

8:17 HASHIMOTO, CHIYONO

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Department of State
Winder Building
Washington 25, D. C.

Attention: Mrs. Ruth B. Shipley
Director, Passport Office

Re: Chiyono Hashimoto
F130

Dear Sir:

Pursuant to the agreement entered into with Mr. Wayne M. Collins, Attorney, to stipulate to the introduction of satisfactory affidavits submitted by plaintiffs in the case of McGrath v. Abo, 186 F 2d, 766, as set forth in the Department's letter of September 22, 1953, to the Department of State, we attach affidavit of the above-named renunciant, together with copy of our letter to Lloyd H. Burke, Esquire, United States Attorney, Northern District of California, in which we express the opinion that this subject's case may be considered as coming within the coverage of the ruling of the Court of Appeals in the case of Acheson v. Murakami, 176 F 2d, 953.

A copy of this letter is being forwarded to Mr. Collins, and in accordance with the above agreement, may be presented by the above-named subject in lieu of the usual supplemental affidavit required of renunciant applicants for documentation as American citizens.

For your information, the subject's husband, Minoru Hashimoto, born July 30, 1912, at Aiea, Ohu, Hawaii, also submitted an affidavit. However, we have advised Mr. Burke that it is our opinion that his case does not come within the coverage of the decision of the Court of Appeals in the Murakami case.

Yours very truly,

WARREN E. BURGER
Assistant Attorney General
Civil Division

By:

Enoch E. Ellison,
Chief, Japanese Claims Section

Encl. No. 97520
Affidavit and copy of letter.

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

WEB:GMR

UNITED STATES
DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

146-54-886

93-1-1320

RECEIVED
OFFICE OF U. S. ATTORNEY
SAN FRANCISCO, CAL.

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FEB 1 1955

FEB 7 1955

Lloyd H. Burke, Esquire
United States Attorney
422 Post Office Building
Seventh and Mission Streets
San Francisco 1, California

Referred To.....

Re: Chiyono Hashimoto

Your ref: Abo, et al v. Brownell, et al.
Furuya, et al v. Brownell, et al. Consolidated
actions - Civil Nos. 25294 and 25295).
Renunciation of Citizenship, Title 8 USC 801(i).

Dear Mr. Burke:

This is in response to your letter of September 23, 1954, enclosing an affidavit for a determination as to whether the case of the above named renunciant may be considered as coming within the coverage of the ruling of the Court of Appeals in the case of Acheson v. Murakami, 176 F.2d, 953, in accordance with a letter from this Department dated September 21, 1953, to Mr. Wayne M. Collins.

We have examined the affidavit, together with pertinent Governmental files and are of the opinion that the case of subject affiant may be considered as coming within the ruling of the Court of Appeals in the Murakami case. Unless you disagree, please enter into the arrangements necessary to dispose of the case in accordance with the procedure outlined in the above-mentioned letter of September 21, 1953. If time will permit, we should appreciate an opportunity to inspect the papers before they are filed.

The original and one copy of the subject's affidavit are returned to you herewith.

Yours very truly,

WARREN E. BURGER
Assistant Attorney General
Civil Division

By: *Enoch E. Ellison*
Enoch E. Ellison
Chief, Japanese Claims Section

Enclosure
No. 97519

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

WEB:CMR

UNITED STATES
DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

146-54- 886

93-1-1320

FEB 1 1955

Lloyd H. Burke, Esquire
United States Attorney
422 Post Office Building
Seventh and Mission Streets
San Francisco 1, California

Re: Chiyono Hashimoto

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Furuya, et al v. Brownell, et al. Consolidated
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WARREN E. BURGER
Assistant Attorney General
Civil Division

By:
Enoch E. Ellison
Chief, Japanese Claims Section

Enclosure
No. 97519

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February 12, 1955

Mrs. Chiyono Hashimoto
Tainohara, Ono Mura
Saiki Gun, Hiroshima Ken
Japan

Dear Mrs. Hashimoto:

You have been successful in the administrative remedy pursued in your case. The Justice Department has reached the conclusion that you personally renounced citizenship because of fear, coercion and duress. Therefore, it is willing to withdraw the offer of proof it made against you in the mass class equity suits whereupon a judgment can be entered in your favor in the U.S. District Court cancelling your renunciation on the ground of duress and declaring you to be a citizen of the United States.

