

HOHH

BUREAU HASTINGS PARK
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 4044

EXHIBIT NO. 323-2

DATE 7 June 1942

FILLED BY Croan

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

NAME: OYE, Yasoyama

HOME ADDRESS: P. O. Box 28, Steveston, B. C.

REGISTRATION No. 04688

SEX: Male

AGE: 54

MARRIED? Yes

OCCUPATION AND EMPLOYER: Himself

NAME OF WIFE OR HUSBAND: Len

ADDRESS: Steveston, B.C.

NAMES OF LIVING CHILDREN: Setsuko (F) 14 yrs.

ADDRESS: " "

Toru (M) 11 yrs.

ADDRESS: " "

Keiyo (M) 8 yrs.

ADDRESS: " "

Shigeru (M) 5 yrs.

ADDRESS: " "

Sumiko (F) 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 15th day of April 1942.

WITNESS: E. Woodward

(Signature) Yasoyama Oye

INFORMATION FROM R.C.M.P.

Date Sept. 3, 1943

Full Name YASOYAMA
Yasoemon OYE
(Surname in Block Letters)

Registration No. 245 04688 Male - Female
(check)

Age Dec 30, 1897

Former Address Steveston, B. C. (P.O. Box 28)

Date Evacuated Apr 30/42 Naturalized - Canadian-Born - National
(check)

Present Address Greenwood, B.C.

Married - Single
(check)

Name of Wife Ren # 04690

Name of Husband —

Name of Mother —

Name of Father —

Names of Children under 16 Sumiko (F) May 23/25

Setoku (F) Jul 22/28 Tom (M) Jan 3/31 Keiji (M) Jan 1/34
Shigemi (M) June 14/37 Sumiko (F) Jan 19/39

Our File No. 4044

Registered with Custodian
(yes or no) yes

Requested By —

Additional Information Fisherman Owner of Boat
Lic # N.W. 1751

Naval Central # N.W. 084 E.

File No. 4044

CLAIMS DEPARTMENT

Mar 23rd, 1944

TRANSIT CO. - Reg. No. 04008

EDITORS:

NO CLAIMS ON FILE

/s/

*Claims closed
23-5-44
A*

SUMMARY TAKEN FROM VESSELS RECORDS

Date: March 10, 1945

Name: Yasoemon OYE

Reg. No. 04688

File: 4044

Boat File No.: JFVDC 342

Name of Vessel: "Y.O." 30' x 7' x 3' (1929) Vivian 7 HP

Lic. or Reg. No.: New Westminster 1751

Naval No.: NW.084-B

Owner's Valuation: \$1,200.00

JFVDC Valuation: \$489.00 Survey #141

Custodian Valuation: None

Date of Sale: April 2, 1942

Purchaser: Cassiar Packing Company Ltd.

Signature on Sales Papers: Y. Oye

Selling Price: \$575.00

Paid to JFVDC ~~ex-emption~~: \$575.00

Supervision Costs: \$8.75

Balance due Owner: \$566.75

Paid to: Y. Oye on April 8, 1942

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None

Additional Information:

This boat was licensed in the name of Yasoemon OYE, Steveston, and sales papers show this name, but Yasoemon OYE is not registered with RCMP.

See B.C.S.C. Letter, 6/3/45

L. J. MacIsaac

The B.C.S.C. reported on March 6, 1945, that Yasoyama OYE was known also as "Yasomon OYE."

gm

VESSEL SUMMARY

File No. 4044

October 10, 1946

Re: Yasoyama OYE, Reg. No. 04688

On September 16, 1942, the Custodian sold a vessel, which is described in the sales paper as, "T.K." (Y.O.) New Westminster Licence 2331, being 30' x 7'2"x3', with Palmer 6 HP engine. The vessel sold carried Naval Control No. NW.084-H and the initials and numbers "T.K.768".

Naval Control No. NW.084-H was issued to S. Inouye. Shinkichi INOUE, Enemy File 1431, who left Vancouver on the Hikawa Maru on November 1, 1941, but was missing from that ship on her arrival at Seattle, and who is believed to have drowned, was licensed owner of a vessel, "S.I." Licence No. Victoria 2331.

