

9:14

HORIYE, Tom TAMIO

1947-1960

* (In JAPAN)

* JUDGMENT LIST

78/177

C

July 2, 1947

Mr. Roy Teizo Horiye,
Censorship District Station 111 C.C.D.,
APO 929, c/o Post Master,
San Francisco, California.

Dear Mr. Horiye:

I would thank you to inform your brothers, Jim Kenichi Horiye and Tom Tamio Horiye that their names have been added to the list of parties plaintiff in equity suit No. 25294-G in the U.S. District Court for the Northern District of California, Southern Division, which is a suit to determine the U.S. nationality of each plaintiff. The American consul in Yokohama is being notified that they are plaintiffs in said suit.

Under the provisions of Title 8 U.S. Code, Sec. 903, any person who claims U.S. citizenship is entitled to return to the United States if he does as follows: (1) Either files a suit or joins a pending suit in the U.S. District Court in the United States where he claims his residence "to declare his U.S. nationality", (2) Prepares a sworn application stating that the claim to U.S. nationality in said suit is presented in good faith and has substantial basis. Thereupon he may apply to a U.S. consular official in Japan for a certificate of identity stating that his nationality is pending before the court. If the consul refuses to issue the certificate he can appeal to the Secretary of State in Washington, D.C.

Very truly yours,

WMC:cw

A F F I D A V I T

Tom Tamio (Tanaka) Horiye under oath states that he claims to be a citizen of the State of California and the United States of America and that in furtherance of said claim present the following facts:

That he was born in Englewood, California, on 19 July 1925, mother's maiden name: Suteo Mori, father's name: Shinzo Tanaka,

That he lived continuously in the United States until 25 December 1945,

That he did renounce American citizenship and did sign a statement requesting repatriation to Japan, but that such statements were made while under the influence of his legal guardians and that upon reaching his majority he has elected to remain a citizen of the United States,

That in furtherance of said claim his name has been added added to the list of parties plaintiff in equity suit number 25294-G in the U.S. District Court for the Northern District of California, Southern Division, said district being the place of his residence,

That he has asked that his name be added to said suit in good faith, requested, that all factual and legal questions involved in his claim will be verified by the court,

And further affiant says not,

S. Banchi, Saiman Machi

Fukuoka, Japan

Tom Tamio Horiye
Tom Tamio Horiye

OK
added
6/30/47

Tom Tamio Horiye appeared before me this 30 day of July 1947 and states under oath that he has read the foregoing statements and that to the best of his knowledge and belief it is true.

David H. Barlow
DAVID H. BARLOW
Captain INF
Adjutant FMGT.
APO 929

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

*Sent down J-3
letter 2/10/50*

File

24 January 1950

Dear Sir:

I am requesting for urgent advises regarding my
U.S. citizenship papers. I have an appointment on 2 March 1950,
with the American Consular in Kobe, Japan.

I am sending you an extra Supplemental Affidavit Form
which has to be filled out at the American Consular's Office
on the appointed date. Will you kindly advise me how I could
answer the questions which I am not able to answer.

(particularly Par. 9 - a,b,c,d,and e.)

Sincerely Yours,

Tamio Tanaka Horie
Tamio (Tanaka) HORIE

6/30/47

SUPPLEMENTAL AFFIDAVIT TO BE SUBMITTED WITH
PASSPORT APPLICATIONS OF JAPANESE "RENUNCIANTS"

Instructions for the preparation of Affidavit.

Submit affidavit in DUPLICATE. The affidavit should be specifically addressed to the circumstances of your particular case and should not consist of generalities. Although you should so state when you are uncertain as to matters related in your affidavit normal inaccuracies of memory will not necessarily cause it to be disregarded. 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 Tamio (Tanaka) HORIYE Date of Birth 19 July 1925
2. If born prior to December 1, 1924.
(a) Have you ever renounced Japanese nationality? Does not apply to me
When _____ Where _____
3. If born after December 1, 1924.
(a) Did your parents cause your name to be registered with a Japanese Consulate for the purpose of reserving your Japanese nationality? No If so did you thereafter renounce your Japanese nationality? _____ When _____
Where _____ Does not apply to me
4. State periods of visits to Japan and purpose of each visit:

