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PRINTED & FORM LETTERS

1948

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WAYNE M. COLLINS
Attorney at Law
Mills Tower
220 Bush Street
San Francisco 4, Calif.
GARfield 1-1218.

January , 1948

Dear

You have been included as a party plaintiff in equity suit No. 25294-G which is pending in the U.S. District Court in San Francisco. That suit is: (1) a suit to cancel your renunciation of U.S. nationality; (2) a suit to declare your U.S. nationality; (3) a suit for declaratory relief. The suit is based upon the alleged facts that each renunciation was directly caused by the duress in which each was held by the government at the time of renunciation and by the concurrent duress, coercion and undue influence of alien groups which were permitted by the W.R.A. to operate in the Tule Lake Center and to hold all the internees in a state of terror so that none of them was a free agent at the time and each was compelled to renounce. It is also based upon the fact that the renunciation statute is unconstitutional and void. The American consul at Yokohama is being informed that you are a party plaintiff in said equity suit.

Because you already are included in that suit you are entitled to apply for a certificate of identity from an American consul abroad. Under the provisions of Title 8 U.S. Code, Section 903, a person in a foreign country who claims U.S. nationality is entitled to return to the United States by applying to a U.S. consul in a foreign country for a certificate of identity. The consul supplies the application forms. The consul requires an affidavit from an applicant that he claims U.S. nationality and that his claim is presented in good faith and has a substantial basis, and that a suit has been filed in a U.S. District Court on his behalf to declare his nationality under that statute. Thereupon, the American consul issues him a certificate of identity which entitles him to return to this country when and if he can book passage. If a certificate of identity is refused the applicant may appeal directly to the Secretary of State, Washington, D.C.

If the applicant is granted such a certificate his return may be made contingent upon his posting a bond to guarantee that in the event he loses the suit and it is declared that he is not a national of the United States that he will leave the United States thereafter.

The consuls in Japan, evidently through instructions from the State Department and probably from the Attorney General, make it a practice to withhold granting certificates of identity to renunciants until such time as it may appear that their presence would be required here in any hearing which may be required in the equity suit. Inasmuch as the equity suit may be determined on questions of law and of fact without individual hearings being required and because such a decision may be rendered within a month or two, our consuls probably will decline to issue certificates of identity until the case is decided by the court. Under the circumstances there is no reason for you either (1) to apply to the consul for a certificate of identity at the present time or (2) to appeal from an adverse decision from him to the Secretary of State. It is best that you wait until a decision is rendered on the pending motions in the equity suit before you either apply for a certificate of identity or contemplate taking an appeal from a refusal.

If the decision of the court should be adverse to any renunciants or class of renunciants and a hearing be ordered in such cases those renunciants thereupon, by applying for certificates will be issued certificates of identity so that they may return to this country for their individual hearing and remain here thereafter until such time as their cases may be determined upon an appeal that might be taken to an appellate court.

For your information, U.S. District Judge Louis E. Goodman on August 11th rendered his judgment in habeas corpus cases here holding that a person who resided in the United States and renounced while a resident here was not thereby converted into an alien enemy who would be subject to detention and deportation under the provisions of the Alien Enemy Act and he ordered the release of some 331 renunciants who were detained at Crystal City, Texas, and Bridgeton, New Jersey. In his written decision he declared that no American born citizen can possess dual nationality. In that case he did not pass on the question of the validity of the renunciations because that matter is to be determined in the equity cases. In that decision he did not decide whether or not citizenship was to be restored to renunciants who are residents of this country and are still here or to those who are in Japan.

For your information, until such time as the equity suits determine your political status, I wish you to be informed that if any of you have committed any act deemed to constitute "expatriation" you would be prevented from showing in any suit here that you were a citizen of the United States. By an act of "expatriation" a citizen of the United States who is in a foreign country loses his U.S. nationality under the provisions of Title 8 U.S. Code, Section 801. A citizen of the United States can lose his citizenship by any of the following acts under the provisions of that statute by:-

- a. Becoming naturalized in a foreign state;

- b. Taking an oath, making an affirmation or other formal declaration of allegiance to a foreign state;
- c. Entering, or serving in the armed forces of a foreign state unless expressly authorized by the laws of the United States, if he has or acquires the nationality of such foreign state;
- d. Accepting, or performing the duties of, any office, post or employment under the government of a foreign state for which only nationals of such a state are eligible;
- e. Voting in a political election in a foreign state or participating in an election or plebiscite to determine the sovereignty over foreign territory;
- f. Making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state;
- g. Deserting the military or naval forces of the United States in time of war provided he is convicted thereof by court martial or is dismissed or dishonorably discharged from service;
- h. Committing any act of treason against, or attempting by force to overthrow or bearing arms against the United States, provided he is convicted thereof by a court martial or by a court of competent jurisdiction.
- i. Making in the U.S. a formal written renunciation of nationality on a form prescribed by the Attorney General whenever the United States shall be in a state of war and the Attorney General approves such renunciation as not contrary to the interests of national defense; (This is the section under which persons renounced their nationality at Tule Lake.)
- j. Departing from or remaining outside the jurisdiction of the United States in time of war or during a period declared by the President to be a period of national emergency for the purpose of avoiding training and service in the land or naval forces of the United States.

When a decision is rendered in the equity suits on my pending motions for judgment on the pleadings and for summary judgment, each of you will be informed of the nature and contents of that judgment. If hearings are required in the case of any of the renunciants abroad, those persons will be notified by mail of that fact and thereupon may apply for a certificate of identity and that certificate will be issued to them.

