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GR-2202

BRITISH COLUMBIA. SUPREME COURT (Vancouver).
Probate files, 1941 - 1947.
P - 28116 to P - 36499.



IN THE SUPREME COURT OF BRITISH COLUMBIA
IN PROBATE

IN THE MATTER OF THE ESTATE OF
MATSUSHIRO AKAZAWA, DECEASED.

TO THE HONOURABLE THE CHIEF JUSTICE OR ONE OF THE PUISNE
JUDGES OF THE SUPREME COURT OF BRITISH COLUMBIA

THE PETITION of SASHIKO AKAZAWA of Tashme in
Province of British Columbia HUMBLY SHEWETH:

1. THAT Matsushiro Akazawa, the above named deceased died on or about the 1st day of May, 1945 at Tashme in the Province of British Columbia.
2. THAT your Petitioner is the Executor named in the last Will and Testament of the said deceased, which Will was made and executed on the 12th day of March, 1945.
3. THAT the value of the whole property of the said deceased, which he was in any way possessed or or entitled to at the time of his death is \$ 988.98 consisting of personal estate only, full particulars whereof are set out herewith and duly verified upon oath.
4. THAT the total amount of debts of the said deceased is \$ 160.00 full particulars whereof are set out herewith and duly verified upon oath.
5. THAT there is no application for Probate or Letters of Administration in connection with this estate pending in any court in this Province of elsewhere save this application.
6. THAT the Custodian of Japanese property, through his Counsel, has consented to the appointment of your Petitioner as the Executrix of this Estate.

7. THAT the Minister of Finance for the Province of British Columbia, through his Deputy, has granted the licence of the Crown that Letters Probate maybe granted to your Petitioner.

8. THAT your Petitioner will well and faithfully administer the Estate of the said deceased by paying his just debts and distributing the residue of his Estate according to law and will render a true and just account thereof whenever required by law so to do.

WHEREFORE YOUR PETITIONER HUMBLY PRAYS that Probate of this Estate be granted and committed to her by this Honourable Court.

AND YOUR PETITIONER AS IN DUTY BOUND WILL EVER PRAY ETC.

DATED at Vancouver, B. C. this 23rd day of June, A.D. 1945.

S. Akazawa
PETITIONER

It is not intended to serve this Petition upon any person.

✓ This is the Exhibit marked "B"
referred to in the affidavit of Asahiko Akazawa
sworn this 25 day of June
A. D. 1945, before me.
Walter Hanley
A Commissioner, etc.

A Commissioner for taking Affidavits
within the Province of British Columbia

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN PROBATE



IN THE MATTER OF THE ESTATE OF
MATSUSHIRO AKAZAWA, DECEASED,

I, SASHIKO AKAZAWA of Tashme in the Province of
British Columbia, MAKE OATH AND SAY:

JUL 6 1945

1. THAT now produced and shown to me and marked Exhibit "A" to this my affidavit and identified by my signature is the last Will and Testament of Matsushiro Akazawa, deceased, which said Will is dated the 12th day of March, 1945, and which I verily believe from my personal knowledge of the affairs of the deceased, and after careful search among his papers and depositories is the last testamentary disposition made by the said Matsushiro Akazawa.
2. THAT your Petitioner is the daughter of the said deceased and the executrix named in the said Will.
3. THAT now produced and shown to me and marked Exhibit "B" to this my affidavit is the Petition of myself to this Honourable Court praying for Letters Probate of the said Will, which Petition is dated the 23rd day of June, A. D. 1945.
4. THAT now produced and shown to me and marked Exhibit "C" to this my affidavit is the Consent of the Custodian of Japanese property to my appointment as Executrix of the said Estate dated the 4th day of June, 1945.
5. THAT now produced and shown to me and marked Exhibit "D" to this my affidavit is the Consent of the Minister of Finance to my appointment as Executrix dated the 7th day of June, 1945.

6. THAT the facts set out in the said Petition are true to the best of my knowledge.

7. THAT I will well and faithfully administer the Estate of the said deceased by paying his just debts and distributing the assets of his Estate according to law and will render a full and true account thereof whenever required by law so to do.

