

TRANSLATION

Honorable
President

Your

1952

thirty-one

directly. I am an obscure Japanese family, are in distress at the present time, because the U.S.A. has confiscated our personal property. We had been engaged in business in Hawaii since my father's time for about fifty years and finally we made the foundation after long years of hard labour.

At the present time, our daughter is married in Hawaii and has two children, and our son, Lawrence Miwa, an American citizen, is studying at Denver University and is also eligible for military service. Since our property was confiscated, Lawrence has difficulty in getting school expenses. Though he is working six days a week without lunch, he asks us for assistance as he can not get enough money to keep it up.

According to the radio and the newspaper, the property belonging to the staff members of/and Japanese Embassies and Consulates, in other words, the property of the Japanese Government which, I think, was most responsible for the war, was returned but our property was not, by reason that my husband Seigo Miwa came back to Japan on the Exchange ship. I cannot understand this. Why is it that the U.S. which is though to be a most democratic country, will not return our property? India and South American countries returned Japanese properties, however.

For example, the act of the state to confiscate property of individuals is justified, while individuals are punished if he steals others property and moreover one will become a hero by stealing another country's property. Why is this? Is this the situation in the present world. What do you think about this?

Please return my husband Miwa, Seigo's property instantly so that my son Lawrence can go to school without missing any meals. I would like to have your prompt responsible reply. I am sending a copy of this letter to Ambassador Murphy in Japan.

Yoshio Miwa, Lawrence's mother
46 Kawazoe-cho, Nishinomiya-shi

69583

End 2

TRANSLATION

July 21, 1952

Honorable Truman
President of U. S. A.

Your Excellency:

Please allow my impoliteness to write you this letter directly. I am an obscure Japanese woman. The fact is we, our family, are in distress at the present time, because the U.S.A. has confiscated our personal property. We had been engaged in business in Hawaii since my father's time for about fifty years and finally we made the foundation after long years of hard labour.

At the present time, our daughter is married in Hawaii and has two children, and our son, Lawrence Miwa, an American citizen, is studying at Denver University and is also eligible for military service. Since our property was confiscated, Lawrence has difficulty in getting school expenses. Though he is working six days a week without lunch, he asks us for assistance as he can not get enough money to keep it up.

According to the radio and the newspaper, the property belonging to the staff members of/and Japanese Embassies and Consulates, in other words, the property of the Japanese Government which, I think, was most responsible for the war, was returned but our property was not, by reason that my husband Seigo Miwa came back to Japan on the Exchange ship. I cannot understand this. Why is it that the U.S. which is though to be a most democratic country, will not return our property? India and South American countries returned Japanese properties, however.

For example, the act of the state to confiscate property of individuals is justified, while individuals are punished if he steals others property and moreover one will become a hero by stealing another country's property. Why is this? Is this the situation in the present world. What do you think about this?

Please return my husband Miwa, Seigo's property instantly so that my son Lawrence can go to school without missing any meals. I would like to have your prompt responsible reply. I am sending a copy of this letter to Ambassador Murphy in Japan.

Yoshio Miwa, Lawrence's mother
46 Kawazoe-cho, Nishinomiya-shi .

69583

End 2

July 21, 1952

To: The Honorable American Ambassador Murphy

From: Yoshio Miwa, mother of Lawrence
46 Kawazoe-cho, Nishinomiya-shi

As I wrote the attached letter to
President Truman today, I hope you will kindly
render your kind assistance.

69583

Encl 1

マリーナー東国
大使閣下

本日別紙の通りトルドミン大統領あてに半紙を差出
しましたから閣下におかれても何分の御意力を
御覧ひ致しませう

昭和二十七年七月二十日

西宮市川原町四方
ローレンスの母
三軒柳よしお

大統領閣下に直接お申上り差上げたる矣。禮を許し下さる
 事は名もたら日本の一女性なり。實は私共一家は今
 苦しい生活にあり居りませう。それは米國が私共個人
 の財産を没収したからなり。私共は父の代から布達し居る
 財産を以て五十年と云ふ長い年月苦心の末やうと
 あれだけの基礎を築きたるなり。現在娘は布達し
 琉球及び二人の孫もあり又男の子（ロレシス三子）も
 米國平民としてデレバール大子にて勉学中がしかる
 兵後の義務勸告をも得せられ居る身なり。親の財産
 を没収されたるはロレシスは学資に困り晝食は抜き
 にして一週百の内弁向おつ運しか働かぬやうに行
 けず私共兩親の老とへ務めを止めしむる有様
 なり
 ラジオのニュースや新聞などにあれば最も戦争責任
 の重い日本國家の財産即ち大使館や領事館

並に館員の財産は返還され我々の存に只交換航が
主人(三輪者君)が帰るに支けの理由で返還されたりと云ふ
事は了解に苦しみます

インド南米などは全部返還されたのん民主主義國
であるアメリカは何故返還しこんだらうか
たつぱ我々個人が他人の所有物を盗めば泥棒と
し之罪にとほれ國家が個人の財産を没収するのほ
正當化され又一國の財産を盗めば犯人神か
英雄にたれるが現在我々の申す中一と云ふか

閣下は如何に御考へにたり申すか
早急に主人三輪者君の財産を返還し下さる
えしてハリスがせめを缺金飽せすに厚学出果る存
に下さる責任ある所同然を大至急滞延なし
すすこの半強め字には在日マーラー大使にも送り
ました