Very truly yours,

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California
Telephone Garfield 1-1218

October 4, 1948

By request you were made one of the 5,000 parties plaintiff in consolidated suit No. 25294, filed Dec. 13, 1945, in the U.S. District Court at San Francisco. The suit was brought to cancel the renunciations of U.S. nationality because they were caused by governmental duress. It contains a count for declaratory relief. It also contains a count to determine your U.S. nationality under Title 8, U.S. Code, Sec. 903. The suit was brought against the Attorney General, the Secretary of State, as the head of the consular service, the U.S. Attorney, the Director of Immigration, the Director and Project Director of the WRA, the Secretary of the Interior, and other U.S. officers.

On April 29, 1948, U.S. District Judge Louis E. Goodman filed his written opinion in the case cancelling the renunciations and restoring citizenship to all the Nisei plaintiffs on the ground they were caused by duress. He held there was no such thing as dual citizenship. On September 27, 1948, the Interlocutory Order, Judgment and Decree was signed by the Judge who gave the defendants 120 days within which, in good faith, they may designate any particular plaintiffs against whom they might wish to present additional evidence, if they can, but placed the burden of proof upon the defendants to demonstrate the renunciations of any such designated persons were free and voluntary and in nowise the product of the duress in which they were held and to which they were subjected. Since that burden of proof is very difficult for the defendants to sustain, few persons, if any, will be designated. I do not know whether the defendants will appeal when the judgment becomes final.

About January 29, 1949, when that judgment becomes final, all persons in Japan whose citizenship is restored will be authorized to return to the U.S. and should not need certificates of identity. (Legally, all of them are entitled to return now). If the defendants designate for special hearing any of the Nisei plaintiffs who are in Japan, such persons will be granted certificates of identity by a U.S. consul and permission to return to the United States for that purpose. Those consuls will be notified by me of the names and addresses of all the Nisei plaintiffs in Japan.

Inasmuch as the time, labor and expense involved in sending and answering thousands of letters is prohibitive, you are requested not to write to me unless the matter is urgent. If you have not given me your right address, or have changed your address, you should notify me of your current address by postcard. If you are in Japan, you should notify me by card or letter of the address at which you can be reached in the United States before you return to this country.

If you are in Japan, you are warned against committing any act of expatriation which would cause you to lose U.S. citizenship. The following acts have been defined by Congress, in Title 8, U.S. Code, Sec. 801, to constitute acts of expatriation whereby a citizen loses his U.S. nationality and citizenship, namely: (1) taking an oath of affirming or declaring allegiance to a foreign state; (2) serving in the armed forces of a foreign state if he has or acquires the nationality of that state; (3) accepting or performing employment under a foreign government if only nationals of that government are eligible for such employment;

(4) voting in an election or plebiscite in a foreign state to determine sovereignty over foreign territory; (5) making a formal renunciation of U.S. nationality before a diplomatic or consular officer of the United States in a foreign state; (6) deserting our armed forces in time of war if convicted of desertion or dismissed or dishonorably discharged from those forces; (7) committing any act of treason or attempting to overthrow or bear arms against the U.S. if convicted by a court martial; and (8) leaving or remaining outside the jurisdiction of the U.S. in time of war or national emergency for the purpose of evading service in our armed forces.

You should not register as a voter or vote in the U.S. until the judgment restoring your citizenship becomes final and conclusive.

Those of you who are required to register with your draft boards under the recent draft law should do so and, if questioned about your citizenship, you should answer that you claim to be a U.S. citizen by birth, that you renounced under duress, that the court has ordered the renunciations set aside but the judgment has not yet become final.

No renunciations of children under 18 years of age were approved by the Attorney General.

Until the judgment restoring your citizenship becomes final and conclusive you should not purchase or lease agricultural, commercial or residential land and buildings in California or any other State where a statute like the California Alien Land Law prohibits aliens asserted to be ineligible to citizenship from the ownership, possession and use of such property. These laws are still in full force and effect. Until they are repealed by State Legislatures, or are declared to be invalid or unconstitutional by our courts, renunciants whose status will not be decided until the judgment becomes final, should not buy any such property. However, any citizen member of an Issei or a renunciant family can purchase, own, possess or use agricultural, commercial and residential land on the same basis as any other U.S. citizen.

If you are a student attending a state university which requires you to pay a higher tuition rate than a resident citizen, you should pay that tuition under written protest and, when the judgment restoring your citizenship becomes final, the university will refund the excess sum to you.

If you served honorably in our military or naval forces at any time between September 1, 1939, and December 31, 1946, you are entitled to apply to become a citizen by naturalization under Public Law 567 approved June 1, 1948. If you served in those forces honorably, you can go to the nearest office of the U.S. Immigration and Naturalization Service or to the Clerk of the U.S. District Court within the next few months to file a petition for naturalization. In the petition you should state you were born a citizen, that you renounced under duress, that the court has ordered your renunciation cancelled but that the judgment has not yet become final. When the petition is filed the ex-service man should ask that the proceeding be held in abeyance until the judgment in the renunciation case becomes final.

When the judgment becomes final, each plaintiff in the case will receive written notification from me.

WAYNE M. COLLINS
Attorney-at-Law
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA
TELEPHONE GARFIELD 1-1218

October 5, 1948

By request you were made one of the 5,000 parties plaintiff in consolidated suit No. 25294, filed Dec. 13, 1945, in the U. S. District Court at San Francisco. The suit was brought to cancel the renunciations of U. S. nationality because they were caused by governmental duress. It contains a count for declaratory relief. It also contains a count to determine your U. S. nationality under Title 8, U. S. Code, Sec. 903. The suit was brought against the Attorney General, the Secretary of State, as the head of the consular service, the U. S. Attorney, the Director of Immigration, the Director and Project Director of the WRA, the Secretary of the Interior, and other U. S. officers.

