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1221 Hirashi Asamuma re: Adoption

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1221

IN THE SUPREME COURT OF BRITISH COLUMBIA

DEC 12 1934

IN THE MATTER of the Adoption Act
and
IN THE MATTER of Miyoko Kawakami,
an Infant.

BEFORE HIS HONOUR JUDGE

JOHN D. SWANSON,

LOCAL JUDGE OF THE SUPREME
COURT OF BRITISH COLUMBIA

TUESDAY, the 11th. day of
December, A. D. 1934



UPON THE PETITION of Hiroshi Asanuma and Chikaye Asanuma, his wife, both of the District of Kelowna, in the Province of British Columbia, and UPON READING the Petition dated herein the 7th. day of November 1934, the affidavit of the said Hiroshi Asanuma and Chikaye Asanuma, verifying the same, sworn the 7th. day of November, 1934, the consent of Seitaro Kawakami and Sadae Kawakami, the parents of the above-named Infant, dated the 7th. day of November 1934, and the report of the Deputy Superintendent of Neglected Children dated the 8th. day of December 1934, all of which have been duly filed, and UPON HEARING the evidence of *Reverend Y. Yoshioaka, Japanese Congregate of Kelowna B.C.* a witness called on behalf of the said Petitioners, and UPON HEARING Mr. T. G. Norris K.C. of Counsel for the Petitioners

THIS COURT DOth ORDER AND DIRECT that the prayer of the said Petition of the said Hiroshi Asanuma and Chikaye Asanuma, his wife, for the adoption of the above-named Miyoko Kawakami, born on the 10th day of December 1925, by the said Hiroshi Asanuma and the said Chikaye Asanuma be and the same is hereby granted in accordance with the provisions of the Adoption Act, being Chapter 6 of the Revised Statutes of British Columbia 1924,

AND THIS COURT DOth FURTHER ORDER AND DIRECT that such adoption have effect from the date hereof
AND THIS COURT DOth FURTHER ORDER AND DIRECT that the said infant hereby adopted shall from the date hereof take the name of Miyoko Asanuma.

Entered this 12 day of Dec 1934
J. D. Swanson
Local Judge of the Supreme
Court of British Columbia.
District Registrar.

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SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER of the Adoption
Act and IN THE MATTER of
Miyoko Kawakami, an Infant

O R D E R

T. G. NORRIS K.C.
BARRISTER & SOLICITOR
KELOWNA B.C.

U *miryabeo* *Tawakany*

Assamman

Hisschi
Chibae

Assamman
Sakaya

S. Jaman

S. Jaman

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高谷4力土

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H Asanuma

% B. Kawakami

R.P. #1

Helowna

B.G.

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W
U
BY File No. 1221

February 21st. 1935.

H. Asanuma, Esq.,
Care Reverend Y. Yoshioka,
Box 163,
Kelowna, B. C.

Dear Sir:

re: Adoption

I shall esteem it a favour if you
will forward me a cheque in settlement of my
account which was rendered to you on the
29th December last.

Yours faithfully,

T. G. NORRIS

PER _____

WL/R

SUPREME COURT OF BRITISH COLUMBIA

REGISTER THE BABY'S BIRTH

It will enable the child, later, to prove

- Age for School purposes;
- Age for Employment purposes;
- Right to Marry;
- Right to Vote;
- Right to hold Public Office;
- Right to Inherit Property.

Delayed registrations may be submitted to the office of any of the District Registrars of Births, Deaths, and Marriages.



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

OFFICE OF REGISTRAR BIRTHS, DEATHS, AND MARRIAGES

VICTORIA, B.C.

17th January, 1935.

Mr. T.G. Norris, K.C.,
Carruthers Block,
KELOWNA, B.C.

Sir:

We are in receipt of your communication of the 12th instant enclosing Order and Particulars of the adoption of MIYOKO KAWAKAMI by Hiroshi Asanuma and Chikaye Asanuma.

We are returning the Adoption Order together with one copy of the Particulars as we already have a copy of the Order on file and we required only one copy of the Particulars in order to complete our file.

However, we appreciate you interest in the matter.

Should your client wish a copy of the birth certificate of this child showing the name of the parents by adoption and the name of the child by adoption, same may be procured from this Department upon payment of the statutory fee of Seventy-five Cents.

Yours obediently,

Deputy Registrar, B.D.& M.

CEJ/UR
Encl.



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The University of British Columbia

January 12th. 1935

The Provincial Secretary,
Parliament Buildings,
VICTORIA B.C.

Dear Sir,

Re: Adoption of Miyoeko Kawakami
by Hiroshi Asanuma and Chikayo
Asanuma

I enclose herewith form of

Particulars in duplicate together with a
copy of Order made by His Honour Judge John
D. Swanson on the 11th. day of December 1934.

December 1934.

Yours faithfully,

T. G. MORRIS,

Per: T. G. MORRIS.

