Name of Claimant TAKEUCHI, Tsunekichi Case 14

Custodian File 5842

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	
1650.00	82.50 12.50										95.00

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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	

TOTAL RECOMMENDATION	95.00

1540

CASE NO: 14.

JAPANESE PROPERTY CLAIMS COMMISSION.

Kamloops, B. C.,

December 10th, 1947.

IN THE MATTER OF THE CLAIM OF

TSUNEKICHI TAKEUCHI.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 14.

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

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

10 Kamloops, B. C.,

December 10th, 1947.

IN THE MATTER OF THE CLAIM OF

TSUNEKICHI TAKEUCHI.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
R.J. McMASTER, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
G.N.R. UPTON, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

30

MR. McMASTER: I would ask to take No. 13 on the list, my lord, which will be Case No. 14. We will need an Interpreter in this case.

THE COMMISSIONER: Which is this man's surname?

MR. McMASTER: I believe it is Takeuchi.

THE INTERPRETER: The surname is the first name.

MR. McMASTER: Would you be good enough to ask him what is his name?

THE INTERPRETER: Tsunekichi Takeuchi.

10 MR. McMASTER: Takeuchi is the surname, is that correct?

THE INTERPRETER: Yes.

TSUNEKICHI TAKEUCHI, the Claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q You are the claimant in this case? Just ask him whether he is the claimant.

A Yes.

Q And is that your signature on the declaration?

20 A Yes.

Q Mr. Takeuchi, at the time of your evacuation from the Coast, you owned a piece of property in the City of Vancouver?

A Yes.

Q At 2676 Oxford Street? A: Yes.

MR. McMASTER: I take it my learned friend will agree that the assessed value of the land was $380.00 and the improved value $1500.00, as shown on his

30 file.

MR. HUNTER: $380.00 and $1500.00.

MR. McMASTER: Right.

Q Now would you explain to the Commissioner how you came to own this land?

A From his son.

Q What was his son's name?

A Dikichi.

Q I am advised that your son died, is that right?

A Yes.

10 Q About what date? A: In October, 1938.

Q 1938? A: He says yes, he thinks so.

MR. HUNTER: I think that date is wrong.

MR. McMASTER: Yes, I think it is 1943.

MR. HUNTER: 1942.

MR. McMASTER: 1942, rather.

THE INTERPRETER: He says he is rather old and he forgets very easily.

MR. McMASTER: The Custodian says, and I will agree to

20 it, November 2nd, 1942.

Q Your son left a will in which he left this property to you? A: Yes.

Q And you employed a Mr. Young, a solicitor in Vancouver, to put the will through the Courts?

A Yes.

Q Now, how long had your son owned the house?

A He says he thinks about four or five years.

THE COMMISSIONER: Q: Four to five years?

30 A Four or five.

MR. McMASTER: Q: Four or five years before his evacuation, that is before the claimant's evacuation? A: Yes.

Q Do you know from whom your son bought the property?

A He says he isn't quite certain but his recollection goes that his son told him he bought it at the tax sale.

Q Now, at the time that Mr. Young prepared the papers for Court with regard to the will, did he have him sign any documents?

10

A He did get some documents from Young.

Q And does he remember what value was shown for this property on those documents?

A He says he thinks there was a price there but he is so old he has forgotten.

Q He doesn't remember? A: No.

Q When he inherited this property from his son, did he live in the property?

A No, he didn't.

20

Q And was the property rented?

A Yes. The son had rented it.

Q And at the time the claimant was evacuated, were the premises rented, and, if so, at what rental?

A The rental was $22.50 and he carried it on. That was done by his son and he carried it on afterwards, the same way.

Q Now, my understanding is that you were first placed in Hastings Park at the time of the evacuation, witness?

30

A For one month.

Q And before you were evacuated away from the Coast, did you have any opportunity to sell this property? A: He says whilst he was working as janitor in the hospital at Hastings Park, a Chinese approached him with regard to the sale of the land.

Q Does he remember the name of the Chinese?

A He had no intention of selling, therefore he didn't bother to find out the man's name.

10 Q And did the man give any definite offer to buy that property? A: The Chinaman said he would buy for $2500.00 cash.

Q And did the claimant indicate to the Chinaman for how much he might sell it?

A He said he wouldn't sell for less than $3000.00.

Q And the Chinaman wouldn't pay that much, is that correct? A: No, the Chinaman didn't raise his offer.

Q In the valuator's report which has been produced

20 from the Custodian's file, the valuator states that there was an old hot-air furnace in these premises. Does the claimant know anything about the furnace in those premises?

A It is from the Custodian's report, is it?

Q Yes, his valuator's report.

A It was old, was it?

