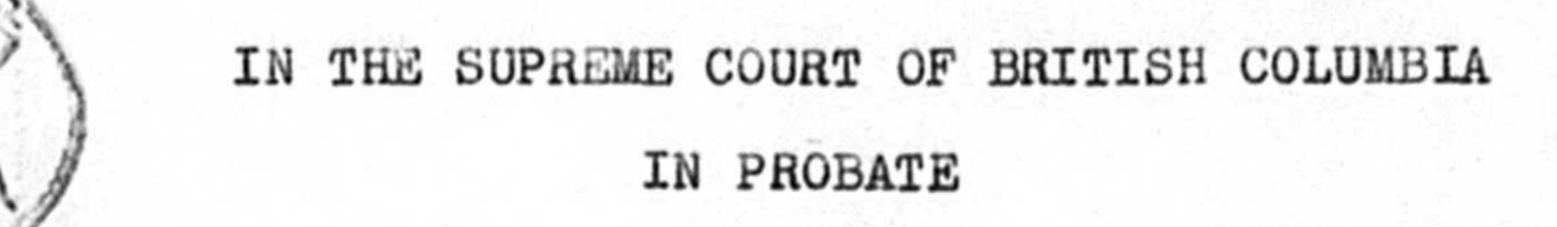


M28 1059



IN THE MATTER OF THE ESTATE OF ICHIRO NISHIMURA, DECEASED, LATE OF THE CITY OF VANCOUVER, IN THE PROVINCE OF BRITISH COLUMBIA, LABORER.

TO THE CHIEF JUSTICE, and JUDGES OF

THE SUPREME COURT OF BRITISH COLUMBIA:

THE PETITION of SAMUEL ALFRED MOORE, of 800 West Georgia Street, in the City of Vancouver, in the Province of British Columbia, Official Administrator, HUMBLY SHEWETH:

- 1. THAT ICHTRO NISHIMURA, late of 9182 Hudson Street, in the City of Vancouver, in the Province of British Columbia, Laborer, Deceased, died on the 18th day of December, 1944, at the City of Kamloops, in the Province of British Columbia.
- vived by his mother NAKA NISHIMURA, of the Town of McGillivray, in the Province of British Columbia, and his father JUJIRO NISHIMURA, of the Town of McGillivray, in the Province of British Columbia, and without leaving any will, codicil or testamentary paper whatsoever, and that your Petitioner is the Official Administrator for the County of Vancouver, in the Province of British Columbia.
- 3. THAT the deceased, at the time of his death, had no fixed place of abode within the County of Vancouver, but had personal estate in the said County at the time of his death and the Consent of the Deputy Minister of Finance has been obtained for the granting of Letters of Administration to your Petitioner in the within Estate, which Consent is dated the 3rd day of May, 1945.

YOUR PETITIONER, THEREFORE HUMBLY PRAYS that
Administration of the property of the said Deceased may be

AND YOUR PETITIONER, as in duty bound, will ever pray, etc.

DATED at Vancouver, British Columbia, this 23 d.day of May, A. D. 1945.

PETITIONER.

SUPREME COURT OF BRITISH COLUMBIA IN PROBATE

In the matter of the Estate of ICHIRO NISHIMURA, Deceased.

P E T I T I

NORRIS & Macheman,
Barristers, Solicitors,
Vancouver, B.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE OF ICHIRO NISHIMURA, DECEASED, LATE OF THE CITY OF VANCOUVER, IN THE PROVINCE OF BRITISH COLUMBIA, LABORER.

