Name of Claimant UCHIDA, Seisaku Case 1353

Custodian File 11667

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	
1450.00	72.50 24.50										500.00 97.00

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	597.00

1540

CASE NO: 1353.

JAPANESE PROPERTY CLAIMS COMMISSION

Montreal, P.Q.,

June 4th, 1948.

IN THE MATTER OF THE CLAIM OF

SEISAKU UCHIDA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 1353.

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 Montreal, P.Q.,

June 4th, 1948.

IN THE MATTER OF THE CLAIM OF

SEISAKU UCHIDA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
ROGER OUIMET, Esq., K.C.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

30

MR. OUIMET: The first case today, my lord, is Seisaku Uchida. My lord, this is a claim for $1300.00 being the balance on real estate. The original claim is $2750.00, less $1450.00, the amounts for which the Custodian sold the property, leaving a net balance of $1300.00.

There was an original claim for $950.00 for flowers and flower beds, but that claim is out.

So the original claim is amended by subtracting the amount of $950.00 from $2250.00, leaving a net of $1300.00.

SEISAKU UCHIDA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. OUIMET:

Q You are Mr. Seisaku Uchida?

A Yes.

Q The claimant in this case? A: Yes.

Q Would you take communication of a real estate claim bearing your signature? A: Yes.

Q Would you identify this claim, as well as your signature, and file it as Exhibit No. 1?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

Q I see that you mention rented cabins at the rear of the property? A: Yes, I rented them as well.

Q The amount was $12.00 a month. That was pre-war rent? A: Yes.

Q How many cabins were there? A: Two.

Q Two cabins. Who built those cabins?

A I don't know because I just bought them as they stood.

Q You bought them with the property?

A Yes.

Q Now, what flower business were you conducting on your property? A: Tulips and narcissi, lily bulbs, irises, and various other bulbs.

10 Q And the improvements that were made were made by you? A: I made the improvements myself during about five years.

Q Now, the estimated value for the property was $3,000.00? A: Yes.

Q And your claim was only for $2750.00?

A Yes.

Q Would you look at a photograph apparently taken on May 3rd, 1943? A: Yes.

Q Would you identify the house that appears in that

20 photograph? A: Yes, I do.

Q Well, whose house is it? A: This is my own house.

Q Does that give a fair idea of the property as it was on that day? A: Yes, it does. The cabins don't appear in the picture.

Q I see something at the rear there. Would that be a cabin? A: I think it is.

Q I suppose that this is only part of the land. It was larger than that.

30 A There are two more lots besides that shown on the

picture.

Q This photograph which is tendered by Government counsel is identified by you and filed as Exhibit No. 2? A: Yes.

(PHOTOGRAPH MARKED EXHIBIT NO. 2).

MR. OUIMET: I think that is all, thank you.

MR. HUNTER: It is submitted, my lord, that the real property was sold for its fair market value.

I tender the appraisal of F.A. Cleland, dated October 27th, 1943. He is referring to Lot 10 upon which the house is situated, known as 8722 Selkirk Street. He says:

"This property consists of a 5 room dwelling with Living room, Dining room, Kitchen and two Bedrooms on second floor. Toilet only.

Full cement basement with hot air furnace.

House not plastered.

Exterior in very bad condition including the roof.

My valuation $1,000.00."

And his appraisal of November 15th, 1943, appraising the two vacant lots. He says,

"This property is located on the South East Corner of Selkirk Street and 71st. Avenue, and are about 4' below the Street level and are all cleared and in garden, being 66' on Selkirk Street by about 160' on 71st. Ave.

"In my opinion the two lots together are worth $450.00 and if sold with Lot # 10,

"Blk.C.Dist.Lot 318, immediately adjoining should be worth $1400.00 to $1450.00."

I would tender those two appraisals as Exhibit 3.

(APPRAISALS MARKED EXHIBIT NO. 3).

MR. HUNTER: These two lots and the dwelling were advertised separately under catalogues No. 241, 242, and 243, tenders closing October 4th, 1943. There was an undated tender on Lot 10 only, that is the dwelling, of $610.00 from Moore & Moore. This was rejected.

There was one on October 4th of $900.00 for Lot 10 only from Fox & Hollenberg, through Home Investments. This was rejected. The time for tendering having expired, an offer was received on October 12th, 1943, of $730.00 covering the house and other two lots from Moore & Moore. This was rejected. On July 21st, 1944, an offer of $1450.00 from Ben Billous through J.W. Fairhall. This was approved by the Advisory Committee on July 27th, 1944, and it was accepted and sold as of August 19th, 1944.

The assessed values of these properties for 1943, land Lot 10, $315.00; Lot 11, $315.00; Lot 12, $390.00. The improvements, Lot 10 $950.00; and on the other two lots nil, making a total 1943 assessment of $1970.00.

It appears to be entirely a question of value, my lord. There are no questions.

MR. OUIMET: I only wish to point out, my lord, the

assessment is $1970.00 and the valuation $1450.00. Either the valuation was a little low or the assessment was exceedingly high, not to say exorbitant.