Encls.

Encl.

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The University of British Columbia

January 12th. 1935

The Deputy Superintendent
of Neglected Children,
411 Dunsmuir Street,
Vancouver, B. C..

Dear Sir,

re: Adoption of Miyoko Kawakami
by Hiroshi Asanuma and Chikaye
Asanuma

I enclose herewith for your
information copy of Order made by His Honour
Judge John D. Swanson on the 11th. day of
December 1934.

Yours faithfully,

T. G. NORRIS,

Per:

Encl.

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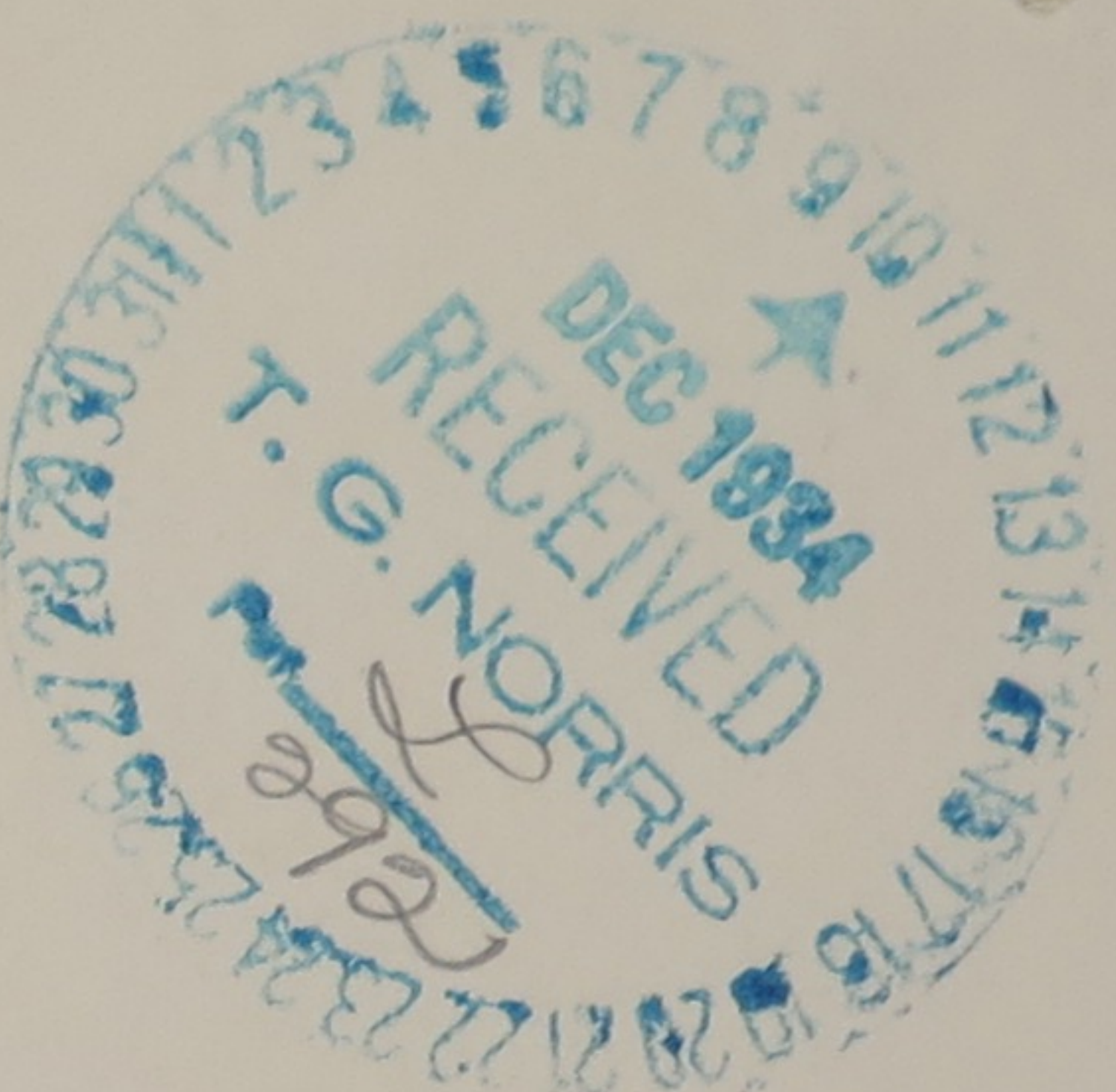


THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

SUPERINTENDENT OF WELFARE

411 DUNSMUIR STREET,
VANCOUVER, B.C.

December 8, 1934



Mr. T. G. Norris,
Barrister & Solicitor,
KELOWNA B.C.

Dear Sir: re Adoption of Miyoko Kawakami.

We have delayed writing hoping first to succeed in obtaining some information in regard to the above-named child's inheritance.

