

5648

SEA ISLAND, B. C.  
OFFICE OF THE CUSTODIAN  
JAPANESE SECTIONFILE NO. 5648

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  
EXHIBIT No. 688-3  
DATE Sept. 20/42  
FILLED BY G. R. A. A. A.

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 of April 1942.WITNESS: A. S. Macdonald(Signature) W. Koyanagi

LIST OF LIABILITIES:

None

HOW DO YOU PROPOSE TO PAY THESE OFF?

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date 7/4/49

Our File No. 5648

Full Name MOYANAGI Wataru  
(Surname in Block Letters)

Registration No. 00049

Male - Female  
(check)

Age 1920

Former Address 1014 Corduro Street, Vanc.  
Sea Island, Quebec

Date Evacuated 19/5/42

Naturalized - Canadian-Born - National  
(check)

Present Address

40 Giant Haynes, Taher, Alta. - 240/42  
40 St. John, P.O. Box 241  
Coaldale, Alta. checked 7/8/47

Married - Single  
(check)

Name of Wife -

Name of Husband -

Name of Mother Shio - 06335

Name of Father Sakurata - 06337

Names of Children under 16 -

Requested by Amc

Registered with Custodian  
(Yes or No)

Additional Information

Spec: Proprietor

PERSONAL PROPERTY SUMMARY

NAME: Wataru KOYANAGI

Reg. No. 00049

File No. 5648

Life Insurance:

No life insurance was declared by Mr. Koyanagi when filing his Form J card on April 22nd, 1942, but according to information supplied by the Insurance Company, Mr. Koyanagi is the holder of Manufacturers Life Insurance Policy No. 741,002. This policy at no time came into possession of the Custodian.

Shares:

An extract on file dated January 12, 1944, states that Mr. Wataru Koyanagi holds 10 shares in the B. C. Purchaser's Association. To date there is nothing on file revealing that anything has accrued to this man's credit under this stock. (A claim has been lodged by this Japanese person against the Government for \$100.00 with respect to these shares, and \$32.91 for Discount on Purchases from the B. C. Purchaser's Assn. - Government Counsel has submitted that this claim does not come within the Terms of Reference but the Transcript does not reveal that the claim has been withdrawn by Japanese Counsel).

Accounts Receivable: \$397.00, made up as follows -

1. Mrs. Logan - \$31.91. Written to by Custodian Dec. 23/42 but letter was returned by Post Office, marked "Removed" on Dec. 30/42. On advice from Mr. Koyanagi we wrote to Harrison Mills Ltd., New Westminster, on Feb. 2/43 regarding this man but they replied on Feb. 5/43 that "no man by this name in our employ now". On Feb. 9 we advised Mr. Koyanagi that without the correct address we were unable to give him further assistance in the collection of this claim. No further action taken by this office.
2. Mrs. Zeigler - \$31.40. Written to by Custodian Dec. 23/42 but letter was returned by the Post Office December 30/42 marked "Does not live here". Further letters were written by the Custodian, in care of Mrs. Wilma Brown, her sister, on February 2, and May 8, 1943, but no replies were received. No further action taken by the Custodian. Koyanagi was advised on Dec. 3/43 that she could not be contacted.
3. Mrs. McDougal - \$23.13. Written to by Custodian Dec. 23/42 but letter was returned by the Post Office December 30/42 marked "Removed". Koyanagi was advised Dec. 3/43 that this debtor could not be contacted and no further action has been taken by the Custodian.
4. Mrs. Wilson - \$20.89. (Paid). Three Monthly instalments of \$5.00 and 1 instalment of \$5.89 were received from Mrs. Wilson, making a total of \$20.89, the full amount of the claim. Final instalment was received May 7th, 1943.
5. Mrs. Magee - \$11.58. Written by Custodian on Dec. 23/42 and Feb. 2/43 to different addresses but both were returned unopened. Koyanagi advised Dec. 3/43 and no further action

PERSONAL PROPERTY SUMMARY - continued

has been taken by the Custodian.