昭和七年七月二十日 西宮市川原町四云

トルーマン米國

ハリスの田

大統領閣下

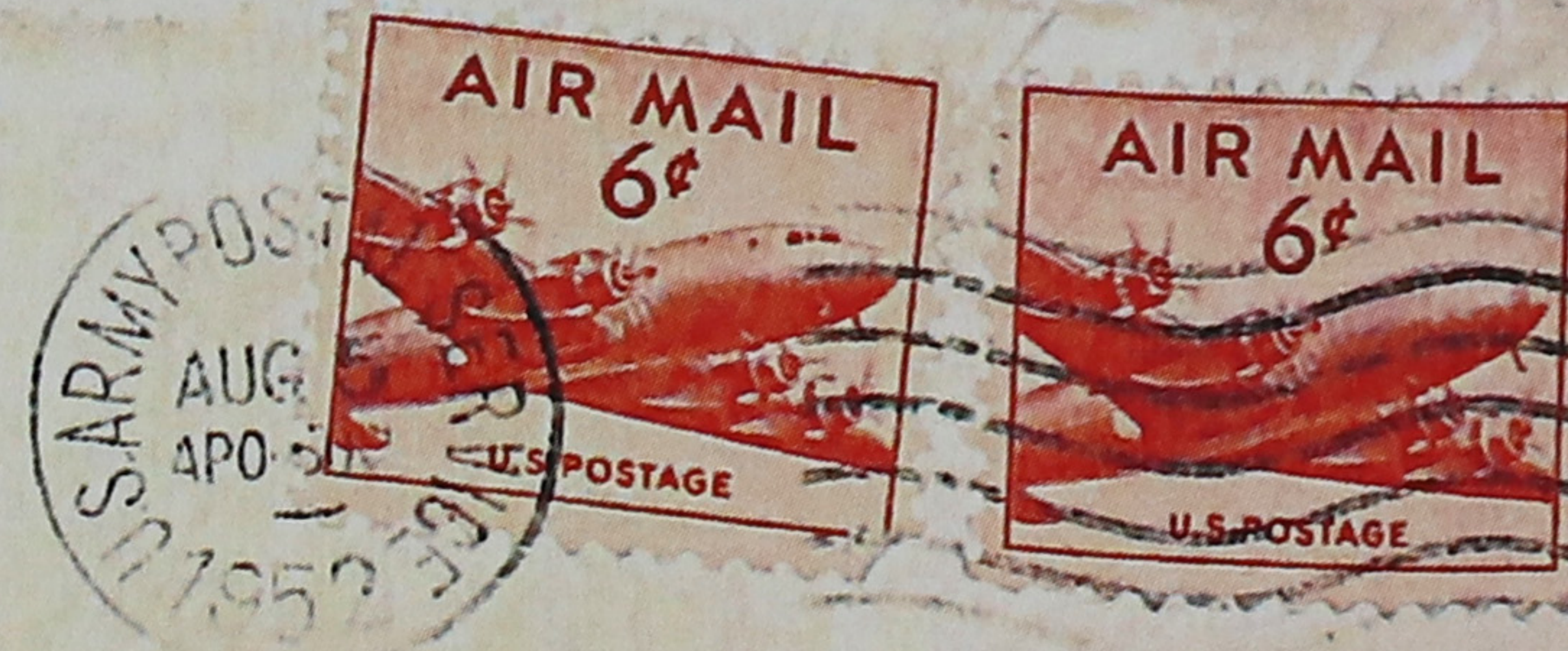
三輪者君

DEPARTMENT OF JUSTICE

WASHINGTON 25, D.C.

OFFICIAL BUSINESS

American Embassy
APO 500 c/o Postmaster
San Francisco, California



Attn: Mr. Thomas H. Creighton, Jr.
Chief, Claims Branch

Mr. Rowland F. Kirks
Acting Director
Office of Alien Property
Department of Justice
Washington 25, D. C.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Rowland F. Kirks, Acting Director
 Attn: Thomas H. Creighton, Jr.
 Chief, Claims Branch

FROM : *WES* William E. Short, Acting Chief
 Japan Mission

DATE: 1. AUG. 1952

SUBJECT: Letter inquiry to President Truman and Ambassador Murphy by
 Mrs. Yoshio Miwa relative to her husband's vested assets

The attached correspondence was referred to our office today by Ambassador Murphy for appropriate reply.

We have sent an interim reply to Mrs. Miwa advising her that since this is not the office of record for such matters her letters have been referred to our Washington office for reply.

Perhaps you will wish to write direct to Mrs. Miwa in this particular case. Should you decide to do so may we receive an information copy of your reply for referral to the Ambassador.

Mrs. Miwa's correct address is

46 Kawazoe-cho, Nishinomiya-shi
 Hyogo-ken, Japan.

2 Encls

1. Ltr fr Y. Miwa to
 Ambassador Murphy/w
 translation
2. Ltr fr Y. Miwa to
 President Truman/w
 translation (Copy)

W. E. S.

3689
 F39-1242

cl 36891

~~3902~~

OFFICE OF ALIEN PROPERTY	
DEPARTMENT OF JUSTICE	
RECEIVED AUG 31 1952	
ANS' <i>Law</i>	DATE <i>9/9/52</i>
NO. ANS	DATE

69583

claims J 63

*9/10/52
11*

William E. Short, Acting Chief
Japan Mission
Leon Ulman, Acting Chief
Claims Branch
Re: Mrs. Yoshio Miwa
Claim No. 36891

LU

Reference is made to your memorandum of August 1, 1952, concerning the above subject.

There are attached two copies of our reply of even date to Mrs. Miwa.

