

P-28557

M2B-1059

No.

IN THE SUPREME COURT OF BRITISH COLUMBIA



IN PROBATE

IN THE MATTER OF THE ESTATE
OF TSUNEKI MORIKAWA, Deceased.

---oOo---

TO: The Honourable the Chief Justice or to a Judge of the
Supreme Court of British Columbia.

The Petition of TOKIO MORIKAWA of the Municipality
of Matsqui in the Province of British Columbia, HUMBLY SHEWETH:

1. That Tsuneki Morikawa late of the Municipality of
Matsqui in the Province of British Columbia died at the said
Municipality of Matsqui on or about the 11th day of August, 1939,
and that the Deceased at the time of his death had his fixed
place of abode in the said Municipality of Matsqui.
2. That the said Deceased died leaving him surviving his
widow, Suna Morikawa, and one son, your Petitioner, Tokio Morikawa,
both of the Province of British Columbia and of the full age of
twenty-one years, and without having left any will, codicil, or
testamentary paper whatever.
3. That the value of the whole property of the said
Deceased of which he in any way died possessed of or entitled
to is under \$ 1140.00.
4. That the value of the personal estate and effects of
the said Deceased for and in respect of which administration is
to be granted is under \$ - nil
5. That full particulars of the said Estate of the said
Deceased are exhibited herewith and verified under oath.

WHEREFORE your Petitioner prays that administration with-
out bond of the estate and effects of the said deceased may be
granted and committed to him by this Honourable Court.

DATED at Vancouver B.C. this 15th day of April 1942.

Tokio Morikawa
Petitioner.

No. 28257

IN THE SUPREME COURT OF BRITISH
COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE
OF TSUNEKI MORIKAWA, Dec'd.

P E T I T I O N



9.20
G. ROY LONG
BARRISTER, SOLICITOR, NOTARY PUBLIC
SIRKS BUILDING,
VANCOUVER, B.C.
April 16th
Two - Bond

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO.

506 ROYAL BANK BLDG.,
HASTINGS AND GRANVILLE
VANCOUVER, B.C.

15th April, 1942.

G. Roy Long, Esq.,
Barrister,
Birks Building,
Vancouver, B. C.

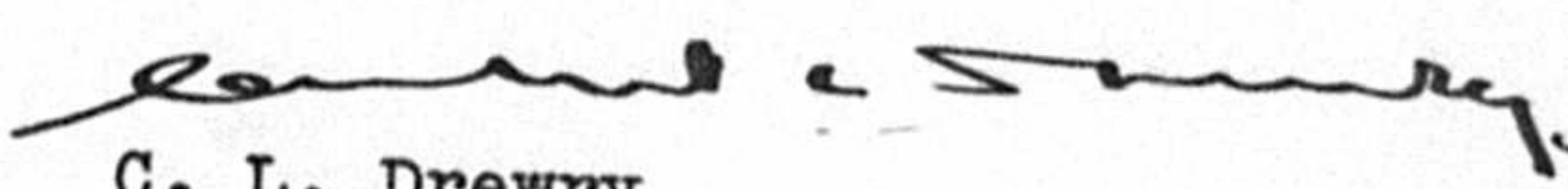
Dear Sir:

Re: Estate of Tsuneki Morikawa

With further reference to our conversation this morning I am returning the petition signed by Mr. Tokio Morikawa in which application is made for letters of administration in the estate of the above named deceased.