6. Mr. Upton - \$29.56. Custodian wrote on Dec. 23/42 but letter was returned by the Post Office on December 20th, 1942 stating "No such address". Koyanagi advised Dec. 3/43 that this man could not be contacted and no further action has been taken by the Custodian.
7. Mrs. DeRosier - \$26.48. Custodian wrote on Dec. 23/42 but letter was returned on January 1, 1943, marked "Not at address". On advice from the Japanese the Custodian endeavored to contact Mr. DeRosier at Nelson Spencer Ltd. but they replied on Feb. 4, 1943 that "this man has not worked for us since February 1942". On February 9, 1943 Koyanagi was advised that we could not assist him further in collection of this debt unless he could supply us with the correct address. No further action has been taken by the Custodian.
8. Mrs. McMahon - \$63.43. On being contacted Mrs. McMahon advised this office on Dec. 30/42 that this bill had been paid, as far as she knew. Koyanagi informed the Custodian on January 17/43 that this woman was always "out" to collectors. On Feb. 1/43 the Custodian wrote to Mrs. McMahon again requesting her to send to us her last receipted bill. Payments of \$2.00 each were made by Mrs. McMahon on May 4, June 4, July 9, Feb. 5 and Mar. 3/44. No further payments appear to have been received and no further action has been taken by the Custodian.
9. Mrs. Wilma Brown - \$22.00. In reply to Custodian letter of December 23, 1942, Mrs. Brown commenced monthly payments on January 7, 1943, until a total amount of \$8.50 was received. No further payments have been received and no further action has been taken by the Custodian. (The last small monthly payment of .50¢ was received on Aug. 4/44).
10. Mrs. Hodgson - \$10.92. In our letter of Jan. 12/43 we advised Koyanagi that Mrs. Hodgson called at the office and promised to settle her account in February. However, payments did not commence until April 2, 1943 at which time she remitted \$3.00. On April 30 and June 2, 1943 she made payments of \$3.00 and remitted the balance of \$1.92 on July 5, 1943. (PAID).
11. Mr. Alf. Olson - \$21.67. Custodian wrote on May 8, 1943 but our letter was returned on July 24, 1943, marked "Not here". No further action by Custodian and Koyanagi was advised on Dec. 3/43 that we were unable to contact this debtor.
12. 

|                               |   |                                                                                       |
|-------------------------------|---|---------------------------------------------------------------------------------------|
| <u>Mrs. Davies - \$20.62</u>  | ) | These debtors were written to on May                                                  |
| <u>Mrs. Doyle - 5.09</u>      | ) | 8/43 but no reply was received. No                                                    |
| <u>Mrs. Faust - 10.97</u>     | ) | further action taken by Custodian.                                                    |
| <u>Mrs. Wanamaker - 35.78</u> | ) | (These people were previously written to on Dec. 23/42 but no replies were received). |

PERSONAL PROPERTY SUMMARY - continued

Mrs. Barclay - \$7.61 )  
 Mrs. Lines - 14.52 )

These persons were written by the Custodian on Dec. 23/42 but no replies were received. On May 8/43 they were again written but the letters were returned marked "Removed" and "Not known by present occupants of house", respectively. No further action by Custodian.

Mrs. Carlisle - \$9.44

On July 7, 1943 this debtor promised to pay \$3.00 per month. As no payment received, the Custodian again wrote on Nov. 6/43 and Jan. 14/44, but no replies were received. No further action taken by Custodian.

On May 7, 1947, Mr. Koyanagi was advised that only the sum of \$6.00 in connection with his Accounts Receivable had been received by the Custodian since he was written on Dec. 3/43, and that as no funds had been received since May 1944 it was doubtful if anything further would accrue to his credit with this office.

A claim was therefore filed by Mr. Koyanagi against the Government relative to these accounts, but Government Counsel has submitted in the Transcript of Evidence taken at the hearing of this man's claim that this claim is outside the Terms of Reference.

NO OTHER PROPERTY OF ANY KIND WHATSOEVER BELONGING TO THE ABOVE JAPANESE PERSON IS REVEALED ON THIS FILE.

E. Robertson  
 E. Robertson.

May 2, 1949.

(Information supplied by Ins. Co.)

LIFE INSURANCE

Name Wataru Koyanagi

File No. 5648

Reg. No.

Company Manufactures Life Ins. Co. Agency Vancouver

Policy No. 741,002

Premium - \$54.55

Payable: Annually, Semi-annually or monthly

Month April Day 29

REMARKS:

File 5648

MEMORANDUM

September 21, 1949.

