

LAW OFFICES
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WASHINGTON, D. C.

SUITE 510-512

STERLING 3-5764

2/2/55, 三十七.

c.c. sent to Japan,
2/5/55,

1 February, 1955

Mr. Lawrence F. Miwa
508 West 114th Street
New York 25, New York

Dear Mr. Miwa:

In the past month I have had several informal conversations with the Office of Alien Property concerning our immediate problem of establishing that you are the successor in interest to your father's claim. The official with whom I have discussed this does not understand how it happens that we have submitted what appears to be the original copy of your father's will. Ordinarily, evidence of this kind involves the providing of carbon copies, the original being retained at the domicile of the decedent.

As things now stand I do not believe we shall be called upon to provide an explanation on the above matter, and thus I report this to you merely for your own information and for whatever comment you can make to me personally.

I believe that we can resolve any doubt as to your status by having your brother write directly to the Office of Alien Property along the lines which I shall indicate below. The present position of the Alien Property seems to be that, were not it for this will, your brother, as eldest son would fall heir to your father's claim. Accordingly, I suggest that your brother write directly to:

Mr. Thomas H. Creighton, Jr.
Chief, Claims Section
Office of Alien Property
Department of Justice
Washington 25, D. C.

This letter should be written on his business stationery and sent air mail to Mr. Creighton with an air mail copy to me for my files. The subject of this letter should be:

Re: Seigo Miwa
Claim 36891
THC:AJG:RPL:ESC

The text of the letter should be as follows:

(continued)

Mr. Lawrence F. Miwa

-2-

1 February, 1955

"Dear Mr. Creighton:

As the eldest son of the late Seigo Miwa I have cooperated with my younger brother, Lawrence Fumio Miwa, in establishing that under the terms of our father's Last Will and Testament, Lawrence is the sole successor in interest to my father's claims before the Office of Alien Property.

The purpose of this letter is to advise you of my understanding that by family arrangement, and by law, my brother Lawrence is the only person who is successor in interest to my father's claim. I have no claim on my own account.

Very truly yours,
Shoso Miwa"

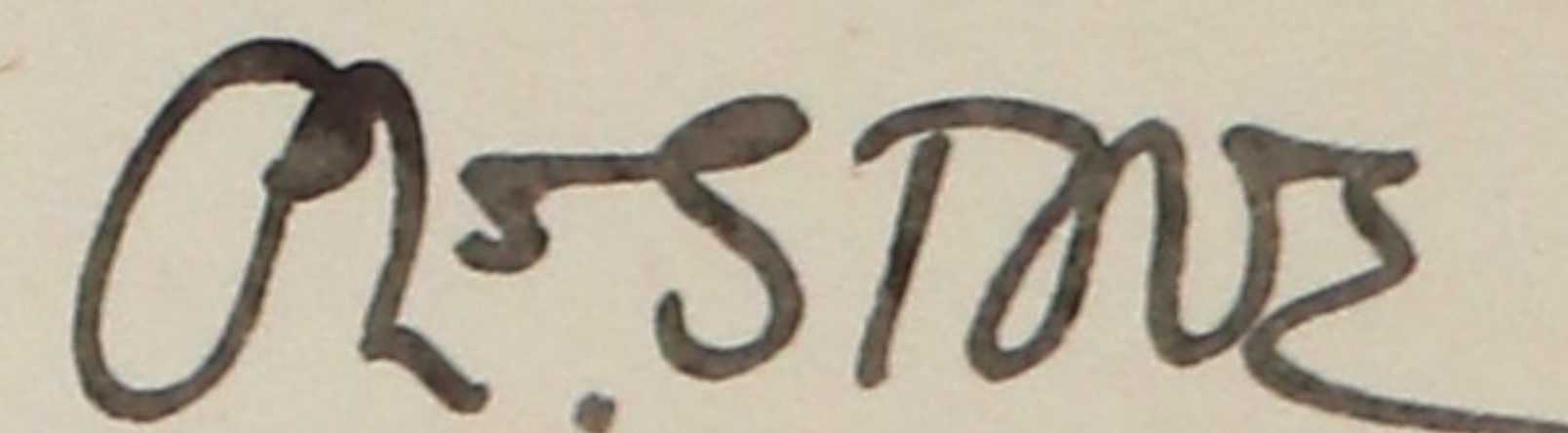
I trust that such a letter will occasion no problem within your family. If it does, or if you have any question that you wish answered before submitting the foregoing text to your brother, I trust you will let me know about it.

Incidentally, our conversations also touched upon the Nakata claim. I gather the Office of Alien Property would be glad to dispose of that claim in the near future, and further that if you should decide to acquiesce in the allowance of the Nakata claim, it might be disposed of fairly expeditiously. On the other hand, should you elect to contest Nakata's claim he might be rather hard put to collect his money.

As I have explained to you, there is practically no possibility whatsoever of your claim being upheld under present law. The only hope that we now have is to establish that your father left this country under duress, and, although I shall try to do this I have little hope of success. On the other hand, under present law, Nakata has only to establish that his claim is a bona fide one. If he does so he can get his money fairly soon. Thus, I feel that you are in a position to help him considerably if you care to do so. By the same token, if you deny the allegations upon which he bases his claim, it is possible that he may not be able to prove his case. Thus, it is now for you to decide what the facts are and where your interests lie.

Once we have these two current items out of the way, I shall then make sure that your claim includes all property listed by the government. In other words, I shall see to it that the scope of your claim is broad enough to include all of the property taken over by the government. Once this has been done I can then turn to presentation of your case on the merits.

Very truly yours,



O. E. Stone

OES:mw