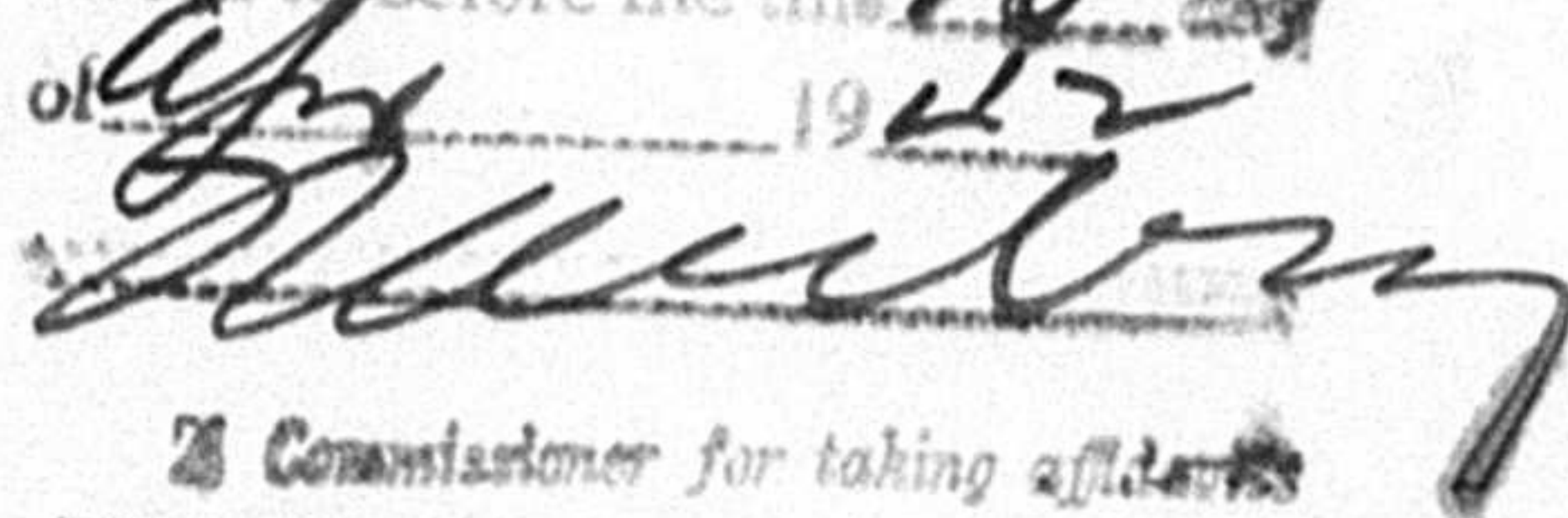
The Custodian's office has no objection to the administration being committed to the petitioner.

Yours truly,


C. L. Drewry
Manager

CLD:LF



This is Exhibit A referred
to in the affidavit of Tokio Morikawa
sworn to before me this 15 day
of Apr 1942

Commissioner for taking affidavits
within the Province of British Columbia.

No.

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE OF
TSUNEKI MORIKAWA , Deceased.

I, the undersigned widow of the late Tsuneki Morikawa , of the full age of twenty-one years, DO HEREBY CONSENT to the appointment of my son TOKIO MORIKAWA, Farmer, of the Municipality of Matsqui in the Province of British Columbia, as the Administrator and personal representative of my late husband's estate and request that such an Order be made by this Honourable Court without the necessity of giving an administration bonds.

DATED at Vancouver B.C. this 15th day of
April, A.D. 1942.

Witness:

[Handwritten signature of witness]

S. Morikawa

スナモリカワ



This is Exhibit (A) referred
to in the affidavit of Tokio Morikawa
sworn to before me this 15 day
of April, 1942.
[Signature]
A Commissioner, etc.

No.

IN THE SUPREME COURT OF BRITISH
COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE
OF TSUNEKI MORIKAWA
Deceased.

Consent to Administration

G. ROY LONG
BARRISTER, SOLICITOR, NOTARY PUBLIC
818 KESWICK BUILDING,
VANCOUVER, -- B. C.

No.

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE OF
TSUNEKI MORIKAWA, Deceased.

-----oOo-----



I, TOKIO MORIKAWA of the Municipality of Matsqui
in the Province of British Columbia, Farmer, MAKE OATH AND SAY
as follows:

1. That I am a son of the Deceased and the person applying for Letters of Administration of the estate and effects of Tsuneki Morikawa Deceased in his lifetime of the Municipality of Matsqui in the Province of British Columbia.
2. That the said Deceased died on or about the 11th day of August, 1939, in the Municipality of Matsqui in the Province of British Columbia and that I saw the dead body of the said Deceased.
3. That the value of the personal estate and effects and the value of the real estate of the said Deceased and the names of the persons entitled to the property of the said Deceased are set out in the affidavits made herein and filed herewith.
4. That I have made diligent and careful search in all places where the Deceased usually kept his papers and in his depositories in order to ascertain whether the deceased had or had not left any will, codicil or testamentary paper, and I verily believe that the deceased died without having left any will codicil or testamentary paper whatsoever.
5. That I will faithfully administer the estate of the said Deceased by paying his just debts and distributing the residue of his estate and effects according to law, and that I will exhibit a true and perfect inventory of all and singular the said Estate and effects and render a just and true account thereof whenever required by law so to do.