On April 29, 1948, U. S. District Judge Louis E. Goodman filed his written Opinion in the case cancelling the renunciations and restoring citizenship to all the Nisei plaintiffs on the ground they were caused by duress. He held there was no such thing as dual citizenship. On September 27, 1948, the Interlocutory Order, Judgment and Decree was signed by the Judge who gave the defendants 120 days within which, in good faith, they may designate any particular plaintiffs against whom they might wish to present additional evidence, if they can, but placed the burden of proof upon the defendants to demonstrate the renunciations of any such designated persons were free and voluntary and in nowise the product of the duress in which they were held and to which they were subjected. Since that burden of proof is very difficult for the defendants to sustain, few persons, if any, will be designated. I do not know whether the defendants will appeal when the judgment becomes final.

About January 29, 1949, when that judgment becomes final, all persons in Japan whose citizenship is restored will be authorized to return to the U. S. and should not need certificates of identity. (Legally, all of them are entitled to return now.) If the defendants designate for special hearing any of the Nisei plaintiffs who are in Japan, such persons will be granted certificates of identity by a U. S. consul and permission to return to the United States for that purpose. Those consuls will be notified by me of the names and addresses of all the Nisei plaintiffs in Japan.

Inasmuch as the time, labor and expense involved in sending and answering thousands of letters is prohibitive, you are requested not to write to me unless the matter is urgent. If you have not given me your right address, or have changed your address, you should notify me of your current address by postcard. If you are in Japan, you should notify me by card or letter of the address at which you can be reached in the United States before you return to this country.

If you are in Japan, you are warned against committing any act of expatriation which would cause you to lose U. S. citizenship. The following acts have been defined by Congress, in Title 8, U. S. Code, Sec. 801, to constitute acts of expatriation whereby a citizen loses his U. S. nationality and citizenship, namely: (1) taking an oath of affirming or declaring allegiance to a foreign state; (2) serving in the armed forces of a foreign state if he has or acquires the nationality of that state; (3) accepting or performing employment under a foreign government if only nationals of that government are eligible for such employment; (4) voting in an election or plebiscite in a foreign state to determine sovereignty over foreign territory; (5) making a formal renunciation of U. S. nationality before a diplomatic or consular officer of the United States in a foreign state; (6) deserting our armed forces in time of war if convicted of desertion or dismissed or dishonorably discharged from those forces; (7) committing any act of treason or attempting to overthrow or bear arms against the U. S. if convicted by a court martial; and (8) leaving or remaining outside the jurisdiction of the U. S. in time of war or national emergency for the purpose of evading service in our armed forces.

You should not register as a voter or vote in the U. S. until the judgment restoring your citizenship becomes final and conclusive.

Those of you who are required to register with your draft boards under the recent draft law should do so and, if questioned about your citizenship, you should answer that you claim to be a U. S. citizen by birth, that you renounced under duress, that the court has ordered the renunciations set aside but the judgment has not yet become final.

No renunciations of children under 18 years of age were approved by the Attorney General.

Until the judgment restoring your citizenship becomes final and conclusive you should not purchase or lease agricultural, commercial or residential land and buildings in California or any other State where a statute like the California Alien Land Law prohibits aliens asserted to be ineligible to citizenship from the ownership, possession and use of such property. These laws are still in full force and effect. Until they are repealed by State Legislatures, or are declared to be invalid or unconstitutional by our courts, renunciants whose status will not be decided until the judgment becomes final, should not buy any such property. However, any citizen member of an Issei or a renunciant family can purchase, own, possess or use agricultural, commercial and residential land on the same basis as any other U. S. citizen.

If you are a student attending a state university which requires you to pay a higher tuition rate than a resident citizen, you should pay that tuition under written protest and, when the judgment restoring your citizenship becomes final, the university will refund the excess sum to you.

If you served honorably in our military or naval forces at any time between September 1, 1939, and December 31, 1946, you are entitled to apply to become a citizen by naturalization under Public Law 567 approved June 1, 1948. If you served in those forces honorably, you can go to the nearest office of the U. S. Immigration and Naturalization Service or to the Clerk of the U. S. District Court within the next few

Letter sent to all renunciants except those whose cards showed no address
Mailed: October 5, 1948 through October 8, 1948.

months to file a petition for naturalization. In the petition you should state you were born a citizen, that you renounced under duress, that the court has ordered your renunciation cancelled but that the judgment has not yet become final. When the petition is filed the ex-service man should ask that the proceeding be held in abeyance until the judgment in the renunciation case becomes final.

When the judgment becomes final, each plaintiff in the case will receive written notification from me.

As the direct result of the interest taken by Thomas Cooley, II, and Dillon Meyer, all Issei and Nisei, including renunciants, who were evacuated from military areas in Arizona, California, Oregon, Washington, Alaska and Hawaii after the war started on December 7, 1941, can file claims for damage to or loss of real and personal property caused by that evacuation. Written claims can be filed with the U. S. Attorney General, Department of Justice, Washington 25, D. C., at any time before December 31, 1949.