The vessel "S.I." Victoria No. 2331, was transferred by INOUE to Yasoyama OYE, who had the vessel re-licensed in his own name under Vancouver Licence No. 6603.

According to sales paper in the possession of Toshikazu KOYAMA, File 8829, the vessel licensed Vancouver No. 6603, was purchased by KOYAMA from Yasoyama OYE on December 1, 1941.

As Shinkichi INOUE had been given permission by the Foreign Exchange Control Board to leave Canada on the understanding that he would not transfer any assets he might have in Canada prior to his leaving, the transfer of this vessel to OYE was not recognized by the Custodian, and the net proceeds of the sale have been held in blocked account.

However, the Custodian now takes the stand that as this vessel was licensed in the name of Yasoyama OYE at the outbreak of war with Japan and at the time she came under the control of the Custodian, the registered title of Yasoyama OYE is recognized, and any paper giving acceptable proof that OYE had sold this vessel to Toshikazu KOYAMA will enable this office to transfer to the account of KOYAMA the net proceeds from the sale of the vessel.

G. MacIsaac
October 10/46

Files #283-44 & 4044

To: Mr. Alexander

From: F. Matheson

August 9, 1943

Re: Vessel "S.I.", Vic. 2331, NW.084H

With reference to your memorandum of July 30th, Mr. Wyness was of no assistance.

The registrar of shipping, Victoria, states that Vic.#2331 - Shinkichi INOUE, of Mayne Island, which was later cancelled by Van.#6603 in the name of Yasoyama OYE, was issued for a vessel 30' x 7.2' x 3' with a 6 HP Palmer engine, hull built in 1939.

The boat we sold was 29.2' x 7.4' x 2.5', Palmer 6 H.P., estimated age: 20 years. This boat carried Naval No. NW.084-H, which was issued to S. INOUE on a boat described as 29' x 7'.

The money received for the boat we sold has been credited to Yasoyama OYE (who has no replied to our letter of July 5 asking about ownership) but, it would appear, regardless of the discrepancies, that this boat was owned by Shinkichi INOUE, and that the money should be transferred to account of this man, Enemy file 283-44.

4044

August 9, 1943.

Mr. Yasoyama OYE,
Registration No. 04688,
Greenwood, B. C.

Dear Sir:

The vessel "T. K. 768", said to have been purchased by you from Toshikazu KOYAMA, has been sold. This vessel is described as follows:

Length: 29.5 ft. Beam: 7.4 feet, Depth: 2.5 feet. 6 H.P. Palmer engine. Age: 20 years.

Would you kindly supply us with the license number of this vessel so that we may check the title? Or, in the event that this vessel is not licensed in your name, please let us have a bill of sale from the previous owner. As you will understand, monies received from the sale of this boat, will have to be held until ownership is established.

According to our records, Shinkichi INOUE, formerly of Hayne Island, owned a vessel, License No. Victoria 2331, Length: 30 ft., Beam: 7.2 ft., Depth: 2.5 ft., equipped with a 6 H.P. Palmer engine, which he transferred to you for the sum of \$1.00, and which was licensed in your name at the port of Vancouver, License No. 6603. This vessel was built in 1939. Would you kindly let us know if you sold this vessel prior to your evacuation, and, if so, to whom?

Yours very truly,

F. Matheson,
Specified Articles Department.

c/o Rainbow Ranch,
Okanagan Centre, B. C.
August 30, 1943

Mr. F. Matheson,
Department of the Secretary of State,
Office of Custodian,
Japanese Evacuation Section.

Dear Sir:

I received your letter on 23rd inst. today. I understand your department sold my T.K. 768 by action sale in last year of some time ago. However, I can't understand how much the price is. So if you ask me for my bill of sale, please let me know price of my boat will you? I haven't any bill or license today because I came to work during the summer from Slocan district, so I can't tell you at once. I bought that boat from Mr. Yasoemon OYE on 1941 - and price was Eight Hundred Dollars (\$800.00) on that time. So please tell me how much cost that boat was in immediately.

