Name of Claimant KOYANAGI, Kiyoichi Case 527

Custodian File 1830

REAL PROPERTY											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% there-of	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	

PERSONAL PROPERTY								
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	
	10%	of Appraisal Price						
		270.	66.45					66.45

NETS						
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	

MISCELLANEOUS CHATTELS								
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	66.45

1540

CASE NO. 527.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

August 4th, 1948.

IN THE MATTER OF THE CLAIM OF

KIYOICHI KOYANAGI.

PROCEEDINGS AT HEARING.

Original.

CASE NO. 527.

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR JUDGE R.M. EDMANSON, SUB-COMMISSIONER).

10 Lethbridge, Alberta,

August 4th, 1948.

IN THE MATTER OF THE CLAIM OF

KIYOICHI KOYANAGI.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C.,	appearing for the Dominion Government.
W.E. HUCKVALE, Esq.,	appearing for the Claimant.

MISS LILLIE THOMAS,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

30

THE SECRETARY: Case No. 527, Kiyoichi Koyanagi.

KIYOICHI KOYANAGI, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. HUCKVALE:

Q Now, Mr. Koyanagi, you are claiming on account of a fishing vessel which you own; is that correct?

A Yes.

Q And that is the only claim you are presenting to this Commission? A: Yes.

Q I want to show you this form (indicating); will you look at it, please?

A Yes.

Q Have you read that form? A: Yes.

Q And have you signed it? A: Yes.

Q And is the information contained in it true and correct? A: Yes.

MR. HUCKVALE: I tender that, sir.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. HUCKVALE: Now there is on the Custodian's file, your Honour, what is known as a marine appraisal. Perhaps my learned friend will file that on behalf of the Crown at this moment and I want to make one or two comments on it.

MR. RICE: Do you mean this survey report?

MR. HUCKVALE: Yes.

(SURVEY REPORT MARKED EXHIBIT NO. 2).

MR. HUCKVALE: Q: Now, Mr. Koyanagi, in the appraisal the engine in yourboat is described as a two cycle engine; is that correct or not?

A No, it was a four cycle.

Q It was a four cycle? A: Yes.

Q You are absolutely positive as to that?

A No, I am quite sure it was a four cycle.

Q Now you tell us in your form, Exhibit 1, that in 1939 you bought a new engine costing $625.00; am I correct? A: Yes.

Q And you tell us to install that engine cost $250.00; would you explain why it cost that much to install
10 an engine? A: It meant taking out the old engine, making a new bed for the new engine and replacing the shaft and several other things.

Q Do you think that you could have sold this boat yourself had you been allowed to do so in 1942?

A Yes, it would have been possible to sell it.

Q And how much do you think you could have got for it?

A About a thousand dollars.

Q I see. Thank you. Would you answer my friend,
20 please.

MR. RICE: I am submitting, your Honour, that this boat was sold for its fair value on behalf of the Custodian.

CROSS-EXAMINATION BY MR. RICE:

Q This boat was built in 1922, was it not?

A No, that was my previous boat was built in 1922. This boat that is in question was built in 1930.

Q Well in the declaration of this vessel doesn't it
30 show that the hull was built in 1922?

THE SUB-COMMISSIONER: Do you mean in the original claim, Mr. Rice?

MR. RICE: No, that is the vessel declaration.

Q Is that in that declaration written in English and Japanese respecting the boat? Is that the declaration? You can answer it, can you not; is that the declaration respecting your boat (indicating)? A: Yes, I think so.

Q It is? A: Yes, I think so.

10 MR. RICE: I wish to tender that as anexhibit. It is a declaration regarding the registry of the boat in question.

(DECLARATION MARKED EXHIBIT NO. 3).

THE SUB-COMMISSIONER: And it shows when the hull was built; 1922, was it?

MR. RICE: Yes.

Q Now does that refresh your mind that the hull of this boat was built in 1922? A: I didn't build the boat so that I am not sure.

20 Q But have you any reason to doubt the accuracy of Exhibit 3, the declaration of the registry of the boat? A: It was purchased from somebody else so that I am not sure when the hull was built.

Q You don't know when it was built?

A No, I am not sure.

Q You tried to sell the boat for several months before you were evacuated, did you not?

A No, I did not.

30 Q You didn't try to sell it?

A No.

Q I show you here a copy of the claim that you have filed.

MR. HUCKVALE: It is not a copy of the claim.