The claims cover damage to or loss of agricultural, residential and commercial land, houses and buildings and leasehold and other interests therein. They also cover damage to or loss of business assets, farming, industrial, commercial and household furniture, fixtures, furnishings, utensils, supplies and equipment, automobiles, trucks, musical instruments, tools, clothes, personal belongings, jewelry and livestock and other assets and possessions. They also cover losses suffered by forced selling of property as distressed merchandise. Compensation for property damaged or loss while kept in custody by the Government or any of its agencies or agents likewise is authorized.

To recover compensation, however, the damage or loss must have been the reasonable and natural consequence of your evacuation and exclusion from these States or have resulted from your voluntary departure from any of the military areas before evacuation but in anticipation of the issuance against you of an exclusion order. You cannot claim compensation, however, for any such damage or loss if you already have received compensation for that particular damage or loss under an insurance policy or through any other means.

However, you do not need to rush to file your claims because Congress has not yet appropriated any money for the Attorney General to pay claims which may be allowed and will not appropriate that money until its next session during January or February of 1949. Further, the printed claim application forms will not be available until sometime in October, 1948.

The Attorney General is authorized to make payment of any award up to \$2,500 and to determine a reasonable attorney's fee, not exceeding ten per cent of the amount awarded, which is to be deducted from that award and paid to the attorney who represents you in connection with your claim. Awards higher than \$2,500 will be paid in like manner as are final judgments of the Court of Claims, that is, by special bills approved by Congress.

No claims for damage or loss can be made by or for any Issei or Nisei who was deported voluntarily or involuntarily to Japan since December 7, 1941, or who was not actually residing in the United States on December 7, 1941. No claims can be made for damage or loss arising out of any action taken by any federal agency under the provisions of the Alien Enemy Act or the Trading With the Enemy Act. No claims for damage or loss on account of death, personal injuries, personal inconvenience, physical hardship, mental suffering or for loss of anticipated profits or anticipated earnings will be considered.

Before any such claim for damage or loss is filed it is necessary to make certain that the applicant is a person entitled to the benefits of the statute, that the claim is prepared properly and that the damage or loss can be supported by proof.

Inasmuch as the filing of a false claim with any federal agency is made a criminal offense by Title 8, U. S. Code, Section 88, you are warned against having private agencies preparing your claims and representing you. Especially do I advise you and each renunciant, and also the hundreds of Issei whom I represent, against having the JACL, CRDU or ADC or their officers or attorneys (excepting James Purcell) preparing your claims or representing you on them. Those organizations and their leaders, who now masquerade as your friends, never have been friendly to you but, on the contrary, have been opposed to you and have criticized you through the JACL newspaper called the Pacific Citizen in which articles against your best interests have appeared from time to time.

The following persons in the area nearest you, each of whom is familiar with the procedure on such claims, are highly recommended by me to you as being competent to prepare your claim and to represent you if any hearing may be required to be held thereon. You may call upon him, write him or telephone him. Their names, addresses and telephone numbers are as follows:

1. Y. R. HIRAOKA, *attorney*, 1435 Fresno St., Fresno 1, Calif. Telephone Fresno 4-2078.
2. TETSUJIRO NAKAMURA, 1328 South Glendale Ave., Glendale 5, Calif. Telephone Citrus 3-9451, who will help you or refer you to a lawyer.
3. THEODORE TAMBA, *attorney*, Foxcroft Bldg., 68 Post St., San Francisco, Calif. Telephone Sutter 1-3488.
4. VICTOR ABE, *attorney*, 2209 Pine St., San Francisco, Calif. Telephone Fillmore 6-3403.
5. MAS YONEMURA, *attorney*, 1027 Adeline St., Oakland 7, Calif. Telephone Twinoaks 3-9688.
6. THOMAS COOLEY, II, *attorney*, Tower Building, 14th and K Streets, Washington 25, D. C. Telephone National 0985.

Mr. Cooley is the lawyer, formerly with the Justice Department, to whom the chief credit goes for initiating legislation in Congress under which relief from deportation is granted to Issei who entered this country illegally or lost their admission status. He also, jointly with Dillon Meyer, deserves full credit for initiating the compensation bill which gives you the right to recover for damages or loss of property due to the evacuation. If you are in any of the Eastern States, he will be able to handle your claims after February 1, 1949. That is time enough for reasons stated above.

Very truly yours,

WAYNE M. COLLINS

Form Letter sent in May 1948
to--- Oct. 1948

Japan- Joined Before Decision
Original File

WAYNE M. COLLINS
ATTORNEY-AT-LAW

Mills Tower, 220 Bush Street
San Francisco 4, California
Telephone GARfield 1-1218

and to

Joined After Decision
(U.S. & Japan)
(those joined thru
May 27, 1948)

Cards marked with cross (upper
left-hand corner) definitely
received letter; those without
cross may not have received ltr.

By a court order you were joined as a party plaintiff in suit No. 25294-G in the U. S. District Court at San Francisco, California. The suit is a class action in equity to cancel the plaintiffs' renunciations of U. S. nationality and to restore their American citizenship.

On April 29, 1948, U. S. District Judge Louis E. Goodman rendered his written Opinion in said suit and ordered the renunciations of all persons in the consolidated suits cancelled and their citizenship restored upon the ground the renunciations were executed as the direct result of governmental duress.

The decision restores U. S. citizenship to persons in the suit whether they are in the United States, Japan or elsewhere. The court allowed the government 90 days within which to designate any particular plaintiffs against whom it may wish to present further evidence, if it can, but placed the burden of proof on the government to demonstrate by special hearings in such cases that such renunciations were free and voluntary and in nowise the product of the duress in which they were held. That burden of proof is very difficult, if not impossible, for the government to sustain. If any persons are designated they will be very few in number.