Yours very truly,

Toshikazu Koyama
Serial No. 11451

C
O
P
Y

File No. 30764 (Int)
344 (Spec)
307

File No. 344-700

December 2nd, 1943

TO: MR. J. HATHORN

FROM: MR. L. E. WRIGHT

RE: T. E. WRIGHT

With reference to your letter of the tenth instant, the transfer of ownership of the above noted vessel from Shintichi Inoue, now a resident of Japan, to T. E. WRIGHT, for \$1.00, was not recognized by the Foreign Exchange Control Board, and Mr. C. H. McPherson so notified Mr. WRIGHT.

Nothing has occurred since that time that would cause to change Mr. McPherson's decision, and therefore WRIGHT cannot give valid title to a purchaser from him.

We should continue to hold the proceeds of the sale of the boat.

We return herewith your File No. 344, 307 and T.E. 700.

L. E. WRIGHT

WFW/JP

Attach.

See Summary Oct 14/46

283/44, 4044 & 8829

December 23, 1943

Mr. Toshikazu KOYAMA,
Registration No. 11451,
P. O. Box 427,
Westbank, B. C.

Dear Sir:

In reply to your letter of November 18th, we wish to advise that the boat sold by Mr. K. Kobayashi was his own boat, licensed at the Port of New Westminster No. 2331.

The boat "Y.O." NW.084-H was reported to the Japanese Fishing Vessels Disposal Committee under license No. 2331 New Westminster. This was in error. The boat "Y.O.", reported as being owned and licensed in the name of Yasuzama OYE, appears to be the same boat as that which had been licensed at the Port of Victoria No. 2331 in the name of Shinkichi INOUE, and which was later licensed at the Port of Vancouver No. 6603 in the name of Y. OYE. This boat, we understand, was the boat carrying identification "T.K. 768", NW. 084-H, which you state was purchased by you from Y. OYE.

We regret to advise, however, that as the sale from Shinkichi INOUE to Y. OYE was not recognized by the Foreign Exchange Control Board, we cannot recognize the sale from Y. OYE to you. The sales paper which you sent to us is being returned herewith.

Yours very truly,

P. Matheson,
Specified Articles Department.

Enclosure

4044

July 25th, 1945.

Mr. Yasonon OYE,
Registration No. 04688,
Building No. 5,
GREENWOOD, B.C.

RE: RADIO

Dear Sir:

We have your letter of the 21st instant from which we note your desire to sell your radio, said to be stored with the J. W. Kelly Piano Co.

We have no objection to the sale, and copy of this letter attached may be treated as authority for the J. W. Kelly Piano Co. to deliver the radio to your appointed agent.

You will no doubt arrange payment of the storage charges.

Yours truly,

G. B. Spain
Protection Department.

GBS:LBM

Enclosure.

Files 5839, 4044, Entry 1431

September 25, 1945.

To: Mr. MacArthur

From: F. Matheson

Re: Toshikazu HUYAMA, Reg. 11457, File 5839

Attached is a letter received from Toshikazu HUYAMA, and the files concerned.

The vessel referred to in the first section of this letter appears to have carried the identification "T.R. 768". A name written on the folder dealing with this vessel in the Japanese Fishing Vessels Disposal Committee records states "This boat was said to have been bought from Toshikazu HUYAMA by Yasuemon OIE and was known as 'T.O.' NO. 004-A." The name is in Mr. Kimura's handwriting. The "T.O." NO. 004-A, carried license Vancouver 6603, in the name of Yasuemon OIE, and this license had cancelled license 2331, N.V. "S.I." licensed in the name of Shinichi HUYER.

Shinichi HUYER sailed on the Hikawa Maru, on November 1, 1941, en route to Japan, but was missing from the boat when she reached Seattle, and was presumed to have drowned. Permission had been given to him by the Foreign Exchange Control Board to leave Canada on the understanding that he would not transfer any assets remaining in Canada. Therefore the transfer of this vessel to Yasuemon OIE for the sum of \$1.00 was not recognized by the Customs, and the proceeds of the sale of this vessel have been credited to the account of Shinichi HUYER in the Entry Section (File 1431).