As to date, however, we have not done so, and you state the application will come before the Judge on the 11th instant I am forwarding you a report to present to the Presiding Judge in which no objection is raised to the adoption, but neither could we give the usual consent, which, theoretically at least, conveys the impression that we have satisfied ourselves that both the child and the adoption home are being recommended, whereas in this instance we know absolutely nothing about the child.

In similar cases in the past, the presiding Judge has usually proceeded with the adoption, when he has had assurance, such as a signed statement by the adopting parents if they cannot be in Court, to the effect that they understand the facts, and after giving careful consideration etc. etc. wish to proceed with the adoption.

However, the need for such a statement is not for me to decide.

Regretting the delay, I am,

Yours very truly,

L. Holland
L. Holland,
Deputy Superintendent
of Neglected Children,

LH:HK
encl.

KY File No. 1221

December 5th. 1934

The Deputy Superintendent
of Neglected Children,
411 Dunsmuir Street,
Vancouver, B. C.

Dear Sir,

re: Miyoko Kawakami, an infant

As the hearing of this petition will
come on before Judge Swenson on December 11th. I
would be glad if you would let me have a letter
by return stating that you do not oppose the
adoption.

Yours faithfully,

TGN/L.

November 16th. 1934

The Deputy Registrar of Births, Marriages & Deaths,
Parliament Buildings,
Victoria, B. C.

Dear Sir,

re: Miyoko Kawakami now known as
Miyoko Asanuma

I did not send the notification down to you that the surname of the child should be changed but simply that you might have it on record that the child was now going by another name. As you know, there is nothing to prevent a person changing his or her name at will. As your Department is a statistical department I thought that it would be advisable that there should be some record of the change on file with you. I do not think that authority under the Vital Statistics Act or any other act is required.

Yours faithfully,

TGN/L.

My File No. 1221

November 15th. 1934

The Deputy Superintendent
of Neglected Children,
411 Dunsmuir Street,
Vancouver, B. C.

Dear Sir,

Re: Miyoko Kawakami, an Infant

I enclose herewith copy of petition
for the adoption of Miyoko Kawakami by Hiroshi
Asanuma and his wife, together with copy of consent
of Seitaro Kawakami and his wife. This will be
heard before His Honour Judge Swanson on the 11th.
day of December. Will you please let me have a
letter from you stating that you do not oppose
the adoption.

Will you also kindly let me have
the necessary forms to be completed herein.

Yours faithfully,

TGN/L.
Encls.

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REGISTER THE BABY'S BIRTH

It will enable the child, later, to prove:

Agencies for School purposes;

Are for Employment purposes;

Right to Marry;

Right to Vote;

Right to hold Public Office;

Right to Inherit Property.

Delayed registrations may be submitted to the office of any of the District Registrars of Births, Deaths, and Marriages.



OFFICE OF REGISTRAR BIRTHS, DEATHS, AND MARRIAGES

VICTORIA, B.C.

November 9th, 1934.

T.G. Norris, Esq., K.C.,
Barrister & Solicitor,
Carruthers Block,
KELOWNA, B. C.

Sir:

I beg to acknowledge receipt of your letter of the 6th instant re the birth of MIYOKO KAWAKAMI, now known as ASANUMA and would inform you that upon reference to our files it would appear that in 1931 we had correspondence with our District Registrar upon this matter although we have no trace of the letter, a copy of which you forwarded. However, we did inform our District Registrar that the surname on this birth registration could only be changed if a regular adoption had been put through the Courts. He replied that at that time there was no question of the child being adopted. They wished, however, to have the child's surname altered and the registration made under the new surname, namely, ASANUMA. They were informed, however, that this could not be done.

The Attorney-General now rules that there is no authority in the "Vital Statistics Act" for changing a surname except in the case of legitimation of births and a notation of the particulars of adoption in the margin. No action with regard to this registration, therefore, has been taken.

Yours obediently,

His Son

Deputy Registrar, B.D. & M.

JTM/HW

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1221
November 6th. 1934.

Registrar of Births,
Parliament Buildings,
Victoria, B. C.

Dear Sir:

Your letter of September 15th to Mr. H. Asanuma of Kelowna has been handed to me for attention. The child, referred to in that letter as Miyo Asanuma, is the adopted child of Mr. Asanuma and was formerly known as Miyoko Kawakami. The name Miyoko is sometimes written in that way and sometimes as Miyo.

The child was registered on January 15th. 1926 as Miyoko Kawakami. In December 1931 a letter was sent to you signed by Kawakami and his wife and by Asanuma and his wife. A copy of this is now enclosed to you.

Will you please advise me at your early convenience that your records have been corrected and that the contents of the letter of December 1931 have been noted.

Yours faithfully,

TGN/R

Encl.