Ninety days after I file an interlocutory decree the judgment restoring citizenship will become final as to all plaintiffs not designated by the Attorney General for special hearings. The interlocutory decree has not yet been filed because each mail brings in requests of renunciants to be included in the case and I am joining them in the suit as rapidly as I receive those requests. It soon will be filed, however.

When the judgment becomes final all persons in Japan whose citizenship is restored will be authorized to return to the United States by applying to a U. S. consul at Yokohama or Kobe. If the government designates for special hearing any of the Nisei plaintiffs who are in Japan such persons will be granted permission to return to the United States for that purpose.

Inasmuch as the time, labor and expense involved in sending and answering thousands of letters is prohibitive you are requested not to write to me unless the matter is urgent or you change your address. I shall send the U. S. consuls in Yokohama and Kobe a complete and up-to-date list of the names and addresses of the plaintiffs in Japan so that when the judgment becomes final they may apply for permission to return to this country. When the judgment becomes final each plaintiff in the suits will receive written notification from me.

Very truly yours,

.....
Wayne M. Collins.

DATE: ? 1948

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

Garfield 1-1218

In reply to your letter of November 5, 1948, please be informed that the Tule Lake Defense Committee is still functioning. Its purpose is to insure the carrying on of the cases to a successful conclusion for each and all of the renunciants who originally brought the habeas corpus and equity suits, together with the thousands who have been added to the case.

The interlocutory decree restoring citizenship to all plaintiffs in the case was entered on September 27, 1948. The court allowed the government 120 days therefrom within which to designate any of the plaintiffs for individual hearings if it be inclined so to do, but placed the burden of proof upon the government to establish in any of such designated cases that the renunciations of such designated persons were not due to the duress in which they were held by the government or to which they were subjected by individuals or groups in the camp.

It is anticipated that the Department of Justice prior to the time the judgment becomes final, about January 29, 1949, will designate a number of the plaintiffs for such special hearings. It is likely that those designated might well include a few renunciants who remained in this country and a number of the 1,500 to 1,800 who went to Japan. Approximately 1,600 renunciants who were in Japan have been joined as parties to the case. Inasmuch as the burden of expense to try each of the individual cases will be enormous, the original Tule Lake Defense Committee of its own free will and desire has decided to raise additional funds in order to carry each of said individual cases to a successful conclusion. The Committeemen are of the opinion that no one individual should be compelled to carry on the huge expense that would attach to his or her individual case and that the burden thereof should be carried by the whole class of renunciants.

The limited fund originally contributed by some 600 of the group at Tule Lake is, of course, inadequate to carry on the litigation of individual cases to a successful

conclusion. In consequence, the committeemen have taken the view that those who heretofore had not made contributions to the cause might now do so, especially in view of the fact that the great majority of them, if not all, now are in a position so to do. Therefore if you are to make a contribution, that contribution should be made to the Tule Lake Defense Committee, 117 North San Pedro Street, (Room 302), Los Angeles 12, California. Tex Nakamura is acting as the secretary at that address for the Committee. Harry Uchida and others may be reached at that address.

Committeemen in San Francisco are Iwao Shimizu at the Hokubei Mainichi, 1737 Sutter St.; and Iwao Namekawa at the Nichibei Times, 1761 Sutter St. I understand that other committeemen are functioning in Sacramento and Fresno.

Very truly yours,

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

October 12, 1948

Form letter being sent to those wishing to be joined in the renunciation case.

I am not positive that additional parties can be joined to the renunciation cases inasmuch as the interlocutory judgment was signed by the Judge and filed on September 27, 1948.

However, before that judgment becomes final about January 29, 1949, it may be possible to join additional persons if the government does not object thereto. In consequence, if you will send me the following information immediately, I shall include your name in a subsequent motion to be made to the court for inclusion.

1. Full name, including middle name (also maiden name, if married woman).
2. Date of birth.
3. Place of birth.
4. Place and approximate time of renunciation.
5. Name under which you renounced.
6. Whether or not you received a letter from the Attorney General approving your renunciation. If you have such a letter in your possession, please forward it to me immediately.

Very truly yours,

COMMITTEE
Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA
MICHIGAN 9376 4728

COMMITTEE
T. OBATAKE
M. SAKAKI
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
P. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

November 1, 1948

Dear

At this time we wish to bring forth to each and everyone of more than 5,000 parties plaintiff in consolidated suit No. 25294, filed December 13, 1945, in the U. S. District Court in San Francisco, the accomplishments that were realized through the untiring effort of our attorney, Wayne M. Collins of San Francisco.

As you may already be aware of, U. S. District Judge Louis E. Goodman on April 29, 1948, filed his written opinion in the case cancelling the renunciations and restoring citizenship to all the Nisei plaintiffs on the ground they were caused by duress. However, the defendants were given 120 days within which, in good faith, they may designate any particular plaintiffs against whom they might wish to present additional evidence, if they can, but placed the burden of proof upon the defendants to demonstrate the renunciations of any such designated persons were free and voluntary and in no wise the product of the duress in which they were held and to which they were subjected.

The accomplishment as cited above cannot merely be expressed in words, but it was a tough uphill battle for three years, and waged single-handedly by Mr. Collins.

The committee has been brought aware of the situation where the original fund collected at Tule Lake has just about been expended. The long battle, which has already consumed more than three years, not only has been a difficult one, but a costly one. Although Mr. Collins has unselfishly devoted his full time to our cause, he has not received a single penny for his own welfare from this fund.

