

Name of Claimant KOYANAGI, Wataru

Case 688

Custodian File 5648

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village		Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										.00

CASE NO: 688.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,
September 20th, 1948.

IN THE MATTER OF THE CLAIM OF
WATARU KOYANAGI.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 688.

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 L.H. STACK, SUB-COMMISSIONER).

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Lethbridge, Alberta,
 September 20th, 1948.

IN THE MATTER OF THE CLAIM OF
WATARU KOYANAGI.

PROCEEDINGS AT HEARING.20 APPEARANCES:

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

W.S. RUSSELL, Esq., K.C., appearing for the
 Claimant.

MISS LILLIE THOMAS, Secretary.
 MRS. LUCIE HANDFORD, Official Interpreter.
 S.R. HOWARD, Esq., Official Reporter.

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W. Koyanagi,
In Chief.

THE SECRETARY: Case No. 688, Wataru Koyanagi.

WATARU KOYANAGI, the claimant herein,
being first duly sworn, testified
as follows:

DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Koyanagi, I am showing you a two page document purporting to be a summary of evidence in support of your claim (indicating)?

A Yes.

10 Q Is that your signature (indicating)?

A Yes, that is my signature.

Q Did you cause this document to be prepared under your instructions and under your directions?

A Yes, that is right.

Q And is it true so far as you know?

A It is.

Q In this particular document, Mr. Koyanagi, you refer to an outstanding list of accounts which is shown in your proof of claim. I am showing you your proof of claim (indicating) which you filed some time ago. Is this item "outstanding accounts" the same item as shown here, "loans outstanding, \$426.48"?

20

A: Do you mean if that coincides with this (indicating)?

Q Yes.

A Yes.

MR. RUSSELL: I will put this in as an exhibit.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. RUSSELL: I notice, sir, on that proof of claim there is not a list of accounts, although in

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W. Koyanagi,
In Chief.

the summary of evidence it refers to "outstanding accounts (see list on proof of claim)" and on that file copy I do not see the list to which he refers. I have a list here, and with the consent of my learned friend I would like to put this list in or prepare a similar list and put it in so that your record will be complete.

MR. RICE: I would like to have a copy of it, that is all.

10 THE SUB-COMMISSIONER: Yes.

MR. RUSSELL: Possibly we could retain this list, make two copies, file one with you and give one to Mr. Rice.

THE SUB-COMMISSIONER: Will you file that as an additional exhibit?

MR. RUSSELL: Yes.

Q This document I am showing you here now is a list of accounts making up the figure \$426.48 upon which you are claiming, is that correct?

20 A That is correct.

Q I wonder if that could be marked for identification, perhaps, and returned to me.

MR. RICE: You can have it go in as an exhibit, if you wish.

THE SUB-COMMISSIONER: And then you might have it taken out and make a copy of that.

MR. RUSSELL: Thanks very much.

MR. RICE: That will be marked as an exhibit, your Honour.

30 THE SUB-COMMISSIONER: Yes, that will be Exhibit No. 2.

(LIST MARKED EXHIBIT NO. 2).

MR. RUSSELL: That is all. Will you answer my learned friend.

MR. RICE: I am submitting, your Honour, that this claim is not within the terms of reference.

CROSS-EXAMINATION BY MR. RICE:

10 Q I show you a card, dated April 22nd, 1942 (indicating). Is that your signature on that card?
Well you can tell me whether it is your signature or not, can't you?

A Yes, I see that.

Q Now you can read it. I am not trying to deny you seeing what is on that card. That is your signature?
A: Yes.

MR. RICE: I wish to tender this card, your Honour. It was completed apparently by the claimant on the 22nd of April, 1942. That is it, that is the day that you signed it?

20 A I didn't get that.

Q The 22nd of April, 1942?

A 22nd of April, yes, I think it is correct; that is right.

Q That is right? A: Yes.

30 MR. RICE: And in part this card says, "I certify the above information is true and complete and state that I have no property of any kind whatsoever in any", and there is a hole punched here; I guess it is meant "evacuated area in British Columbia."

W. Koyanagi,
Cross-Exam.

(CARD MARKED EXHIBIT NO. 3).

MR. RICE: Q: You were in business, were you?

A Yes.

Q What kind of business? A: Grocery
and confectionery.