TO: Mr. D.T. Braidwood

From: Mr. F.G. Shears

Re your memorandum of 20th September (Case 688) in which you refer to the matter of "Accounts Receivable".

We presume you are aware that questions relating to "Accounts Receivable" were argued before the Commissioner on January 9, 1948 and referred to in the Transcript of Evidence of that date, pages 26 to 35. At that time the Commissioner stated -

I am unable to write into the term "personal property" ..... any intent to include accounts receivable, and for that reason only I would not consider that I am authorized under the terms of reference to make any recommendation in relation to the matter of accounts receivable."

This matter was further dealt with in a memorandum headed "Decisions MADE BY THE Commissioner" where it is stated by the Commissioner in Paragraph 10 -

Claims for pecuniary loss arising from failure of the Custodian to recover accounts receivable payable to evacuated persons, do not fall within the terms of reference and will not be considered. Consequently evidence will not be received in respect thereto."

Yours truly,

*F.G. Shears*

20th September 1949.

To: Mr. Shears

From: Mr. Braidwood

Case No. 682

Mr. Virtue and I have come across for the first time a case of "Accounts receivable" and I should very much like to discuss this with you at your convenience.

EXHIBIT 10  
DATE Sept. 20/48  
FILED BY W. S. Russell

PHONE HIGH. 3760

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,  
Tabor, 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, refunds 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 refunds and shares has been claimed Custodian since 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 are going to make their refund accordingly.

Excuse for my delay in attention of your letter.

Yours truly,

"C. Wakabayashi"

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

"Secretary-treasurer"

I hereby certify the above to be a true copy of the original whereof it purports to be a copy.

October 18/48

*C. M. Robertson*

EXTRACT

File 5648

January 12, 1944

B.C. PURCHASERS ASSN.

The Japanese noted below holds 10 shares in the above company. KOYANAGI, W. - registration # 00049.

5648

January 14th, 1944.

*NO ans. re  
26-4-44  
B*  
Mrs. Carlisle,  
1076 Cardero Street,  
Vancouver, B.C.

Dear Madam:

re: \$9.44 - Fataru KOYANAGI (Walter's Grocery)

We are referring to your letter of the 7th July last wherein you offered to pay \$3.00 a month on the above claim until same was paid. We acknowledged your letter and wrote you again on the 6th of November regarding the account, but to date we have received no payment.

Please let us have reply to this letter with remittance if possible, so that we may make a report to KOYANAGI.

Yours truly,

BRD:DE

B. R. Dusenbury,  
Claims Department.

5648

January 14th, 1944.

Mrs. McMahon,  
1149 Beach Ave.,  
Vancouver, B.C.

*Ans  
read*

Dear Madam:

re: \$57.43 balance - Wataru KOYANAGI (Walter's Grocery)

We wrote to you on the 6th of November last in regard to the above claim indicating that you had not paid anything on this account since July 9th last. You are making monthly payments of \$2.00 and, therefore, you are now in arrears for the months of August, September, October, November and December, making a total of \$10.00 arrears.

Please let us hear from you with a remittance, if possible, to apply on the above claim, so that we may report to KOYANAGI.

Yours truly,

BRD:DE

B. R. Dusenbury,  
Claims Department.

5648.

December 3rd, 1943.

Mr. Wataru KOYANAGI,  
Registration No. 00049,  
c/o Mr. Grant Haynes,  
Taber, Alta.

Dear Sir:

re: Accounts Receivable

In checking over your file regarding collections of Accounts Receivable, appearing on your list left with us, we regret to say that we have not found them very satisfactory accounts.

In order that you may have an understanding of the situation, and so that you will not be relying on revenue to any great extent from this source, we are taking this opportunity of writing to you of the present standing of these accounts.

On January 12th last we reported to you regarding the following accounts:

Logan, Ziegler, Magee, Upton, DeRoseir and McDougal - These 6 accounts aggregate \$154.06. None of these had we been able to contact, the letters having been returned to this office.

Since then our letters to Olson, Barclay and Lines, aggregating \$43.80, have also been returned undelivered, making a total aggregate of \$197.86 returned unclaimed.

We have the following unanswered:

Wanamaker, Faust, Doyle and Davies - aggregating \$72.46.