Also, we are aware of the situation where the government may at their decision designate some or many of the persons within the prescribed limit of 120 days. We also are aware of the situation where the government may appeal the decision to the higher courts. Under such circumstances we shall be terribly handicapped by the lack of fund. Therefore, being aware of such a situation we have reactivated the original Defense Committee to raise the additional fund in order to meet any future events.

The Defense Committee in their recent meeting decided that all renunciants in this suit should fulfill their original pledge of \$100.00. The post-camp days have materially improved the economic status of each renunciant, and we feel it is only fair and just that each be assessed the similar amount. The collection of this fund will assure us the protection of our victory, as well as finding some way of remunerating our attorney for services heretofore rendered.

Inasmuch as the labor and expense involved to collect the fund will be prohibitive, we appeal to you by mail so that you may respond by mailing your remittances to our office at Room 302, 117 N. San Pedro Street, Los Angeles 12, California. We ask your cooperation in this matter by mailing all remittances payable to Wayne M. Collins.

By way of reminder your total contribution heretofore has been \$.....leaving a total balance of \$.....

Very truly yours,

TULE LAKE DEFENSE COMMITTEE

千九百四十五年十二月十三日桑港の合衆國管區法廷に提起したる市民權放棄取消訴訟第二五二九四號に合同加盟したる五千人余の二世諸氏の御注意を喚起し、その支援を得んとするものであります。

既に御承知の通り千九百四十八年四月廿九日合衆國管區判事ルイス、イー、グードマン氏は壓迫、強迫に依つて市民權を放棄したる二世は全部その放棄を取消し、その市民權を回復し得るといふ判決を下されました。然し乍らその判決に附隨して被告即ち米國政府は百二十日間の猶豫を與へられ、その期間内に他の反證を提示し、それに該當する原告を指命し得るといふ一條がありました。即ち二世の市民權放棄は自由意志であり自發的であり、決して他からの強迫、壓迫の所産でないといふ見解に立つ米國政府に立證の責任を持たしめたものであります。

この判決に到る迄の難澁はとも言語で表現し得る程度のもではなく、滿三ヶ年の烈しい難戦苦闘の連続であつたと申上げるより他はなく、而もウエイン、エム、コリンズ辯護士が倦まず撓ゆまず孤軍力闘、これ迄完成されたのであります。

事實三年有餘に亘る係争、而もその係争が真に至難の係争であつたばかりでなく、莫大の費用を要するものであります。この間コリンズ辯護士は犠牲的に、我々の訴訟に全力を傾倒されたにも係らず、御自身の爲には一仙の金も受けられなかつたのであります。

今日ツルレーキ市民權擁護委員會は、ツルレーキで徵集したる最初の資金は既に大方費消し盡した事態を承知し、一方米國政府がこの判決の猶豫期間内に反證提示の舉に出るか或は上級法廷に控訴を企圖するかを憂慮せざるを得ないのであります。兩者のいづれの場合に遭遇しても資金の不足は甚だ不利を招くのは必然でありますので、今日我々はツルレーキの舊市民權擁護委員會を復活し、將來の事態を慮つて資金の調達をなさんとするものであります。

市民權擁護委員會は最近の委員會に於いて、この訴訟に加盟したる市民權放棄者は全部各々百弗を納入するといふ誓約を今日履行すべきだといふ事に決定いたしました。訴訟加盟の人々は均等にその費用を負担すべきが正當であるといふ信條に立脚して、加盟の二世各位にその誓約の履行を御依頼する次第であります。

事の重大性に鑑み、その勝利を確保する爲の資金だといふ事を充分考慮されて早速御送金下されん事を重ねて御依頼致します。

斯うした資金の徵集に人件費や他の費用を支出する事は法律で禁止されて居ります故、茲に書狀で各位に御依頼致しますからウエイン、エム、コリンズ宛に小切手、或は送金手形を作成し、羅府北サンビドロ街一一七の第三〇一號室に御郵送下さる様御願ひ致します。

念の爲貴下の納入額と殘金とを附記して置きます。

納入額	金	弗	仙
殘額	金	弗	仙

一九四八年十一月一日

ツルレーキ・デフェンス・コミTEE

拜啓 皆様の御手許へ去る十一月一日と二十二日附を以つてツルレーキ デフエンス コミティー（鶴嶺湖市民権擁護委員会）から市民権放棄取消訴訟第二五二九四號に加盟したる人々はこの際全部金百弗を納入するといふ誓約を履行していただきたいと依頼状が届いている事と存じます。

これは一九四八年四月二十九日合衆國聯邦管區判事ルイスグッドマン氏に依り『市民権の放棄を壓迫と強迫によつてなしたる二世は全部その放棄を取消し市民権を回復し得る』といふ判決を得るまで約二ケ年半、最初ツルレーキでこの運動を起した當時一人百弗づみ出した資金で運動を續けて來たのでありますがその大部分は既に消費し盡してしまいました。運動費は裁判の費用、交渉費などでカーリンス辯護士は報酬として一仙も取つて居りません。

いよく右判決も明年一月二十八日には政府側に與へられた猶豫期間が満期となるのでありますが、その間政府が反證提出を行ふか控訴する場合は我々はこの對抗する資金がありません、我々に有利な判決を最後に資金不足のため敗れる様な事があつては今迄の勝訴は水泡に歸してしまいます。