8. THAT the said deceased was a National of the Empire of Japan.

9. THAT no portion of the assets shall be distributed or paid during the War to any beneficiary or creditor who is a national of the German Reich or Italy wherever resident or to any one on his behalf or to or on behalf of any person resident in the German Reich or Italy of whatever nationality and also to the subjects or citizens of any country at War with His Majesty.

SWORN before me at the
25 of June
in the Province of British
Columbia this _____ day of
June, A. D. 1945.

Attest: J. Vanhure.

Sashiko
+ *S. Akagawa*

✓ *Walter H. H. H.*
A Commissioner for taking affi-
davits within British Columbia.

A notary Public in and for the
Province of British Columbia
A Commissioner for taking Affidavits
within the Province of British Columbia

S.C. of B.C.
IN PROBATE

33302

IN THE MATTER OF THE
ESTATE OF MATSUSHIRO
AKAZAWA, DECEASED

PETITION AND AFFIDAVIT

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Ewen
O 6:7:45.

CAMPBELL, BRAZIER, FISHER &
McMASTER
Barristers and Solicitors
1408 Royal Bank Building
VANCOUVER, B.C.





OFFICE OF THE DEPUTY MINISTER
VICTORIA, B. C.

File #85.07

7th June, 1945.

"Court Rules of Practice Act"
Estate of Matsushiro Akazawa, deceased.

Pursuant to the "Court Rules of Practice Act," and the rules made thereunder, consent is hereby given to the granting of Letters Probate to Sashiko Akazawa as Executrix of the Estate of Matsushiro Akazawa, deceased.

Deputy Minister of Finance.

HNW:AF

This is the Exhibit marked "D"
referred to in the affidavit of Sashiko Akazawa
sworn this 25 day of June
A. D. 1945, before me.

A Commissioner, Etc.

A Commissioner for taking Affidavits
within the Province of British Columbia

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE

PLEASE REFER
TO
FILE NO. 9627 & 1468
Evacuee Section

509 Royal Bank Bldg.,
Vancouver, B. C.
June 4th, 1945

Messrs. Campbell, Brazier & Fisher,
Barristers and Solicitors,
675 West Hastings Street,
Vancouver, B. C.

Attention: Mr. McMaster

Re: Estate of Matsushiro Akazawa

Dear Sirs:

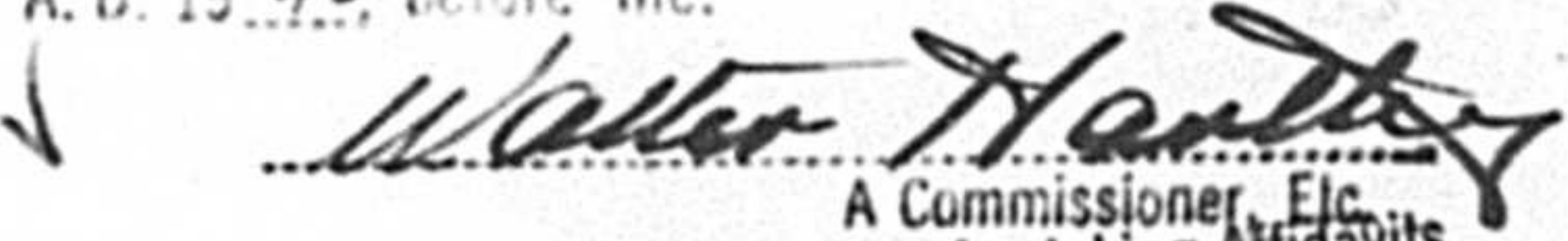
We have for acknowledgment your communication of the 2nd instant, with enclosure as stated, and wish to advise that in view of the assets in the hands of the Custodian having been liquidated, we have no objection to the appointment of Sashiko Akazawa as Executrix of the Will of the above named deceased.

Yours truly,


K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

This is the Exhibit marked "C"
referred to in the affidavit of *Sashiko Akazawa*
sworn this 25 day of June
A. D. 19 45 before me.