Q And this claim of loans outstanding, \$426.48, is
some unpaid accounts?

A Yes, that is unpaid accounts.

Q They were not loans? A: No,
10 the unpaid accounts on groceries purchased.

Q Unpaid accounts? A: Yes.

Q Weren't some collections made on these unpaid
accounts? A; I beg your pardon?

Q Weren't there some collections made on these
unpaid accounts?

A Yes, the Custodian collected \$50.00 and some odd
cents on that account, that was collected by the
Custodian.

Q So that it makes your claim \$376.17 instead of
20 \$426.48? Well then you claim for refund for
discount on purchases, it would be. You have it
here, "Refunds for 1941, \$129.52", and "Refunds
for 1942, \$37.77."

MR. RUSSELL: Pardon me, your Honour, I have a letter
which I overlooked and if my learned friend will
permit it, that could go in now and he can cross-
examine on this, if he will. It is explanatory
of these items and I overlooked it when I was
examining Mr. Koyanagi.

30 THE SUB-COMMISSIONER: It may be filed.

W. Koyanagi,
Cross-Exam.

MR. RUSSELL: Q: I am showing you a letter from
Sicamous, B.C., of the B.C. Purchasers' Co-Operative
Association, dated August 3rd, 1948, and addressed
to you (indicating). Did you receive this letter?

A Yes, I received that.

Q This is the letter upon which you claim for the
first three items, the 14 chairs in B.C. Purchasers'
Co-Operative Association, refunds for 1941, and
refunds for 1942?

10 A Yes, that is correct.

(LETTER MARKED EXHIBIT NO. 4).

MR. RICE: I take it, your Honour, that the Custodian
is not responsible or not bound in any way by
the terms of that letter. We have no knowledge of
it whatever.

THE SUB-COMMISSIONER: No.

MR. RICE: Q: These accounts that you have mentioned
were accounts that you tried to collect yourself
while you were in business?

20 A You mean the loans, the ones that I listed as loans?

Q Yes. A: Yes.

Q And you were not successful in collecting them and
now you think that the Dominion Government should
pay you for that?

A No, I left that with the Custodian to have it
collected because I left Vancouver and I wasn't
in no condition to look after them myself.

Q The Custodian would only be responsible insofar
as his success is concerned in collecting them,
would he not be?
30

A I didn't quite get that question.

Q I say the Custodian would only be responsible to you so far as his success is concerned in the collections. Did you ask the Custodian to turn the accounts over to a lawyer to collect for you?

A No, I merely registered it with the Custodian.

Q That is all you did?

A Yes.

THE SUB-COMMISSIONER: Q: How old were the accounts?

10 A They were registered at the time of my evacuation.

Q Yes, but how long were they outstanding?

A I had only been in business two years prior to my evacuation so that they were comparatively new.

MR. RICE: Q: How long were they unpaid?

You say you had tried to collect them, and you couldn't. How long were they unpaid?

A How long were they unpaid?

Q Yes. A: I had been merely
in business for two years prior to my evacuation
and most of them were about a year old when I
evacuated.

20

Q Most of them were about a year old when you were evacuated? A: Yes.

Q And you had been trying a year to collect them?

A Not all of them.

Q Before you were evacuated?

A No, not all of them.

Q Most of them? A: No, I wouldn't
say most of them.

30 Q What percentage, would you say?

W. Koyanagi,
Cross-Exam.
Re-Direct Exam.

A I couldn't tell you. I haven't seen the figures here. I haven't the exact figures here.

Q All right.

THE SUB-COMMISSIONER: Is that all, Mr. Rice?

MR. RICE: That is all.

RE-DIRECT EXAMINATION BY MR. RUSSELL:

Q Mr. Koyanagi, I am going to show you Exhibit 3 which is put in by the solicitor for the Custodian and you will notice here it says at the bottom, the third from the bottom line, "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", and you signed that apparently?

A Yes.

Q Why did you sign that, having this claim of yours?

A I understood that those refunds and discounts would be looked after by the B.C. Purchasers and at that time I saw no reason why I could leave it under the protection of the Custodian. However, after arriving in Alberta I think the Custodian sent out notices that all property must be registered with the Custodian, and, therefore, I registered subsequently to signing that when that notice came out.