As soon as a large enough number of persons have been cleared administratively such a judgment will be entered for you. When the judgment is entered I shall let you know by letter and I shall send you a certified copy of the judgment which you can keep for future use.

I am enclosing a copy of the transmittal letter of the Justice Department (Attorney General) which was sent to the Department of State (Passport Office). You should take the enclosed copy of that transmittal letter promptly to the United States Consul in Japan nearest you and there apply for a U.S. passport if you have not already done so. The U.S. Consul will issue a U.S. Passport to you which will show on its face that you are a citizen of the United States.

When you receive the U.S. passport from the U.S. Consul you can make your own arrangements to return to the United States. You should write and let me know your U.S. address and the time you expect to return to the U.S.

If you have children born in Japan such children are U.S. citizens and you will be able to bring them back to the United States with you.

If you have a spouse (wife or husband) who is an alien such person can enter the United States as a "nonquota immigrant" because you are a U.S. citizen. An application can be made to the nearest U.S. Consul in Japan for a non-quota immigrant visa for such spouse.

If your spouse (wife or husband) is a renunciant who does not recover U.S. citizenship administratively through the Justice Department or by court trial, or does not wish further to try to recover U.S. citizenship, such a spouse, nevertheless, can elect to be an alien and can obtain a nonquota immigrant visa from the nearest U.S. Consul and can return to the U.S. because he or she is the spouse of a U.S. citizen.

If your spouse is an alien or a renunciant who does not recover citizenship but becomes an alien who returns to the United States as a nonquota immigrant he or she here becomes eligible to apply to an office of the U.S. Immigration Service to become naturalized, that is to say, to become a U.S. citizen by naturalization.

It is my conclusion that in due course of time Congress will enact a new law authorizing the return of property or its approximate value to aliens whose property was seized and confiscated during the war under the provisions of the Trading With The Enemy Act.

If you intend to remain in Japan for a while you must be careful not to commit any act whereby you might lose U.S. citizenship. You were informed by me in previous letters of various acts of expatriation whereby a U.S. citizenship can be lost.

If you have dual citizenship you can denounce (renounce) Japanese nationality. This can be done by signing a renunciation form before a Japanese consular officer in the United States or before an authorized Japanese government office in Japan.

Very truly yours,

Enc.

AFFIDAVIT

INSTRUCTIONS FOR THE PREPARATION OF AFFIDAVIT

This affidavit should be specifically addressed to the circumstances of your particular case and should not consist of generalities. When you are uncertain as to matters related in your affidavit write "uncertain". Where you claim that any action was taken by you as the result of fear, you should state in each instance, with the greatest possible particularity, what was feared and why. If it is claimed that the fears were caused by threats from individuals or groups of individuals, the nature of the threats, the names of the individuals making them, if known, and the time, place and occasion for the making of the threats should be given.

If more space is needed for answers to particular questions, separate sheets of plain white paper should be used. Each separate sheet so used should be plainly marked with the number of the question being answered and your name.