LU

Attachments

69583

TIC:JW:EGH:fr
Claim No. 36891

Jw
9/11/52

Mrs. Toshio Niwa
46 Kawano-cho
Hishinomiya-shi
Hyogo-ken, Japan

Dear Mrs. Niwa:

Re: Seigo Niwa - claimant

Your letter of July 21, 1952, to the President and the Honorable Robert Murphy, have been referred to this Office for reply.

Please be advised that the preliminary processing of the above-numbered claim as required by section 32 of the Trading with the Enemy Act, as amended (50 U.S.C. App. 32), is now being instituted. Upon completion of this processing and the receipt of all information obtained pursuant thereto, this Branch will be in a position to either recommend allowance of your husband's claim or to advise him of the necessity for a hearing before a Hearing Examiner.

Sincerely yours,

Leon Elman
Acting Chief, Claims Branch
Office of Alien Property

Jw
LU/w
REF
9/11/52

6973

Claim No. 36891 - (MIWA Seigo)

RECEIVED

MILTON R. SIMPSON
2748 WILCOX STREET
CHICAGO 11, ILLINOIS

SEP 19 1952

**OFFICE OF
CHIEF HEARING EXAMINER**

Little Co.

Sept 17, 1952

Dear Mr. Kresky:

On January 8, 1951 I sent a letter to you inquiring as to the final disposition of property of a Mr. J. Seigo Miwa.

On February 4, 1951 I received an answer from a Mr. Paul V. Myron, Deputy Director, Office of Alien Property. He informed me that claims were being processed as fast as possible, but due to a shortage of personnel in your office, there was no way of telling when Mr. Miwa's claim would receive final action.

Mr. Miwa is extremely anxious to learn of the final disposition since his eldest son is in this country attending school and is expected to be drafted soon.

Can you tell me if any decision has been reached yet, if not, can you possibly let me know when Mr. Miwa can expect some action?

CV 36891

OFFICE OF ALIEN PROPERTY
DEPARTMENT OF JUSTICE

RECEIVED SEP 19 1952

ANS'D _____ DATE _____

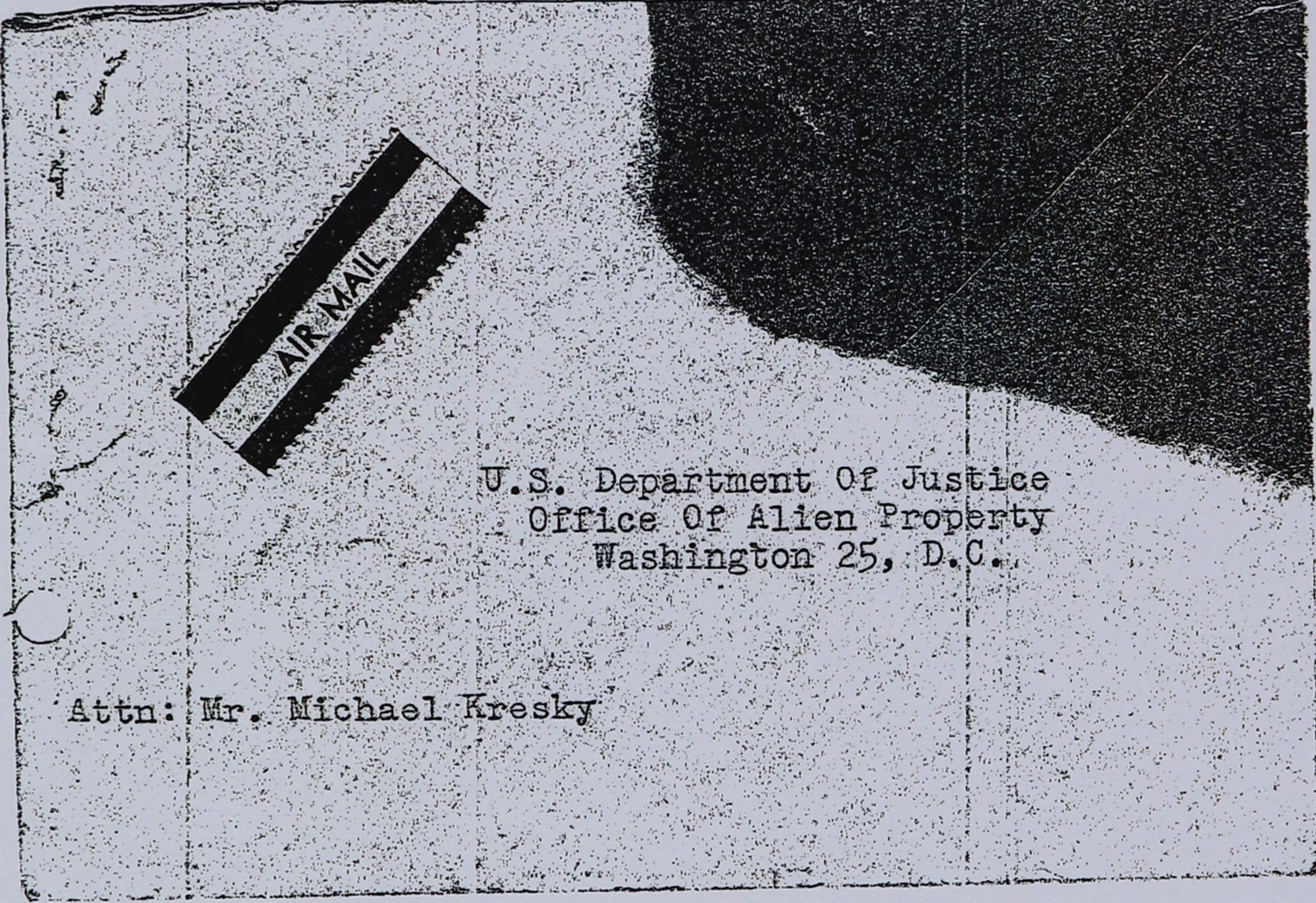
NO. ANS _____ DATE _____

RECORDED

Sincerely yours,

Milton R. Simpson

70788



AIR MAIL

U.S. Department of Justice
Office of Alien Property
Washington 25, D.C.

