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STATEMENT BY WAYNE M. COLLINS

1955

78/177

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STATEMENT BY WAYNE M. COLLINS, TRUSTEE FOR VARIOUS LITIGANTS

The interest is derived from a special litigation account, namely, Savings Account No. 792754 in the First Western Bank and Trust Company (formerly the San Francisco Bank), 405 Montgomery Street, San Francisco, California, held in my name as Trustee for litigation purposes.

The trust funds have been received by me as trustee for litigation purposes from a substantial number of a group of some 4,354 persons plaintiffs in mass class equity proceedings Nos. 25294-5 pending in the U. S. District Court in San Francisco, entitled Abo, Furuya, et al., v. Brownell (Attorney General), Barber (District Director USI&NS) etc. et. al. and from them for individual administrative causes pending before the U. S. Attorney General. The litigation and administrative remedies involve the cancellation of wartime renunciations of U. S. nationality made by Nisei citizens while detained in our concentration camps simply because of their lineage.

The number of plaintiffs originally was 4,354. Of these some 100 individual causes have been dismissed for various reasons, on request or by virtue of the fact that the administrative remedies pursued have been successful and they have recovered their citizenship under the provisions of Public Law 515. Of the remainder some 1,004, pursuant to order of court have been successful in having their renunciations of U. S. nationality voided and the judgments thereon are final and conclusive. An additional 469 have succeeded in administrative

remedies and final and conclusive judgments have been entered in their individual favor. Approximately 50 additional persons are awaiting the entry of like individual judgments in their favor. Administrative processing is proceeding for the remainder and those unsuccessful therein will have individual court trials.

The trust funds from which the interest has been derived and accumulated thereon are held in Savings Account No. 792754 by me as Trustee for the current plaintiffs in said litigation who have contributed the same for such purposes. The maximum amount contributed by any particular plaintiff thereto does not exceed the sum of \$300. Many contributed appreciably smaller sums and a number contributed nothing by reason of poverty.

The trust funds, as received by me, have been deposited forthwith in said trust savings account and the interest which has been received thereon is credited to said account and constitutes an integral part of the trust funds. From this trust savings account, as needed, are withdrawn into a special commercial account in said Bank to defray the costs and expenses necessary to prosecute the cases to conclusion administratively and in court. The following is a statement of the amount of the trust fund, the maximum number of contributors thereto, the average amount of individual contribution thereto and the average interest received thereon per individual contributor from 1951 through 1954, viz:

<u>Year</u>	<u>Amount of Fund at Dec. 31</u>	<u>Number of Contribu- tors</u>	<u>Average Contribution Per Plaintiff</u>	<u>Total Interest Received</u>	<u>Average Interest Per Person</u>
1951	\$ 49,537.50	4,354 (maximum)	\$ 11.40	\$ 500.35	\$.11
1952	204,027.09	3,350 (remaining)	60.90	1,773.50	.53
1953	219,630.97	3,250 (remaining)	67.58	4,841.71	1.49
1954	182,301.77	3,250 (remaining)	56.09	3,858.04	1.18

KLondike 2-1910

4/26/56

THOMAS P. KEARNEY
PROPERTY AUDITOR

Representing
RUSSELL L. WOLDEN, Assessor
City and County of San Francisco
Room 101 City Hall

12



John Lay, Esq. *11/23/55* *Esq.*

The interest is derived from a special litigation account, namely, Savings Account No, 792754 in the First Western Bank and Trust Company (formerly the San Francisco Bank), 405 Montgomery Street, San Francisco, California, held in my name as Trustee for litigation purposes.

The trust funds have been received by me as trustee for litigation purposes from a substantial number of ^{in groups of} some 4,354 persons plaintiffs ~~in individual and mass class habeas corpus~~ equity proceedings Nos. 25294-5 ~~and~~ pending in the U.S. District Court in San Francisco entitled Abo, Furuya, et al., etc. v. Brownell (Attorney General), Barber (District Director USI&NS) etc. et al. and from them for individual administrative causes pending before the U.S. Attorney General. The litigation and administrative remedies involve the cancellation of wartime renunciations of U.S. nationality ^{made} by Nisei citizens while detained in our concentration camps simply because of their lineage.

The number of plaintiffs originally was 4,354. Of these some 100 individual causes have been dismissed for various reasons, on request or by virtue of the fact that the administrative remedies pursued have been ~~unsuccessful~~ successful and they have recovered their citizenship under the provisions of Public Law 515. Of the remainder some 1,004, pursuant to order of court have been successful in having their renunciations of U.S. nationality voided and the judgments thereon are final and conclusive. An additional ⁴⁶⁹ have succeeded in administrative remedies and final and conclusive judgments have been entered in their individual favor. Approximately 50 additional persons are awaiting the entry of like individual judgments in their

favor. Administrative processing is proceeding for the remainder and those unsuccessful therein will have individual court trials.