Q All right, thank you very much.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

30 Certified a true and accurate transcript:
"S.R. Howard: Official Reporter" S.R. Howard
I hereby certify that the foregoing transcript purports to be an accurate record of the evidence adduced before me.

L.H. Stock
SUB-COMMISSIONER.

ACKNOWLEDGED

NOV 28 1947

Case No. 688

5648

Lethi

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

-
1. Name of Claimant in full: **WATARU KOYANAGI**
Registration No. **00049**

 2. Claimant's address at the time of his evacuation from the protected area:
1014 Cardero St., Vancouver, B. C.

 3. Claimant's present address:
Taber, Alberta.

 4. Claim relating to real property:
 - (a) Street address of real property:
 - (b) Legal description of property:

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

(d) Title or interest held by Claimant in the real property:

(e) Fair market value of real property at date of sale:

(I) Land— \$

(II) Buildings— \$

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

\$

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

(c) In whose care was property left by the Claimant at date of evacuation?

Custodian---registered with Custodian after arrival in Alberta

(d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

Loans outstanding		\$426.48
B. C. Purchaser's Co-Op. Ass'n shares		
	(ten)	100.00
Discount on Purchases;--		
B. C. Purchaser	\$ 32.91	
Farmer's Prod. Co.	26.68	
West Coast Trading Co.	135.26	
W. H. Makin Co. Ltd.	<u>52.07</u>	<u>286.93</u>
	TOTAL	\$813.41

(e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

\$763.10

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will..... be required.

DATED this

24th

November
day of ~~October~~, A.D. 1947.

Samuel Sanderson
Witness to Signature of Claimant.

Wataru Yanagisawa
Signature of Claimant.

STATUTORY DECLARATION

I, WATARU KOYANAGI
(Full Name of Claimant)

of TABER, ALBERTA FARM LABORER
(Present Address) (Occupation)

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.
2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.
3. The above Claim is true and correct.
4. I have not received any payment upon the above Claim other than the following: _____

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at Taber
in the Province of Alberta,
this 24th day of November
A.D. 1947.

Wataru Koyanagi

.....Sanson Sanderson.....
A Commissioner for Oaths in and for
the Province of Alberta.

VIRTUE & RUSSELL
Barristers & Solicitors
Lethbridge, Alberta.

STATUTORY DECLARATION

IN THE MATTER OF Order-in-Council
P.C. 1810, as amended by Order-in-Council
P.C. 3737; and

(Full Name of Claimant)

IN THE MATTER OF "THE INQUIRIES
ACT" being Chapted 99 of the Revised
Statutes of Canada, 1927, and

(Occupation)

IN THE MATTER OF a Commission
appointed to inquire into and report upon
the claims of persons of the Japanese Race
under said Orders-in-Council.

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.
2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.
3. The above Claim is true and correct.
4. I have not received any payment upon the above Claim other than the following:

Proof of Claim

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at
in the Province of Alberta,
this 24 day of NOVEMBER
A.D. 1947.
A Commissioner for Oaths in and for
the Province of Alberta.

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

VIRTUE & RUSSELL, Barristers, Lethbridge.

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. **50**

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: **Wataru KOYANAGI**

2. Registration Number: **00049**

3. Present Address: **TABER, Alberta.**

4. Address Prior To Evacuation: **VANCOUVER, B.C.**

NO CLAIM IS BEING MADE FOR REAL PROPERTY.

EXHIBIT No

688-1

DATE

Sept. 20/48

FILED BY

W. S. Russell

(Claimant was a member of the B.C. Purchaser's Co-Operative Association, and claims for loss of his shares in that company. He also claims for a loss of "refunds" which he had to his credit with the company. These refunds arose through purchases made by the Claimant through the company and were presumably based on the amount of purchases made.)

14 Shares in B.C. Purchaser's Co-Operative Association.....	\$140.00
Refunds for 1941.....	\$129.52
Refunds for 1942.....	\$ 37.77
	<u>\$307.29</u>

<u>Outstanding Accounts</u> (see list on Proof of Claim)	\$426.48
Amount received from Custodian on Outstanding Accounts.....	\$ 50.31
	<u>\$376.17</u>

TOTAL CLAIM.....	<u>\$683.46</u>
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I HEREBY CERTIFY THE ABOVE TO BE TRUE AND CORRECT.