Attn: Mr. Michael Kresky

TO DIVISION OF RECORDS—

REQUEST FOR

File C. 36891 Date 9-28, 1945²
Sub. No. _____ Name J. W. Watson
Sec. No. _____ Room No. 365
Subject _____
(Not necessary when File No. is given)
Out to Mr. Willard Date 8-20, 1945²

DATE

SUBJECT

SEC. NO.

APP. NO.

FILE

per d. 4684
4700

D39-81

F39-1135

TO DIVISION OF RECORDS

Claim No. 36891

DMW:SS:tsg

OCT 29 1952

Mr. Milton R. Simpson
2748 Wilcox Street
Chicago, Illinois

Re: Seigo Miwa

Dear Mr. Simpson:

This will refer to your recent correspondence in which you inquire as to the status of the above numbered claim filed by Mr. Seigo Miwa.

Please be advised that the preliminary processing of the above numbered claim as required by section 32 of the Trading with the Enemy Act, as amended (50 U.S.C. App. 32), is now being instituted. Upon completion of this processing and the receipt of all information obtained pursuant thereto, this Branch will be in a position to either recommend allowance of Claim No. 36891 or to advise Mr. Miwa of the necessity for a hearing before a Hearing Examiner.

Very truly yours,

(signed) Thomas H. Creighton, Jr.

Thomas H. Creighton, Jr.
Chief, Claims Branch
Office of Alien Property

70792

SIGNED AND MAILED

OCT 30 1952

(S)

10/28/52

AK

AK
MB

Office Memorandum • UNITED STATES GOVERNMENT

TO : Thomas H. Creighton, Jr.
Chief, Claims Branch

DATE:

IEB:SS:tsg

FROM : Irwin E. Blum *IB*

SUBJECT: Seigo Miwa, a/k/a J.S. Miwa - Claim No. 36891
Shigeru Nakata - Claim No. 4700

Preliminary Analysis

Pursuant to Supervisory Order No. 207 the Alien Property Custodian undertook the direction and management of the J.S. Miwa & Company, Ltd. after having found that 95.89 percent of its \$100.00 par value capital stock was beneficially owned by Seigo Miwa, a national of a designated enemy country, Japan. By Vesting Order No. 2783 the Alien Property Custodian vested 789 shares (95.52%) of the capital stock of J.S. Miwa, Ltd. as property owned by Seigo Miwa. Under Supplemental Vesting Order Nos. 3567 and 5183 the Alien Property Custodian vested 3 and 24 of such shares of stock, respectively, as property owned by J.S. Miwa. Under Vesting Order Nos. 7497, 10305, 11596 and 13491, there were vested various debts, bank accounts, securities, household furnishings and the net proceeds of an insurance contract, as property owned by Seigo Miwa. On June 28, 1948, Seigo Miwa filed a Notice of Claim for a return of the vested property.

It appears from the Notice of Claim and from information in the general file (F-39-1242) that Seigo Miwa was born in Japan on June 25, 1897, and was a citizen of that country by birth. He first entered the United States at Honolulu, Territory of Hawaii, on April 14, 1914. He made five or six trips to Japan thereafter and in 1935 returned to that country to live taking his wife and three Hawaiian born children with him. Mr. Miwa returned to Hawaii in 1938 and remained until 1941 when he departed for Japan. He was readmitted to Hawaii on a six months permit in October 1941. Mr. Miwa was apprehended at Honolulu by the military authorities in February 1942 and in March of that year was tried before the Internee Hearing Board. The Board found that he was a loyal subject of Japan and was disloyal to the United States and was ordered interned. In September 1943 Mr. Miwa was repatriated to Japan from the Port of New York sailing on the SS Gripsholm. He has since resided in Japan. On the basis of these facts, to be eligible for a return of vested property, Mr. Miwa must come within the exculpatory proviso of section 32(a)(2)(D). In this connection, the claimant has submitted an affidavit dated January 15, 1948, in which he alleges:

- (1) That when he arrived at Yokohama, Honshu, Japan, on November 14, 1943, he was "interrogated by a special high policeman of Yokohama, . . . on the ground that he was a Christian and Pro-Americans for four hours and was finally released on Nov 16, 1943:"

- (2) That when he boarded a train at Yokohama to go to Hiroshima City on November 17, 1943, "he was under surveillance by a plain clothes special high policeman until Osaka Station:"
- (3) That on November 23, 1943, he "received a call from a special high policeman of Hiroshima West Police Station, and was interrogated about his religion and thoughts:"
- (4) That on the same day he received a call from a Kempeitai, and was asked the same questions and "ordered to report weekly about his behaviour:"
- (5) That on December 10, 1943, after he came back from a visit to Osaka, he received a call from the police of Hiroshima West Police Station and "was questioned why he had gone to Osaka and ordered to remain at his home for a week:"
- (6) That from "time to time" until March 21, 1945, "he received many calls from the police and was under surveillance on charges of his religion, liberal ideas, Pro-Americans and none support for this war:"
- (7) That he "suffered mentally and physically countless persecutions by the people of the community of Hiroshima City on the ground that he refused to serve Japanese government and Intelligence offices and also rejected to let his Nisei son, Henry Shoso Miwa, volunteer into the military service."
- (8) That after he evacuated Hiroshima on March 22, 1945, "he was under constant surveillance until August 15, 1945:"
- (9) That "the charges against him by the Japanese government come under the Law Maintaining Public Order (Chian-Iji-Ho) and also the General Mobilization Act (Kokka Sedoin-Ho):"

The discrimination which Mr. Miwa alleges, as described above, does not establish that he did not enjoy full rights of Japanese citizenship after December 7, 1941, but rather was inconvenienced in his movements in Japan. Since Mr. Miwa is a citizen of Japan who was present therein after December 7, 1941, he is not eligible for a return under section 32(a)(2)(D). Accordingly, this claim is one which may not be recommended for summary allowance.

