

Name of Claimant OUE, Tsunetaro (decd)  
 Kamenno (widow)  
 Custodian File 31766 & 3196

Case 888

<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	80% of all Sale Prices		Sale Price	125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
		350.68								
			35.06	12.50						47.56
<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		
						% of Total	Amount		% of Total	Amount
		460.00								
			131.00		105.76					105.76 131.10
<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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										284.42



CASE NO: 888

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba.

September 9th, 1948.

IN THE MATTER OF THE CLAIM OF

TSUNETARO OYE

PROCEEDINGS AT HEARING



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

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

TSUNETARO OYE

ESTATE OF

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APPEARANCES:

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

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

- - - -

SHIGRU HIRAYAMA, Esq., Official Interpreter.

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MARK H. PEARCE, 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  $\frac{1}{4}$  widow of Tsunetaro Oye, who died intestate. She is one of his heirs and the estate is being administered by W.A.Ackalnd, the Official Administrator 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.

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

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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 Hakada 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 1924. 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 18. 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.

10 location. No mention of the finishing of the  
house. Nor do we know anything as to the qual-  
ifications 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  
a 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.)

20 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 Toshiro 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 \$3,000.00

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

30 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. CHERNIAK: 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.

10 MR. FERG: Yes.

MR. CHERNIAK: 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.)

20 MR. CHERNIAK: 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 \$350.00 and an estimated market value of \$400.00.

(SURVEY REPORT, EXHIBIT 7.)

MR. CHERNIAK: 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.

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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 \$43.26, making a total of \$168.26 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?

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?

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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.

10 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 \$358.60 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 20 a certificate of title dated January 9th, 1942 in the name of the deceased for the property claimed.

30 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



K.Oye  
Cr-Exam.

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

MR. CHERNIAK: 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.

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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?

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MR. CHERNIAK: 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 8)

CROSS-EXAMINED BY MR. FERG:

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



K.Oye.  
Cr-Exam.

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.

10

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.

20

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. CHERNIAK: 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.  
Cr-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.

10 MR. CHERNIAK: I will pursue that further, Your Honour. We have been speaking of \$125.00 damage from the Navy, there is also \$43.26 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 \$43.26, 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.

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

MR. CHERNIAK: 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 these 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,

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K.Oye.  
Cr-Exam.

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 op-  
portunity to speak to him and she was so upset  
that I wanted to spare her the pains of discus-  
sing something that is so hard on her and that  
is the reason I am withdrawing this claim.

10

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  
as 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.

20

MR. CHERNIAK: 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 vessell 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

30



K.Oye  
Cr-Exam.

(RELEASE AND DISCHARGE, EXHIBIT 9.)

MR. CHERNIAK: 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. CHERNIAK: Or stolen, Sir, many of these moveable objects have disappeared while in the  
10 Custody of the Navy.

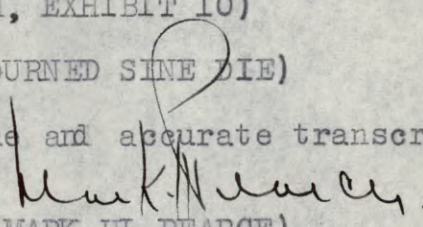
MR. FERG: The position we take in regard to that is that these expenses were incurred after the vessels were delivered to the Navy at Steveston and it is questionable whether this claim is justified at all under the terms of reference. I have a photograph here also, Your Honour, which I think should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

(PHOTOGRAPH, EXHIBIT 10)

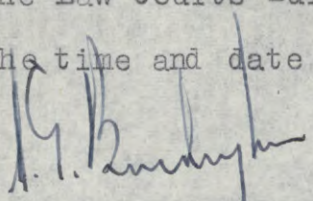
(PROCEEDINGS ADJOURNED SINE DIE)

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Certified to be a true and accurate transcript.

  
(MARK H. PEARCE)  
OFFICIAL REPORTER

I, the undersigned Sub-Commissioner hereby certify that the foregoing 13 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.