MR. RICE: It is the J.P. form.

MR. HUCKVALE: It is not a claim.

MR. RICE: It is a personal information registration form, I am sorry.

Q In this form you set forth , "Declarant states that
10 he is negotiating the sale of this boat", and that is signed on April 8th, 1942. Just look at your signature. Is that your signature?

A Yes.

Q Is this statement correct or not? It is in here. Read it to him. Is that statement true or false that you put down there at that time?

THE INTERPRETER: He doesn't quite understand it yet.

MR. RICE: Q: All right, go over it with him.

A Yes, that is true.

20 Q That is true? A: Yes.

Q To make it clear it is true that you stated to an officer in the Custodian's office on April 8th, 1942, that you were negotiating a sale of yourboat?

A Yes.

Q And you were not evacuated until September 26th of the same year, were you?

A Yes.

Q So that from April 8th, 1942, to September 26th, 1942, you tried to sell this boat and you couldn't
30 sell it? A: Yes.

THE SUB-COMMISSIONER: I understood that all boats before sold and that any efforts with respect to the sale of them were referred to some Japanese Committee, and that they were sold through a Japanese Committee.

MR. HUCKVALE: It wasn't a Japanese Committee; it was known as the Japanese Fishing VesselsDisposal Committee presided over by Mr. Justice Sidney Smith.

10 MR. RICE: Your Honour, will you permit Mr. Shears to make a statement on that?

THE SUB-COMMISSIONER: Yes. What was running through my mind, there was one committee under a Supreme Court Judge and there was another committee composed of Japanese nationals.

MR. SHEARS: If I might make a brief statement. All the vessels were taken over by the Navy and all the vessels were then subsequently handled by the Japanese Fishing Vessels Disposal Committee under
20 the chairmanship of the Honourable Mr. Justice Sidney Smith and they disposed of possibly a thousand vessels by negotiation between the Japanese owner who was still in Vancouver and thepurchaser, but there came a time when there were 178 vessels that they were not able to dispose of, and this claimant's vessel is one of those vessels and those vessels are the only ones that came into the care and custody of the Custodian.

THE SUB-COMMISSIONER: I understood that the Committee
30 of nationals, Japanese nationals, was consulted and

they consulted with the owner and in many cases, in fact, the majority of cases, the sales were made with their approval.

MR. SHEARS: That is true, sir.

THE SUB-COMMISSIONER: I believe that was so.

MR. HUCKVALE: Yes, I think so, but I believe there is going to be still some argument before Mr. Justice Bird as to whether or not the vessels disposed of in that manner, by the Fishing Vessels Disposal Committee, come within the terms of the reference here, and I think that Mr. Justice Bird is inclined to think at the moment that they do not come within the terms of reference, only those vessels that came actually into the Custodian's hands.

THE SUB-COMMISSIONER: The 170 some odd vessels?

MR. HUCKVALE: Yes, sir.

THE SUB-COMMISSIONER: All right, that is all.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"S.R. HOWARD"
OFFICIAL REPORTER.

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

SUB-COMMISSIONER.

Case No. 527

NOV 26 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

1830

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

(1) NAME KOYANAGI (Print) Surname KIYOICHI Given Name (RCMP) Reg. No. 07177

(2) Pre-Evacuation Address Acme Cannery, Eburne, B. C.

(3) Present Address c-o Roy Risinger, Box 1717, Lethbridge, Alberta.

(4) REAL ESTATE

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

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

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

(i) Farm
(ii) Residence
(iii) Business — Type of business _____
(iv) Any other type of property (describe) _____

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) _____

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

(i) Land - - - - - - - - - - - - - - - - $_____

(ii) Buildings - - - - - - - - - - - - - - - - $_____

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $_____

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $_____

(v) Amount at which Custodian sold property and credited your account - - $_____

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $_____

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
New Westminster, B. C.

(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") in custody of Custodian

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

1.	Fishing vessel "K.K. 1001"	Estimated Value $ 1000.00
2.	Sold by Custodian	~~Estimated Value~~ $ 233.33
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 $ 766.67

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) - - -

KOYANAGI K.

(Claimant's Name)

PERSONAL PROPERTY

(Fishing Vessels, gear and equipment)

07177

Reg. No.

