend advise the date of sale of this property?

MR. McINNES: The date of sale, your honour, was May
 10 15, 1946.

MR. COBUS: Thank you.

THE COMMISSIONER: All right.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, were these cement blocks used, perhaps, as a breakwater to protect the scow or vessels tied to them? A: It is for the winter only when the waves are very high.

Q: It is used as a protective device in the winter time? A: Yes.
 20

Q: Would these blocks be useful for a fisherman using the property? A: They are most important for the fishermen.

MR. COBUS: Thank you. That is all, your honour.

THE COMMISSIONER: Is that all from this witness?

MR. McINNES: Yes, thank you, your honour.

THE COMMISSIONER: Well, that is all right, witness.

THE WITNESS: Thank you.

(Witness aside)

Y. Mayede

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.

E. P. Dawson

E.P. Dawson,
Sub-Commissioner.

10

20

30

DEC 29 1947

266

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
N

7255

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

(1) NAME MAYEDE YOSHIHARU (RCMP) Reg. No. 02687
(Print) Surname Given Name

(2) Pre-Evacuation Address Box 18, UCLUELET, B.C.

(3) Present Address " 479 GREENWOOD, B.C.

G. Zorkko

(4) REAL ESTATE

(a) Street Address (if any) UCLUELET, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
"A" (D.D. 32628-1) LOT 282

(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.) SOLE OWNER.

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

(i) Land	- - - - -	\$	<u>840.00</u>	<u>500.00</u>	<i>omitted</i>
(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)	- - - - -	\$	<u>840.00</u>	<u>500.00</u>	<i>yes</i>
(v) Amount at which Custodian sold property and credited your account	- - - - -	\$	<u>591.00</u>		<i>305</i>
(f) Loss (This figure is arrived at by deducting item (v) from item (iv))	- - - - -	\$	<u>249.00</u>		<i>249.00</i>

(5) PERSONAL PROPERTY

- (a) Place or places at which property was left by the claimant at date of evacuation _____
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) _____
- (c) How stored or packed at time of evacuation _____

(over)

2. 6/24

(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")

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

- 1. _____ Estimated Value \$ _____
- 2. _____ Estimated Value \$ _____
- 3. _____ Estimated Value \$ _____
- 4. _____ Estimated Value \$ _____
- 5. _____ Estimated Value \$ _____
- 6. _____ Estimated Value \$ _____
- 7. _____ Estimated Value \$ _____
- 8. _____ Estimated Value \$ _____
- 9. _____ Estimated Value \$ _____
- 10. _____ Estimated Value \$ _____

TOTAL CLAIM FOR PROPERTY LOSS \$ _____

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) - - - - - \$ 549.00 495

Commissioner

(6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no YES
(Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)

GREENWOOD, PREFERRED NELSON IF POSSIBLE

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 B.C.)
TO WIT:)

I, Yoshiharu Mayede
of _____

of the _____ City
in 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 Greenwood _____)
in the Province of B.C. _____)
this 22nd day of December _____)
A.D. 1947. Labada)

Y. Mayede
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.

*Notary Public in & for the Province of
British Columbia, Canada.*

Y. Mayede
(Claimant's Name)

REAL ESTATE
(Other than farm)

02687
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
Parcel A (DD 32629-1) of Lot 242, Dayoquist waterfront land at Meluelet, V.I.	Dist - no buildings - on property	cement blocks as seawall base on foreshore of waterfront	na - bought for purpose of clearing home & building home later	1.6 acres on waterfront	1938	
Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale		
Fishermen's stand area also occidental farmers in the district less than 1/2 mi from Meluelet station	\$400.00	no improvements made - however I consider that the cement blocks would be of real value to anybody who might desire to use as a seawall	\$800.00			
Comments re upkeep of premises: Steamship wharf 1/2 mi away						

EXHIBIT NO. 266-1
 DATE 25/5/48
 FILLED BY Claimant

Comments re Appraiser's report not covered above: I agree with the appraiser that this was a good location but I disagree with his valuation of 300.00 which I do not consider represents a fair market value.

Comment: In Oct 1941, I was called in to consult with a Royal Air Force officer at their headquarters in Meluelet (a Mr Henry) about selling my property. I told him I would be prepared to sell for the assessed value of the property - 2000.00. He said he would refer to Victoria I never heard any thing further as to this up to the time of my evacuation in 1942. The Custodian rented this land after my evacuation and I forwarded him ~~the~~ ^{monies} for the annual taxes right up to 1946 when the Custodian sold this land for 305.00. This land is ideally situated (good sand beach) for a summer resident camp - fisherman's base or for development for farming or for use as a fisherman's base - and to make a permanent home for such purposes. I believe this property would be worth at least 400.00 when sold by the Custodian in May 1946.

SIGNATURE

Page 52
Port Alberni

Catalogue # 52.8

Outstuds of Melville

DD 32628-1

This is a good location

appraisal \$300⁺⁺_{in}

H G Winter

EXHIBIT NO. 226.2
DATE 2.5/5/48
FILED BY ~~Stewart~~
Dom. Gont