

Name of Claimant **KOYAMA, Tsunetaro**

Case **275**

Custodian File **3929**

<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
		550		00						67.50
			55.00	12.50						
<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 Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATELS</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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										67.50

CASE NO: 275

JAPANESE PROPERTY CLAIMS COMMISSION

GRAND FORKS, B.C.

May 26, 1948

IN THE MATTER OF THE CLAIM OF
TSUNETARO KOYAMA

PROCEEDINGS AT HEARING

IN THE MATTER OF THE "INQUIRIES ACT"
PART I, 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 26, 1948

IN THE MATTER OF THE CLAIM OF
TSUNETARO KOYAMA

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,

appearing for the
Dominion Government.

A.E. COBUS, Esq.,

appearing for the
Claimant.

L.A. DODD, Esq.,

Secretary to Grand
Forks Sub-Commission

G.N.R. UPTON, Esq.,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter

30

T. Koyama
In Chief

MR. COBUS: The claim, your honour, of Koyama. It was No. 32 on the Secretary's list.

TSUNETARO KOYAMA, the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

THE COMMISSIONER: What is the claim number?

MR. COBUS: It was No. 32 on the Secretary's list, and it becomes No. 275.

THE COMMISSIONER: Yes.

10 MR. COBUS: I would ask leave, your honour, to amend the claim which is for real estate only. We are amending the value to read \$1000.00 for land and buildings and crediting the Custodian with \$550.00, leaving a net claim for real estate, \$450.00.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the real estate for which you are claiming.
20 Did you instruct Mr. Leckie to prepare this statement for you and is that your signature?

A: Yes.

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

A: Yes.

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

(STATEMENT MARKED EXHIBIT NO. 1)

30 MR. COBUS: Perhaps my learned friend would produce

the appraisal on this property.

MR. McINNES: Yes.

MR. COBUS: I have what purports to be an appraisal signed by one H.G. Winter. Unfortunately, no date appears, but the description of the property is obviously the description of the property in question. It is valued by Mr. Winters at \$500.00. I file that on behalf of the Crown.

(APPRAISAL MARKED EXHIBIT NO. 2)

20 MR. COBUS: Referring to the statement, your honour --

THE COMMISSIONER: It doesn't show who Mr. Winters is, whether he is a real estate man or anything about him.

MR. COBUS: No, your honour, there is nothing.

MR. McINNES: For whatever it may be worth, in several other files there seem to be appraisals by Mr. Winters, so I take it that he must be a real estate man, although I have no proof of that.

THE COMMISSIONER: Yes.

20 MR. COBUS: Referring to Exhibit No. 1, your honour, the subject matter of the claim is a dwelling of four rooms, 34 feet by 20 feet, built on lots 11 to 13 in the Alberni, Clayoquot District, more particularly described as Frasers Bay, Ucluelet Island, B.C. It was a bungalow and was erected on lot 11 of the land owned by the claimant. The lots were 50 by 100 feet each, running to the water front, with a total water-frontage of 150 feet. Lot 11 was purchased in
30 1925 for \$500.00, which included a house. Lots

T. Koyama
In Chief

12 and 13 were purchased in 1927 at a cost of \$300.00. There were no improvements on lots 12 and 13.

10

The witness says that he rebuilt the interior of the dwelling in 1926, putting in new shiplap and paper. He laid new floors, re-roofed with new shingles, and used hired and his own labour and bought materials which cost about \$400.00. In 1941 he built a new float and left this on the water in front of the house when he left in February, 1942. This float was held down by new pilings. It was built by carpenters and his own labour and he bought materials. The cost of labour and materials he approximates at \$300.00. He estimates the value at the date of sale for the land and improvements to be \$1000.00.

20

With respect to the appraisor's report, which is now on file as Exhibit No. 2, the witness says that it fails to mention his new float. In 1942 he put in a new Yukon chimney, and it should still have been in good shape when the Custodian's appraisor inspected this property. He considers that the appraisal at \$500.00 was much below a fair value for the property. He describes the lots as being very eligible lots with a nice waterfrontage, very suitable for building lots for summer cottage purposes. He says that his property was assessed in 1942 for \$1200.00, and he understands that it was assessed at \$950.00

30

T. Koyama
In Chief

in 1944. He believes that the property, when sold by the Custodian in June, 1945, for \$550.00, would be worth at least \$1000.00 at a fair market value.

THE COMMISSIONER: What is a Yukon chimney?

MR. COBUS: Q: Witness, what is a Yukon chimney?

THE COMMISSIONER: Mr. McInnes can't enlighten the court?

MR. McINNES: No, your honour.

10 THE COMMISSIONER: The valuation just talks about a stove-pipe chimney, and I was wondering if there is any difference between that and a Yukon chimney.

A: A Yukon chimney is a chimney that has air vents at either side of the pipe, the main flue, which runs up the middle of the chimney.

THE COMMISSIONER: Q: Would that be the stove pipe, stove pipe material?

A: Sheet metal.

20 THE COMMISSIONER: It would be made of sheet metal.

MR. COBUS: Would my learned friend admit that the assessed value on lots 11, 12 and 13 in 1942 amounted to \$1200.00?