On January 30, 1946, Shigeru Nakata filed Claim No. 4700 for a return of the 24 shares of \$100.00 par value capital stock of J. S. Miwa & Co., Ltd. vested under Supplemental Vesting Order No. 5183. This Supplemental Vesting Order was issued after the J.S. Miwa & Co., Ltd. was reinvestigated by the Branch in Honolulu. (See Supplemental Investigative Report attached to the letter dated May 21, 1945, from James G. Hammond, Acting Manager to Henry G. Hilken, Chief, Division of Investigation, File No. D-39-81, Section III.) The investigative report disclosed that Mr. Nakata was the registered owner of 34 shares of stock evidenced by Certificate Nos. 11 and 16 for 1 and 33 shares, respectively. With regard to Certificate No. 11, Mr. Nakata advised the investigator that he "has always understood that it was presented to him as a gift and bonus for the services he rendered to J.S. Miwa Shokai, of San Francisco, California, from February, 1932 to January, 1941". Certificate No. 16 was issued to Mr. Nakata on November 21, 1941, pursuant to a resolution adopted at a stockholder's meeting held on November 10, 1941. No cash or other valuable consideration was paid by him for these shares of stock. In explanation he stated that he was credited on the books of the subject corporation with \$3,296.25 representing the amount of the corporation's indebtedness to him and the balance of \$3.75 was charged to Seigo Miwa as an advance from the corporation to Mr. Miwa. The \$3,296.25 plus the \$3.75 represents the full par value of the 33 shares of stock. The corporation's indebtedness to Mr. Nakata consisted of loans made by him in August, September and October, 1941 totalling \$4,296.25. The corporation returned \$1,000.00 to him in September 1941 leaving a balance of \$3,296.25. The report states, that of the total sum advanced to the corporation, only \$884.80 represented Mr. Nakata's own money, the balance representing cash left in his hands by Mr. Miwa. On the basis of these facts and additional information obtained by the investigator, the Honolulu Branch concluded that Mr. Miwa "owns an undivided beneficial interest in 33 shares of the capital stock of J.S. Miwa & Co., Ltd., which shares were evidenced by Certificate No. 16 registered in the name of Shigeru Nakata. The interest of Seigo Miwa represented the amount paid from his funds for such shares". Accordingly, Supplemental Vesting Order No. 5183 was issued vesting 24 shares of the corporation stock registered in the name of Shigeru Nakata as property beneficially owned by Mr. Miwa.

Mr. Nagata alleges in his claim that the corporation received full consideration for the 33 shares of stock, viz: \$3,300.00 and that only \$3.75 of the total amount was paid by Mr. Miwa. The balance of \$3,296.25 was allegedly paid by Mr. Nakata by the cancellation of the credit due him on the books of the corporation. He states that "Although it is true that originally money belonging to Seigo Miwa was advanced to the corporation and credit given to me, this credit balance of \$3,296.25 was due me from the corporation at the time of the issuance of Certificate

No. 16 for 33 shares". He denied that he was holding the 33 shares in trust for the benefit of Mr. Miwa. It may be noted here that it appears from information in the related general files and in Claim No. 4700 that Mr. Nakata may be eligible for a return of the vested property. However, in view of the conflict of the claims filed by him and Mr. Miwa concerning the 24 shares of stock and in consideration of the Report of Investigation, the former claim is one which may not be recommended for summary allowance. I am therefore forwarding it to you together with Mr. Miwa's claim for such action as you may deem appropriate.

The following files are transmitted herewith:

- (1) Claim File Nos. 36891 and 4700
- (2) F-39-1242; A-1, A-2; C-1, C-2; H-1
- (3) F-39-1799; E-1
- (4) D-39-81, Sections I, II, III, IV

Attachments

11/17/52
Transferred to
trial see
JH

Office Memorandum • UNITED STATES GOVERNMENT

TO : Herbert D. David
Chief, Trial Section

FROM : Thomas H. Creighton, Jr.
Chief, Claims Branch

SUBJECT: Seigo Miwa, a/k/a J.S. Miwa - Claim No. 36891
Shigeru Nakata - Claim No. 4700

IEB:SS:tsg

DATE: NOV 17 1952

Based upon the attached memorandum from Mr. Blum and the information appearing in the claim files, the above entitled claims are transmitted to you for appropriate action by the Trial Section.

11/4/52
CR

Herbert D. David
Chief, Trial Section
Thomas H. Creighton, Jr.
Chief, Claims Branch
Seigo Miwa, a/k/a J.S. Miwa - Claim No. 136891
Shigeru Nakata - Claim No. 4700

INE:SS:tag

NOV 17 1952

Based upon the attached memorandum from Mr. Blum and the information appearing in the claim files, the above entitled claims are transmitted to you for appropriate action by the Trial Section.

(signed) Thomas H. Creighton, Jr.