St. Ardi
Witness

Nataru Koyanagi
Signature of Claimant.

Water Kiyenyi

LIST OF OUTSTANDING ACCTS.

Mrs. Wanamaker	Suite 5 Buckingham Apts.	35.78
Mrs. Logan	1756 Nelson St.	31.91
Mrs. Lines	Comox	145.52
Mrs. Magee	1156 Barclay	11.58
Mrs. Carlisle	1076 Cardero	9.44
Mr. DeRoseir	c/o Nelson Spencer	26.48
Mrs. Hodgson	#8 Bristol Apt. 1795 Beach	10.92
Mrs. Stretton	1074 Cardero St.	19.42
Mrs. McMahon	1149 Beach	63.43
Mrs. Wilson	1609 Nelson	20.89
Mrs. Faust	1544 West 68th	10.98
Mrs. McDougal	977 Nicola	23.13
Mrs. Brown	1629 Comox	32.
Mr. Upton	Cardero	29.56
Mrs. Ziegler	Bidwell	31.40
Mrs. Barclay	1017 Cardero	7.61
Mrs. Davies	Cardero	20.62
Mrs. Doyle	1284 Nelson St. Suite #0	5.09
Mr. Olson	1014 Cardero	21.67
TOTAL		<u>426.48</u>

Acc. 50.31

Outstanding ?

813.41
 50.31

 763.10

EXHIBIT No 688-2
 DATE Sept 20/48
 FILED BY W.S. Purcell

Form "J"

File No. 5648

SEA ISLAND, B. C.

OFFICE OF THE CUSTODIAN
Japanese Section

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

NAME: . . KOYANAGI, Wataru
formerly ...1014 Cardero St., Vanc'r, B.C.

HOME ADDRESS: . Acme Cannery, Eburne, Sea Island, B.C. . REGISTRATION No 00049
(Shannon) Rd.)

SEX: . . . Male AGE: 21 . . . MARRIED? . . . No

OCCUPATION AND EMPLOYER: . . Grocer - Self

NAME OF WIFE OR HUSBAND: None ADDRESS: None

NAMES OF LIVING CHILDREN: None ADDRESS: None

. ADDRESS:

. 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.....22nd.....day ofApril.....1942.

(Signature)....."W. Koyanagi".....

WITNESS:....."A. G. McArthur".....

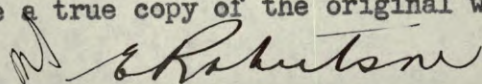
LIST OF LIABILITIES: None

HOW DO YOU PROPOSE TO PAY THESE OFF?

FOR DEPARTMENTAL USE

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

October 18, 1948.



ESTABLISHED 1941

B. C. Purchasers Co-operative Association

Merchandise Broker

573 EAST HASTINGS ST.,
VANCOUVER, B. C.
CANADA

Sicamous, B. C.,
August 3, 1948.

Mr. Wataru Koyanagi,
P. O. Box 609,
Taber, Alberta.

Dear Mr. Koyanagi:

We Acknowledged your letter of July 10th.
with regards to your interest towards B. C. Purchasers
Co-operative Association and their subsidiaries.

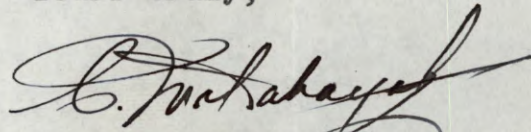
With our record held in my hand you are
entitled to make claim sum of \$307.29 as follows,
refounds for 1941 \$129.52, 1942 \$37.77 all included
B. C. P., West Coast and W. H. Malkin Co. Ltd., also
shares registered as 14 shares (\$140.00).

Liquidation of Co-operation and subsidiaries
and distributions of refounds and shares has been
claimed Custodian sinse end of war but we have no word
from them.

According to our lawyer that above matter is
now checked by Custodian and as soon as it has been
clarified we afe going to make their refoundsaccordingly.

Excuse for my delay in attention of your letter.

Yours truly,



B. C. PURCHASERS CO-OP. ASS'N.

Secretary - Treasurer

EXHIBIT No. 688-14
DATE Sept 20/48
FILED BY W. S. Purcell