Toshikazu HUYAMA, on November 10, 1943, sent us a document in proof of his claim to ownership of the vessel. This document was dated December 1, 1941, but the 1941 appeared to have been changed from 1942. The document also showed HUYAMA's registration number. By experience has been that Japanese did not use their registration numbers prior to their evacuation.

HUYAMA was advised that in view of the fact that Yasuemon OIE's ownership of this vessel was not recognized, HUYAMA's purchase from OIE could not be recognized.

Before answering this letter, I thought it best to show you the files.

F. Matheson

See Summary - Oct 10/46

MEMORANDUM to File: 5909

In December, 1945, the goods remaining in Steveston storage was examined. Among the items examined was a roped bundle, identified with the name "Don Cye". This bundle contained one quilt and one dirty pillow. These articles were not considered to be saleable, and were disposed of as follows:

To U.S.R.R.A.: 1 Quilt

Abandoned: 1 Dirty Pillow

G. M. Nelson

9829/4044
Rmwy 1431

October 10, 1945.

Mr. Toshikazu KAYAMA,
Reg. No. 11451,
OYAMA, B. C.

Dear Sir:

With reference to your letter of October 7th and your previous inquiry in regard to the vessel "T. K. 768", we wish to inform you that your claim to ownership of this vessel has been given consideration.

It has been decided that if you will send us the licence of the vessel, showing that Yasoyama OYE was the licensed owner of this vessel at the time the vessel came under the control of this office, and send us also the paper showing that Mr. OYE sold this vessel to you, we will remit to you the net proceeds from the sale of this vessel.

Yours truly,

F. Matheson,
Office of the Custodian.

*Mr & Salis Papers
received. Records
transferred to acct
F. Kayama
F. Matheson
Oct 16/46*

File No. 100-444, 445 & Navy File 141

Mr. Earl Gardner

May 18, 1946.

From: P. H. Henson

Re: Yoshitaka SUZUKI, Inc. No. 11451, File 100-444

Section 1, of letter dated May 18, 1946, from Yoshitaka SUZUKI deals with a vessel, which was sold by this office for the net sum of \$10,000. This sum is held in Navy Account 141.

This vessel carried the identification "T.E.740" Naval No. 15,000-1. It has been previously well established that this was the same vessel that had been licensed to the Japanese in the name of Shinkichi SUZUKI (who sailed for Japan on November 1, 1941 on the Hikawa Maru, but was stopped when that ship reached Seattle and is assumed to have crossed) File Navy 141.

This vessel was transferred to Japanese OIR, File 444, (in view of long years of business relationship and intimate friendship existing between us...) in consideration of payment of nominal sum of \$100 (actual value \$100.00) to collect the account between us? and the vessel was relinquished in the name of OIR, under Treasurer No. 10, 444.

Letter Feb. 1/46 from G.S. Hetherington states that information supplied by Foreign Exchange Control Board is to effect that SUZUKI was permitted to leave Japan and was given non-residence status on the understanding that he would not transfer his assets in Canada under the Foreign Exchange Control Board regulations, and that the Canadian will consider this vessel as being away from at least until such time as the Foreign Exchange Control Board have considered the matter further. This is in Navy File 141.

Letter on File 444 from Japanese OIR, Aug. 15, 1945, states that he sold this vessel to Yoshitaka SUZUKI and that SUZUKI is real owner of the boat.

Letter just received from Yoshitaka SUZUKI states that SUZUKI left the money with David SUZUKI, File 444. What money this was or what it has to do with the case is not quite clear. It is possible that the boat was sold for net sum of \$1,000, but not real value and that SUZUKI was to collect from funds to the credit of SUZUKI in Japan.

On us, as has been done in some other cases, except the license issued to Japanese OIR as giving him clear title to the vessel with the right to sell to Yoshitaka SUZUKI. This would enable us to transfer the funds in Navy File 141 to the account of SUZUKI.