MS

IEB:SS:tsg

Thomas H. Creighton, Jr.
Chief, Claims Branch

Irwin E. Blum

Seigo Miwa, a/k/a J.S. Miwa - Claim No. 36891
Shigeru Nakata - Claim No. 4700

(S)

11/4/52
JB

Preliminary Analysis

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- (1) That when he arrived at Yokohama, Honshu, Japan, on November 14, 1943, he was "interrogated by a special high policeman of Yokohama, . . . on the ground that he was a Christian and Pro-Americans for four hours and was finally released on Nov 16, 1943."

- (2) That when he boarded a train at Yokohama to go to Hiroshima City on November 17, 1943, "he was under surveillance by a plain clothes special high policeman until Osaka Station;"
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On January 30, 1946, Shigeru Nakata filed Claim No. 4700 for a return of the 24 shares of \$100.00 par value capital stock of J. S. Miwa & Co., Ltd. vested under Supplemental Vesting Order No. 5183. This Supplemental Vesting Order was issued after the J.S. Miwa & Co., Ltd. was reinvestigated by the Branch in Honolulu. (See Supplemental Investigative Report attached to the letter dated May 21, 1945, from James G. Hammond, Acting Manager to Henry G. Hilken, Chief, Division of Investigation, File No. D-39-81, Section III.) The investigative report disclosed that Mr. Nakata was the registered owner of 34 shares of stock evidenced by Certificate Nos. 11 and 16 for 1 and 33 shares, respectively. With regard to Certificate No. 11, Mr. Nakata advised the investigator that he "has always understood that it was presented to him as a gift and bonus for the services he rendered to J.S. Miwa Shokai, of San Francisco, California, from February, 1932 to January, 1941". Certificate No. 16 was issued to Mr. Nakata on November 21, 1941, pursuant to a resolution adopted at a stockholder's meeting held on November 10, 1941. No cash or other valuable consideration was paid by him for these shares of stock. In explanation he stated that he was credited on the books of the subject corporation with \$3,296.25 representing the amount of the corporation's indebtedness to him and the balance of \$3.75 was charged to Seigo Miwa as an advance from the corporation to Mr. Miwa. The \$3,296.25 plus the \$3.75 represents the full par value of the 33 shares of stock. The corporation's indebtedness to Mr. Nakata consisted of loans made by him in August, September and October, 1941 totalling \$4,296.25. The corporation returned \$1,000.00 to him in September 1941 leaving a balance of \$3,296.25. The report states, that of the total sum advanced to the corporation, only \$884.80 represented Mr. Nakata's own money, the balance representing cash left in his hands by Mr. Miwa. On the basis of these facts and additional information obtained by the investigator, the Honolulu Branch concluded that Mr. Miwa "owns an undivided beneficial interest in 33 shares of the capital stock of J.S. Miwa & Co., Ltd., which shares were evidenced by Certificate No. 16 registered in the name of Shigeru Nakata. The interest of Seigo Miwa represented the amount paid from his funds for such shares". Accordingly, Supplemental Vesting Order No. 5183 was issued vesting 24 shares of the corporation stock registered in the name of Shigeru Nakata as property beneficially owned by Mr. Miwa.

Mr. Nagata alleges in his claim that the corporation received full consideration for the 33 shares of stock, viz: \$3,300.00 and that only \$3.75 of the total amount was paid by Mr. Miwa. The balance of \$3,296.25 was allegedly paid by Mr. Nakata by the cancellation of the credit due him on the books of the corporation. He states that "Although it is true that originally money belonging to Seigo Miwa was advanced to the corporation and credit given to me, this credit balance of \$3,296.25 was due me from the corporation at the time of the issuance of Certificate

No. 16 for 33 shares". He denied that he was holding the 33 shares in trust for the benefit of Mr. Miwa. It may be noted here that it appears from information in the related general files and in Claim No. 4700 that Mr. Nakata may be eligible for a return of the vested property. However, in view of the conflict of the claims filed by him and Mr. Miwa concerning the 24 shares of stock and in consideration of the Report of Investigation, the former claim is one which may not be recommended for summary allowance. I am therefore forwarding it to you together with Mr. Miwa's claim for such action as you may deem appropriate.

The following files are transmitted herewith:

- (1) Claim File Nos. 36891 and 4700
- (2) F-39-1242; A-1, A-2; C-1, C-2; H-1
- (3) F-39-1799; E-1
- (4) D-39-81, Sections I, II, III, IV