1221
REGISTER THE BABY'S BIRTH

FORM F.L. 12



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

It will enable the child, later, to prove
Age for School purposes;
Age for Employment purposes;
Right to Marry;
Right to Vote;
Right to hold Public Office
Right to Inherit Property.
Delayed registrations may be submitted to the office of any
of the District Registrars of Births, Deaths, and Marriages

OFFICE OF REGISTRAR BIRTHS, DEATHS, AND MARRIAGES

VICTORIA, B.C.

Sept. 15th, 1934.

Mr. H. Asanuma,
P.O. Box 163,
KELOWNA, B.C.

Sir:

A report received from the Benvonlin

School states that your child MUJO ASANUMA

was born at Kelowna, on Dec. 10, 1925

As we have been unable from these particulars to locate the registration of birth of this child, we should be glad to know whether the particulars given by the school in question are accurate in every respect.

Knowing the serious inconveniences which may result from inability to produce a Certificate of Birth when called upon to do so, we are endeavouring, so far as lies in our power, to ensure that the birth of every child born in this Province is properly registered.

In the event of the child's birth not having been registered, this office, on request, will furnish you with full particulars as to how the registration may now be effected.

In the interest of the child we ask your co-operation.

Yours obediently,

Deputy Registrar, B. D. and M.

/FW

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The University of British Columbia

RUTLAND B.C.

December 1931

Registrar of Births, Marriages & Deaths,
Parliament Buildings,
Victoria B. C.

Dear Sir,

As Miyoko Kawakami who was born at Kelowna B.C. on December 10th. 1925, the child of the undersigned Seitaro Kawakami and his wife Sadae Kusano, is now living with and being cared for by Hiroshi Asanuma of Rutland B.C. and his wife Chikae Takaya also undersigned, it is proposed to call the said child by the surname of her foster father "Asanuma" and the said child will henceforth be known as Miyoko Asanuma.

Will you please file a copy of this letter with your records for general information.

Yours truly,

December 7th. 1931.

S. Tamai, Esq.,
RUTLAND B.C.

Dear Sir, natural child would do.

re: Adoption of Miyoko Kawakami, daughter
of Seitaro Kawakami and his wife Sadae

Kusano

You have asked me a question as to the formalities to be gone through whereby the above named infant who is being cared for by Miroshi Asanuma, may change her surname to that of her foster parent. You have stated to me that the child has been adopted by Asanuma. Upon inquiry from you I find that there has been no legal adoption. There is nothing to prevent a person changing his or her surname at will so if the child wishes to call herself Miyoko Asanuma, she may do so and Asanuma and the general public can of course call her by that name as well. I enclose herewith a letter which should be sent to the Registrar of Births, Marriages and Deaths advising him of the change in name of the child so that he will have some record.

I would point out to you however that there has been no legal adoption of the child by Asanuma.

and that the failure to go through the necessary formalities leaves the child in the same position as if she were the child of Kawakami and his wife and there would still be the same obligation on Kawakami to care for her as if she had always lived with him. In addition she would not under the laws of inheritance receive any of Asanuma's property as his natural child would do. It is desirable in such cases to obtain a formal Order of the Court for the adoption. This could be made by His Honour Judge Swanson here.

If formal adoption proceedings are to be taken I would suggest that the enclosed letter be not sent for the present. If it is not proposed to take formal adoption proceedings then the enclosed letter can be sent off at once. The enclosed letter should be signed by Kawakami and his wife and by Asanuma and his wife.