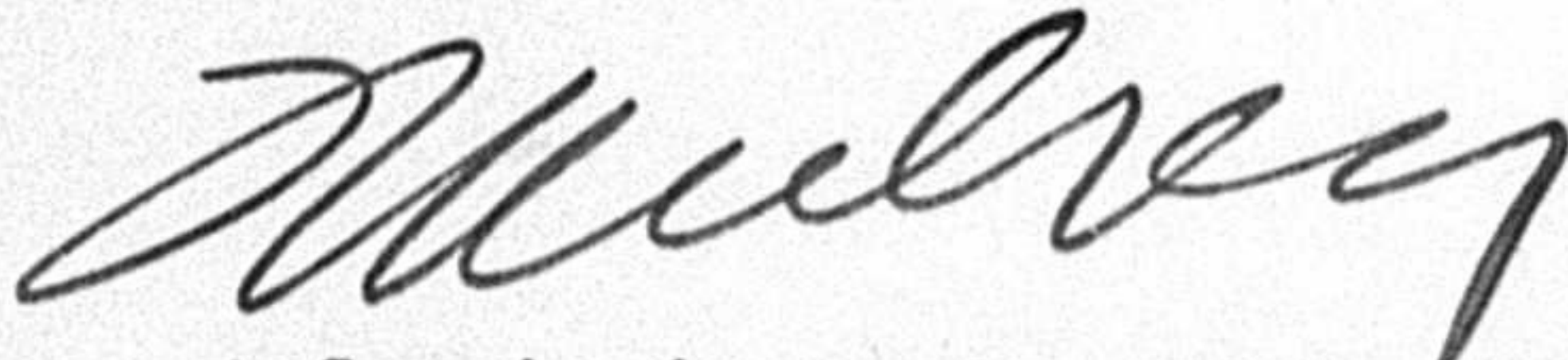
6. That now produced to me and marked Exhibit "A" to this my affidavit is a waiver made by Mother, Suna Morkiawa, widow of the Deceased, of the full age of twenty-one years, the only other person entitled to share in the Deceased's estate requesting me to administer his estate without giving a bond.

7. That I am of the full age of twenty-one years.

8. That the Deceased was not a National of the German Reich or Italian Kingdom and no portion of the Estate would in time of peace be distributed or payable to any such Nationals. That the Deceased was of the Japanese race and attached hereto and marked Exhibit "B" to this my affidavit is the consent of the Custodian to Administration herein and the sale of the real estate belonging to the Deceased.

SWORN before me at Vancouver,
British Columbia this 15th day
of April, A.D. 1942.

} Tokio Morikawa



A Commissioner for taking affidavits
within British Columbia.

No. 28557

IN THE SUPREME COURT OF BRITISH
COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE
OF TSUNEKI MORIKAWA,
Deceased.

Affidavit of Tokio Morikawa

G. ROY LONG
BARRISTER, SOLICITOR, NOTARY PUBLIC
BIRKS BUILDING,
VANCOUVER, B. C.

ENTERED ON CHAMBER LIST

No.



IN THE SUPREME COURT.