  
(SUB-COMMISSIONER)

30



Case 888 wpg DEC - 5 1947

ms

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]*

13766  
2196 wpg

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

(1) NAME OYE, Tsunetaro. Estate of \_\_\_\_\_ (RCMP) Reg. No. 12161  
(Print) Surname Given Name

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

(3) Present Address c/o Kameno Oye, His Widow, Whitemouth, Manitoba.

(4) REAL ESTATE  
(a) Street Address (if any) ~~xxxxxxx~~ Ucluelet, 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) ~~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>and Improvements</u>	-----	\$ <u>600.00</u>
(ii) Buildings	-----	\$ <u>850.00</u>
(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>1,450.00</u>
(v) Amount at which Custodian sold property and credited your account	-----	\$ <u>350.68</u>
(f) Loss (This figure is arrived at by deducting item (v) from item (iv))	-----	\$ <u>1,099.32</u>

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation  
Ucluelet, 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 \_\_\_\_\_



(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.	Motor Trolling Launch "T.O." Length 32' Beam 8' Depth 4'5"	Estimated Value \$	2,700.00
2.	12 horsepower Enterprise engine.	Estimated Value \$	
3.		Estimated Value \$	
4.	Sold by Custodian.	Estimated Value \$	460.00
5.		Estimated Value \$	2,240.00
6.	Chattels as per list attached <i>with drawings</i>	Estimated Value \$	367.00
7.		Estimated Value \$	
8.		Estimated Value \$	
9.		Estimated Value \$	
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 2,607.00

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) - - - - - \$ 3,706.32

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

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

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 Manitoba )  
TO WIT: )

I, Kameno OYE of Whitemouth in the Municipality of the Province of Manitoba.

DO SOLEMNLY DECLARE THAT: I am the widow and next of kin of Tsunetaro OYE  
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 Winnipeg, )  
in the Province of Manitoba )  
this 15 day of November, )  
A.D. 1947.

*Kaye*  
A Commissioner &c.  
MY COMMISSION EXPIRES DEC. 15TH. 1947

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.



Estate of Tsunetaro Oye - Reg. No. 12161

LIST OF CHATTELS

1	Only	Space Heater	8.00
Quantity		Miscellaneous tools - carpenter	30.00
6	Doz.	Cohoe and Spring Salmon Spoons	48.00
1	Only	Galvanized Water Tank - Fishing Vessel	10.00
1	"	Aluminum Pan for use on Fishing Vessel	3.00
Quantity		Boat tools	35.00
200	fathom or more	(4 coils) $\frac{3}{4}$ " Manila Rope	65.00
150	"	" " $\frac{1}{2}$ " Manila Rope	25.00
		Dishes and plates	15.00
Quantity of		new lead for fishing lines	63.00
1	Only	Galvanized Anchor (large)	18.00
1	"	" " (small) with chains	25.00
1	"	Water Pump for Fishing Vessel	5.00
1	"	Propeller used	17.00

TOTAL

\$ 367.00

*W. H. Drayton*



(Claimant's Name)  
per widow, Kameno Oye

**REAL ESTATE**  
(Other than farm)

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

1924

uncleared

Type of Locality

Cost Price

Improvements made by Claimant

Estimated Value Date of Sale

fishing village

do not know

house was built in 1924 and was  
renovated several times. The last  
time was about 1938 when the house  
was enlarged, dug well in 1924  
woodshed built in 1934  
bath house built in 1932

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 \$600.00 and the buildings \$850.00. I don't know who the man was nor why he came.

EXHIBIT No.

8  
88X-1

DATE

Sept. 9/48

FILLED BY

Claimant

Kase

Signature



**PERSONAL PROPERTY**

(Fishing Vessels, gear and equipment)

(Claimant's Name)  
per widow, Kameno Oye

**NETS:**

<u>Type</u>	<u>Size</u>	<u>Mesh</u>	<u>Fathoms</u>	<u>Age at Evacuation</u>	<u>Original Value</u>	<u>Estimated value at Evacuation</u>
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**VESSELS SOLD BY CUSTODIAN**

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

installed Enterprise 12-14 engine

<u>Improvements to Vessel since date of purchase:</u>	<u>Type</u>	<u>Date</u>	<u>Cost</u>