1. Name Chiyo Hashimoto		Date of Birth November 11, 1916	
2. If born prior to December 1, 1924	(A) Have you ever renounced Japanese nationality? No	When -	Where -
3. If born since December 1, 1924	(A) Was your name ever registered with a Japanese Consulate for the purpose of reserving your Japanese nationality?		
If so, did you thereafter renounce your Japanese nationality?	When -	Where -	
4. State periods of visits to Japan and purpose of each visit:			
Date		Purpose	
From 1918	To Sep 1936	Accompanied parents.	
Jan 1946	present	Visit parents and Aged father-in-law.	
5. Give details concerning any formal education in Japan:			
School		Period of Attendance	
Kaneyama Jinjyo Koto Grammar School		From 1923	To 1931
Chugoku Jissen Sewing School		1931	1934
Specify subjects studied (attach additional sheet if necessary). Normal grammar school education.			
6. Have you ever made application for repatriation to Japan? Yes . If so, give date early 1943 , and your reasons for so applying: I do not remember the date. I did whatever my husband did. We lost everything when we entered camp. The chance of going back to our former place looked hopeless, and even the chance to go outside did not look to good. Very much disappointed because we lost everything when things were just beginning, to go well with us. We had moved from Belvedere Garden, Los Angeles to Baldwin Park L.A. in 1941 around early part of June or latter part of spring and things or rather vegetables were just about to start growing crops when			
7. (A) Have you ever expressly indicated that you would not swear unqualified allegiance to the United States? No .		Have you ever declined to answer when asked whether you would swear unqualified allegiance? No	
Or have you ever given a qualified answer to such question asked at War Relocation Centers? Yes . If so, give your reasons: Although my husband and I requested for repatriation to Japan not because we were disloyal to America but because we had not the means to go outside to start anew elsewhere. I do not really remember how I answered my ques. No. 28 but I think it was "Yes". I did whatever my husband did in order to be with him and go wherever he goes.			
(B) If your answer to any of the questions in (A) is affirmative, then did you ever subsequently change your mind and express your willingness to swear an unqualified allegiance or would you have been willing to do so if an opportunity had been afforded you? No . If so, state when you changed your mind and your reasons therefor: Not applicable.			

(Cont'd)

Chiyoeno HASHIMOTO

(Cont'd)

6. we had to go into camp. Because of lack of finance to start anew in other places, my husband requested for repatriation. I did what he did to be with him. I could not take care of my two little sons by alone. I was afraid for them.

8(F). and since my block was known as pro-Japanese, if I tried to resign, the people in my block will despise me and completely ignore me. At mess-ing hour, the distribution of food would be unfair and I was very much afraid for my children and my husband.

9(A). all, and to me too, if I had not renounced. I cannot recall but a certain Issei member of the Dan told me that if I had not renounced, my parents living in Japan would suffer because of my action.

It was generally believed around the camp that mass atrocities were committed against those who have already relocated. During the same time, press report of closing of camp came out. Panic arose in the center and if camp were to be closed, the life and safety of the campers would be endangered. So talks again were spread by the agitators that in order to remain in camp was to renounce, and that it was necessary to renounce and be interned in camp so that we will not be forced to relocate without any security or funds to support ourself. My husband and I were afraid for my little children. My husband was told by Mr. Hata and Mr. Waki to renounce because of the above reasons, to ensure safety for the family as well as for the welfare of my parents in Japan, that it is best that we renounce.

In case my husband and I were deported because we had already requested repatriation to Japan, and if we had first renounced, the Japanese Government and the people would not take actions against me or my parents on our return to Japan.

Due to above fear, confusion, mix-up feeling and emotional instability after being confronted with months of threats and fear, and rumors spread by pressured group and old men of my block, I decided to apply for renunciation to protect myself and my children from harm.

At no time did I willingly submit to renunciation. Under constant pressure, I finally lost my will and determination.

10. I wanted to remain in America and sent telegram to my husband at Bismarck, but sending back and forth of letter and telegrams caused misunderstanding and confusion, and since I was afraid of deportation because of my renunciation, I returned to Japan. I was also worried about my parents fate after the Atomic Bomb, as correspondence to Japan was not permitted at that time.

(C) Did you ever indicate that you would not swear unqualified allegiance to the United States either expressly or by refusal to answer, or a qualified answer, knowing that by so doing you would be sent to the WRA Segregation Center at Tule Lake? NO. If so, give reasons:

I did not know that I would be sent to Tule Lake. I gave an qualified answer but due to my request for repatriation I was sent to Tule Lake with my husband and my two little children.