IN PROBATE

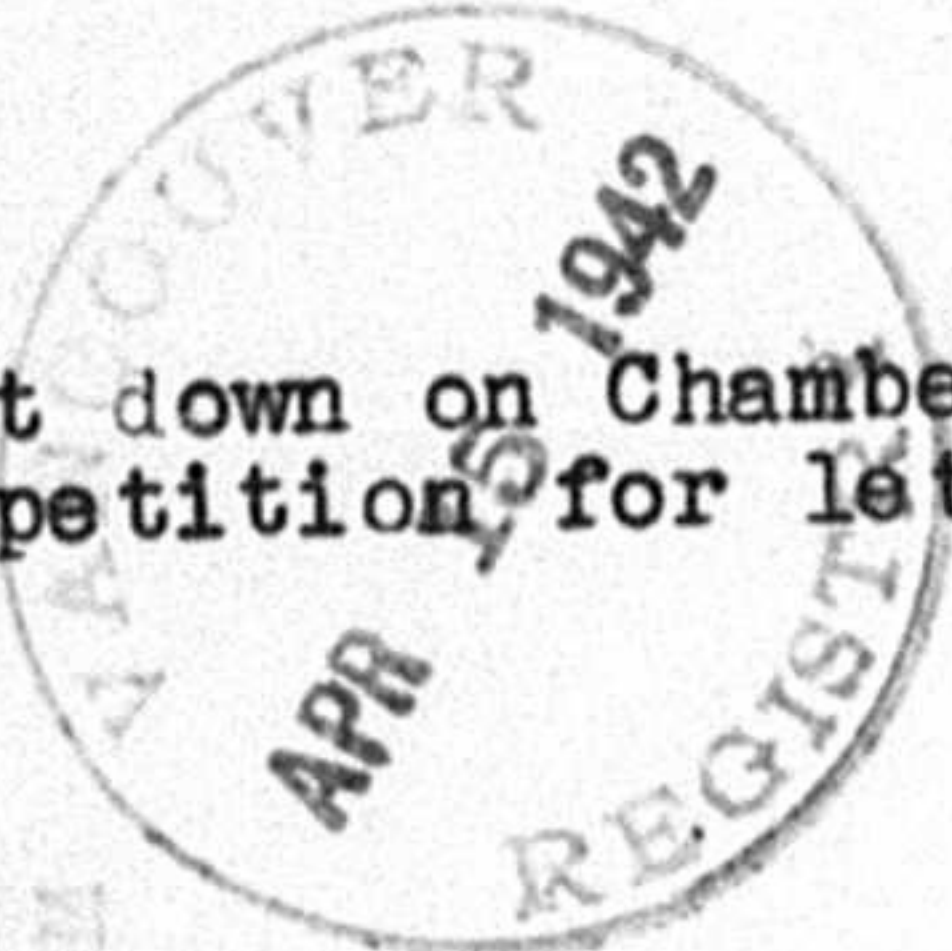
IN THE MATTER OF THE ESTATE OF
TSUNEKI MORIKAWA Deceased
AND

Plaintiff,

Defendant.

REQUIRED

Set down on Chamber list for April 16th, 1942,
petition for letters of administration without bond.



Dated this

15th

day of

April

, 19 42

Solicitor for

Petitinaer

C.C. Coats
N.S.
D.H.

28557

S. C.
In Probate
In the matter of the
Estate of Tsuneki
Morikawa, Deceased.

PRÆCIPE

—FOR—

IN THE SUPREME COURT

TSUNEKI MORIKAWA Deceased
IN THE MATTER OF THE ESTATE OF
IN PROBATE

Solicitor for
G. ROY LONG
BARRISTER, SOLICITOR, NOTARY PUBLIC
BIRKS BUILDING,
VANCOUVER, -- B. C.



AFFIDAVIT OF VALUE AND RELATIONSHIP.

(This affidavit is to be made by the applicant, or one of the applicants.)

"SUCCESSION DUTY ACT" (BRITISH COLUMBIA).
(Sections 12, 13, 31, 32.)

In the Supreme Court of British Columbia

In the Matter of the Estate of **TSUNEKI MORIKAWA**, deceased.

I, **TOMIO MORIKAWA** of the Municipality of Matsqui in the Province of British Columbia, Farmer -----, make oath and say:—

That I am the applicant for letters of administration to the estate of **Tsuneki Morikawa**, who died on or about the 11th day of **August**, 19 **39**, domiciled in **Matsqui, B.C.**

That I have caused application to be made in the office of the Registrar of the above-named Court that letters of administration be granted to the estate of the said **Tsuneki Morikawa** by the said Court.

That I have made full, careful, and searching inquiry for the purpose of ascertaining what real and personal property and effects the said **Tsuneki Morikawa** was possessed of, or entitled to, at the time of his death, together with the market value thereof respectively.

That I have, according to the best of my knowledge, information, and belief, set forth in the Inventory hereby exhibited, marked "X," a full, true, and particular account of all the real and personal estate of the said **Tsuneki Morikawa**, or of which the said **Tsuneki Morikawa** was possessed, or to which he was entitled at the time of his death, and of all other property, income, and interests required by the form of the said Inventory to be set forth therein, together with the market value as at the date of death of each and every asset forming part of the said real and personal estate and of the other property, income, and interests particularized in the said Inventory. The said Inventory includes all real and personal estate over which the deceased had a general or limited power of appointment. The gross value of the said estate, property, income, and interests as at date of deceased's death was \$ **\$1140.00**

That I have included in said Inventory every security, debt, and sum of money outstanding due or payable to or standing to the credit of the said deceased at the time of his death, and in estimating the value thereof I have included all the interest due, payable, chargeable, and accruing due thereon up to the death of the said deceased.