MAY 25 1945

- I, SAMUEL ALFRED MOORE, of 800 West Georgia Street, in the City of Vancouver, in the Province of British Columbia, Official Administrator for the County of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY as follows:
- 1. THAT ICHIRO NISHIMURA, late of 9182 Hudson Street, in the City of Vancouver, in the Province of British Columbia, Laborer , Deceased, died on the 18th day of December, 1944, intestate, at the City of Kamloops, in the Province of British Columbia.
- THAT the deceased, at the time of his death, had no fixed place of abode within the County of Vancouver, but had personal estate in the said County at the time of his death, and that attached hereto and marked Exhibit "A" to this my Affidavit is the Consent of the Deputy Minister of Finance which has been obtained for the granting of Letters of Administration to your Petitioner in the within Estate, which Consent is dated the 3rd day of May, 1945.
- 3. THAT no Official Administrator for any other County or part of County, in the Province of British Columbia, has been appointed to administer the within estate.
- 4. THAT I will administer according to law all the estate which by law devolves to and vests in the personal representative of the said Deceased.
- of the said estate, and render a just and true account thereof whenever required by law so to do, and the whole of the said estate amounts in value to the sum of \$3,426.36, and no more, to the best of my knowledge, information and

belief.

- to be made in all places where the said Deceased usually kept his papers of moment and concern, and in his depositories, in order to ascertain whether he had or had not
 left any Will, and that I have been unable to discover any such Will, and I make oath that I verily believe said Deceased died without having left any Will, codicil or testamentary paper whatsoever.
- 7. That Jujiro Nishimura, of the Town of McGillivray, in the Province of British Columbia, father of the Deceased, and Naka Nishimura, of the Town of McGillivray, in the said Province, mother of the Deceased, are the sole beneficiaries of the within Estate and no part of the said Estate will be distributed to any National of the German Reich or the Empire of Japan or to a citizen of the Kingdom of Italy or to any person who is a citizen of a country at war with the Dominion of Canada.

SWORN before me at the City of Vancouver, in the Province of British Columbia, this 23x4. day of May, A. D. 1945.

A Commissioner for taking Affidavits within British Columbia.

Paul au ove



File #85.07

3rd May, 1945.

"Court Rules of Practice Act"
Estate of Ichiro Nishimura, deceased.

Pursuant to the "Court Rules of Practice Act," and the rules made thereunder, consent is hereby given to the granting of Letters of Administration to the Official Administrator for the County of Vancouver, in respect of the Estate of Ichiro Nishimura, deceased.

Deputy Minister of Finance.

HNW:AF

This is Exhibit "A" referred to in the Affidavit of SAMUEL ALRRED MOORE, sworn before me this A3rd day of May, A.D. 1945,

A Commissioner for taking Affidavits within British Columbia. SUPREME COURT OF BRITISH COLUMBIA IN PROBATE

IN THE MATTER OF THE ESTATE OF ICHIRO NISHIMURA DECEASED, LATE OF THE CITY OF VANCOUVER, IN THE PROVINCE OF BRITISH COLUMBIA.

AFFIDAVIT

MESSRS. NORRIS & MacLENNAN, Barristers, Solicitors, Vancouver, B.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA IN PROBATE

OF THE MATTER OF THE ESTATE OF ICHIRO NISHIMURA, DECEASED, LATE OF THE CITY OF VANCOUVER, IN THE PROVINCE OF BRITISH COLUMBIA, LABORER.

day of July, A. D. 1945, at the hour of 10.30 o'clock in the force noon, at my office at the Court House, in the City of Vancouver, in the Province of British Columbia, as the time and place for the taxation of the within Bill of Costs.

DATED at the City of Vancouver, British Columbia, this 30 day of July, A. D. 1945.

DISTRICT REGISTRAR.

19

TAKE NOTICE of the above appointment.

SOLUCITORS for Samuel Alfred Moore, Administrator of the Estate of ICHIRO NISHIMURA, Deceased.

TO: S. A. Moore, Esq.,
Official Administrator.

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN PROBATE

IN THE MATTER OF THE ESTATE OF ICHIRO NISHIMURA, DECEASED, LATE OF THE CITY OF VANCOUVER, IN THE PROVINCE OF BRITISH COLUMBIA, LABORER.

BILL OF COSTS PRESENTED FOR TAXATION BY NORRIS & MacLENNAN, SOLICITORS FOR SAMUEL ALFRED MOORE, Administrator of the Estate of ICHIRO NISHIMURA, Deceased.