この際訴訟加入者は約束の百弗を納入して下さい。羅府の委員会本部又は北加桑^{北加}地方委員宛に至急御届け下さい。

マネオージャー又はチャツキは Wayne M. Collins 宛に願ひます

直接我々委員に御届け下されば責任を以て本部へ納入致します

一九四八年十一月卅日

ツルレーキデフエンスコミテイ

北加桑灣地方委員

清 水 巖
滑 川 巖

1787 Sutter Street, San Francisco 15

Phone JORDan 7-7324

Committee may this is a translation of 7/25/52 letter from A to R

拜啓 去る五月一日付の書状(日、英兩文)で、市民権回復訴訟事件に關し、詳細に説明しました如く、七年がかりの鶴嶺湖集團復籍係争事件も愈々大詰に入り、事件の結末も近き將來つくことになりました。

依つて鶴嶺湖ダイフエンス・コミTEEでは、これがしめくもりをつける爲、諸般の事務整理に當つてあります。コミTEEでは過般來、ブラザー郡を始め桑港半島沿岸、櫻府バーリー、サン・オーキン、バーリー、中加各地で集會を持ち、事件の内容、市民権離脱者の資格、係争経緯などに関し、詳細に説明、市民権離脱者諸君の諒解を求めると共に、參考資料を提供したのでありますが、更に、今回これが徹底化を圖り、皆様の全幅的協力を要望する意味に於て、この書状を送る次第であります。

御承知のやうに、この事件は史上未曾有の長期に亘る集團係争事件であります。言うまでもなく、ケース加盟者一人々々の強い協力と團結に依つてのみ、係争を繼續し得るもので、亂れた足並では決して勝訴に導くことは出来ないであります。幸にカーリンス辯護士の繞まざる努力と才能に依り、ケースは好轉、さきに一千數名の未定年者組は勝訴、復籍を確認されました。そして残余の人達の復籍も間近目鼻がつく段階にまで漕ぎつけたのであります。

然るにケースに入つてゐる者の一部には、まるで他人事のように關心を寄せず、協力もせず無頓着でいる向もあります。これをこの儘放任しておいたのでは、今後の係争に支障を來すので、コミTEEとしてはこの際、皆様の決意を促し係争を續ける者と脱落するものを、ふるいにかけることにしました。決斷のつかぬ向は別紙英文欄の地方委員から、納得の行くまで説明を聞かれることをお勧めします。

言葉が強過ぎて失禮な言語もありませうが、コミTEEの意向を簡明にする爲、端的に申しますから、この點御容赦願います。つまり、所定の料金三百弗を忠實に納入した者のある反面、全然入金しない者もある。ケースそのものは集團的なものではありませんが、目的は個人々々の市民権回復にあるのです。この状態を放任してあげば、全く不公平な措置であることは説明するまでもありません。

それだからと云つて、個人的な家庭の財政事情を全然考慮に入れないと云うわけではありません。手許不如意の方は、分割拂いでもかまいません。唯ここで強調したいのは、他人のフンドシで相撲を取らうとする不心得者があれば、團結力を障害、ひいては係争を跛行状態に陥れるからです。誠意さえあれば、この種係争事件の辯護料金としては破格に安い三百弗は、拂えないことはないと思います。勿論先程も述べた如く、必ずしも一時金でなければならぬと云うわけではないのです。然し経費もかたり、係争續行の上にその資金を必要としている現状におきましては、早期全額支拂いをお願いする次第です。

次に種々誤解されている點も御座いますから、此處でそれを説明させよう。

米國に居住する限り、市民権がない場合は種々不便に直面致します。過日の藤井、正岡兩試訴は加州外人士地法は違憲的であるとの理由で、州大審院で勝訴、この結果土地法は撲滅され、外人でも土地所有の制約は無くなりました。然し、選挙權、公共事業、公務員の仕事は特殊事情以外には従事することは出来ない。その他種々の商賣の鑑札は、市民でない爲下附されない。また外國旅行にも種々不便が伴います。それに加州では、外人に養老年金を支給しない。數えあげれば枚擧げにいとまない制約があります。

また一部市民権離脱者中には、國務省から旅券を下附されたので復籍を許可されたと誤解している向があります。この旅券は裁判の際好個の證據物件にはなりますが、それによつて市民権を回復したことが立證されたものではありません。なぜなら、國務省は復籍許容の權限がないからです。唯裁判所がその裁決權を有しているに過ぎないのです。従つて旅券を下附された市民権離脱者で、これが無効する二年後に再度下附を申請した場合、それを拒否されることを自覺しなければなりません。

なお移民歸化混合法案が最近立法化しましたが、市民権離脱者は米國生れである爲、歸化を申請する資格はありません。従つて、裁判で勝訴しない限り一生外國人として生活しなければならぬ憂き目に逢著するわけなのです。

斯る事情にある市民権離脱者のケース加盟者に對しては、コミTEEでは、カーリンス辯護士の一翼となつて係争を有利に進めたいと努力しているのであります。カーリンス辯護士の熱意と才能、その經驗に基き、必ずや皆さんが満足する結果をもたらすものと信じてあります。

最後に同封の英文の御通知に記入されている貴兄の未拂額を

Wayne M. Collins, 124 S. San Pedro Street, Los Angeles 12, Calif.

宛送つて頂ければ幸いです。又疑問の點がありましたら遠慮なく問い合せて下さい。

一九五二年七月廿五日

ツールレーク・ダイフエンス・コミTEE

Tule Lake Defense Committee

124 S. San Pedro St., L. A. 12, Calif. Tel. Michigan 4728

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA

Michigan 4728

COMMITTEE
Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA
T. OBATAKE
M. SAKAKI
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
P. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

November 22, 1948

On November 1st, we mailed in your care a letter of appeal for payment of your fee toward the defense fund. Inasmuch as three weeks has already past, we have not received any word from you. We feel this is a negligence on your part, which should be rectified at once.