Henson

*See October 11/46 (Summary)
Pm*

Rec'd

File No.

May 26/48
2044

May 26/48,

420 Greenwood, B.C.

C
O
P
Y

Office of the Custodian,
Vancouver, B.C.

Dear Sirs:

In regards to my personal property (mainly fishing nets) which have been stored at Gulf of Georgia (New England) Cannery net house prior to my evacuation.

Since I did not make any report to your office before departing coastal area, I learned that these properties will not come under terms of reference. Due to evacuation confusion, I did not have chance to make any report to this respect, although you perhaps know that several nets were stored in net house which belongs to cannery fishermen.

Will you kindly let me know whether you have investigated such net house. I have tagged entire nets and hanged by pulleys.

I am enclosing a copy of all the nets I had and stored in there.

I did not make legal agreement between the Cannery but through verbal agreement with the manager at that time that the nets should be taken care by the Company.

Please be kind enough to let me know whether I am entitle to claim for my loss to this effect.

Thanking you in advance and awaiting your prompt reply.

Yours sincerely,

"Oye YAZAEMON"

Reg. No. 04688.

LIST OF NETS STORED AT GULF OF GEORGIA
CANNERY'S NET HOUSE.

145	fathoms	7" x 45	mesh	Gohoe Net
145	"	9" x 40	"	Spring "
125	"	8 1/2" x 40	"	" "
200	"	6" x 50	"	Sockeye "
150	"	6" x 50	"	" "
155	"	5 1/2" x 50	"	" "
150	"	5 1/2" x 50	"	" "

C
O
P
Y

Cork line attached with Corks

280	pcs.	Corks
31	fathoms	Lead Line
150	"	"
150	"	"
200	fathoms	10" x 35" mesh Spring Net

May 26, 1948.

Mr. Oye YAZAKHON, Reg. No. 04688,
Box 420,
Greenwood, E.C.

Dear Sir:

We are in receipt of your letter of the 26th instant. Hearings of claims before Sub-Commissioner Colquhoun are now in progress at Grand Forks.

I find that your file has been sent to Grand Forks, so I assume that you have already filed a claim. Without the file I am not in a position to advise you in regard to any claim you have made for fish netting. If as you say, these were not declared, and if they did not come into our possession, I think it is unlikely that you will be considered to have a valid claim. If however, any nets belonging to you were handled and disposed of by the Custodian, even although these were not declared, the Commissioner will doubtless give consideration to the question as to whether a fair market price was received for any nets which were disposed of by the Custodian.

Your letter and a copy of this reply are being forwarded to Government counsel, Mr. Harold McInnes at Grand Forks, for his information.

Yours truly,

F.G. Shears,
Director.

FCB/GH
c.c. Mr. Harold McInnes

MEMORANDUM

August 26, 1949.

TO: Mr. Good
FROM: E. Robertson

Re: Case No. 221 - Yasuyama Oye

Figures given by your Department:

"NETS - DWP RMH 00 changed to \$165.00 (marked
"lost")."

This Claimant, according to Exhibit 1, appears to be under the impression that the nets sold by the Custodian and credited to Yaichi OYE (deceased brother) belonged to him (the claimant). Yasuyama Oye states that Yaichi Oye was not a fisherman and did not own nets.

Our records reveal that Yasuyama did not declare any fishing nets to the Custodian until he filed his claim, although he had been in correspondence with this office regarding a radio. However, our records also reveal that Yaichi Oye did not declare nets, but according to letters received from the Gulf of Georgia Cannery dated August 25, 1942 and December 3, 1942, it would appear that Yaichi Oye did leave fishing gear at the Gulf of Georgia Cannery. Yaichi Oye also owned a fishing vessel.

On Exhibit 1 and in the Transcript 4, Line 12 to Trans. 5, Line 8, this Claimant states that his son, Yasu, wrote "Y.Oye" on the tags but the writing on the tags and that on Yasu Oye's file appear to be written by different people.

"YRT"

The fishing gear inventoried by G. C. Robinson under "Y.Oye" include the gear mentioned as belonging to Yaichi Oye in the above-mentioned letters which are attached herewith.