**OTHER GEAR:**

<u>Description</u>	<u>Date Purchased</u>	<u>New or Used</u>	<u>Price Paid</u>	<u>Condition when Evacuated</u>	<u>Estimated value at date of evacuation</u>
--------------------	-----------------------	--------------------	-------------------	---------------------------------	--

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:

EXHIBIT NO. 888-2  
 DATE Sept. 9/46  
 FILLED BY Claimant

*K. Oye*

Signature



Alberni Assessment District  
Clayoquot Land Dist  
Hakoda Bay Inlet  
Catalogue No 518  
Block 4 D. L. 795

Frame Building Approx 32' x 18'

5 Rooms

Needs re-roofing

Value \$150<sup>00</sup>-

J. H. Wentis

EXHIBIT No. 888-3  
DATE Sep. 9/48  
FILLED BY Clamant.



# ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 2196

EXHIBIT No. \_\_\_\_\_

NAME Kameno OYE, Widow of Tsunetaro OYE (File No. 13766 Reg. No. 12161)

REG. No. 12162

DATE DECLARATION _____ EVACUATION _____	INVENTORY TAKEN BY _____ DATE _____	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
Tsunetaro OYE did not file a declaration.		Motor Trolling Launch "T.O." Length 32' Beam 8' Depth 4'5" 12 H.P. Enterprise engine. 2,700.00 Sold by Custodian <u>460.00</u>		460.00		
Mrs. Kameno OYE (widow) Evacuated Sept. 5/42 Filed declaration but declared no personal property, March 30/42		2,240.00 <u>Chattels</u> 1 Only Space Heater 8.00 Quantity Misc. tools, carp. 30.00 6 doz. Cohoe & Spring Salmon spoons 48.00 1 only Galvanized Water Tank -Fishing Vessel 10.00 1 Only Alum. Pan for use on Fishing Vessel 3.00 Quantity Boat tools 35.00 200 fa. or more (4 coils) $\frac{3}{4}$ " Manila rope 65.00 150 fa. or more $\frac{1}{2}$ " Manila rope 25.00 Dishes and plates 15.00 Quantity of new lead for fishing lines 63.00 1 only Galvanized Anchor (large) 18.00 1 only Galvanized Anchor (small) with chains 25.00 1 only Water Pump for Fishing Vessel 5.00 1 Only Propellor used <u>17.00</u>  TOTAL CLAIM 2,607.00				
		The Fishing Vessel for which \$2700.00 is being claimed sold for \$460.00. The Chattels for which \$ 367.00 is claimed were not declared or found.				
		EXHIBIT No. <u>888-4</u> DATE <u>Sept. 9/48</u> FILLED BY <u>Claimant</u>				



FILE No 2196

EXHIBIT No.

CASE No.

REG. No. 12162

VENUE WINNIPEG

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NOT ACCOUNTED FOR THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
	460.00							Appraised by John Gould at \$350.00.
				8.00				
				30.00				
				48.00				
				10.00				
				3.00				
				35.00				
				65.00				
				25.00				
				15.00				
				63.00				
				18.00				
				25.00				
				5.00				
				<u>17.00</u>				
				367.00				

being claimed sold for \$460.00.  
 claimed were not declared or found.





THE GOVERNMENT OF  
THE PROVINCE OF BRITISH COLUMBIA

Tx. 26.

PLEASE RETURN THIS NOTICE WITH YOUR REMITTANCE  
**ASSESSMENT NOTICE, 1946**

**IMPROVED LAND**

*C/518*

Owner's name and last-known address:

OYE TSUNETARO  
C/O OFFICIAL CUSTODIAN  
506 ROYAL BANK BLDG  
VANCOUVER B.C.

C OF V  
AUG 19 1942

Folio Number  
440  
I 55337 C of T  
520 Acres more  
or less

Take notice that you have been assessed as below:—

H R BURDON PROVINCIAL ASSESSOR ALBERNI B.C.

Description of Property:

Date of Mailing Notice

January 15, 1946

BLOCK 4 SUB DIV OF  
LOT 795 PLAN 2971  
C OF V AUG 19 1942

ALBERNI  
CLAYOQUOT

ASSESSMENT DISTRICT  
LAND DISTRICT

DO NOT SEPARATE THESE FORMS.  
PLEASE RETURN BOTH WITH YOUR REMITTANCE.  
ORIGINAL WILL THEN BE RETURNED DULY RECEIPTED.