Mrs. Carlisle has answered, agreeing to pay some on account, but so far has not done so. Her account on the list amounts to \$9.44.

The remaining accounts:

|                    |                 |                |                |
|--------------------|-----------------|----------------|----------------|
| Mrs. Brown .....   | \$22.00         | has paid ..... | \$6.50         |
| Mrs. Wilson .....  | 20.89           | " " .....      | 20.89          |
| Mrs. Hodgson ..... | 10.92           | " " .....      | 10.92          |
| Mrs. McMahon ..... | <u>63.43</u>    | " " .....      | <u>6.00</u>    |
| Totals -           | <u>\$117.24</u> | -              | <u>\$44.31</u> |

File No. 5648

CLAIMS DEPARTMENT

May 8th, 1943.

LIST OF ACCOUNTS RECEIVABLE

of

Wataru KOYANAGI - "Walters' Grocery"

as at March 31st, 1942.

| C.D.<br>No. | NAME           | AMOUNT  | REMARKS                                                                    |
|-------------|----------------|---------|----------------------------------------------------------------------------|
| 1.          | Mrs. Hodgson   | \$10.92 | <i>10-5-43-<br/>Paying</i> <i>Paid in full: 5-7-43</i>                     |
| 2.          | Mrs. DeRoseir  | 26.48   | <i>Paid</i>                                                                |
| 3.          | Mr. Alf Olson  | 21.67   | <i>no more</i> <i>sketch</i>                                               |
| 4.          | Mrs. Carlisle  | 9.44    | <i>no more</i> <i>going to pay 3<sup>00</sup> p.m. see letter 7-7-43 ✓</i> |
| 5.          | Mrs. Magee     | 11.58   | <i>Paid</i>                                                                |
| 6.          | Mrs. Lines     | 14.52   | <i>no more</i> <i>Paid</i>                                                 |
| 7.          | Mrs. Wanamaker | 35.78   | <i>no more</i> <i>no more</i>                                              |
| 8.          | Mrs. Logan     | 31.91   | <i>Paid</i>                                                                |
| 9.          | Mrs. Faust     | 10.97   | <i>no more</i> <i>no more</i>                                              |
| 10.         | Mrs. McDougal  | 23.13   | <i>Paid</i>                                                                |
| 11.         | Mrs. Doyle     | 5.09    | <i>no more</i> <i>no more</i>                                              |
| 12.         | Mrs. Barclay   | 7.61    | <i>no more</i> <i>Paid</i>                                                 |
| 13.         | Mrs. Davies    | 20.62   | <i>no more</i> <i>no more</i>                                              |
| 14.         | Mrs. McMahon   | 63.43   | <i>Paying ✓</i>                                                            |
| 15.         | Mrs. Wilson    | X 20.89 | <i>Paying</i> <i>pd X Paid in full</i>                                     |
| 16.         | Mrs. Brown     | 22.00   | <i>Paying ✓</i>                                                            |
| 17.         | Mr. Upton      | 29.56   | <i>Paid</i>                                                                |
| 18.         | Mrs. Ziegler   | 31.40   | <i>Paid</i>                                                                |
|             |                | 397.00  |                                                                            |

5648

The Office of the Custodian.

5th Royal Bank Building  
Vancouver, B.C.

OFFICE OF THE CUSTODIAN  
JAPANESE SECTION

% S. Toly  
P.O. Box 241,  
Coaldale, Alta.  
December 15, 1942.

Dear sir:

Would you do me a favor

RECEIVED  
DEC 11 1942

When I left Vancouver, there were a number of accounts ~~owing~~ to my store, trading under the name of Watters' Grocery, 1814 Lardero St., Vancouver. Through misleading advice and partially to requests of my debtors, I had been collecting on my own efforts, but unfortunately a large number has defaulted and although I have waited patiently for some time now, no further payments has reached my hands.

Needless for me to mention, in ordinary times there are other means of action, but under present circumstances, you are the only party I can seek information with confidence.

We have been placed on a 24 acre beet farm. It's pretty difficult to make ends meet for a family of eight on the earnings derived from the work on this acreage. There is nothing we prefer more than existing on our own endeavors and as far as possible to refrain from relief.