THE COMMISSIONER: Vancouver Assessments do not bear a very close relation to real value.

MR. OUIMET: But generally speaking they are much under real value.

THE COMMISSIONER: They are thoroughly inconsistent from my experience.

10

RE-DIRECT EXAMINATION BY MR. OUIMET:

Q Now, Mr. Uchida, in Exhibit No. 3 of October 27th, 1943, it is said about your property about the house that the exterior was in very bad condition including the roof. What have you to say about that?

A When I left Vancouver it was in good condition. Since then I don't know what the tenant may have done to it.

20 Q Now, about the appraisal of a thousand dollars, that doesn't seem to include the cabins. What do you value the cabins at?

A I valued them at about $300.00.

Q Have you anything else you wish to add, Mr. Uchida?

A The Custodian insured my house against fire for a thousand dollars. If any house wasn't worth a thousand dollars, they wouldn't cover it for that amount.

Q Anything else? A: No.

30 MR. OUIMET: Thank you.

THE COMMISSIONER: Q: Mr. Uchida, did you rent the property before you were evacuated?

A The whole property, my lord?

Q The dwelling. A: It was rented after I was evacuated by the Custodian.

MR. HUNTER: What was the answer?

THE COMMISSIONER: The dwelling was rented after the claimant was evacuated by the Custodian.

MR. HUNTER: My lord, that is incorrect. It was rented to Fairhall, the witness' agent.

THE COMMISSIONER: Then you better pursue it.

RE-CROSS EXAMINATION BY MR. HUNTER:

Q Mr. Uchida, your agent to look after this house was Mr. J.W. Fairhall? A: He wasn't my agent. I was informed by the Custodian he had been appointed my agent.

Q You rented this property yourself? You signed the lease, didn't you?

A No, I didn't.

MR. HUNTER: We will have to produce the lease, my lord.

MR. OUIMET: Of course in all fairness to the claimant, he should be shown the document if my learned friend wishes to contradict him.

THE COMMISSIONER: I have no doubt that Mr. Hunter has not the document here or he would have presented it.

MR.HUNTER: I haven't ithere.

THE COMMISSIONER: I want to be sure that the witness understands it. Government counsel states that the Custodian has in his possession in Vancouver a lease

of the dwelling signed by yourself. Do you say that is wrong?

MR. HUNTER: I am sorry, my lord, it is only a verbal agreement, it says.

THE COMMISSIONER: Oh? Never mind then. Explain to him, if you will, Mrs. Handford, that counsel tells me that is not correct, it was a verbal lease.

A I don't remember. I may have sent a letter back to the Custodian in reply, but I am not sure.

10 MR. HUNTER: Q: In reply to what?

THE COMMISSIONER: He says he may have. I take it what he means is he may have authorized the Custodian to lease the property, but he isn't sure.

MR. OUIMET: Q: As a matter of fact, my lord, on September 17th, 1942, there is a copy of a letter from the Custodian advising him that his property was rented to a Mr. Webber.

A He says he doesn't remember.

MR. OUIMET: Evidently it wasn't through him the property

20 was rented, but through the Custodian. The report is ambiguous. It says this property was rented through the office of J.W. Fairhall to W.J. Webber, but it doesn't say it was leased by him directly without the intervention of the Custodian.

THE COMMISSIONER: We can clear it up later. I wanted to give the claimant an opportunity to understand what was said and get his own view. I think we have all the information we can get from him.

THE INTERPRETER: He said he may have received it, my

30 lord, and he may have replied to it, but he has no

real recollection.

(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

"T.P. HORROBIN"
OFFICIAL REPORTER.

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Case 1353 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

11667 Montreal

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

(1) NAME UCHIDA SEISAKU (RCMP) Reg. No. 01662
(Print) Surname — Given Name

(2) Pre-Evacuation Address 8722 SELKIRK ST. VANCOUVER, B.C.

(3) Present Address 865 RICHMOND SQUARE, MONTREAL, P.Q.

(4) REAL ESTATE

(a) Street Address (if any) 8722 SELKIRK ST. VANCOUVER, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
LOT 10, BLOCK "C", DL 318
LOT 11, BLOCK "C", DL 318
LOT 12, BLOCK "C", DL 318

(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 - - - - - - - - - - - - - - - - $
(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) - $ 2750.00
(v) Amount at which Custodian sold property and credited your account - - $ 1450.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1300.00

(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. TULIP BULBS 20,000 — Estimated Value $ 600.00
2. DAFFODIL BULBS 3000 — Estimated Value $ 150.00
3. CROCUS, IRISH, LILIES & — Estimated Value $
4. OTHER PLANT BULBS — Estimated Value $ 200.00
5. — Estimated Value $
6. — Estimated Value $
7. — Estimated Value $
8. — Estimated Value $
9. — Estimated Value $
10. — Estimated Value $

abandon

TOTAL CLAIM FOR PROPERTY LOSS $ 950.00

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) - $ _____

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

(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)
Prov of Quebec)
TO WIT:)

I, S. Uchida of the City of Montreal
of Japanese Canadian in the
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 City)
of Montreal)
in the Province of Quebec)
this 21 day of November)
A.D. 1947.)

