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Claim No. 36891

DEPARTMENT OF JUSTICE  
OFFICE OF ALIEN PROPERTY  
WASHINGTON 25, D. C.

Mr. Lawrence Fumio Miwa  
2400 South High Street  
Denver, Colorado

AUG 8 1954

Dear Sir:

This will acknowledge your letter of July 15, 1954 advising of the death of your father, Seigo Miwa, who had filed Claim No. 36891 for the return of property vested after he had been repatriated to Japan in 1943.

Our files indicate that your father was a Japanese citizen who became a resident of Japan while the United States was at war with that country. Under the circumstances he was not entitled to a return of vested property unless he could establish that he was deprived of full rights of Japanese citizenship pursuant to some law, decree or regulation of the Japanese Government directed against political, racial or religious groups.

Although the late Seigo Miwa claimed to be affected by the provisions of the statute relating to enemy oppression, he had produced no substantial evidence to support such a finding.

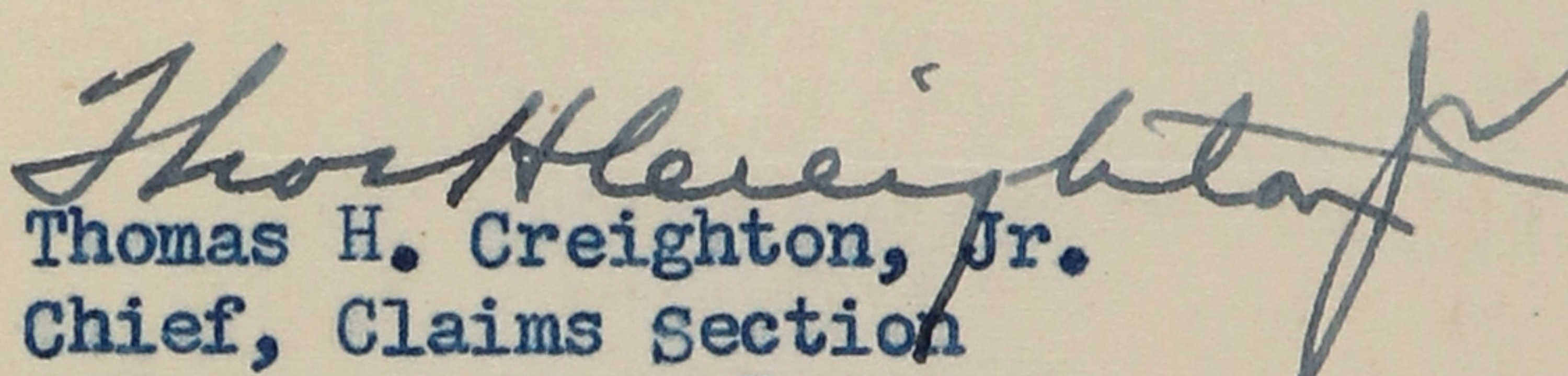
If you desire to be substituted as the new claimant in this proceeding, it will be necessary for you to complete and return to this Office the enclosed set of Schedules 9A. It will also be necessary to have a certified copy of your father's death certificate, duly authenticated by an American consular official and a certified copy of his will, similarly authenticated. Neither the transmittal of this Schedule 9A nor the filing of the executed form by this Office is to be deemed an acknowledgment of the validity of this claim.

It is also appropriate to call your attention to the fact that a successor-in-interest must establish the eligibility of the former owner in addition to his own personal eligibility for a return of vested property under the statutory provisions to which I have referred. You are, therefore, invited to supplement your claim with any additional facts which might tend to establish that your predecessor-in-interest was deprived of full rights of Japanese citizenship after his repatriation. Any evidence in your possession which would support your contentions should also be filed as soon as possible.

Your letter inquires whether this claim can be refiled to reflect a valuation of \$290,000 rather than \$130,000. It is noted that Question 4 of the Notice of Claim Form APC-1A, filed by your father, omitted the value of the property claimed. You may place any valuation upon that property that you deem appropriate. However, Section 32(a) authorizes the return to an eligible claimant only of the property or interest vested in or transferred to the Alien Property Custodian "or the net proceeds thereof." I am informed that the property vested from your father has been substantially

liquidated and that his account was credited with approximately \$150,000 in cash as of February 28, 1954. Regardless of your evaluation, therefore, if this claim were to be allowed today, the amount returned would not exceed \$150,000, together with any assets belonging to your father that had not been liquidated. I am not in a position to furnish you with a more detailed picture of your father's account in the absence of a complete audit, but I trust that this information will satisfy your present requirements.

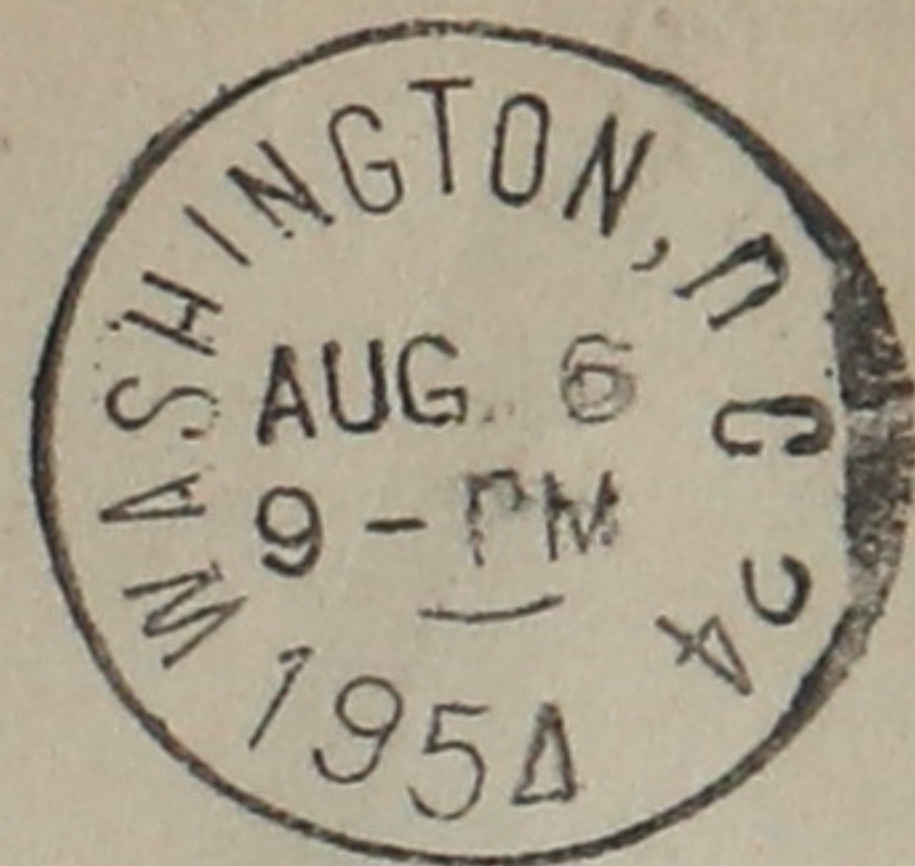
Very truly yours,

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

Enclosure

U. S. DEPARTMENT OF JUSTICE  
OFFICE OF ALIEN PROPERTY  
WASHINGTON 25, D. C.

OFFICIAL BUSINESS



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PENALTY FOR PRIVATE USE TO AVOID  
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Mr. Lawrence Fumio Miwa

2400 South High St.

Denver, Colorado.