		Fees	Disbursements
1944			
Dec. 29	Conference with Mr. Jujiro Nishim and Mrs. Naka Nishimura receiving particulars and advising.	ura \$5.00	
. 0-0	Attending telephoneSgt. Barnes of R.C.M.P. regarding Commission-er at McGillivray Falls, or vicinity.	1.00	
	Letter to Custodian requesting advice as to assets in his hands.	1.00	
	Letter to Royal Bank of Canada, Kamloops, requesting particulars of deceased's account with them.	1.00	
(.00	Letter to Neil Evans, Shalath, B.C., regarding Commissioner or Notary Public at Shalath.	1.00	
1.00	Letter to R.C.M.P. at Lillooet, B.C., re same.	1.00	
Jan. 5	Upon receipt of letter from Mr. Nishimura enclosing Bank pass-book, as requested, attending peruse.	1.00	
8	Letter from Neal Evans Transportation Co. Ltd.		
17	Letter from B. C. Police.		
	Attending telephone Mr. Wright of Custodian's office when he arranged to call re our letter of the 29th ultimo.	1.00	/
	Attending Mr. Wright on telephone again obtaining further infor-mation required.	1.00	
	Upon perusing letter from Custodian with copy of memorandum relative to assets, attending consider.	2.50	

Carried forward:

\$15.50

1945	Brought forward: \$1	5.50
(0 0 Jan. 17	Letter to Neal Evans Transporta- tion Co. Ltd.	1.00
	Long letter to Mr. Nishimura advising.	2.50 -
18	Special letter to Official Admini- strator advising.	2.50 /
25	Perusing letter from Mr. Ohashi on behalf of Mr. Nishimura.	
	Attending engross copy of Mr. Ohashi's letter to us.	1.00
	Letter to Mr. Nishimura advising and enclosing copy of Mr. Ohashi's letter.	1.00
	Long letter to Mr. Ohashi in reply to his letter of the 22nd instant.	2.50
31	Attending Official Administrator on telephone advising and receiving instructions.	1.00 🗸
Feb. 1	Perusing letter from Mr. Nishimura.	
20	Attending Official Administrator on telephone requesting further instructions.	1.00 '
Warch 12	Letter to Official Administrator requesting reply to our letter of the 18th of January.	1.00 /
17	Upon receipt of letter from Mr. Ohashi, letter to him advising.	1.00
20	Attending Official Administrator on telephone for further instructions.	1.00
, 0 April 10	Letter to Official Administrator.	1.00
5.0	Attending deliver letter to Official Administrator.	1.00
26	Further letter to Official Administrator.	1.00
27	Attending Official Administrator on telephone when he advised instructions would be forthcoming shortly.	1.00
May 13	Upon perusing letter from Mr. Ohashi letter to him advising.	1.00
	Attending Official Administrator on telephone when advised instructions available at his office.	1.00
	4 Attending Official Administrator obtaining instructions.	1.00
6.00	Carried forward: \$	38.00

<u>1945</u>		Brought forward: \$ 3	38.00	
May		Letter to Official Administrator enclosing Bank book.	1.00	
to	15 22	Instructions from Official Administra- tor to proceed with grant of Letters of Administration.	5.00 /	
		Instructions for Affidavit of Value and Relationship. Drawing Affidavit of Value and Relationship. 2 copies for filing 1 copy for Official Administrator 1 copy to keep	1.50 / 3.60 / 1.80 / 1.80	
مما		Preparing exhibits	1.00 /	
1.00		Drawing Inventory X 2 copies for filing 1 copy for Official Administrator & pd. 1 copy to keep	3.60 3.60 1.80 1.80	.10
		Drawing Inventory Y 2 copies for filing 1 copy for Official Administrator 1 copy to keep	.30 /	
		Drawing Dominion Succession Duty retur	ns 5.40 /	
		2 copies for Succession Duties Branch 1 copy for Official Administrator 1 copy to keep		
		Instructions for Petition Drawing Petition Copy for Official Administrator Copy to file Copy to keep	3.60	
		Instructions for Affidavit in support of Petition Drawing Affidavit in support of Petition Copy for Official Administrator Copy to file Copy to keep	1.50 /	
5.0	0	Counsel fee revising Petition and Affidavits		\$ 15.00
		Drawing praecipe for setting down application. Copy to keep.	.30 <	
May	22	Attending Custodian's office on tele- phone obtaining further information required.	1.00 /	
	23	Letter to Official Administrator encl sing documents for his approval and signature.	1.00	
1	70			A 7 C TO
4.		Carried forward:	98.90	\$ 15.10