Attachments

11/17/52
Transferred to
trial see
JH

Office Memorandum • UNITED STATES GOVERNMENT

HDD:db

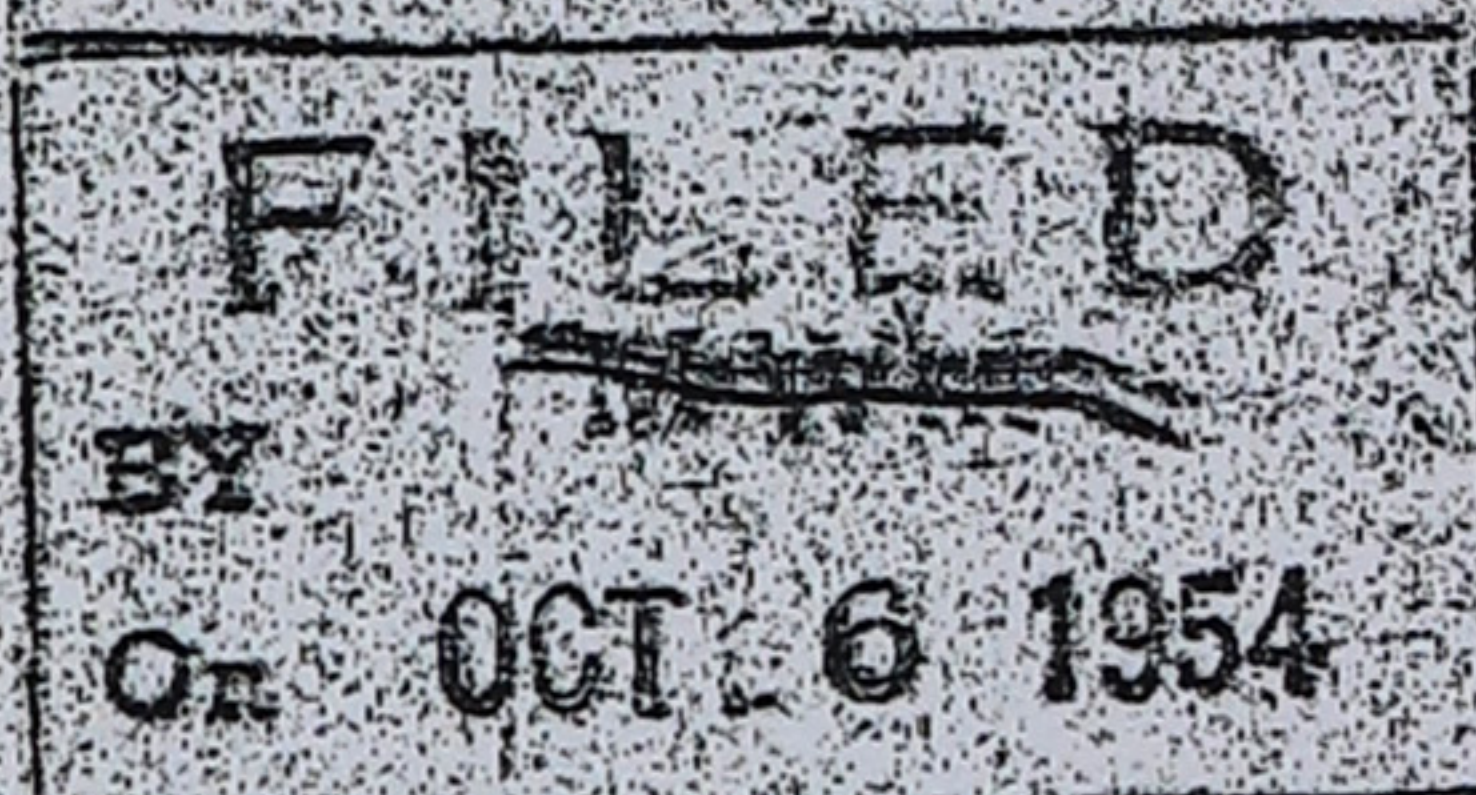
TO : Richard P. Lott

DATE: November 20, 1952

FROM : Herbert D. David, Chief, Trial Section *HDD*SUBJECT: Seigo Miwa, a/k/a J. S. Miwa - Claim No. 36891
Shigeru Nakata - Claim No. 4700

These claims are assigned to you for hearing or other appropriate disposition. You will note that the Miwa claim suggests the possibility of a 9(a) question. After you have studied the files and if you conclude that a 9(a) question is present, please submit the form memorandum to me stating that the claim should be docketed as a 9(a) case.

Attachments



PWM:TEG:HDD:RPL:vka

Argyle R. Mackey
Commissioner of Immigration and Naturalization Service

Paul V. Hyron, Deputy Director
Office of Alien Property

MAY 20 1953

Seigo Miwa, Claim No. 36891

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5/18/53
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Reference is made to Seigo Miwa, your file 2102718. An examination of this file indicates that under date of March 19, 1953 the District Director of the Immigration and Naturalization Service at El Paso, Texas, rejected this alien's application for permission to re-apply for admission after deportation, but advised him of his right to appeal to the Commissioner. It will be appreciated if this office may be advised in the event that the subject alien does take an appeal to the Commissioner, and if so, what action is taken thereon.

(signed) Thomas H. Craighton, AEA

RECEIVED AND INDEXED
MAY 20 1953

FILED
BY LPB
On MAY 21 1953

Seigo Miwa
Claim No. 36891

To files

RL
5/18/53

SYNOPSIS OF I&NS FILE 2102718

Seigo Miwa, according to this consolidated file, was born in Japan on June 25, 1897.

First entered the United States on April 16, 1914.

Departed April 1926; entered June 22, 1926 with re-entry permit.

Departed August 1933; entered October 24, 1933 with re-entry permit.

Departed July 1935; entered May 21, 1936 with re-entry permit.

Departed July 1936; entered November 22, 1938 with extended re-entry permit, Section 3(6) visa.

Departed April 1941; entered October 23, 1941 with Section 3(2) visa -- according to subject's letter of April 16, 1952, he obtained this temporary visitor's visa valid for six months under emergency circumstances in view of the strained international relationship between Japan and the United States.

He was apprehended in Hawaii February 13, 1942 as an alien enemy and placed in detainment in Santa Fe, New Mexico. His wife and three United States born children were then in Japan.

A warrant of arrest and deportation proceedings was issued January 26, 1943 on the ground that he had remained longer than six months in violation of the Immigration Act of 1924.

A warrant of deportation on this charge was issued on July 23, 1943.

He departed September 2, 1943 as a repatriate on the exchange vessel M.S. Gripsholm.

He applied in Japan to a Consul in January 1950 for a visa to enter the United States, but this application was rejected because of his previous deportation (departure when a deportation warrant is outstanding is considered the equivalent of deportation).