We wish to close our drive for this fund as soon as possible, and desire to receive some form of response from you. We feel it is your duty to come to our office if you are residing within the environ of Los Angeles or communicate with us by any other means if outside of this city. In our previous letter we did not list all the names of the members of the defense committee and some of you doubted our sincere appeal. Also in view of the great number of letters it was mailed unsigned. However we have corrected this situation, and we desire that you heed this letter.

At present we are in a haze as to what may happen on January 29th, but if many should be designated it will mean an expenditure of great sums of money. If your lack of interest in this case should result in the failure of this suit, we will be compelled to resort to drastic action. We will dismiss all plaintiffs from this suit who will not give us any response to this letter.

Although we do not wish to remind you too fully the past history of this case we wish to point out the original 1,100 persons in Tule Lake bore the brunt of attack, and made great sacrifices to prevent your deportation to Japan and have your citizenship restored. It was on account of the late comers that this whole proceeding was delayed and extended till January 29th. Therefore we feel it is your duty to show some form of appreciation for what has already been done by paying for your own legal expense.

We must remind you again that we will not tolerate any form of irresponsibility. It should also be fully understood by you that nobody but yourself will profit by making this case a success.

May we remind you finally that this is our final appeal, and we wish to hear from you within the next few days.

Very truly yours,

TULE LAKE DEFENSE COMMITTEE

T. NAKAMURA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA

Michigan 4728

- COMMITTEE
- Y. HONDA
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- H. TAKETAYA
- P. TSUETAKE
- H. TAKEUCHI
- H. UCHIDA
- M. YAMAICHI

November 22, 1948

Mrs. Shizuko Rosemary Mori

On November 1st, we mailed ^{to you} in your care a letter of appeal for payment of your fee toward the defense fund. ^{passed} Inasmuch as three weeks has already ^{Although} past, we have not received any word from you. We feel this ^{was an oversight} is a negligence on your part, which should be rectified at once.

We wish to close our drive for this fund as soon as possible, and desire to receive some form of response from you. We feel it is your duty to come to our office if you are residing within the environ of Los Angeles or communicate with us by any other means if outside of this city. In our previous letter we did not list all the names of the members of the defense committee and some of you doubted our sincere appeal. Also in view of the great number of letters it was mailed unsigned. However we have corrected this situation, and we desire that you ~~heed this letter.~~ ^{give attention to this letter.}

At present we are in a haze as to what may happen on January 29th, but if many should be designated, it will mean an expenditure of great sums of money. If ~~your~~ lack of interest in this case should result in the failure of this suit, ~~we will be compelled to resort to drastic action. We will dismiss all plaintiffs from this suit who will not give us any response to this letter.~~

Although we do not wish to remind you too fully the past history of this case we wish to point out the original 1,100 persons in Tule Lake bore the brunt of attack, and made great sacrifices to prevent your deportation to Japan and have your citizenship restored. It was on account of the late comers that this whole proceeding was delayed and extended till January 29th. Therefore we feel it is your duty to show some form of appreciation for what has already been done by ~~paying for your own legal expense.~~ ^{Contributing to the common defense.}

~~We must remind you again that we will not tolerate any form of irresponsibility. It should also be fully understood by you that nobody but yourself will profit by making this case a success.~~

May we remind you finally that this is our final appeal, and we wish to hear from you within the next few days.

Very truly yours,

TULE LAKE DEFENSE COMMITTEE

T. Nakamura
T. NAKAMURA

for special savings

many might suffer

Learn what you can

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

December 10, 1948

In reply to your letter of recent date, please be informed that the Tule Lake Defense Committee is still functioning. Its purpose is to insure the carrying on of the cases to a successful conclusion for each and all of the renunciants who originally brought the habeas corpus and equity suits, together with the thousands who have been added to the case.

The interlocutory decree restoring citizenship to all plaintiffs in the case was entered on September 27, 1948. The court allowed the government 120 days therefrom within which to designate any of the plaintiffs for individual hearings if it be inclined so to do, but placed the burden of proof upon the government to establish in any of such designated cases that the renunciations of such designated persons were not due to the duress in which they were held by the government or to which they were subjected by individuals or groups in the camp.

It is anticipated that the Department of Justice prior to the time the judgment becomes final, about January 29, 1949, will designate a number of the plaintiffs for such special hearings. It is likely that those designated might well include a few renunciants who remained in this country and a number of the 1,500 to 1,800 who went to Japan. Approximately 1,600 renunciants who were in Japan have been joined as parties to the case. Inasmuch as the burden of expense to try each of the individual cases will be enormous, the original Tule Lake Defense Committee of its own free will and desire has decided to raise additional funds in order to carry each of said individual cases to a successful conclusion. The Committeemen are of the opinion that no one individual should be compelled to carry on the huge expense that would attach to his or her individual case and that the burden thereof should be carried by the whole class of renunciants.

The limited fund originally contributed by some 600 of the group at Tule Lake is, of course, inadequate to carry on the litigation of individual cases to a successful conclusion. In consequence, the committeemen have taken the view that those who heretofore had not made contributions to the cause might now do so, especially in view of the fact that the great majority

of them, if not all, now are in a position so to do. Therefore if you are to make a contribution, that contribution should be made to the Tule Lake Defense Committee, 117 North San Pedro Street, (Room 302), Los Angeles 12, California. Tex Nakamura is acting as the secretary at that address for the Committee. Harry Uchida and others may be reached at that address.