MR. McINNES: Yes.

THE COMMISSIONER: Was that including improvements, or not?

MR. COBUS: That includes the improvements, yes, your honour, on lot -- well, they have it spread over the three lots, but he is claiming for the house as the only improvement. If my learned
30 friend would produce the 1944 assessment notice,

T. Koyama
In Chief

would my learned friend admit that in 1944 the assessments on lots 11, 12 and 13 were \$950.00 for land and improvements?

MR. McINNES: That is correct.

THE COMMISSIONER: That is land and improvements, again.

MR. COBUS: Yes, your honour.

Your witness.

10 MR. McINNES: If it please your honour, in this case it is submitted the land and buildings were sold for their fair market value.

This property was catalogued, advertised for sale, and the appraisal was \$500.00, and the sale price was \$550.00.

20 I would point out to my friend that evidence may be given as to the location of this house. The note that I have in this file is that this bungalow was the oldest of a small group of dwellings located in Frasers Bay, and possibly the least suitable for white occupancy.

MR. COBUS: The source of that note, Mr. McInnes?

MR. McINNES: It appears to be the investogator for the Custodian's office.

The property was rented, according to the file, for upwards of two years, occupied by the personnel of the Royal Canadian Air Force, at an average rental of \$15.00 a month. When they left that territory, there was no further demand for the property for rental purposes.

30 I have no questions from this witness, your

honour.

MR. COBUS: I have nothing further, your honour.

THE COMMISSIONER: Very well.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton

G. Hambleton,
Official Reporter.

10

Eric P. Dawson

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

E.P. Dawson,
Sub-Commissioner

20

30

32

Claim # 275

DEC - 2 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.

ACKNOWLEDGED
N

3929
J. Jones

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

(1) NAME KOYAMA TSUNETARO (RCMP) Reg. No. 12004
(Print) Surname Given Name

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

(3) Present Address Box 454, GREENWOOD, B.C.

(4) REAL ESTATE
(a) Street Address (if any) FRASER'S BEACH UCLUELET, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
LOTS # 11, 12 & 13 OF SECTION 21 PLAN 1116
ALBERNI CLAYOQUOT DISTRICT

(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 - - - - - \$ 800.00
(ii) Buildings - - - - - \$ 806.40 } 1600 Amount
(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) - - - - - \$ 1606.40 1600
(v) Amount at which Custodian sold property and credited your account - - - \$ 536.00 536
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 570.40 450

Amount

(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)

(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

(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 \$ 570.40

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)) - - - - - \$ 570.40

(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 NECESSARY

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, Tsunetaro Koyama of the City
 of Greenwood 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 November)
 A.D. 1947. Kasada)

T. 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.

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

T. Toyama
(Claimant's Name)

REAL ESTATE
(Other than farm)

12004
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
LOTS 11 to 13 (inc) Sec 21 Plan 1116, Alberni, Dayoquast District - Frescos Bay Vancouver Island BC - Bungalow erected on Lot 11 (frame) with lean-to	5 rooms size 34x20'	Frame shingled on cedar posts; shingle roof - no cellar - ship lap (papered) inside - Fir floors	dwelling	50'x100' each - running to waterfront total frontage 150'	LOT 11 - 1925 LOT 12-13 in 1927	1925
Type of Locality	Cost Price	Improvements made by Claimant		Estimated Value	Date of Sale	
Japanese fishermen's locality	LOT 11 - 500 (in cash) LOTS 12+13 - 300.- Total - \$800.00	① Rebuilt interior of dwelling in 1926 - new ship lap and paper and laid new floors; re-roofed with new shingles - hired and own labour and bought materials - cost about 400.00 ② Built new float in 1941 and left this on the water in front of house when left in Feb 1942. This float was held down by new pilings - carpenters and own labour and bought material - cost app. 300.00 ③		1000.00 (land and improvements)		

Comments re upkeep of premises:
General repairs done
as required

Comments re Appraiser's report not covered above:
The appraisal (which I have been shown)
fails to mention my new float - I
put in a new Yukon chimney in 1942
(before evacuation) and it should
still have been in good shape when
I consider that the appraisal at 500.00 was
for this property

Comment: These very very eligible lots with a nice waterfront frontage,
very suitable for building lots for summer cottage purposes. My property
was assessed in 1942 for 1200.00 and I understand was assessed at 950.00
in 1944. I believe that this property when sold by the Custodian in June
1945 for 550.00 would be worth at least 1000.00 at a fair market
value -

EXHIBIT No. 275-1
DATE 26/5/48
FILLED BY Claimant

T. Toyama
SIGNATURE

Alberni Assessment District
Clayoquot Land District
Fraser's Bay, Ucluelet Inlet
Catalogue No 516
Lots 11-13 DL 21

Frame house approx 34' x 20'
on cedar posts with lean to.

Lined with shiplap and paper
Stone pipe chimney in poor shape
5 Rooms.
Has well.

Value \$ 500⁰⁰

J. G. G. G.

EXHIBIT NO. 275-2
DATE 26/5/48
FILLED BY Chamant