That, save and except what is set forth in the said Inventory, the said **Tsuneki Morikawa** was not, to the best of **my** knowledge, information, and belief, at the time of h **is** death possessed of, or entitled to, any debt or sum of money, or any security, pledge, or undertaking for the payment of any money to **him** on any account whatsoever, or to any leasehold or other personal estate, goods, chattels, or effects in possession or reversion absolutely or contingently or otherwise howsoever.

That in the said Inventory is included all the property of the said **Tsuneki Morikawa** situate outside of this Province, as well as the property situate within the Province.

That, save and except what is set forth in the said Inventory, the said **Tsuneki Morikawa** was not, to the best of **my** knowledge, information, and belief, at the time of h **is** death seised of, or entitled to, any real estate in possession, remainder, and reversion absolutely or contingently or otherwise howsoever.

That, to the best of **my** knowledge, information, and belief, the said deceased did not voluntarily transfer by deed, grant, or gift made in contemplation of **his** death, or made, or intended to take effect in possession or enjoyment after h **is** death, any property or any interest therein, or income therefrom, to any person in trust or otherwise by reason whereof any person is or shall become beneficially entitled in possession or expectancy in or to the said property or income thereof, save and except what is set forth in the said Inventory.

That, to the best of **my** knowledge, information, and belief, the said deceased did not at any time within two years previous to the date of h **is** death transfer by way of *donatio mortis causa*, or purporting to operate as an immediate gift *inter vivos*, whether by way of transfer, delivery, declaration of trust or otherwise, any property whatsoever, save and except what is set forth in the said Inventory.

That, to the best of **my** knowledge, information, and belief, the said deceased did not at any time previous to the date of h **is** death transfer any property of which property the *bona fide* possession was not assumed by the donee immediately upon the gift, and thenceforth retained to the entire exclusion of the donor or any benefit to h **im** by contract or otherwise, save and except what is set forth in the said Inventory.

That, to the best of **my** knowledge, information, and belief, the said deceased did not transfer or cause to be transferred to or vested in **him** self and any person jointly any property to which **he** was absolutely entitled by purchase or investment, or in any other manner whatsoever, so that the beneficial interest therein or in some part thereof passed or accrued by survivorship on h **is** death to such other person, save and except what is set forth in the said Inventory.

That, to the best of **my** knowledge, information, and belief, the said deceased was not at the time of **his** death a party to any past or future settlement, including any trust, whether expressed in writing or otherwise, whether made for valuable consideration or not, as between the settlor and any other person, and not taking effect as a will whereby an interest in such property, or the proceeds of the sale thereof for life, or any other period determinable by reference to death, was reserved expressly or by implication to the deceased, or whereby the deceased reserved to h **imself** the right by the exercise of any power to restore to h **im** self, or to reclaim the absolute interest in such property or the proceeds of the sale thereof, or otherwise resettle the same or any part thereof, save and except what is set forth in the said Inventory.

That, to the best of my knowledge, information, and belief, no annuity, policy of insurance, or other interest had been purchased or provided by the said deceased, either by him self alone or in concert or by arrangement with any other person, save and except what is set forth in the said Inventory.

That I have in the Inventories, respectively marked "X" and "Y," hereto annexed, set forth the assets, debts, and liabilities of the deceased and the names of the several persons to whom the property of the said deceased will pass, the degree of relationship (if any) in which they stand to the deceased, their places of domicile and residence and their addresses so far as I can ascertain them, and the nature and value of the property passing to each of these persons respectively.

Sworn before me at Vancouver
in the Province of British Columbia
this 15th day of April, 19 42

Tokio Morikawa

Macbray

A Commissioner, etc.

No. 28557

IN THE SUPREME COURT OF BRITISH
COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE
OF TSUNEKI MORIKAWA, Deceased

Affidavit of Value

G. ROY LONG
SOLICITOR, SOLICITOR, NOTARY PUBLIC
BIRKS BUILDING,
VANCOUVER, B. C.

"Succession Duty Act" (British Columbia).

In the Supreme Court of British Columbia

In the Matter of the Estate of Tsuneki Morikawa, Deceased.

1. REAL ESTATE.

(Give full value of property, setting out encumbrances (if any) in detail separately.)

TOTAL.