A Commissioner, Etc.
A Commissioner for taking Affidavits
within the Province of British Columbia

ENTERED ON CHAMBER LINE
IN THE SUPREME COURT.
In Probate

No. 33302

In the matter AND of the
Estate of Matsushiro Akazawa, Dec'd

Plaintiff,

Defendant.



Application for Letters Probate
6 -

Dated this

30th

day of

June

, 19 *45*

Solicitor for

R. J. MacMaster
Petitioner



FIDAVIT 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.)

SUPREME COURT OF BRITISH COLUMBIA

In the Matter of the Estate of MATSUSHIRO AKAZAWA, deceased.

JUL 6 1945 SASHIKO AKAZAWA of Tashme in the Province of British Columbia

, make oath and say:—

That I am the applicant for letters Probate to the estate
of Matsushiro Akazawa, who died on or about
the 1st day of May, 1945, 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 probate be granted to the estate of the
said Matsushiro Akazawa 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 Matsushiro Akazawa 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 Matsushiro Akazawa, or of which the
said Matsushiro Akazawa 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 \$ 988.98.

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 Matsushiro Akazawa was not, to the best of my knowledge, information, and belief, at the time of his 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 Matsushiro Akazawa 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 Matsushiro Akazawa was not, to the best of my knowledge, information, and belief, at the time of his death seized 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 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 his 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 his 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 him 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 his 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 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 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 the City of
Vancouver
in the Province of British Columbia
this 25 day of June, 19 45.

Sashiko
S. Akazawa

Walter Hentley

A Commissioner, etc.

A Commissioner for taking Affidavits
within the Province of British Columbia

a Notary Public in & for
the Province of British Columbia

23302

INVENTORY X.

"Succession Duty Act" (British Columbia)

In the SUPREME COURT OF BRITISH COLUMBIA

In the Matter of the Estate of MATSUSHIRO AKAZAWA, Deceased.

1. REAL ESTATE.

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

TOTAL.

N I L

2. CASH AND GROSS AMOUNT OF LIFE INSURANCE INCLUDING INSURANCE MONIES 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.)

TOTAL PRINCIPAL INTEREST

3. BILLS, DEBTS AND LIABILITIES INCLUDING INTEREST TO DATE OF DEATH.

TOTAL PRINCIPAL INTEREST

303 08

303 08

2. MONEYS SECURED BY MORTGAGE OR AGREEMENT OF SALE.

PRINCIPAL. INTEREST.

TOTAL.

N I L

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.)

PRINCIPAL. INTEREST.

TOTAL.

N I L

4. BOOK DEBTS AND PROMISSORY NOTES, ETC., INCLUDING INTEREST TO DATE OF DEATH.

PRINCIPAL. INTEREST.

TOTAL.

Cash in hands of the Custodian of Japanese Property

988.98

988 98

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.

N I L

TOTAL

TOTAL

TOTAL

TOTAL

12. OTHER PROPERTY.				TOTAL.	
Household goods and furniture					
Pictures, plate and jewellery					
Farming implements					
Horses				N I L	
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. (State values of parts within and without British Columbia.)				WITHIN BRITISH COLUMBIA.	WITHOUT BRITISH COLUMBIA.
Item 1					
Item 2					
Item 3					
Item 4				988 98	988 98
Item 5					
Item 6					
Item 7					
Item 8					
Item 9					
Item 10					
Item 11					
Item 12					
TOTALS				988 98	988 98
DETAILS OF DEBTS AND LIABILITIES FOR WHICH ALLOWANCE MAY BE MADE UNDER SECTION 3 OF "SUCCESSION DUTY ACT."					
N. Miyahara, C/O Custodian of Japanese Property, Vancouver, B.C.				100.00	100 00
Komure Bros. C/O Custodian of Japanese Property, Vancouver, B.C.				60 00	60 00
					160 00

This is inventory "X" referred to in the Affidavit of Value and Relationship
of SASHIKO AKAZAWA
SWORN to at Vancouver, B.C. on the 25 day of June, 19 45

★ 5M-844-2502

Walter Hendry
A Commissioner for taking Affidavits
within the Province of British Columbia

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN PROBATE



IN THE MATTER OF THE ESTATE OF
MATSUSHIRO AKAZAWA, DECEASED.