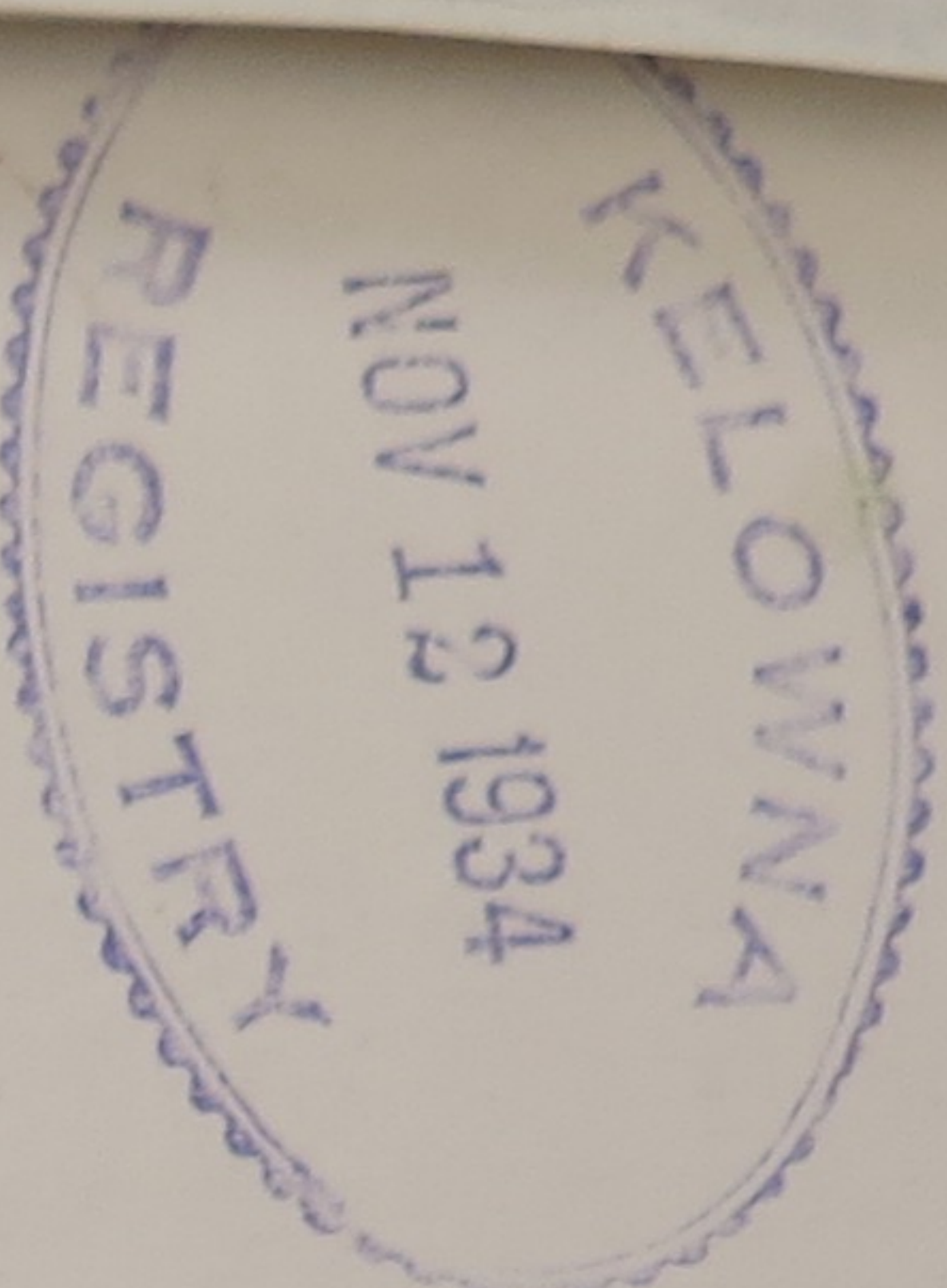
Yours faithfully,

TGN/L

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE ADOPTION ACT
and

IN THE MATTER of Miyoko Kawakami
an Infant



We, Seitaro Kawakami and Sadae Kawakami of the District of Kelowna, in the Province of British Columbia, do hereby consent to the adoption of our infant child, the above-named Miyoko Kawakami, who was born on the 10th day of December 1925, by Hiroshi Asanuma of the District of Kelowna aforesaid, and Chikae Asanuma, the wife of the said Hiroshi Asanuma.

DATED at Kelowna, British Columbia, this 7th. day of November 1934.

Witness:-

"Seitaro Kawakami"
"Sadae Kawakami"

Rev. T. Machioka
The Kelowna Japanese Mission
of the United Church of Canada
P.O. Box 163, Kelowna B.C.

SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE ADOPTION
ACT

and

IN THE MATTER of Miyoko Kawakami
an infant

CONSENT

T. G. NORRIS K.C.
BARRISTER & SOLICITOR
KELOWNA B.C.

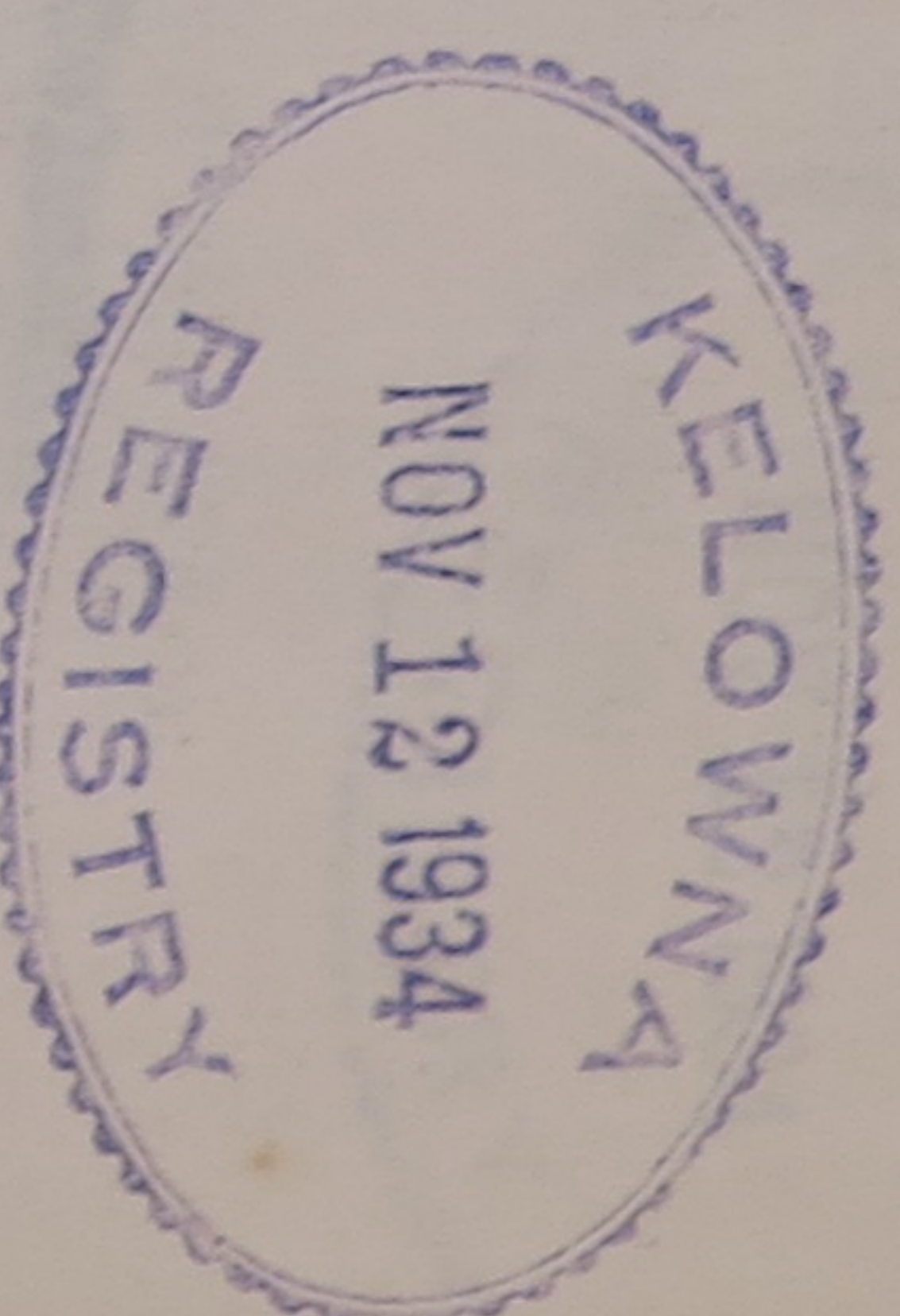
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K. 28/34

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE ADOPTION ACT
and

IN THE MATTER OF MIYOKO KAWAKAMI
an Infant.



we, HIROSHI ASANUMA and CHIKAGE ASANUMA, both of
the District of Kootenai, in the Province of British Columbia,
jointly and severally make oath and say as follows:-

1. We are the Petitioners named in the annexed
Petition.

2. All the matters and things contained and
referred to in the said Petition are true both in sub-
stance and in fact.

The said HIROSHI ASANUMA and
CHIKAGE ASANUMA were severally
sworn before me at the City of
Kootenai, in the Province of
British Columbia, this 7th. day
of November, 1934

"E. W. Cartwright"

