

October 20, 1954
46 Kawazoe-cho
Nishinomiya City,
Hyogoken, Japan

Mr. Shigeru Nakata
1017 Alewa Drive
Honolulu, Hawaii

Dear Mr. Nakata:

How are you, Mr. Nakata? How is Mrs. Nakata? I hope everything has been coming along well with you. You might have probably heard from Katherine in Hawaii of my father's death last May; however, I would like to inform you formally of his death at this time since my mother and I just finished a burial ceremony for him in Hiroshima this month. Also, I would like to use this opportunity to express my sincere appreciation of your kindness given to my sister Katherine and brother Lawrence in Hawaii. As of now, I have a trading company of my own established in Osaka, Japan, which, I hope, will contribute to the good of the United States and Japan in due course.

Since his death, I have felt by his wishes that something must be done with his vested property in the United States of America. I know that this is one of the most complicated and difficult cases people have ever encountered. However, I firmly believe that with the help from people such as my father's old associates, and, of course, with God's help, I may make proper investigation item by item on the situations involved in his property and thus attain his wishes.

According to his will, I advised Lawrence to proceed with some legal matters connected with the said property, which should be done by him in the United States. He informed me that he had asked Mr. Stone, a lawyer in Washington, D. C., to investigate the case involved. Having received their request, I sent some specific documents and papers concerning the vested property to them. It was their general opinion that first of all the claim to the property should be specifically made known before proceeding any other matters.

To my best knowledge, I remember that before my father's business was incorporated, he was a sole proprietor of the J. S. Miwa stores. However, since I did not quite understand the capital structure of his business after the incorporation, I asked them to get hold of any documents with respect to the capital stock distribution of the Company. After the thorough analysis being made by them, they sent me the papers concerning your claim on the 24 shares of J. S. Miwa Co. Attached with the memorandum is the contents of the claim you sent to the Department of Justice on 28 December, 1945. Even though I have read the documents very carefully, somewhat, I could not judge your claim

in the proper manner. Since my father did not talk about your claim to my mother or to me before his death, I reasonably assume that he did not know about your filing the said claim in 1945. I believe without hesitation that you and I should clear up any doubt concerning your claim, thus leaving no misunderstanding whatsoever on the matter of my father's vested property.

To avoid going into the details, I would like to itemize some of the essential points in the following paragraphs:

1. I am not so clear as to your explanation on how and by what procedure you declared the complete possession of 33 shares. The question here is, for example, how a debtor can own shares without the proper payment for them.
2. You are in effect saying that my father could have made an equity suit against you, thus pending a problem on the 24 shares that you claimed you had owned until they were vested. It is obvious that he could not make such a suit against you, since, I properly assume, he did not know about your filing claim in that particular year.
3. You mentioned that J. S. Miwa Shokai of San Francisco was in fact a partnership and that you were in fact a silent partner of that firm. However, the facts that my father did not keep your account for the profit distribution, and that you did not raise any objections to his manner of not keeping such an account for you,---did they prove that the J. S. Miwa Shokai of San Francisco was a partnership, or did those facts deny the existence of such a form? If such were the case, (That is, suppose that the partnership existed as you claimed,) who would have been responsible for the loss of profit and its distribution during the war or after the war which J. S. Miwa Shokai might have had due to the slacking of the business conditions or otherwise? Of course I am assuming that a business cannot always expect to make a profit and that any profit sharing also means the loss sharing in the partnership if there was no specific agreement between the partners, and if such a thing had been involved in J. S. Miwa Shokai.
4. You are saying that the late J. S. Miwa could not legally claim 24 shares. Yes, if you insist so much on the legal procedure without any consideration on other matters which may turn out to be more meaningful than a simple legal basis, you might be right. It is not only a question of the legal matter, but it is a question of how you look at the relationship which existed between you and my father on November 21, 1941, and also the international situation of that particular year.

These are some of the points I would like to ask you, which came up to my mind as being unclear. Please do not misunderstand me that I have doubted the integrity of my father's friends as such; it is just a simple business transaction of some kind in order to avoid any further complications among persons. Moreover, first, if you believe that

my father had the slightest chance of getting back the said property to him, and second, if you further believe that it is a good policy to get at least something out of the vested property of which the 24 shares is a part of it belonging to you legally as you had claimed so, I am glad to see that you do your best within your own thinking about disposing the shares. I hope that you will kindly pardon me of my poor writing in English, and that you will certainly and freely express your ideas and opinion concerning the matters on your claim and also my father's vested property by writing to me.

Coming back to my ^a trading business, I am planning to make ~~the~~ business with the United States. If you are interested in importing goods from Japan, or if I can help you in any manner in connection with it, will you please let me know. I am very glad to get in touch with you on it. My business address is:

Mr. Shoso Miwa
Bon Ton Trading Co.,
16 Koraihashi 5-chome
Higashiku, Osaka, Japan

Will you please give my best regards to Mrs. Nakate and other people my father used to know of.

Sincerely yours,

Shoso Henry Miwa