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KAWASHIMA, KATSUMI & YUKIE

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September 19, 1961

Arthur Y. Honda, Esq.
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Re: Katsumi and Yukie Kawashima

Dear Mr. Honda:

I regret that I was not able to answer your letter concerning Mr. and Mrs. Katsumi Kawashima of Sun Valley prior to this date because of my absence from San Francisco.

For your information, each of them applied to be joined in certain litigation I instituted on behalf of various renunciants. They made written applications addressed to me and were joined as parties to the law suit on August 23, 1948. Thereafter I was successful in having a judgment entered in favor of each of them in the District Court but the Attorney General and other defendants thereafter appealed to the Ninth Circuit Court of Appeals which ordered the judgments affirmed as to some renunciants but ordered the causes reopened as to others to enable the Attorney General to introduce additional evidence against each of them. Mr. and Mrs. Kawashima's cases were reopened by order of the Circuit Court of Appeals. Thereafter the defendants applied and I applied on behalf of the plaintiffs to the U.S. Supreme Court for certiorari but that court refused to take jurisdiction. Thereafter I entered into an agreement with the Justice Department under which I agreed on behalf of my clients to an administrative procedure in which if my clients were successful the offers of proof the Attorney General had introduced against each of the plaintiffs whose cases had been reopened would be withdrawn and thereafter I could have a judgment entered in their favor.

Thereafter, pursuant to my agreement with the Justice Department, I handled the cases of both Kawashimas administratively. However, the Justice Department refused to grant either of them clearance because of membership in organization in the Tule Lake Center deemed to be subversive organizations, and for various other reasons specified in letters by the Department which I communicated to them. Thereafter, I carried on negotiations with the Justice Department and also had their cases processed several times and in due course of time was successful, first in Mrs. Kawashima's case and second,

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in Mr. Kawashima's case, in obtaining for them administrative clearance and thereafter, under our agreement, the Justice Department formally withdrew its offers of proof against each of them, whereupon I had final judgments entered on behalf of each of them which judgments thereafter became conclusive.

For your information, those who were in the cases who were in Japan contributed nothing to the expense of the cases while in Japan or thereafter until judgments were entered in their favor and they were enabled to return to the U.S. and a great number of these after their return to the United States disappeared and could not be located. Because of the time and expense involved it became impossible to handle the cases of renunciants in Japan unless they exhibited a willingness to pay after their return to the U.S. and executed promissory notes to cover their obligation. The Kawashimas each executed promissory notes to the Tule Lake Defense Committee which was the renunciant committee duly elected by the renunciants themselves and which negotiated with me for my legal services. Their committee fixed the sum of \$300.00 as the total cost to each whose case was concluded before May 31, 1957, and for all those who paid in advance of a successful completion of their cases. That committee asked me if I would carry on those cases for said sum plus an additional \$500 for those whose cases were not so concluded and who had not made any payments as at that date. I informed the members of that committee that I would be willing to handle the cases on such a basis, realizing that a large number of the persons whom I might clear in the future would return to the U.S. and endeavor to avoid payment but that I would be unwilling to handle such cases unless the individuals executed promissory notes. Such notes were executed by the Kawashimas in Hiroshima, Japan. The notes for \$300.00 which were executed to the committee in course of time was endorsed over to me prior to the time that the committee disbanded. Mr. and Mrs. Kawashima commenced making installment payments on their notes on July 15, 1959, the last payment made by them being received in my office on Dec. 22, 1960.

For your information, you may know persons who paid \$150.00 on account for similar services from me but if you do, you may be sure that such persons, if their cases were concluded before May 31, 1957, owe a balance of \$150.00 which they ought to pay and you may be sure that if my office was made aware of their address that bills would be sent to them for said balances.

Further, a large number of those who were in Japan and for whom I recovered judgments which enabled them to return from Japan returned to the U.S. and ever since have diligently evaded paying on the promissory notes they executed but you may be assured that when my office ascertains their whereabouts that steps will be taken

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to see that, except in cases of extreme financial hardship, they meet their obligation. It seems to me that if they were able to bear the expenses of returning to the U.S. they could afford to discharge their obligations to me. I do not know of any attorney who would have handled cases of persons in Japan upon the mere expectation that they would pay for services when and as their cases were successful and they had been enabled to return to the United States. Several hundred renunciants who went to Japan have not recovered citizenship and are still there and a substantial number of those might have recovered their citizenship if they had been able to obtain legal services and I know of a number of attorneys who turned down requests of such persons for such legal services unless a retainer fee of \$2,500 was paid in advance and of others who refused to represent renunciants regardless of the amount of fees offered. Also, I am aware of the fact that a substantial number of renunciants who commenced independent lawsuits to recover their citizenship have been unsuccessful in their litigation.

For your information, I do not find in the files of Mr. and Mrs. Kawashima any copies of any letters from my office stating that there was a change and that they owed \$300 and not \$150 or that they owed \$500 each. If any such letters were sent to either of them such letters were without my knowledge or recollection and conceivably may have been sent by one of the various secretaries in my office to correct errors they had previously made in sending out bills. If Mr. or Mrs. Kawashima has informed you that they heard that all the others have paid \$150 or \$300 but never over \$300 they are mistaken as to the facts and are repeating mere heresay derived probably from persons for whom I recovered citizenship but who turned out to be deadbeats and who have been successful in concealing from my office their whereabouts which prevented bills from being sent to them at their correct addresses.

If you wish to see the promissory notes executed by the Kawashimas you may do so at the office of Tetsujiro Nakamura, Esq., attorney at law, at his office situated at 124 South San Pedro Street, Los Angeles 12, California. I am sending the promissory notes to him so that you may inspect them at his office in his presence.

Very truly yours,

WMC:ss

P.S. For your information, Mr. Kawashima inquired of me concerning the possibility of recovery of certain property interests he once possessed in San Bernardino County or the value thereof and I suggested that he seek the services of Mr. Nakamura

Arthur Y. Honda, Esq.

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P.S. (continued)

in connection therewith. Also, I wish to inform you that apparently Mr. Kawashima filed a claim (No. 57726) with the Office of Alien Property and that his right to have said claim entertained was dependent upon his recovery of U.S. citizenship.