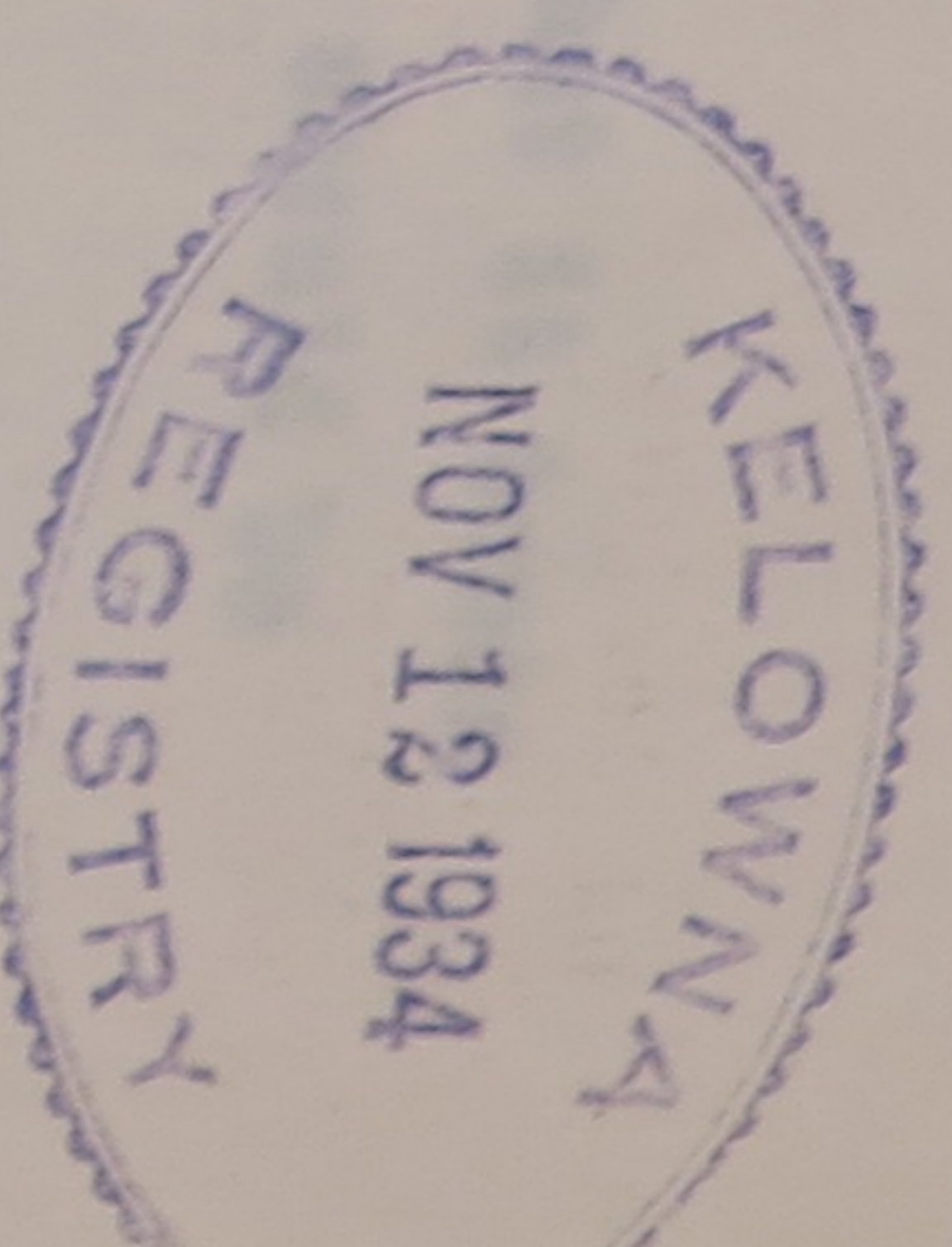
"Hiroshi Asanuma"
"Chikage Asanuma"

Justice of the Peace in and for
the Province of British Columbia

K.28/34

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE ADOPTION ACT
and
IN THE MATTER OF MIYOKO KAWAKAMI
an infant.



To the Honourable the Chief Justice of British Columbia
and other the Presiding Judge.

THE HUMBLE PETITION OF HIROSHI ASANUMA of the District
of Kelowna, in the Province of British Columbia, Farmer, and
of CHIKAGE ASANUMA formerly CHIKAGE TAKAYA, wife of the said
HIROSHI ASANUMA, humbly sheweth:-

1. That your Petitioners are desirous of adopting MIYOKO
KAWAKAMI, the infant daughter of SEITARO KAWAKAMI of the
District of Kelowna aforesaid, Farmer, and SADAE KAWAKAMI
formerly SADAE KUSANO, which infant was born on the 10th.
day of December 1933.

2. That the said SEITARO KAWAKAMI and SADAE KAWAKAMI are
domiciled in the District of Kelowna, County of Yale, British
Columbia, and are at present residing in the said District of
Kelowna.

3. That your Petitioners have cared for and maintained the
said infant MIYOKO KAWAKAMI since the year 1931 without formal
adoption. They have no children depending on them for support
and the said HIROSHI ASANUMA is a farmer in comfortable
circumstances.

4. That your said Petitioner HIROSHI ASANUMA is free from
liabilities except current liabilities.

5. That your Petitioners are able to bring up, maintain and
educate the said infant child and are desirous of adopting
the said child.

6. That the said parents of the said infant child on the
date hereof made and executed a consent to the adoption of the

said child by your petitioners.

7. That your Petitioners are of the opinion that it tends to the welfare of the said infant child that it should be adopted by your Petitioners.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY that an order may be made that the said infant **Miyoko Kawakami** be adopted by your Petitioners pursuant to the Adoption Act of British Columbia under the name of **Miyoko Asanuma**.

AND Your Petitioners, as in duty bound, will ever pray.
DATED at Kelowna, British Columbia, this 7th. day
of November 1934

Witness:

"*E. M. Carruthers*" "Kiwachi Asanuma"
Justice of the Peace in & for "Chikage Asanuma"
the Province of British Columbia

SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER of the Adoption
Act

and

IN THE MATTER of Miyoko Kawakami
an infant

P E T I T I O N

T.G. NORRIS K.C.
BARRISTER & SOLICITOR
KELOWNA B.C.

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IN THE SUPREME COURT OF BRITISH COLUMBIA
IN THE MATTER OF THE ADOPTION ACT

-and-

IN THE MATTER of MIYOKO KAWAKAMI, an
Infant.