NETS:

Type	Size	Mesh	Fathoms	Age at Evacuation	Original Value	Estimated value at Evacuation

VESSELS SOLD BY CUSTODIAN

NAME	Reg. No.	Type	Date Purchased	New or Used	Price Paid	Maintenance Work	Condition When Evacuated	With whom Left	Estimated Value
"K K"	N W 1387	Fishing Vessel	1930	Used	$365.00	New engine 1939 Cost $625. Paid $500. to repair Vessel and another $250. when new engine installed.	Good	Custodian	$1000.

Improvements to Vessel since date of purchase:

Type	Date	Cost

It cost me $500. to repair vessel immediately after its purchase. In 1939 I bought a new Easthope 4 Cycle 10 H.P. Engine for $625. To install this engine cost $250. I installed a drum in 1940 at a cost of $125.

OTHER GEAR:

Description	Date Purchased	New or Used	Price Paid	Condition when Evacuated	Estimated value at date of evacuation

EXHIBIT NO. 527-1
DATE Aug 4/48
FILLED BY Lee Hirakawa

~~Arrangements made for storage when evacuated:~~

Appraiser describes the Engine in my Vessel as a 2 cycle. He is incorrect as my engine was a 4 cycle 10-14 H.P. Appraiser neglects to mention the drum or mechanical net puller which was new (installed 1940) and cost $125. My boat was equipped with compass, rope, 2 anchors, all of which were apparently missing when appraiser examined the Vessel. I was evacuated in March 1942. The appraisal of my vessel was not made until February 1943. The Vessel was in Custodian's custody all this time and it is possible it deteriorated and was pilfered during all these months. A boat of this kind would deteriorate very rapidly unless given good care. When I had the Vessel ~~xxxxxxxxx~~ it was in use and receiving constant care and attention.

Additional Comments, if any:

Kiyoichi Koyanagi

Signature

527 - 2

EXHIBIT No. Aug. 4/48
DATE
FILED BY G.E.A.Rice

JOHN GOULD
Marine Surveyor and Appraiser
Vancouver, B.C.

No. 27.N.

"K.K.1001".

SURVEY REPORT

To whom it may concern:

Name.	"K.K.1001".
Official No.	N.W.1387.
Owner.	K. Koyanagi.
Dimensions.	L. 31 ft. B. 7.2 ft. D. 2.10 ft.
Engines.	Gasoline.
Name & H.P.	Easthope 2 Cyl. 10 H.P.
Fuel.	Gasoline.
Tank Capacity.	1 Tank. 30 Gals.
Pumps.	1 on engine.
Lighting.	Electric. Generator. Run off Engine.
Anchors.	None.
Chain.	None Rope. None
Compass.	None.
Stoves.	1 coal Stove.
Fire Extinguishers.	None.
Valuation.	Three Hundred ($300.00) dollars.

"John Gould"

Marine Surveyor.

FEBRUARY 1943.

Vancouver, B.C.

SEAL

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

Sept. 11/48. L. Hyde.
m.a.

EXHIBIT No. 527 - 3
DATE Aug. 4/48
FILED BY G.E.A.Rice

Name of Vessel K.K. 1001 Official Number NW 1387 Naval Control Number NW 073 F

Port of Registry New Westminster Date of Registry - - - - -

Length * 31' Width * 7'2" Depth * 2'10"

Make of Engine (Present) Easthope Date When Re-Installed 1939

Horse Power 10 Knot (Speed)

When Hull Built 1922 When Hull Rebuilt

Type of Vessel: Seiner/ / Packer/ / Gill-Netter/x/ Troller/ / Trawler/ / Other/ /

Formerly Used as . . . . . Value (Replacement) . . . . . .

Date When Surveyed Last . . . . . Value (Present) .. . . . ~~$1000.00~~ "750.00" . .

Pace of Operation ... Fraser River . . Value (Insured) . . . . . .

Charter Rate: 1940 . . . . . Chartered to: 1940 . . . . . .

1941 1941

Amount of Mortgage, If Any Mortgaged to:

Registered Owner's Name "Kiyoichi" Koyanagi, ~~Seichi~~ Actual Owner's Name "Kiyoichi" Koyanagi, ~~Seichi~~

Address Acme Cannery Eburne, B.C. Address ~~Acme Cannery~~ ~~Eburne, B.C.~~ "324 Heatly Ave. "Vanc. B.C."

* Please refer to "Certificate" of British Registry" in filling this blank; special attention is required in cases of "Length" "Width" and "Depth". - -(Japanese Printing)- - - - - -

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy. Sept. 11/48. M.A. C. Hyde