8. (A)	Answer		Period of Membership
	Yes	No	
WERE YOU EVER AT ANY TIME A MEMBER OF ANY OF THE FOLLOWING ORGANIZATIONS:			
Black Dragon Society (Kokuryu Kai)			
Central Japanese Association (Beikoku Chuo Nipponjin Kai)			
Central Japanese Association of Southern California			
Dai Nippon Butoku Kai (Military Virtue Society of Japan or Military Art Society of Japan) (Hokubei Kai)			
Heimusha Kai, also known as Hokubei Heieki Gimusha Kai Zaibei Nihonjin, Heiyaku Gimusha Kai, and Zaibei Heimusha Kai (Japanese residing in American Military Conscripts Assoc.) Heimusha Kai			
Hinode Kai (Imperial Japanese Reservists)			
Hinomaru Kai (Rising Sun Flag Society—a Group of Japanese War Veterans)			
Hokubei Zaigo Shoko, Dan (North American Reserve Officers Association)			
Japanese Association of America (Zaibei Nihonjin Kai)			
Japanese Overseas Central Society (Kaigai Dobo Chuo Kai)			
Japanese Overseas Convention, Tokyo, Japan, 1940			
Japanese Protective Association (Recruiting Organization)			
Jikyoku Iin Kai (Current Affairs Association)			
Kibe Seinen Kai (Association of U. S. Citizens of Japanese Ancestry who have returned to America after studying in Japan)			
Nanka Teikoku Gyunudan (Imperial Military Friends' Group or Southern California War Veterans)			
Nichibei Kogyo Kaisha (The Great Fujii Theatre)			
Northwest Japanese Association			
Sakura Kai (Patriotic Society or Cherry Association—composed of Veterans of Russo-Japanese War) (Cherry Blossom Society)			
Shinto Temples			
Sokoku Kai (Fatherland Society)			
Suiko Sha (Reserve Officers Association Los Angeles)			
Hokoku Seinen-Dan			
Hokoku Joshi Seinen-Dan		X	
Sokoku Kenkyu Seinen-Dan			
Sokuji Kikoku Hoshi-Dan			

(B) Give reasons for becoming a member: I do not remember whether I was a member or not, as I had not personally requested to become a member. My husband might have submitted my name after constant pressure by the Pro-Japanese member of my block to join. The Issei-member of my block claimed the club was to teach Japanese custom and languages and it will be for our own good to join to be prepared physically and mentally for New Japan which will be much different to Japan I was reared in. As majority of people who were repatriating to Japan in my block were members of the Dan, and fearing reprisals if we were not listed as member, in case we should be deported to Japan, under constant pressure to join by Issei-member of my block my husband might have submitted my name. I was a member in name only and did not take any active part in the Dan.

(C) State nature of your activity and offices you held:

I did not hold any offices, ~~or~~ nor did I take active part in the Dan. I was only a member in name only.

(D) If you voluntarily discontinued membership in any of the aforementioned organizations, give approximate date and reasons for so doing:

I did not resign from the above organization. As my husband was sent to Bismarck even though he was a member of Dan in name only, I could not resign for fear of what might happen to my husband if I had resigned.

(E) If you claim that your membership in any of the aforementioned organizations was solely obtained, or your acceptance of an office was due to misunderstanding of the purpose or nature of the organization, explain fully:

I was a member in name only. I did not hold office of any kind. My husband submitted my name because of security and to protect family. As my block was a pro-Japanese, anyone not a member were ignored and despised. My husband believed that by being a member, on arrival to Japan following deportation, the Japanese Government and the people will not take reprisals against me or my family.

(F) If you at any time wished to discontinue membership, activity, or office and were prevented from so doing, explain fully:

I wanted to discontinue membership but was prevented from doing so as my husband was sent to Bismarck even though he was an inactive member of the Dan. I was afraid that if I resigned, Japanese Government might punish him because of my resigning had they find out about my action. I did not go out to any gathering or participated in morning exercise. I was afraid for my family

(Cont'd)

9. (A) When did you decide to apply for forms upon which to renounce your United States citizenship? Give reasons for so doing:

I do not remember when I first decided to apply for my renunciation. I will now state the fact as it was then to the best of my memory. I resided in Block 57, Ward 6, which was considered as one of the few pro-Japanese Block. It was very bad. Most of the people in the block were members of the Hoshi Dan. Those non-members were scorned, ignored and badly abused. To cite a case, it was quite noticeable during mess time. The distribution of food was unfair. Everyone was not treated equally. I was afraid of what I saw, especially for my two little children. They would not understand.