In view of the fact that Yasuyama Oye did not declare any fishing gear until he filed his claim and the evidence of ownership of nets and lines by Yaichi Oye through Gulf of Georgia Cannery letters, it would appear that Yasuyama Oye's claim should not be allowed.

CASE NO. 322

IN THE MATTER OF THE WINDUPTING ACT
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 92
JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE H.M. COLQUHOUN, SUB-COMMISSIONER)

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Grand Forks, B.C.

June 7, 1948

IN THE MATTER OF THE CLAIM OF
(MRS) YASUYAMA OYE

PROCEEDINGS AT HEARING20 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

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Y. Oye
In Chief

MR. COBUS: The claim, your honour, of Yasoyama Oye,
No. 81 on the Secretary's list. That will be
case No. 323, Mr. Secretary, I take it?

THE SECRETARY: Case 323.

YASOYAMA OYE, the Claimant herein, being
first duly sworn, testified
through the official interpreter
as follows:

10 MR. COBUS: I would ask leave, your honour, to amend
the claim by showing nets and lines, \$381.00.
There is no credit to be shown to the Custodian.

MR. McINNES: How much for nets and lines?

MR. COBUS: \$381.00.

THE COMMISSIONER: Amendment allowed.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning
the nets and lines for which you are claiming.
Did you instruct Mr. McMaster to prepare that
statement for you and is that your signature?
20 A: Yes.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: The statement, your honour, which is being
marked Exhibit 1, gives full descriptions of all
the nets for which claim is being made and similarly,
details of the lines. The witness has this
to say: He says that he has fished for the Cana-
dian Fishing Company and had a place in their
net house at the Gulf of Beorgia Cannery to hang
his nets and lines for over 10 years. At the
30

Y. Oye
In Chief

time of evacuation he had his nets stored in the usual place, and he was given to understand by other fishermen that they were to leave their nets in the net house and that the company would then hand them over to the Custodian. He had one of his children write out tags in English and attach them to these nets. He thinks that just the name "Y. Oye" was put on the tags. However, he says with the exception of Yaichi Oye, his brother, now deceased, who was not a fisherman, he is quite certain that there were no Oyes at Steveston fishing for this cannery. He made a list of his nets at the time, but was not asked to give one to the cannery. At Hastings Park, when he was asked if he had any property to declare, as he had left the nets at the cannery, he understood that the cannery would turn them over to the Custodian, and that is why he didn't declare them. He is given to understand that the Custodian did receive one net from the cannery, which the cannery purchased from the Custodian for \$50.00, and apparently the Custodian considered that net to be the property of Yaichi Oye. The latter was his brother and that brother had no nets, and neither he nor his widow have ever mentioned being paid \$50.00.

Q: Witness, I produce to you a list of nets and lines. Do you know who made that list?

A: My son over there.

MR. COBUS: I would ask to call the son, your honour.

Y. Oye
Discussion
Y. Oye
In Chief

THE COMMISSIONER: Yes.

MR. COBUS: I will call the son.

MR. McINNIS: Well, this chap will be brought back,
I take it?

THE COMMISSIONER: Yes, he is merely standing down.

(Witness aside)

YASU OYE, a witness called on behalf of the
claimant hereing, being first duly
sworn, testified through the offi-
cial interpreter as follows:

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DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I am showing you a list of nets with
the name of "Y. Oye" written as a heading. Did
you make that list?

A: Yes.

Q: Where did you make it?

A: At the coast.

Q: At the coast?

A: Yes.

Q: Before you were evacuated, or afterwards?

A: Before.

Q: Well, what does that represent?

20 A: That is a list of my father's nets.

Q: And at the time it was made, did you examine the
nets and lines and take your list from the
actual nets and lines that you could see?

A: Yes.

Q: Where did your father keep his nets?

A: At the net house of the Gulf of Georgia.

Q: And did you father ask you to make that list
for you?

A: Yes.

Q: Did you give such a list to anybody at the can-
nery?

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A: No.