I, SASHIKO AKAZAWA, of Tashme in the Province
of British Columbia, MAKE OATH AND SAY:

1. THAT I am the Executrix named in the last Will
and Testament of the above-named deceased.
2. THAT on the 28th day of June, 1945, my solicitor
filed on my behalf an application for Grant of Letters
Probate together with an affidavit of Value and Relation-
ship.
3. THAT at the time of swearing the said affidavit
of Value and Relationship I declared all of the assets of
the deceased of which I had knowledge.
4. THAT since that time I have found that in
addition to the asset set forward in the affidavit of
Value and Relationship the deceased possessed eight War
Savings Certificates in the following denominations and
numbers, registered in his name, and being of the values
set forth hereinafter, that is to say:-

<u>Dates</u>	<u>Numbers</u>	<u>Face Value</u>	<u>Present Value</u>
Mar. 15, 1941	A3118346	\$5.00	4.31
Apr 15, 1941	A3587690	5.00	4.31
May 15, 1941	A272774	5.00	4.25
June 15, 1941	A653475	5.00	4.25
July 15, 1941	A5420572	5.00	4.25
Sept. 15, 1941	A6249578	5.00	4.25
Nov. 15, 1941	A7084657	5.00	4.20
Mar. 15, 1941	A9207451	5.00	4.20

5. THAT I verily believe that the assets set forth

in the affidavit of Value and Relationship and in this affidavit are all of the assets of which the deceased was possessed at the date of his death.

SWORN before me at
Tashme in the
Province of British Columbia
this 4 day of July
A.D. 1945.

Sachiko Akazawa

Walter Hantley
A Notary Public in and for the
Province of British Columbia.

A Commissioner for taking Affidavits
within the Province of British Columbia

33302
S.C. of B.C.

IN THE MATTER OF THE
ESTATE OF MATSUSHIRA
AKAZAWA, DECEASED

SUPPLEMENTARY AFFIDAVIT

CAMPBELL, BRAZIER, FISHER &
McMASTER
Barristers and Solicitors
1408 Royal Bank Building
VANCOUVER, B.C.

THIS IS THE LAST WILL AND TESTAMENT of me
MATSUSHIRO AKAZAWA, presently of Tashme in the Province
of British Columbia.

I HEREBY REVOKE all former Wills and other
Testamentary dispositions by me at any time heretofore
made and declare this only to be and to contain my last
Will and Testament.

I DIRECT my Executrix to pay all my just
debts, Funeral and testamentary expenses as soon after
my decease as is conveniently possible.

I HEREBY APPOINT my daughter, SASHIKO AKAZAWA
presently of Tashme, British Columbia, to be the sole
Executrix of this my Will.

IN AS MUCH as my said daughter Sashiko
Akazawa has lived with me and taken care of me in my
illness, I GIVE, DEVISE AND BEQUEATH unto my said daughter
Sashiko Akazawa all of my estate both real and personal
of whatsoever nature and kind and wheresoever situate to
hold unto her, her heirs, executors and administrators
for her sole and only use and benefit absolutely and
forever.

IN THE EVENT of my said daughter predeceasing
me or dying within fifteen days of the date of my death, I
hereby appoint my son HISAO AKAZAWA, presently of Tashme,
British Columbia, to be the Executor of this my Will,
PROVIDED however that if my said son has not attained the
age of twenty-one years at the date of my death, then my
son TAKEO AKAZAWA shall be the sole Executor of this my
Will and the guardian of my infant child Hisao Akazawa.

IN THE EVENT of my said daughter predeceasing
me or dying within fifteen days of my death I GIVE, DEVISE



This is the document referred to as Exhibit "A" in the affidavit of Florence F. Taylor sworn before me at Vancouver, B.C. this 12th day of March, A.D. 1945

- 2 -

R. J. McMASTER

A Commissioner, etc.