Q He said an old hot-air furnace.

A He said the furnace was about two or three years old. It was two or three years old.

30 Q And how does he know that?

A He said his son went to the wholesalers and bought it, and when it was put in the place he went along and helped.

Q Does he know the name of the place where his son bought that furnace?

A At Columbia and Powell. He says it was some place at Columbia and Powell, but he doesn't know the name exactly.

Q Does he know when the house was last painted?

10 A He says he is not quite certain but it was very shortly after he had bought the house.

Q That would be about four or five years before his evacuation? A: Yes.

Q Now, in the valuator's report some mention is made with regard to the condition of the fence of these premises. Does he know anything about the condition of the fence at these premises?

A He said whilst he was at Hastings Park he went back and he had a look at the fence and he

20 fixed it up and made repairs to anywhere he thought it was necessary.

Q Was there any garden at those premises?

A There was a lawn in front. He said he planted grass at the back.

MR. HUNTER: Q: I am sorry, I didn't get that.

A He planted grass at the back.

MR. McMASTER: Q: On the account rendered to you by the Custodian, I notice that he has charged you with a fire insurance premium. Do you know how

30= much insurance was on those premises?

A He says that he doesn't know very well. He said that his boy insured it and handed the policy over, and he handed all the documents over to the Custodian and he is not quite certain with regard to the amount.

MR. McMASTER: I would ask Mr. Hunter if he would be good enough to produce the insurance policy. I don't think it is on that file, Mr. Hunter, but it may be filed at a later date or you can show
10 it to me and I can file it.

MR. HUNTER: I am not sure that I can produce the policy. I can probably produce the amount of the premium.

MR. McMASTER: If you give me the details, I would appreciate it. Your witness.

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Takeuchi, did you ever live in this house?

THE COMMISSIONER: He says not.

20 MR. HUNTER: I beg your pardon, my lord?

THE COMMISSIONER: He said not. He was asked that before.

MR. HUNTER: Q: Did you ever stay in this house at any time? A: He says whilst he was in Hastings Park he went over to look at the house, and he asked the person who was in the house for permission to do so.

Q Did he ever stay there? Did he ever sleep in the house at any time? A: No, no.

30 Q Why did you go from Hastings Park to the house

to inspect the fence?

A He said he was expecting to be evacuated very shortly from Hastings Park to a place called Tashme, and he thought it might be advisable to go and see his house before he was evacuated. He didn't know when he was going to be evacuated.

Q He stated that while at Hastings Park he went back and inspected the fence and fixed it up where necessary? A: Yes.

10 Q Did he make a trip specially to inspect the fence and fix it up, and, if so, why?

A He repeats the answer that he made before, that he expected to be evacuated to Tashme at any time and he thought it advisable to go and see his property prior to being evacuated.

Q Very well. He stated, or at least I thought you stated that you had planted grass at the back of the premises?

A Yes.

20 Q I am not sure about that; does he mean his son planted it or he personally did?

A The tenant planted the grass.

MR. HUNTER: There is nothing else, my lord.

MR. McMASTER: That is all, my lord.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

T. P. Horrobin

30 "T.P. Horrobin"
Official Reporter.

Case 14 NOV 22 1947 Kamloops BC 10 Dec 1947 5842

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.

ack

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

(1) NAME Tsunekichi Takuchi (RCMP) Reg. No. 01494
(Print) ~~Surname~~ Given Name Surname

(2) Pre-Evacuation Address 920 E. Cordova St. Vancouver B.C.

(3) Present Address Minto Mine, B.C.

(4) REAL ESTATE

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

(b) Legal description (lot number, block number, section number, etc.)
Subdivision: Thirteen (13) of
Lot Sixteen (16)
Town of Hastings
Suburban Lands
Plan 4419

(c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) Residence Type of business _____
(iii) Business
(iv) Any other type of property (describe) _____

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

(e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land & Building - - - - - - - - $ 2,750.00
(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) - $ 2,750.00
(v) Amount at which Custodian sold property and credited your account - - $ 1,650.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1,100.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation _____

(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") _____

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

1. _____ Estimated Value $_____
2. _____ Estimated Value $_____
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 $_____

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) - $ 1,100.00

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

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

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
of)
TO WIT:)

I, TSUNEKICHI TAKEUCHI of the TOWNSITE
of MINTO MINE in the PROVINCE OF BRITISH COLUMBIA

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of 'The Canada Evidence Act".

DECLARED before me at the Townsite)
of Minto Mine) Tsunekichi Takeuchi
in the Prov of B.C.)
this 17 day of Nov)
A.D. 1947. C Blackmingham ~~A Commissioner~~ &c. Notary Public

N.B. — THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.