Thomas J Cooney
A Commissioner &c. of Superior Court

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.

_____

UCHIDA, Seisaku (Mr.)
(Claimant's Name)

REAL ESTATE
(Other than farm)

01662
Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
House	5	Frame with full concrete basement	Residence	99 x 175	1932	Dec.

Type of Locality	Cost Price
Residential	$1750.

Improvements made by Claimant

New furnace	$200.
New piping	30.
Redecorated home	50.
Clearing lot 66' x 175'	500.
Fencing of property 548'	100.
New garden	950.
Flowers on property	

Estimated Value Date of Sale

$3000.

Comments re upkeep of premises:

EXHIBIT No. 1353-1
DATE 4 June 1948
FILED BY R. Onimet

Comments re Appraiser's report not covered above:

Rented cabins at rear of peoperty for $12.00 per month

Rent by Custodian for home $20.00 per month

Assessment 1943.	Land	lot 10 -	$315.
		" 11 -	315.
		" 12 -	390.
Improvements	Lot	10 -	$950.
		11 -	nil
		12 -	nil
	Total		$1970.

The claimant had a flower business on the empty lots of his property. He made $200.00 in 1941 and he anticipated making $500.00 in 1942 because of increased planting, etc.

Tulip bulbs 20,000
Daffodil bulbs 2,000
Crocus, Iris, Lilies and other bulbs also.

Summary

Estimated Value	$3000.
Original Claim	$2750.
Sold by Custodian	1450.
Claim	$1300.

Seisaku Uchida
Signature

UCHIDA, Seisaku

8722 Selkirk St., Vancouver, B. C.

Evac. File #11667

Picture Taken May 3, 1943.

EXHIBIT No. 135-3-2
DATE 4 June 1948
FILED BY R. Onimel

EXHIBIT No. 1353 - 3
DATE 4 June 1948
FILLED BY J.W.G.Hunter

F. A. CLELAND
A Juctice of the Peace

Financial & Insurance Broker

Room 33
539 Pender Street, W.
Vancouver, B. C.

Oct. 27th. 1943.

Department of the Secretary of State,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Bldg.
Vancouver, B. C.

Dear Sirs:-

Re Catalogue # 241

Lot 10, Block,C. D.L. 318, known as 8722 Selkirk St.

This property consists of a 5 room dwelling with Living room, Dining room, Kitchen and two Bedrooms on second floor. Toilet only.

Full cement basement with hot air furnace.

House not plastered.

Exterior in very bad condition including the roof.

My valuation $1,000.

Yours very truly,

"F. A. Cleland"

FAC/C.

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

Aug. 2, 1948.

C. M. G. Hyde

(Attached to Exhibit 1353 - 3)

F. A. CLELAND
A Justice of the Peace
Financial & Insurance Broker

Room 33
539 Pender Street, W.
Vancouver, B. C.

Nov. 15th, 1943.

Department of the Secretary of State,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Sirs:-

Re Catalogues # 242 and #243.
Lots 11 & 12, Blk. C. Dist Lot 318, known as Vacant lots.

This property is located on the South East Corner of Selkirk Street and 71st. Avenue, and are about 4' below the Street level and are all cleared and in garden, being 66' on Selkirk Street by about 160' on 71st. Ave.

In my opinion the two lots together are worth $450.00 and if sold with Lot # 10, Blk.C.Dist.Lot 318, immediately adjoining should be worth $1400.00 to $1450.00.

Yours very truly,

"F. A. Cleland"

FAC/C.

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

Aug. 2, 1948. C. M. Hyde

EXHIBIT No. 1353-4
DATE Dec 75749
FILED BY
Mr J. A. Macdonald

J. W. FAIRHALL
Notary Public

1318 Southwest Marine Drive
VANCOUVER, B. C.
September 17, 1942

Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Bldg,
Vancouver, B. C.

Dear Sirs:

Re: Seisaku Uchida. File #11667

We have your letters of the 16th instant with reference to our handling of the property at 8722 Selkirk Street belonging to the above Japanese. We agree to manage the said property on the terms mentioned in your letter.

We have to-day inspected this house. It is locked and boarded up, but we forced an entry by removing boards from a window. It is apparently being used as a storage space for furniture and household effects for several houses. It is filled with sundry boxes, garden tools, heavy furniture and general household effects.

We have arranged to rent the house only to Mr. A. J.H. Weber, whom you suggested as tenant in your letter. The rent is to be $20.00 per month, payable in advance. This is a six room house with basement, toilet, but no bath (except the Japanese variety under the back porch)

In the rear of this house on the same lot is a long building which contains two separate suites. These also are boarded up and contain some household furniture such as stoves, tables, a chesterfield, etc., There is no plumbing in these suites except the water. It occurred to us that the furniture from the main house could be stored in these suites for the time being at least. That would give a quick way of readying the house for the new tenants, who would like to get possession as quickly as possible.

Awaiting your further instructions, we remain,

Yours faithfully,

"J.W. FAIRHALL"
per "A.W.F."