	BERTHAN TO THE THE STATE OF TH		
1945	Brought forward:	\$98.90	\$15.10
	Attending Official Administrator on telephone when he advised documents now executed.	1.00	
	Letter to Inspector of Succession Duties enclosing forms S.D. 1 and S.D. 14 herein.	1.00	
	Attending Official Administrator obtaining documents for deposit with Registrar.	1.00	
	Attending to deposit same with Deputy Registrar for his approval.	1.00	
	Upon ascertaining documents approved by Registrar attending Supreme Court Registrate depositing application for grant, and paid,	ry 1.50	1.40
	Counsel fee on application Supreme Court for grant of Letters of Administration when Order made.		10.00
	Attending to extract Grant,	1.50	
30	Attending Official Administrator on telephone advising.	1.00	
	Letter to Mr. Ohashi advising.	1.00	
June 14	Upon receipt of Statement of Probate and Succession Duties from Victoria letter to Official Administrator enclosing.	1.00	
	Letter to Mr. Ohashi advising.	1.00	
20	Letter from Mr. Ohashi acknowledging our letter to him.	1.00	
29	Drawing Bill of Costs, 11 folios Copy to serve Copy to keep Copy to file	2.75	
	Drawing Appointment to Tax Copy to serve, Copy to keep,	.60 .30	
	Attending to file Appointment, and paid, Attending to serve,	1.00	1.00
2.20	Orawing Allocatur, Copy to serve, Copy to keep, Paid filing Allocatur,	160 .30 .30	1.00
300		\$ 126.80	\$ 28.50
600	Disbursements	# 2 = = do	
900	Presented at Taxed off	\$ 155.30	<u>o</u>
220	ALLOWED AT	\$ 100.	
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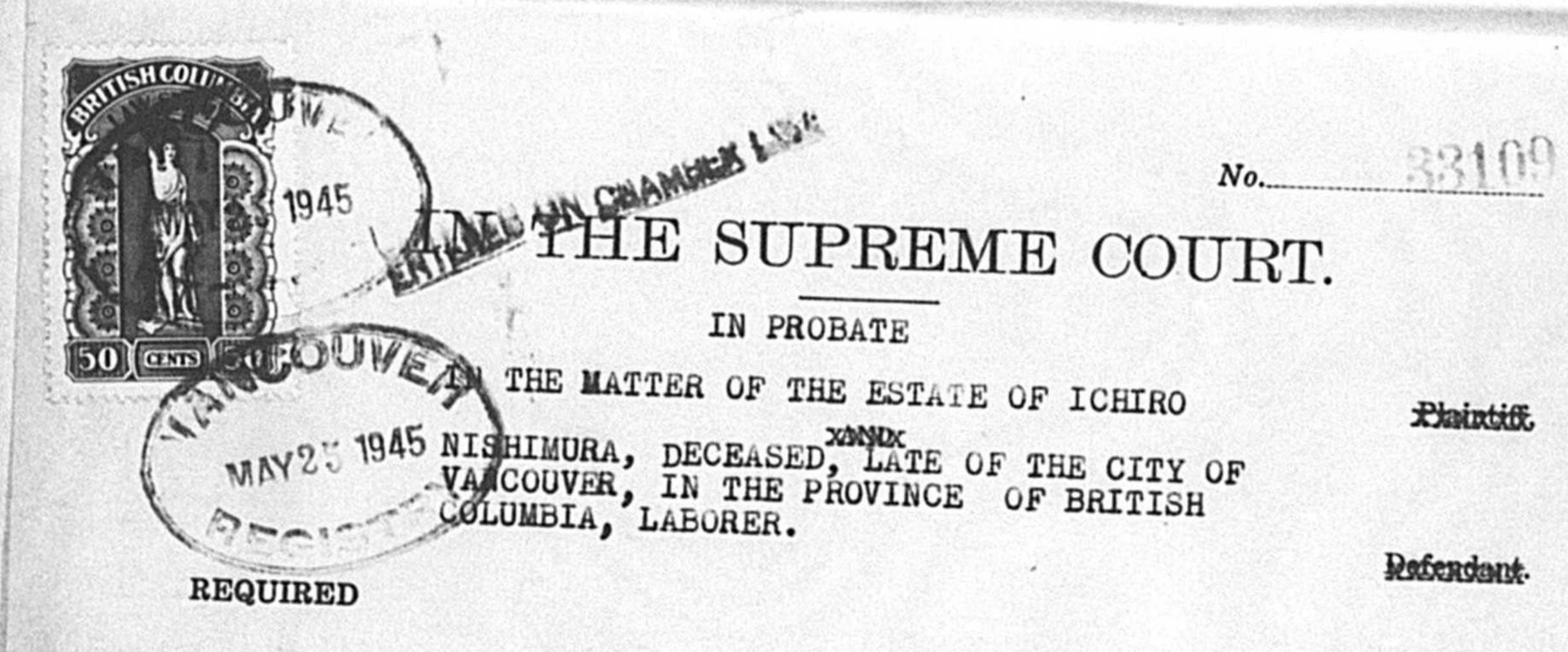
PROBATE COURT IN PRC