Y. Oye
In Chief
Cross exam
M. Nakatani
In Chief

Q: Do you know whether there were any tags on your father's nets and lines? A: Yes.
Q: Who put the tags on them? A: I did.
Q: You did. What did they say?
A: "Y. Oye."
Q: Just "Y. Oye"? A: Yes.
Q: Not your father's full name? A: No.

MR. COBUS: I would ask leave to file the list, your honour.

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(LIST MARKED EXHIBIT NO. 2)

MR. COBUS: I have another witness, so I suppose --

THE COMMISSIONER: Well, you had better let Mr. McInnes cross-examine this witness if he wants to.

CROSS EXAMINATION BY MR. McINNES:

Q: No one ever saw this list that is Exhibit 2 except yourself and your father, is that right,
A: Only my father and myself saw that list.

SO MR. McINNES: That is all.

THE COMMISSIONER: That is all, thank you.

(Witness aside)

MR. COBUS: I would like to call Mr. Nakatani, your honour.

MATSU NAKATANI, a witness called on behalf of the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

30 DIRECT EXAMINATION BY MR. COBUS:

H. Nakatani
In Chief
Y. Oye
In Chief

Q: Witness, do you know Mr. Yasoyama Oye?

A: Yes.

Q: How long have you known him?
childhood.

A: From

Q: Mr. Oye was a fisherman, I believe?

A: Yes.

Q: Were you a fisherman?

A: Yes.

Q: What cannery did you fish for?

A: Gulf of Georgia Cannery.

10 Q: You fished for the Gulf of Georgia Cannery as
well as Mr. Oye, is that correct? A: Yes.

Q: And do you know whether Mr. Oye had any nets
stored in the Gulf of Georgia Cannery net house?

A: Yes, because I put my nets in the same place.

Q: You stored your nets in the Gulf of Georgia
Cannery net house?

A: Yes.

Q: I see. Do you know how many nets Mr. Oye owned?

A: I don't know the number exactly.

Q: Well, are you able to say that you know that Mr.
20 Oye left nets and lines in the Gulf of Georgia
Cannery?

A: Yes.

MR. COBUS: Your witness.

MR. McINNES: No questions.

THE COMMISSIONER: That is all, thank you.

(Witness aside)

YASOYAMA OYE, recalled.

MR. COBUS: I am not too sure, your honour, whether
I asked this witness the question as to the truth
30 of the statement.

Y. Gye
In Chief
Cross exam

THE COMMISSIONER: I don't think you did.

MR. COBUS: Q: Witness, I am showing you the statement filed as Exhibit 1. Are the statements contained therein true to the best of your knowledge and recollection?
A: Yes.

MR. COBUS: Your witness.

10 MR. McINNES: It will be submitted, your honour, that at no time did this witness declare any of the matters for which he is now claiming, that the same never came into the custody or control of the Custodian and therefore do not come within the terms of reference.

CROSS EXAMINATION BY MR. McINNES:

Q: Witness, I am producing to you what is known as a "No Property" declaration purporting to be signed by you. Is that your signature?
A: Yes.

20 MR. McINNES: I would like to file that, your honour, as Exhibit No. 3.

(DECLARATION MARKED EXHIBIT NO. 3)

Q: You had certain correspondence with the Custodian about a radio?
A: Yes.

Q: This is your letter, I take it, to the Custodian?
A: I did not sign this.

Q: But that is your letter, though, isn't it?
A: I think it is.

Q: This letter says that you want permission to sell your radio which is with the Kelly Piano Company?
30 A: Yes.

Q: That letter is dated the 21st of July, 1945?

A: Yes.

MR. McINNES: Exhibit 4.

(LETTER MARKED EXHIBIT NO. 4)

Q: Now, you filed your claim herein on the 8th of December, 1947?

A: That is my wife's signature.

Q: Well, it was done for you; that is your claim?

A: Yes.

10

(CLAIM FORM MARKED EXHIBIT NO. 5)

Q: Now there you describe eight nets, five cork and lead lines?

A: Yes.