<u>Date</u>	<u>Purpose</u>
From <u>August 1935</u> To <u>Dec. 1937</u>	<u>visit</u>
_____	_____
_____	_____
5. Give details concerning any formal education in Japan:

<u>School</u>	<u>Period of Attendance</u>
<u>Kazami Grammar School</u>	<u>Sept. 1935 - Nov. 1937</u>
<u>Subjects Studied Grammar, Writing, Math, Moral training, History.</u>	
6. Have you ever made application for repatriation to Japan? No.
My stepfather filed the application, because I was a minor.
If so give your reasons for so applying: _____

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? No If so, give your reasons: As far as my knowledge I was still a minor at that time.
- (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? Does not apply to me If so, state when you changed your mind and your reasons therefor: _____
- (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: _____

8. (a) Were you ever at any time a member of any of the following organizations:

Answer Yes or No		Period of Membership
<u>No</u>	Black Dragon Society (Kokuryu Kai)	_____
<u>No</u>	Central Japanese Association (Beikoku)	_____
<u>No</u>	Nipponjin Kai)	_____
<u>No</u>	Central Japanese Association of Southern California	_____
<u>No</u>	Dai Nippon Butoku Kai (Military Virtue Society of Japan or Military Art Society of Japan (Hokubei Kai)	_____
<u>No</u>	Heimusha Kai, also known as Hokubei Heieki Gimusha Kai Zaihei Nihonjin, Reiyaku Gimusha Kai, and Zaihei Heimusha Kai (Japanese residing in America Military Conscripts Association) Heimusha Kai	_____

Answer
Yes or No

Period of
Membership

<u>No</u>	Hinoda Kai (Imperial Japanese Reservists)	_____
<u>No</u>	Hinomaru Kai (Rising Sun Flag Society - a group of Japanese War Veterans)	_____
<u>No</u>	Hokubei Zaigo Shoke Dan (North American Reserve Officers Association)	_____
<u>No</u>	Japanese Association of America (Zaibei Nihonjin Kai)	_____
<u>No</u>	Japanese Overseas Central Society (Kaigai Dobo Chuo Kai)	_____
<u>No</u>	Japanese Overseas Convention, Tokyo, Japan, 1940.	_____
<u>No</u>	Japanese Protective Association (Recruiting Organization)	_____
<u>No</u>	Jikyoku Iin Kai (Current Affairs Association)	_____
<u>No</u>	Kibei Seinen Kai (Association of U.S. Citizens of Japanese Ancestry who have returned to America after studying in Japan)	_____
<u>No</u>	Nanka Teikoku Gunyudan (Imperial Military Friends Group or Southern California War Veterans)	_____
<u>No</u>	Nichibei Kogyo Kaisha (The Great Fujii Theatre)	_____
<u>No</u>	Northwest Japanese Association	_____
<u>No</u>	Sakura Kai (Patriotic Society or Cherry Association - composed of Veterans of Russo-Japanese War) (Cherry Blossom Society)	_____
<u>No</u>	Shinto Temples	_____
<u>No</u>	Sokoku Kai (Fatherland Society)	_____
<u>No</u>	Suiko Sha (Reserve Officers Association Los Angeles)	_____
<u>No</u>	Hokoku Seinen-dan	_____
<u>No</u>	Hokoku Joshi Seinen-dan	_____
<u>No</u>	Sokoku Kenkyu Seinen-dan	_____
<u>No</u>	Sokuji Kikoku Hoshi-dan	_____

(b) Give reasons for becoming a member:

Does not apply to me

(c) State nature of activity and offices held:

Does not apply to me

- (d) If you voluntarily discontinued membership in any of the above-mentioned organizations, give approximate date and reasons for so doing:

Does not apply to me

- (e) If you claim that your membership in any of the above-mentioned organizations, your activities therein, or acceptance of an office was due to misunderstanding of the purpose or nature of the organization, or if you at any time wished to discontinue membership, activity, or office and were prevented from so doing, explain fully:

Does not apply to me

- 9.(a) When did you decide to apply for forms upon which to renounce your United States citizenship?

