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AKIYOSHI, MASAYUKI

1947-1959

78/177

c

254 Nishibaru, Ozeki-Mura
Mii-Gun, Fukuoka, Japan
May 14, 1947.

Wayne M. Collins
Attorney at Law
1721 Mills Tower
220 Bush Street
San Francisco, California.

In Re Equity Suit No. 25294, In behalf of renunciants.

Dear Sir:

You are hereby requested and authorized to include me,
Masayuki Akiyoshi, in Equity Suit No. 25294 in the U.S. District
court for the Northern District of California, Southern Division,
which you are handling.

My folks are residing in Los Angeles which you may refer to
for any assistance regarding my case. The name and address is
Tokichi Akiyoshi, 3532 Bellevue Avenue, Los Angeles 26, California.

Thank you.

Respectfully Yours,

Masayuki Akiyoshi

June 3, 1947

Mr. Tokichi Akiyoshi,
3532 Bellevue Avenue,
Los Angeles 26, California.

Dear Mr. Akiyoshi:

I would thank you to inform Mr. Masayuki Akiyoshi that his name has been added to the list of parties plaintiff in equity suit No. 25294-S 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 he is a plaintiff 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

254, Nishibaru, Ozeki-Mura,
Mii-Gun, Fukuoka-Ken, Japan
September 22, 1947.

Wynne M. Collins
Attorney At Law
Mills Tower, 220 Bush Street
San Francisco, California.

Already in case

Dear Sir:

I received your letter of notification in June 1947 of my entry into Equity Suit No. 25294-S in the U.S. District Court for the Northern District of California, Southern Division. At this time I would like to extend my gratitude in behalf of the Nisei's abroad and for them residing in the States for everything you are doing to help us.

I would like to notify you that I have served in the U.S. Armed Forces. I enlisted on March 5, 1941 at Draft Board 279, Wilmington, California. Served at Fort Lewis, Tacoma, Washington and was transferred to Reserved Corps., February 21, 1942. In December 1942, I was Honorably discharged from the Reserved Corps. My Army Serial Number was 39153747.

I would also like to inform you, not knowing that Re-Equity Suit was opened for us, I restored my Japanese citizenship soon after I got to Japan. It was renounced in 1937. I also voted in the Primary Election not knowing that I would automatically lose claim to my American citizenship. According to the Nationality Act Law, I have no chance but I still think I have grounds to claim to my American citizenship. I would like to know whether it's necessary to renounce my Japanese citizenship again while claiming to my American citizenship. Please inform me of my standings in this situation.

*Born:
Oct. 8, 1917
Renounced Becch, Calif.
Brother after Sumao Akiyoshi*

Respectfully yours,

*Masayuki
Akiyoshi*

*Return
File*

MASAYUKI AKIYOSHI
C/O MR. Y. NOZUKA
3147 NINO-KUMI, SHIOI-CHO,
HAKOZAKI, FUKUOKA-SHI, JAPAN
JUNE 27, 1951

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

Dear Sir:

I have recieved your letter of notification dated March 19, 1951. I am certainly grateful for your hardship. At this opportunity I would like to notify you of my new address as mentioned above.

I also would like to notify you of my Service in the U. S. Army. I have entered into the service March 5, 1941 at Fort Lewis, Tacoma, Washington for the period of eleven and a half ($11\frac{1}{2}$) month. I have been honorably discharged to the reserve corp February 21, 1942 as a rank of Private by the reason of convinience of the Government.

I am hoping for the best, thank you.

Sincerely Yours

M. Akiyoshi

AKIYOSHI, MASAYUKI

ACTIVE LIST

5/28/47

January 4, 1955

AIR MAIL

Mr. Masayuki Akiyoshi
2-Kumi, 1-Chome, Shioi-Cho
Hakozaki, Fukuoka Ken
Japan

Dear Mr. Akiyoshi:

The affidavit forms you sent to me are insufficient to give you the maximum chance of obtaining administrative clearance. Therefore I am returning one copy to you and also two new affidavit forms for you to fill out. When you fill them out take the original to the U.S. Consul nearest you, there swear to it and have the Consul affix his seal and thereupon return the original to me via air-mail and keep the copy for yourself. (I will have typed up the extra forms for processing here.)