Q: That is the first time that you ever told the Custodian that you had any nets and lines, isn't it?

A: Yes.

Q: Although you had been corresponding with him in the meantime over a radio?

A: Yes.

MR. McINNES: That is all.

MR. COBUS: No questions, your honour.

20 THE COMMISSIONER: The claim form shown here has the name of the claimant as Mrs. Oye.

MR. COBUS: Yes, your honour, you are correct. It appears as "Mrs. Oye Ren (Yasamon)".

THE COMMISSIONER: Yes.

MR. McINNES: Well, that is his wife.

MR. COBUS: Perhaps I should have asked leave, your honour to join Yasoyama Oye as a claimant with his wife.

MR. McINNES: Well, I take it that you are agreeing
30 that these nets and lines referred to in this

claim, in Exhibit 5, are the nets and lines that you are claiming for. I think that is all that is necessary.

MR. COBUS: Yes.

THE COMMISSIONER: We will assume that is understood, yes.

(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

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

M.M. Colquhoun
Sub-Commissioner

Form 9

DEFENCE PRINT

Grand Forks, B.C.
June 7, 1948.

(Mrs.) YASOYAMA OYE

File Nos. 4044,
5909.

Case No. 323

PERSONAL PROPERTY CLAIM

(All claims shown are Gross)

1. Nets and Lines Claim

\$881.00

Sale Price

Not declared, none sold.
No record at any time.

- (a) Nets and lines valued by claimant at \$881.00 left under the custody, control or management of someone other than the Custodian, appointed by the owner of the property.

Witnesses: 1. F. G. Shears - to prove
No Property Declaration,
Exhibit No. 3.

Ref. Trans p. 2, line 27 and following -
Claimant admits that his nets and
lines were left at the Gulf of
Georgia Cannery, Steveston, B.C.
Exhibit No. 1 - Claimant's Statement.

Memo: Ref. Trans. p. 3, line 20. Actually the Custodian did sell three (3) nets and some lines found in the Gulf of Georgia Cannery, which were marked Y. OYE, for the sum of \$165.00, and this amount was credited to the claimant's brother's account, Yaichi OYE, who died on the 20th of September, 1945 and the residue of the funds was disbursed to next of kin by the Official Administrator. Whether or not these nets and lines belonged to Yasoyama OYE or his deceased brother Yaichi OYE is unknown, since neither brother declared any property, and both signed 'No Property Declarations'. (File No. 5792.)

Summary of Defence
Witnesses

Where
Required

Summary of Documents
to be filed

Witness Proving
Same

F. G. Shears

1 (a)

HAC/mv

Name of Claimant **GTA, Inc. & Den**Case **383**Custodian File **4044 & 9909**

<u>REAL PROPERTY</u>											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			
<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 & Not Found & 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
							00 165.00		115.50		00 115.50
<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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price				
TOTAL RECOMMENDATION											115.50 / 165.00

4044 & 9909

November 21st, 1950.

Mr. & Mrs. Yasuyama OYE,
Box 420,
Greenwood, B. C.

Dear Sir: & Madame

Re: Japanese Property Claims Commission

Case No. 323

We have received from the Co-Operative Committee
on Japanese Canadians, our form of Release which has been
executed by yourself covering the award recommended under
the above Claims Commission for the sum of ... \$115.50.

Cheque in your favour is enclosed for \$110.67
and we have paid the Co-Operative Committee .. \$ 4.83
for legal fees as authorized by you.

Yours truly,

F.G.. Shears
Director

FGS/js
1 encl.

4044

March 21st, 1951

Mr. Yassamon OYE,
P. O. Box 420,
Greenwood, S. C.

Dear Sir:


Distribution is now being made from the
assets of the River Fish Company at the rate of \$33.98
per share. You were the holder of 5 shares and payment
to you is as follows:

5 shares	\$ 169.89
Less previously advanced	<u>70.00</u>
	\$ 99.89

Custodian cheque for this amount is attached
hereto.

Please acknowledge receipt.

Yours truly,


C. H. Reed
Office of the Custodian

CHR:BX
Encl.