You must be quite busy, but if you can spare a moment and give me some advice or aid as to how I can obtain payment on the accounts listed on the attached sheet, your efforts will certainly

be appreciated.

Thank you for your information in advance.

Yours truly,

Walter Koyanagi.

Reg. # 004-9.

Accounts Receivable  
for period ending March 31, 1942.  
Mrs. Hodgson - Suite 8 Bristol Apt., 1762 Davis St. Jan. 1942.  
1745 Beach Ave. 10.92

Mrs. Leveir X<sup>2</sup> 1074 Lardero St.  
(Mr. Leveir employed at Nelson & Spencer) 26.48

Mr. Alf Olson 3 1014 Lardero (upstairs) 21.67

Mrs. Carlisle 4 1076 Lardero 9.44

Mrs. Magee X<sup>5</sup> 1100 Lardero (1156 Barclay) 11.58

Mrs. Lines 6 1532 Lomox 14.52

Mrs. Hanamaker Suite 5 Buckingham Apt.  
(corner Lardero & Barclay) 35.78

Mrs. Logan X<sup>8</sup> 1756 Nelson St. 31.91

Mrs. Faust 9 1544 W. 68th 10.97

Mrs. McDougal X<sup>10</sup> 977 Nicola 23.13

Mrs. Doyle 11 Suite 9 - 1284 Nelson St. 5.09

Mrs. Barclay 12 1017 Lardero St. 7.61

Mrs. Davies 13 1st corner Lardero & Nelson 20.62

Mrs. McMahon 14 1149 Beach Ave. 63.43

Mrs. Wilson X<sup>15</sup> 1609 Nelson St. Paid in full 20.89

Mrs. Brown 16 1629 Lomox 22.-

Mr. Upton X<sup>17</sup> 986 Lardero 29.56

Mrs. Ziegler X<sup>18</sup> 885 Bidwell 31.40

397.00

OFFICE OF THE CUSTODIAN  
JAPANESE SECTION

RECEIVED  
DEC 11 1942

Form 34 sent  
to each of the above 23/12/42  
S.E.

Defence Brief

Lethbridge, Alberta.  
September 20, 1948.

Wataru KOYANAGI

File No. 5648

Case No. 688

PERSONAL PROPERTY CLAIM

(All claims shown are Gross)

Amended Claim

Shares and Refunds - \$307.29

Outstanding Accounts - \$426.48

Credit \$50.31

It is submitted that this claim is not  
within the terms of reference (see  
page 4 of transcript).

Name of Claimant KOYANAGI, Watara

Case 622

Custodian File

5648

| 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% thereof                       | Charges 12.50 & Comm.                                                     | Sale Price                                                     | Total Award 80% of all Sale Prices<br>% of Amount Total                    | Sale Price                                                     | Total Award 125% of all Sale Prices<br>% of Amount Total |                        |  |                             |
|                                      |                                     |                                                                        |                                   |                                                                           |                                                                |                                                                            |                                                                |                                                          |                        |  |                             |
| 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                         |                                                          |                        |  |                             |
|                                      |                                     |                                                                        |                                   |                                                                           |                                                                |                                                                            |                                                                |                                                          |                        |  |                             |
| 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 | Applica- tion of % ratio to amount in next preceding column    | Sale Price of goods Sold by Tender                                         | 12% of Sale Price                                              |                                                          |                        |  |                             |
|                                      |                                     |                                                                        |                                   |                                                                           |                                                                |                                                                            |                                                                |                                                          |                        |  |                             |
| TOTAL RECOMMENDATION                 |                                     |                                                                        |                                   |                                                                           |                                                                |                                                                            |                                                                |                                                          |                        |  | .00                         |

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).

10

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.

30

W. Koyanagi,  
In Chief.

THE SECRETARY: Case No. 668, 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  
20 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"?

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  
30 there is not a list of accounts, although in

3  
W. Kogunagi,  
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:

Q I show you a card, dated April 22nd, 1942 (indicating). Is that your signature on that card?

10 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.

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."

(CARD MARKED EXHIBIT NO. 3).

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

A Yes.

Q What kind of business?  
and confectionery.

A: Grocery

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.

20 Q So that it makes your claim \$376.17 instead of  
\$426.48? Well then you claim for refund or  
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.

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?

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:

10 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?

20 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.

SUB-COMMISSIONER.