AND BEQUEATH unto my said son Hisao Akazawa all of my estate both real and personal of whatsoever nature and kind and wheresoever situate to hold unto him, his heirs, executors and administrators for his sole and only use and benefit absolutely and forever; PROVIDED however that if at the date that this provision of my will comes into effect, if at all, my said son Hisao Akazawa has not attained the age of twenty-one years I GIVE, DEVISE AND BEQUEATH the whole of my said Estate unto Takeo Akazawa, IN TRUST, for the following purposes, that is to say: to stand possessed of my said estate for the maintenance and benefit of my said son Hisao Akazawa and to use the income and corpus of the said estate for his maintenance and benefit, and upon my said son Hisao Akazawa attaining the age of twenty-one years to pay over to him the balance of my said estate.

IN WITNESS WHEREOF I have hereunto set my hand at the City of Vancouver in the Province of British Columbia this 12th day of March, A. D. 1945.

SIGNED, PUBLISHED AND DECLARED by
MATSUSHIRO AKAZAWA, the Testator here-
in as and for his last Will and Test-
ament, having first been truly in-
terpreted and read to him in the
Japanese language by Florence
Taylor and he appearing to
fully understand the same, and both of
us understanding the said Japanese
language, in the presence of us both
present at the same time who, at his
request, in his presence and in the
presence of each other, have hereunto
subscribed our names as witnesses:

M. AKAZAWA

MARGARET CODD

Florence F. Taylor

427 Powell St.
Vancouver, B.C.

Margaret Codd

430 E - Cordova St.

Margaret
Codd

This is the document referred to as Exhibit "A" in the affidavit of Margaret Codd sworn before me at Vancouver, B.C. this 12th day of March A.D. 1945

R. J. McMASTER

A Commissioner etc.



AFFIDAVIT OF INTERPRETER AND WITNESS

I, FLORENCE F. TAYLOR of 427 Powell St. in the City of Vancouver in the Province of British Columbia, married woman, MAKE OATH AND SAY:

1. THAT I am fully conversant with both the Japanese and English languages.
2. THAT now produced and shown to me and marked Exhibit "A" to this my affidavit is the last Will and Testament of Matsushiro Akazawa, signed, published and declared by him in my presence on the 12th day of March, A. D. 1945.
3. THAT immediately prior to the said Testator signing the said last Will and Testament, and in the presence of Margaret Codd, the other witness to the said last Will and Testament I fully and truly interpreted the said last Will and Testament to the said Testator from the English into the Japanese language and that he appeared to fully understand the same and that he signed the same in my presence and in the presence of the said Margaret Codd intending the said document to constitute his last Will and Testament and that he requested the said Margaret Codd and myself to sign the same as witnesses, which we did, in his presence and in the presence of each other, all being present at the same time.

SWORN before me at the City)
of Vancouver in the Province)
of British Columbia this 12th)
day of March, A. D. 1945.)

Florence F. Taylor

R. J. McMaster
A Commissioner for taking affi-
davits within British Columbia.

RJM
AFFIDAVIT OF INTERPRETER-AND WITNESS

I, MARGARET CODD of 430 East Cordova Street in
the City of Vancouver in the Province of British Columbia,
Married Woman, MAKE OATH AND SAY:

1. THAT I am fully conversant with both the Japanese and
English languages.

2. THAT now produced and shown to me and marked
Exhibit "A" to this my affidavit is the last Will and Test-
ament of Matsushiro Akazawa, signed, published and declared
on the 12th day of March, 1945.

3. THAT I am the Margaret Codd whose name appears as
a witness on the said last Will and Testament.

RJM

RJM 4. THAT I was personally present immediately prior
to the said Testator signing the said last Will and Test-
ament and did hear the-said Florence F. Taylor truly and
fully interpret the said last Will and Testament to the
said Testator from the English into the Japanese language.

5. THAT the said Matsushiro Akazawa, the Testator,
appeared to fully understand the contents of the said last
Will and Testament and signed his name thereto intending
the said document to constitute his last Will and Testament
and that he requested Florence F. Taylor and myself to
witness his signing of the same, which we did, by sub-
scribing our names thereto in his presence and in the
presence of each other, all being present at the same time.

SWORN before me at the City)
of Vancouver in the Province)
of British Columbia this 12th)
day of March, A.D.1945.)

MARGARET CODD

R. J. McMASTER
A Commissioner for taking affi-
davits within British Columbia.

22302

bill