ASSESSED VALUE (GROSS)			EXEMPTION	Net Taxable Value	Rate, 1%	
Land	Improvements	Total	Pre-emptions		\$	c.
\$ 100	\$ 1,800	\$ 1,900	\$	\$ 1,900	19	00
Tax on Land upon which no School Tax is payable.				Rate, 1/5 of 1%		
SCHOOL TAXES						
SCHOOL DISTRICT	Amount Requisitioned	Real Property	Personal Property	School Rate in Mills	On Personal Property	On Real Property
Heluelet	3100	1,900		4.60		8 74
Total Current Taxes -----					27 74	
Due Date, April 1st, 1946					Delinquent Date, June 30, 1946	
DELINQUENT TAXES						
	1942	1943	1944	1945		
LAND -----	7.00	19.00	19.00	19.00	64 00	
LAND, 1/5 of 1%						
SCHOOL -----	3.87	9.04	9.23	2.93	25 07	
Total of all Taxes Due -----					116 81	
PAYMENTS						
	1942	1943	1944	1945	Current	
LAND -----						
LAND, 1/5 of 1%						
SCHOOL -----						
INTEREST -----						
TOTAL -----						
RECEIPT No.						
DATE PAID ---						

EXHIBIT No.

888-5

DATE

Sept. 9/48

FILLED BY

Claimant

MAKE ALL REMITTANCES PAYABLE AT PAR TO  
PROVINCIAL COLLECTOR AT ABOVE ADDRESS



## INFORMATION FOR THE GUIDANCE OF TAXPAYERS.

Notice of  
Assessment

No further notice will be given; taxpayers are requested to see that their taxes are promptly paid.

If remitting by mail, please use post-office or express money orders, or, if using cheque, see that same is marked by the bank and includes exchange.

Sec. 42, chap. 282,  
R.S.B.C. 1935.

All land which is situate in unorganized territory and is not comprised in any school district, and all land situate within any rural school district in which the school has been closed, shall, in addition to all taxes otherwise imposed thereon, be assessed and taxed annually, and the rate of taxation shall be one-fifth of one per centum upon its assessed value.

Due Dates

All taxes shown on this notice are due and payable on April 1st of the year of assessment, and if unpaid on June 30th of that year are deemed to be delinquent.

**DELINQUENT TAXES FOR THE YEARS 1935 AND PREVIOUS ARE SUBJECT TO INTEREST AT THE RATE OF 8 PER CENTUM PER ANNUM FROM THE DATE OF DELINQUENCY IN EACH YEAR UP TO MAY 31st, 1936; AFTER THAT DATE AT THE RATE OF 4½ PER CENTUM PER ANNUM. DELINQUENT TAXES FOR YEARS 1936 AND SUBSEQUENT ARE SUBJECT TO INTEREST AT THE RATE OF 4½ PER CENTUM PER ANNUM FROM DATE OF DELINQUENCY UNTIL PAID.**

Neither the giving of a notice of appeal by any taxpayer, nor any delay in the hearing of the appeal by the Court of Revision or the Court of Appeal, shall in any way affect the due date, the delinquency date, the penalties, or any liability for payment provided by this Act in respect of any tax which is the subject-matter of the appeal; but in the event of the tax being set aside or reduced by the Court of Revision or Court of Appeal, on appeal, the Minister shall refund to the taxpayer the amount of the tax or excess tax paid by him, and of any penalty imposed and paid on such tax or excess.

Liability and  
recovery of  
delinquent taxes.

There is a personal liability for all taxes, and the amount due may be recovered by distress proceedings or by action.

Land upon which taxes are delinquent will be offered at Tax Sale between July 15th and October 15th following the date of delinquency, and the date of the said Tax Sale will be advertised in the Gazette previous to the day of sale. Land sold at Tax Sale may be redeemed within ONE YEAR from the date of sale by tendering to the Collector the amount for which the land was sold, with interest at 12 per cent., together with the taxes, due since date of sale. Lands unsold at Tax Sale are forfeited to the Crown at the expiration of twelve months from date of Tax Sale, unless the amount due with interest is sooner paid. Lands forfeited to the Crown may be purchased on written application to the Minister of Lands.