IN THE MATTER OF THE ESTATE (ICHIRO NISHIMURA, DECEASED, OF THE CITY OF VANCOUVER, IN PROVINCE OF BRITISH COLUMBIA, LABORER.

OF BILL APPOINTMENT and COSTS

Official 9

ters, Solicitors, NORRIS & Ma Barristers, Vancouver, I



APPLICATION OF GRANT OF LETTERS OF ADMINISTRATION
ON 2877 THE DAY OF MAY, A. D.
1945.

Dated this

day of May

. 19 45

NORRIS & MacLENNAN * 15M (100)-243-3135 (2) Solicitor for the Estate of ICHIRO NISHIMURA, Deceased.

SCHEDULE A.

Officianit of Value an

Affidavit of Value and Relationship

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

MAY 2 5 1945

"Succession Duty Act" British Columbia

(Sections 12, 13, 31, 32)

In the

SUPREME COURT OF BRITISH COLUMBIA

IN PROBATE

In the Matter of the Estate of

ICHIRO NISHIMURA

, deceased.

J, SAMUEL ALFRED MOORE, of 800 West Georgia Street, in the City of Vancouver, in the Province of British Columbia, Official Administrator,

, make oath and say:-

That I am the applicant for letters of Administration to the estate of ICHIRO NISHIMURA , who died on or about the 18th day of December, , 1944, domiciled in British Columbia.

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 ICHIRO NISHIMURA, deceased, 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 ICHIRO NISHIMURA, deceased, was possessed of, or entitled to, at the time of h is 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 herewith exhibited, marked "X," a full, true, and particular account of all the real and personal estate of the said , or of which the ICHIRO NISHIMURA ICHIRO NISHIMURA was possessed, or to which he said death, and of all other property, income, and interests required by was entitled at the time of his 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 \$3,426.36.

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.

NISHIMURA

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 ICHIRO

NISHIMURA 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 ICHIRO

NISHIMURA 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 h is death, or made, or intended to take effect in possession or enjoyment after his 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 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 h im 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 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 h is 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 him self the right by the exercise of any power to restore to him 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 h im 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

this Azrday of May, 1945) Parce account

A Commissioner for taking affidavits within British Columbia.

Dated May 194

An the Matter of the Estate of

ICHIRO NISHIMURA

DECEASED

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F VALUE AND RELATIONSH

Murphy & Chapman Ltd., Law Printers and Stationers

MESSRS. NORRIS & MacLENNAN, Barristers, Bolicitors, Vancouver, B.C. INVENTORY X.