Give reasons for so doing:

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

- (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:

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

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

FOREIGN APPLICATIONS

10. Give your reasons for returning to Japan:

I accompany my parents to Japan

11. Have you since your return to Japan taken any action to resume or acquire Japanese citizenship? No.
If so, state nature of action taken and reasons therefor:

(Signature in full of applicant)

Subscribed and sworn to before me
this _____ day of _____.

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

Garfield 1-5827

July 20, 1960

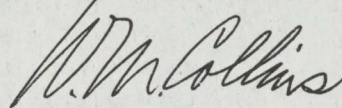
Mr. Roy Teizo Tanaka
445 S. Chicago
Los Angeles, Calif.

Dear Mr. Tanaka:

I would thank you to let me know the present address
of Mr. Tom Tamio (Tanaka) ✓
Mr. Jim Kenichi Horiye (Tanaka)

so that final papers concerning their citizenship status
may be transmitted to them. Please use the enclosed
cards and self-addressed envelope for your reply to me.

Very truly yours,



DATA SHEET

Name: HORIYE, Tom Tamio (Tanaka)

Judgment: 1952 Japan
(Date & kind)

Address: _____

Card: _____

Folder: no folder 7/17/60

Address Information:
(Phone bk., C/D, etc.)

Fukuoka, Japan

not in J/D for Lar vicinity 7/17/60
1 mi (Lumley in La)

not in ph/bk La

Letters, contact, judgment
order, etc.:

JO sent 9/52

Payment information, billing:

owed \$300
no 528

Cross reference:

Brother: Roy Teizo Horiye (not a pl.)
M.R. A.P.O. S.F.

Refers card of Horiye, Jim Kenichi
bro:

f: Shingzo Tanaka

br. J/D 7/19/60 D - JUL 20'60

Id to brother

Roy T. Tanaka
445 S. Chicago
La

MR

Tom T. Tanaka
Alhambra

James K. Tanaka
Pasadena

There is a

Teizo Tanaka
La ph/bk

located

9/8/60 ph/bk

12 Lunitas Lane
S. S. F.

not in
J/D or
ph/bk

WAYNE M. COLLINS
ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

*no add
D L O letter
not here*



*no add
635 P*

Mr. Tom Tamio Horiye (Tanaka)
c/o Mr. Roy Teizo Tanaka
2917 W. 15th
Los Angeles, Calif.



WAYNE M. COLLINS
Attorney At Law
Mills Tower, 220 Bush Street
SAN FRANCISCO 4, CALIFORNIA
Garfield 1-5827

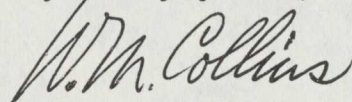
August 25, 1960

Mr. Tom Tamio Horiye
c/o Mr. Roy Teizo Tanaka
445 S. Chicago
Los Angeles, Calif.

Dear Mr. Horiye:

If you wish to receive your individual certified copy of the "Final Judgment" of the Court that cancels your wartime renunciation of citizenship and that declares you to be a U.S. citizen, you can obtain it from me by sending to me the \$ 300.00 balance due on your account. Sometime in the future you may need this document to prove your citizenship, to obtain a passport, to establish your right to vote, in applying for employment, Social Security benefits, various licenses, loyalty checkup, etc. If it presses you too much to pay your balance in a lump sum, you can let me know and arrangements can be made for you to pay the balance by installments. I am enclosing a stamped envelope for your reply.

Very truly yours,



Enc.

WAYNE M. COLLINS
Attorney At Law
Mills Tower, 220 Bush Street
SAN FRANCISCO 4, CALIFORNIA
Garfield 1-5827

September 13, 1960

Mr. Tom Tamio Horiye
12 Tunitas Lane
South San Francisco, Calif.

Dear Mr. Horiye:

If you wish to receive your individual certified copy of the "Final Judgment" of the Court that cancels your wartime renunciation of citizenship and that declares you to be a U.S. citizen, you can obtain it from me by sending to me the \$ ^{300.00} balance due on your account. Sometime in the future you may need this document to prove your citizenship, to obtain a passport, to establish your right to vote, in applying for employment, Social Security benefits, various licenses, loyalty checkup, etc. If it presses you too much to pay your balance in a lump sum, you can let me know and arrangements can be made for you to pay the balance by installments. I am enclosing a stamped envelope for your reply.

Very truly yours,

W.M. Collins

Enc.