Rectification  
of errors.

If the taxpayer discovers any error in his notice, which the Assessor is able to correct before the Court of Revision, he is requested to write to the Assessor giving particulars of the error.

**RIGHT of appeal.**—Every person assessed has the right of appeal, as provided in the "Taxation Act," against the assessment to the Court of Revision and to the Court of Appeal, but such right ceases if the notice of appeal is not given within fourteen days after the date on which this notice of assessment was mailed: Provided, however, that the Surveyor of Taxes may extend that time if it is proved to his satisfaction that the taxpayer was unable to appeal within the fourteen days. No appeal against the assessment of School Taxes is allowed where the assessed value is the same as in the last revised Assessment Roll of the Assessment District.

If you intend to appeal to the Court of Revision fill up the following form and return this notice to the Assessor within the fourteen days allowed by the law.

**TO THE ASSESSOR:** Take notice that I intend to appeal to the Court of Revision against the assessment for the following reasons:—

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(Signature) \_\_\_\_\_

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

N.B.—Do not detach or alter this form in any particular. If there are any errors return for correction.

(See over.)



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'x4.5' (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  
Custodian Valuation: None  
Date of Sale: October 1, 1942  
Purchaser: Thos. McLeod  
Signature on Sales Papers: Custodian sale  
Selling Price: \$460.00  
Paid to ~~JFVDC~~ or 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 - \$163.26 (Unpaid)

168.26 Reg 2757  
April 17/45

Additional Information:

EXHIBIT NO. 888-6  
DATE Sept. 9/48  
FILLED BY Clamant

*JM Watson*  
June 22/46



**JOHN GOULD**

Marine Surveyor and Appraiser  
VANCOUVER, B. C.

CABLES:  
"GOULD" VANCOUVER, B. C.

TELEPHONE:  
PACIFIC 9046

No. 67A.

" T O 3128 "

**Survey Report**

To whom it may concern :

Name	"T O 3128".		
Official No.	Vic 1614.	Type	Troller.
Owner	Tsuretaro 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

EXHIBIT No. 888-7.  
DATE Sept. 9/46  
FILLED BY Claimant



*File*

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

EXHIBIT No. \_\_\_\_\_  
DATE \_\_\_\_\_  
FILED BY Crown

Sept. 9/48

RELEASE	AND	DISCHARGE
FISHING VESSEL: "T.O." 3128		CLAIM No.: 457-C
REG. or LIC. No.: Victoria 1614		Owner at Time of Impounding: Tsunetaro OYE, #12161, <u>File 13766.</u>
NAVAL No.: None		Present Owner: Thomas McLeod
CLAIM PAYABLE TO: Thomas McLeod		

This vessel was sold by the Secretary of State of Canada acting in his capacity as ~~Custodian~~ 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 Kind, 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" 194<sup>2</sup>5

WITNESS:  
"G. L. Barbour"  
{  
"Thomas McLeod"  
{  
{  
{

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

December 7, 1948.

*N. Steved*  
.....  
*A.J.*

*Ed. Reg. 6757*



May 15, 1945.

To: Mrs. McArthur

From: F. Matheson

The Claim has been paid in the amount  
of \$168.26.

Error on statement - 168.26 read as 163.26.

"F.M."



EXHIBIT No. \_\_\_\_\_  
DATE Sept. 9/48  
FILED BY Crown

RELEASE AND DISCHARGE

FISHING VESSEL: "T.O." 3128 CLAIM No.: 457-C  
REG. or LIC. No.: Victoria 1614 Owner at Time of Impounding:  
NAVAL No.: None Tsunetaro OYE, #12161  
File 13766  
CLAIM PAYABLE TO: Present Owner:  
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 Victoria 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" 1948.

WITNESS: )  
                  ) "Thomas McLeod"  
"C.H. Willis" )  
                  )  
                  )  
                  )

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]*

*pl 257*





Exhibit 10

1223