TO THE PRESIDING JUDGE IN CHAMBERS:

REPORT OF DEPUTY SUPERINTENDENT
OF NEGLECTED CHILDREN

This Department has reason to believe from the reports received that Hiroshi Asanuma and Chikaye Asanuma could be recommended as suitable people with whom to place a child for adoption.

We understand that the child concerned has lived with the prospective adopting parents since early infancy.

We do not feel warranted, however, in giving an unqualified consent as we have no information as to the physical inheritance of the child Miyoko Kawakami.

If the adopting parents have knowledge of Miyoko's parents or are satisfied without knowledge to proceed with the adoption, we know of no other reason why this adoption should not be proceeded with.

DATED at Vancouver B.C. this 8th day of December A.D. 1934.

.....
Deputy Superintendent of Neglected Children

SUPREME COURT OF BRITISH COLUMBIA

KELOWNA
DEC 12 1934
REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA
AND BY

IN THE MATTER of the Adoption Act
and
IN THE MATTER of Miyoko Kawakami,
an infant.

BEFORE HIS HONOUR JUDGE
JOHN D. SWANSON
LOCAL JUDGE OF THE SUPREME
COURT OF BRITISH COLUMBIA

} TUESDAY, the 11th. day of
December, A.D. 1934

B.C. LAW
STAMP
60¢

UPON THE PETITION of Hiroshi Asanuma and Chikaye Asanuma, his wife, both of the District of Kelowna, in the Province of British Columbia, and UPON READING the Petition dated herein the 7th. day of November 1934, the affidavit of the said Hiroshi Asanuma and Chikaye Asanuma, verifying the same, sworn the 7th. day of November, 1934, the consent of Seitaro Kawakami and Sadae Kawakami, the parents of the above-named Infant, dated the 7th. day of November 1934, and the report of the Deputy Superintendent of Neglected Children dated the 8th. day of December 1934, all of which have been duly filed, and UPON HEARING the evidence of Reverend Japanese Clergyman of Kelowna, B. C. Y. Yoshioka, /a witness called on behalf of the said Petitioners, and UPON HEARING Mr. T. G. Norris K.C. of Counsel for the Petitioners

THIS COURT DOTH ORDER AND DIRECT that the prayer of the said Petition of the said Hiroshi Asanuma and Chikaye Asanuma, his wife, for the adoption of the above-named Miyoko Kawakami, born on the 10th day of December 1925, by the said Hiroshi Asanuma and the said Chikaye Asanuma be and the same is hereby granted in accordance with the provisions of the Adoption Act, being Chapter 6 of the Revised Statutes of British Columbia 1924,

AND THIS COURT DOTH FURTHER ORDER AND DIRECT that such adoption have effect from the date hereof

AND THIS COURT DOTH FURTHER ORDER AND DIRECT that the said infant hereby adopted shall from the date hereof take the name of Miyoko Asanuma.

"C.W.D."
D.R.

"J. D. SWANSON"

ENTERED THIS 12th DAY OF DEC. 1934.
"CHAS. W. DICKSON"
District Registrar.

Local Judge of the Supreme
Court of British Columbia

T. G. NORRIS K.C.
BARRISTER & SOLICITOR
KELOWNA B.C.

O R D E R

IN THE MATTER of the Adoption
Act and IN THE MATTER of
Miyoko Kawakami, an Infant

COURT OF BRITISH COLUMBIA



ADOPTION ACT.
KELOWNA, BRITISH COLUMBIA

Supreme Court Registry at

Date of Order of Adoption... December 11th, 1934

1. Date of birth.

2. Place of birth.

3. Date of adoption.

4. Sex of



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

ADOPTION ACT.

Supreme Court Registry at KELOWNA, BRITISH COLUMBIA

Date of Order of Adoption December 11th. 1934

| | |
|--|-------------------------------------|
| 1. Date of birth. | 10th. day of December 1925 |
| 2. Place of birth. | Kelowna, B. C. |
| 3. Date of adoption. | December 11th. 1934 |
| 4. Sex of child. | Female |
| 5. Name and surname of child. | Miyoko Kawakami |
| 6. Name and surname of child on adoption. | Miyoko Asanuma |
| 7. Name and surname of father by adoption. | Hiroshi Asanuma |
| 8. Name and maiden surname of mother by adoption. | Chikaye Takaya |
| 9. Residence and rank or profession of father by adoption. | District of Kelowna, B.C., Farmer |
| 10. When and where was birth registered? | January 15th. 1926 - Kelowna, B. C. |

Dated at Kelowna, B. C., this 20th day of December, 1934.

(Signature and address of Informant.)

Hiroshi Asanuma
Solicitor for Hiroshi Asanuma

The above particulars must be fully and correctly given and forwarded to the Provincial Secretary's Office at Victoria in duplicate, with a copy of the Order of Adoption.

500-732-209