"SUCCESSION DUTY ACT" (BRITISH COLUMBIA)

	/C: full :	value of property, set	REAL ESTATE tting out encumbrances (if any)	in detail sepa	rately)			TOTA	AL
1.	(Give full	value of property, se							
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CASH AND GROSS AMOUNT OF LIFE INSURANCE	DDINGIDAL	I I I I I I I I I I I I I I I I I I I	TOTAL
Including Insurance Moneys payable to a named Beneficiary	PRINCIPAL	INTEREST	TOTAL
Davingo Account no no no	1015 77		1015 77
Policy No.383322783 of the Prudential Insurance Company of America, payable to named beneficiary Jujiro Nishimura, father, in the sum of \$500.00 together with additional accident benefit, making the total sum paid to the father \$1015.81.			2410 59
(Dischool for ducession Duty purposes Josep.)			
4. BOOK DEBTS AND PROMISSORY NOTES, ETC. Including Interest to date of death	PRINCIPAL	INTEREST	TOTAL
NIL.			NIL
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
N I L			NIL

6.	PROPERTY OR INCOME TRANSFERRED IN CON OF DEATH	NTEMPLATION		TOTAL			
	NIL						
7.	PROPERTY TRANSFERRED AS A DONATIO MORTIS CAUSA OR GIFT INTER VIVOS						
	NIL			N	L		
8.	REAL PROPERTY VESTED IN DECEASE ANOTHER PERSON JOINTLY	ED AND		TOTAL			
	N I L			NI	L		
9.	PERSONAL PROPERTY VESTED IN DECEASED AND ANOTHER PERSON JOINTLY	PRINCIPAL	INTEREST	TOTAL			
	N I L			NI	L		
10.	PROPERTY PASSING UNDER SETTLEM whereby deceased reserved right to reclaim or to resettl deceased had power of appointment	MENT le, or over which		TOTAL			
	NIL			NI	L		
11.	BENEFICIAL INTEREST FROM ANNUITIES PROVIDE	ED BY DECEASED		TOTAL			
	NIL			N :	L		

The first of the second of the

Household goods and furniture			
Pictures, plate and jewellery			
Farming implements			N T T
HorsesNIL			NIL
Horned cattle			
Sheep, swine and other domestic animals and birds			
Farm produce of all kinds			
Stock in trade, including good-will of business.			
Other personal property not before mentioned			
SUMMARY OF FOREGOING NUMBERED ITEMS	WITHIN BRITISH COLUMBIA	WITHOUT BRITISH COLUMBIA	TOTAL
(State values of parts within and without British Columbia)	COLONIDA		
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TOTALS	3426 36		3426 3
DETAILS OF DEBTS AND LIABILITIES FOR WHICH ALLOWANG			
JUJIRO NISHIMURA - paid funeral expen	nses		145
	그림, 아이는 아이를 하는데 없다면 하다.		
		1	The state of the s

A Commissioner for taking affidavits within British Columbia.

INVENTORY Y.

"SUCCESSION DUTY ACT" (BRITISH COLUMBIA)

In the

SUPREME COURT OF BRITISH COLUMBIA: IN PROBATE

In the matter of the Estate of ______ ICHIRO NISHIMURA,

deceased,

N.B. RELATIONSHIP BY MARRIAGE ONLY, MUST BE SO STATED

NAME	RELATIONSHIP	PLACE OF DOMICILE	PLACE OF RESIDENCE AND ADDRESS	Date of Birth of Life Tenants and Annuitants	PROPERTY PASSING	VALUE
UJIRO NISHIMURA	father	British Columbia.	McGillivray, B.C.		1/2	
NAKA NISHIMURA	mother	British Columbia	McGillivray, B. C.		1/2	

This is Inventory "Y" referred to in affidavit of Value and Relationship of SAMUEL Al	Draed Moone,
of 800 West Georgia Street, in the City of Vancouver, Britis	
SWORN to at Vancouver, B.C. on the 23/24, day of May	, 19.45

A Commissioner for taking Affidavits within British Columbia.