All that portion of the South East Quarter of Section fourteen (14), Township Fourteen (14), and more particularly described as follows: Commencing at a postset on the East boundary of the said South East Quarter of Section fourteen the same being set 660.65 feet N. 24 degrees naught minutes West (24.00'W) Magnetic of the South East corner thereof; thence N. 24 degrees 00 minutes West and following the East boundary of the said South East Quarter of Section fourteen 660.65 feet to the post; thence South 66degrees 39 minutes 30 seconds West (magnetic) and following the North boundary to the South East Quarter of the South East Quarter Section fourteen 1312.8 feet to a post on the North West corner of the said South East quarter; thence South 24 degrees 00 minutes East (magnetic) and following the West boundary of said South East Quarter of the South East Quarter 660.75 feet to a post; thence North 68 degrees 39 minutes East (Magnetic) and following the north boundary of a portion heretofore conveyed 1312.5 feet to the point of commencement and containing by admeasurement, 19.909 acres, by the same more or less, as more particularly shown on sketch deposited No. 3500 and thereon outlined red SAVE AND EXCEPT the E.33 feet thereof occupied by Mt. Lehman Road, part heretofore conveyed containing 19.409 acres more or less

Value -
Less balance due on mortgage
to John S. Hicks

\$1700.00
560.00

1140.00

2. MONEYS SECURED BY MORTGAGE OR AGREEMENT OF SALE.	PRINCIPAL.	INTEREST.	TOTAL.
<p>nil</p>			
<p>3. CASH AND GROSS AMOUNT OF LIFE INSURANCE, INCLUDING INSURANCE MONEYS PAYABLE TO A NAMED BENEFICIARY. (All of the foregoing to be carried into the summary and included in the total value of the estate subject to Succession Duty in Schedule A.)</p>	PRINCIPAL.	INTEREST.	TOTAL.
<p>nil</p>			
<p>4. BOOK DEBTS AND PROMISSORY NOTES, ETC., INCLUDING INTEREST TO DATE OF DEATH.</p>	PRINCIPAL.	INTEREST.	TOTAL.
<p>nil</p>			

5. SECURITIES FOR MONEY, BONDS, STOCKS, AND SHARES.

(State where bonds were found at date of death and whether shares in bearer form, and where stocks and shares are transferable if not in bearer form.)

PRINCIPAL.

INTEREST.

TOTAL.

nil

6. PROPERTY OR INCOME TRANSFERRED IN CONTEMPLATION OF DEATH.			TOTAL.	
nil				
7. PROPERTY TRANSFERRED AS A DONATIO MORTIS CAUSA OR GIFT INTER VIVOS.			TOTAL.	
nil				
8. REAL PROPERTY VESTED IN DECEASED AND ANOTHER PERSON JOINTLY.			TOTAL.	
nil				
9. PERSONAL PROPERTY VESTED IN DECEASED AND ANOTHER PERSON JOINTLY.	PRINCIPAL.	INTEREST.	TOTAL.	
nil				
10. PROPERTY PASSING UNDER SETTLEMENT WHEREBY DECEASED RESERVED RIGHT TO RECLAIM OR TO RESETTLE, OR OVER WHICH DECEASED HAD POWER OF APPOINTMENT.			TOTAL.	
nil				
11. BENEFICIAL INTERESTS FROM ANNUITIES PROVIDED BY DECEASED.			TOTAL.	
nil				

12. OTHER PROPERTY.

TOTAL.

Household goods and furniture	nil
Pictures, plate and jewellery	nil
Farming implements	nil
Horses	nil
Horned cattle	nil
Sheep, swine, and other domestic animals and birds	nil
Farm produce of all kinds	nil
Stock-in-trade, including good-will of business	nil
Other personal property not before mentioned	nil

SUMMARY OF FOREGOING NUMBERED ITEMS.

(State values of parts within and without British Columbia.)

WITHIN
BRITISH
COLUMBIA.WITHOUT
BRITISH
COLUMBIA.

TOTAL.

Item 1	1140.00		1140.00
Item 2			
Item 3			
Item 4			
Item 5			
Item 6			
Item 7			
Item 8			
Item 9			
Item 10			
Item 11			
Item 12			
TOTALS	1140.00		1140.00

DETAILS OF DEBTS AND LIABILITIES FOR WHICH ALLOWANCE MAY BE
MADE UNDER SECTION 3 OF "SUCCESSION DUTY ACT."

Nil

This is inventory "X" referred to in the Affidavit of Value and Relationship

of Tokio MorikawaSWORN to at Vancouver, B.C. on the 15th day of April, 1942.

LIBRARY OF THE U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

THE
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

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U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

ROY LONG
FARMISTER, SOLICITOR, NOTARY PUBLIC
SIXTH BUILDING,
MINNEAPOLIS, MINN.

