

8/19/54 JL

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August 16, 1954

Mr. Lawrence Fumio Miwa
c/o Mr. Fumio Ogawa
2727 Curtis Street
Denver, Colorado

Dear Lawrence:

I just received your letter of the 11th. Without going into all of the details, I just want to give you some of the answers to the questions raised. With reference to attorney's fees in the probate of an estate, the same is limited by statute for the conducting of an ordinary probate proceeding as provided in Section 9757.01 of the Revised Laws of Hawaii 1945, as amended. The amounts are the same as allowed to executors and administrators with the exception that additional amounts may be allowed by the court upon a showing that extraordinary services have been rendered. The schedule of fees for executors and administrators is as follows: 5% for the first \$1,000.00; 4% for the next \$9,000.00; 3% for the next \$10,000.00; and 2% for any amount over \$20,000.00. Under this schedule, if we assume that the value of the estate is \$130,000.00, the executor's fee, as well as the attorney's fee, will be \$2,910.00 each.

The 10% limitation which I quoted to you in my previous letter is the maximum amount of fee which attorneys and others could charge in connection with services for the return of vested property from the United States Government. It is also contingent upon the return of the property whether such return is gotten by administrative action and/or suit through the courts of the United States.

In connection with your filing Schedule 9A, I am enclosing original and duplicate typed out for your examination and signature. You will note that the address under paragraph (d) is omitted and should be filled in before execution by you. You should sign immediately after the type-written word "signature." You should sign before a notary public or some other official authorized to take oaths and acknowledgments and have him sign and affix his official seal at the place indicated. Both original and duplicate should be signed.

You will also note that I did not fill in the answer to question "g." My impression is that insofar as you are concerned, your answer should be "no." This question is directed to persons of Jewish and other national origins whose rights

Mr. Lawrence ^fK. Miwa

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were deprived by Germany and other enemy countries prior to and during the war.

Parenthetically, I am wondering whether or not your birth was registered with the Japanese Consulate. If it were, ^{was,} then you retained your Japanese nationality and your name would be in the Japanese koseki tohon. I have assumed that in your case your folks registered your birth with the Japanese Consulate and that your name is in the Japanese koseki tohon. For this reason, I answered "no" to the last question under paragraph "e." This last question need not be answered one way or the other if you never acquired Japanese nationality by being placed in the koseki tohon of your father.

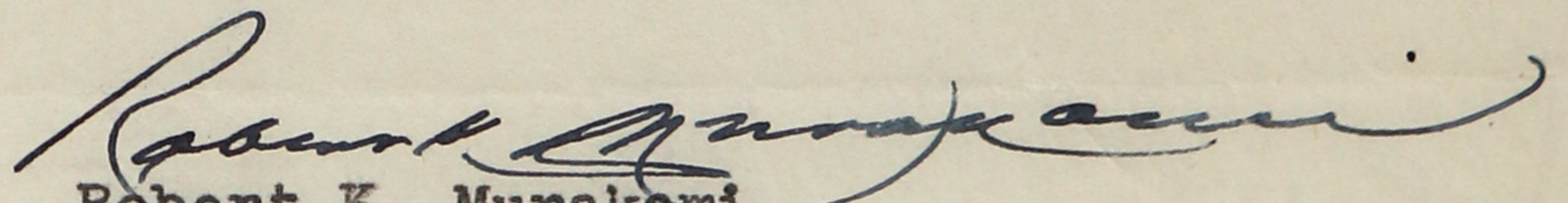
I will abide by your wishes in connection with doing anything further in connection with the claim itself. I shall await your communication after you had a chance to see either Mr. Knapp or Mr. Stone concerning your father's claim, which, in reality, is now your claim.

I have not had the occasion to see your sister since receiving your letter of the 11th. I hope to see her again and get further particulars about your birth record, etc. When you write to me next, will you be so kind as to let me know the date on which you arrived at Honolulu in 1947. Also, if you have an American passport by which you traveled from Japan to Honolulu, please give me the date and number of the passport.

If you were registered as a Japanese national with the Japanese Consulate, do you know whether or not you were expatriated and, if so, give me the particulars? After I have had time to look into the matter and after conference with your sister again, I shall again communicate with you. However, if in the meantime you have some questions to ask, please do not hesitate to do so.

I hope you have a nice trip to Washington and trust that you will have a successful year of study in New York.

Yours very sincerely,


Robert K. Murakami

RKM:hh
Encls.