Conditions in camp was in great confusion. Murder occurred in camp during summer which caused great terror among the camp. Frequent acts of violence occurred in camp. A number of people were known to be beaten. My husband joined the Dan to save himself and the family from threats and violence at the hands of pressured groups. We were led to believe that since we requested repatriation we would be deported and if we were not a member we would be black listed from the Dan.

The threats and bullying method adopted by the pro-Japanese made me afraid for my children. Nearly everyone in camp believed the rumors that few who opposed the Dan were beaten up by these mob and that same will happen to

(Cont)

(B) If reasons given in answer to preceding question differ from reasons given to officer who held renunciation hearing, give your explanation for difference:

I do not remember if my statement now differs from that of given to officer at hearing. If it is, it is because my conscious is clear and free from fear.

(C) If you claim that your renunciation was caused by fear, you should explain fully why such fear extended from the time of the application for renunciation papers until the date of actual renunciation:

See 9(A) above.

(D) If the fear did not extend from the date of application to the date of approval by the Attorney General, you should state whether you made any effort to withdraw your application, and if not, explain fully:

Not applicable.

(E) If, after approval, you requested the Attorney General to withdraw his approval of your renunciation or to cancel your renunciation, give the reasons for the delay in making such request:

I did not know that I could withdraw my renunciation or cancel it. As soon as I found out about it, I asked Mr. Wayne M. Collin to act for me.

State the facts which influenced your action in returning to Japan.
Form 9(A)

10. (A) If you now are in Japan, give your reasons for having returned to Japan.
My reason for return to Japan was that my husband was interned in Bismarck and since we had already requested repatriation, I thought we would be deported. It did not look as if my husband will ever return to Tele. I was afraid to go out of camp alone with my two sons. It was generally understood that there was no chance of joining my husband. The rumors of the life outside of camp was a life of misery and hardship. I had no place to go and no job to support my children. I would have to hire help to look after my children and paying for the service would be very hard for me. I wanted to

(Cont)

(B) If you are in Japan, have you since you returned to Japan taken any action to resume or acquire Japanese citizenship? Answer Yes or No
If you have, state nature of action taken and reasons therefor.

11. (A) If you have served or are serving in the military or naval forces of the United States fill in the following:
I enlisted (or was drafted) on _____ in the _____; my Serial number is _____;
State the date State the Branch of Service
I still am in such service _____; I was released from active duty on _____ and received my Discharge
Answer Yes or No
on _____

(B) If at any time while in a war relocation center or since then you volunteered for military or naval service but your offer of service was rejected state the time when and the place where you volunteered.

(C) State why your offer of such service was rejected, if the reason was made known to you.

(D) If you were rejected for military or naval service by your Local Draft Board since your release from a war relocation center state the reason for the rejection if known to you.

12. If any member of your family has served or is serving in the military or naval forces of the United States state the relationship of such person to you, the name of such person, the branch of service and serial number of such person:

Relationship	Name
Branch of Service	Serial Number
Japan) Prefecture of Hyogo) City of Kobe) SS: American Consulate General)	<i>Chiyono Hashimoto</i> (Signature in full of applicant)

Subscribed and sworn to before me this 26th day of August, 1954.

Service No. 3929
No Fee Prescribed

William A. Mitchell
American Vice Consul

This affidavit may be executed before any person authorized to administer oaths.

2/14/61

HASHIMOTO, Chiyono

Tainohara, Ono Mura Saeki Gun
HiroshimaKen, Japan

Balance: \$300.00

J.O. sent 1955

CROSS-REFERENCE

FILE OF: HASHIMOTO, CHIYONO

LIST: ACTIVE LIST

BORN: Los Angeles, Calif.

DATE: November 15, 1916

REFER TO FILE: SPECIAL GROUP FILE

LIST: _____