The trust funds from which the interest has been derived and accumulated thereon are held in said Savings Account No. 792754 by me as Trustee for the current plaintiffs in said litigation who have contributed the same for such purposes. The maximum amount contributed by any ~~person~~ ~~therein~~ particular plaintiff thereto does not exceed the sum of \$300. Many contributed appreciably smaller sums and a number contributed nothing by reason of poverty. I am able, however, from my records, to compile and supply the names of the plaintiffs who have contributed the funds for said purposes and the times and respective amounts thereof if such be required but it would take a reasonable period of time to prepare such data.

~~From the trust savings account funds, as needed, are withdrawn into a special commercial account in said Bank to defray the costs and expenses to prosecute the cases to conclusion administratively and in court.~~

The trust funds, as received by me, have been deposited forthwith in said trust savings account and the interest which has been received thereon is credited to said account and constitutes an integral part of the trust funds. From this trust savings account funds, as needed, are withdrawn into a special commercial account in said Bank to defray the costs and expenses necessary to prosecute the cases to conclusion administratively and in court. The following is a statement of the amount of the trust fund, the ~~maximum~~ maximum number of contributors thereto, ~~the interest received thereon~~

the average amount of individual contribution thereto and the average interest received thereon per individual contributor from 1951 through 1954, viz:

<u>Year</u>	<u>Amount of Fund at 12/31</u>	<u>Number of Contributors</u>	<u>Average Contribution Per Plaintiff</u>	<u>Total Interest Received</u>	<u>Average Interest per Person</u>
1951	- \$49,537.50	- 4,354 (maximum)	- \$ 11.40	- \$ 500.35	- \$.11
1952	- \$204,027.09	- 3,350 (remaining)	- \$60.90	- \$1,773.50	- \$.53
1953	- \$219,630.97	- 3,250 (remaining)	- \$ 67.58	- \$4,841.71	- \$1.49
1954	- \$182,301.77	- 3,250 (remaining)	- \$ 56.09	- \$3,858.04	- \$1.18

The trust litigation fund, presently amounting to approximately \$147,000 covers ~~time~~ approximately 2,731 plaintiffs whose individual cases presently are being processed administratively for possible clearance by the U.S. Justice Department and final judgment thereafter, if successful, or for ultimate individual court trials thereon by those ~~who~~ are unsuccessful ~~therein~~ in their administrative remedies.

Year 12/31	Amount of Fund 12/31	Total Interest Paid	Interest Per Plaintiff	Interest Received Person
1951 - * Rem. No. of contributors	49,537.50	500.35	* 11.40 (4354 persons)	* .11 cents
1952 Rem. No. of contributors	204,027.09	1,773.50	* 60.90 (3350 persons)	* .53
1953 - Rem. No. of contributors	219,630.97	4,841.71	* 67.58 (3250 persons)	* 1.49
1954 - Rem. No. of contributors	182,301.77	3,858.04	* 56.09 (3250 persons)	* 1.18
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(11/4/55) 1955 12/31	147,125.35 146,980.95	(Int. 1/2 year) 1627.67 1470.60	* 59.87	
	17,000	Total = 3098.27	(2731 persons)	* 1.13

4354

Judgments - 5/29/52 fm 1004
8/12/55 fm 421
9/16/55 fm 48 1473

Others included = approx 50

Dismissals = approx 50

969

792754 Opened 6/20/51 (2)
(Mullins, Tanta)

1951

12/31/57 500.35 (2%)

1952

6/30/52 598.89 (2%)

12/31/52

1174.61

1773.50

1953

6/30/53 - 2379.61

12/31/53 -

2462.10

4841.71

1954

6/30/54 - 2042.13

12/31/54 -

1815.91

3858.04

1955

6/30/55 -

1627.67

4,354

first & carbon of
Polymers

1004 (8/29/52)

421 8/12/55

48 9/16/55

30 1/11/56

The End

4254
1523
2731

4254
1473
2781

4354

1004
469
50
1523

4354
100 dim
4254

1004
421
48
1473

$$\begin{array}{r} 2700 \\ \hline 147,000 \end{array}$$

$$\begin{array}{r} 1470 \overline{) 27.00} \end{array}$$

$$\begin{array}{r} 58.15 \\ \hline 27 \overline{) 1470.} \\ \underline{135} \\ 220 \\ \underline{216} \\ 40 \\ \underline{27} \\ 130 \\ \underline{130} \end{array}$$

12/6/55 J.H. Long & 2-3377. He says
He is making up State & Fed. forms
as that is the usual way
to handle.