He applied to the I&NS for permission to reapply for admission after deportation. This application was rejected under date of March 19, 1953 on the statement "a ~~case~~ study of the record in your case fails to show any urgent reason for your admission to the United States at this time. Your application is, therefore, denied". This action was in the name of the District Director, I&NS, El Paso, Texas, who advised him that he might appeal to the Commissioner of the I&NS.

The immigration file indicates that an appeal to the Commissioner is expected.

FILED
BY ~~PERC~~
ON MAY 27 1953

Seigo Niwa
Claim No. 36891

SYNOPSIS OF I&NS FILE 2102718

Seigo Niwa, according to this consolidated file, was born in Japan on June 25, 1897.

First entered the United States on April 16, 1914.

Departed April 1926; entered June 22, 1926 with re-entry permit.

Departed August 1933; entered October 24, 1933 with re-entry permit.

Departed July 1935; entered May 21, 1936 with re-entry permit.

Departed July 1936; entered November 22, 1938 with extended re-entry permit, Section 3(6) visa.

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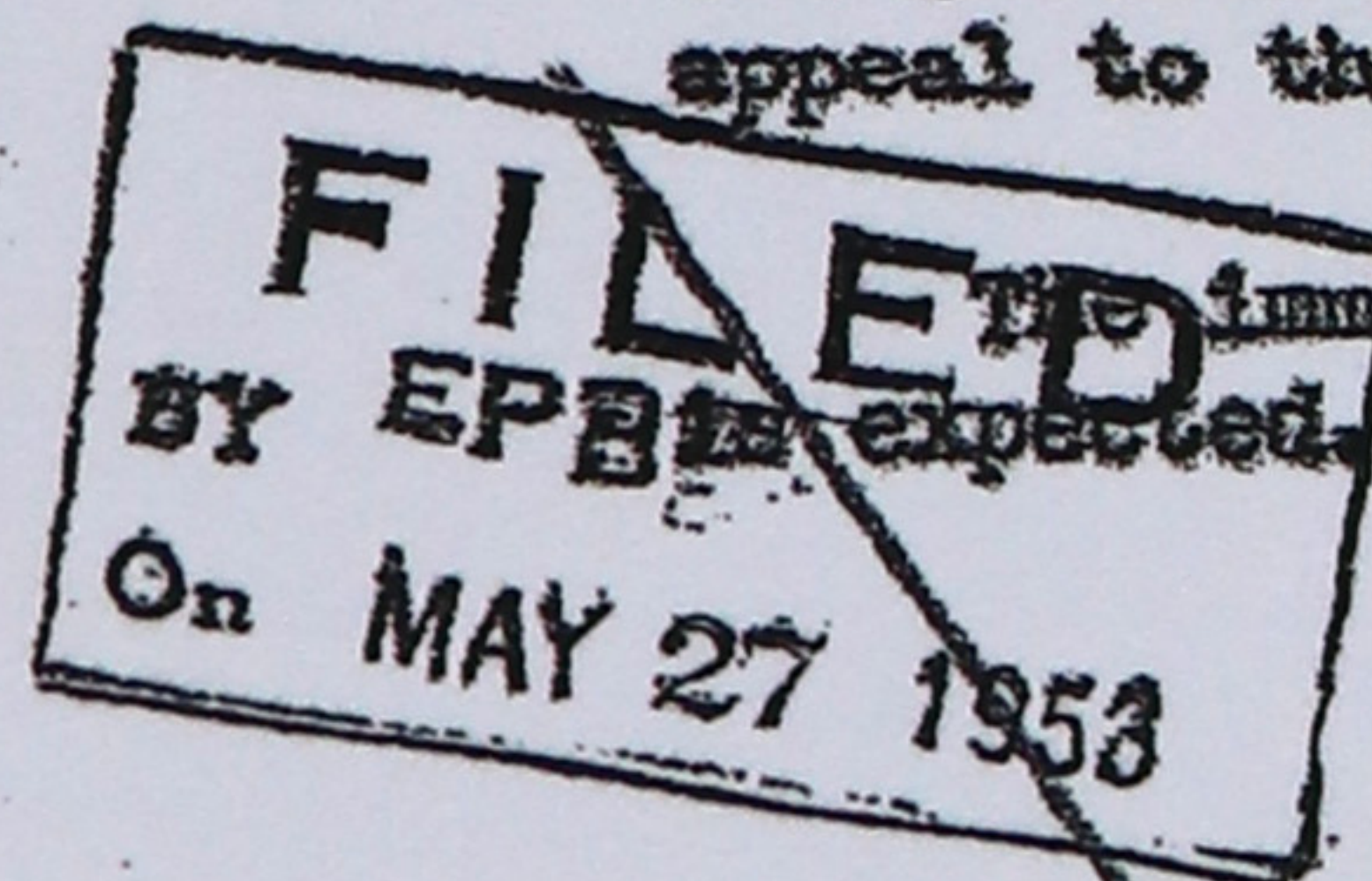
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The immigration file indicates that an appeal to the Commissioner

Seigo Miwa
Claim No. 36891

To files

RL
5/18/53

SYNOPSIS OF I&NS FILE 2102718

Seigo Miwa, according to this consolidated file, was born in Japan on June 25, 1897.

First entered the United States on April 16, 1914.

Departed April 1926; entered June 22, 1926 with re-entry permit.

Departed August 1933; entered October 24, 1933 with re-entry permit.

Departed July 1935; entered May 21, 1936 with re-entry permit.

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The immigration file indicates that an appeal to the Commissioner is expected.

FILED
BY ~~SPENCER~~
On MAY 27 1953