In the new affidavits you should type in the same answers but add the following matters, namely:

For an answer to question 7(B) you should state as follows:

I would have if I had not been evacuated but could have been freed from camp and treated like a citizen. I registered for the draft at my Local Draft Board in _____ and was willing to serve in the armed forces at that time and I would have been willing to swear unqualified allegiance if I had been accepted as a citizen.

Add to your answer to Question 8(B) the name of the club manager who influenced you to join the Hokoku Seinen Dan.

Add to your answer to Question 9(A) the names of the Issei alien agitators (and the Kibei-Nisei agitators) who threatened you and state what they said to you about sending a request to the Justice Department for forms upon which to renounce U.S. citizenship. You can also state the Blocks where they lived. If they were members of any of the organizations state what organizations they belonged to. It is very important for you to do this.

In your answer to Question 10(B) in your affidavit you state a "Yes" answer and give as your reasons "I was"Stateless" when I came to Japan and I had to regain my Japanese citizenship that I had to have in order to draw rations to live because of everything was rationed in Japan."

You should add to that answer by stating just what it was that you did by means of which you acquired or resumed Japanese citizenship. If this was simply a registration in your family Koseki you should state so. If you did not personally ask to be registered but someone had you registered in the Koseki you should state who had you registered.

If you will prepare the two new affidavits, have the original sworn to before a U.S. Consul and send it to me air-mail I will prepare the necessary copies and have it processed.

Very truly yours,

Encs.

MASAYUKI AKIYOSHI
2-1, SHIOI-CHO, HAKOZAKI
FUKUOKA, JAPAN
SEPTEMBER 6, 1957

Same

MR. WAYNE M. COLLINS
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO, CALIFORNIA

DEAR SIR:

I AM GREATLY INDEBTED TO YOU FOR YOUR ACHIEVEMENT IN
FIGHT AGAINST THE GOVERNMENT FOR REESTABLISHING THE AMERICAN
CITIZENSHIP OF THE RENUNCIANTS. AT THIS OPORTUNITY I WOULD
LIKE TO EXTEND MY APPRECIATION FOR YOUR EFFORT.

Noted I HAVE MADE CHANGES IN THE AFFIDAVIT. HAVE CROSSED OUT
OTSU IN SUB QUESTION NO. 9-C. NO TO YES ON SUB QUESTION
10-B AND 1946 TO 1947 IN SECOND SENTENCE IN SUB QUESTION
10-B. I AM INFORMING YOU OF CHANGES AFTER I MADE THOROUGH
CHECKING. WILL YOU PLEASE MAKE NECESSARY ADJUSTMENT.
THANK YOU.

SINCERELY YOURS
Masayuki Akiyoshi

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

Telephone GARfield 1-5827

SEP 17 1957

Mr. Masayuki Akiyoshi
2-Kum, 1-Chome, Shioi-cho
Hakozaki, Fukuoka-Ken, Japan

Dear Mr. Akiyoshi:

The affidavit forms you recently returned to me have been examined and compared with the records in my office. The forms appeared to me to be in good order. In consequence, I have delivered them to the U.S. Attorney's office for processing through the Justice Department.

On February 21, 1957, Assistant U.S. Attorney General George C. Doub, assured me that the Department would view renunciants cases with more liberality in granting administrative clearance than heretofore.

Because a fairly large number of affidavits of other renunciants also are being processed it may take several months before a final decision in your case is made by the Justice Department.

Therefore, I suggest that you wait patiently for the decision in your case which I shall relay to you just as soon as I receive information from the Department.

If the Justice Department clears you by this administrative method a judgment cancelling your renunciation and declaring you to be a U.S. citizen will be entered in the mass suits.

If the Justice Department does not clear you by this administrative method, your case then can be set down for an individual court hearing.

Very truly yours,

Wayne M. Collins



UNITED STATES DEPARTMENT OF JUSTICE

rmk

WASHINGTON, D. C.

Reye

Address Reply to the
Division Indicated
and Refer to Initials and Number

DEC 13 1957

146-54-126
93-1-1320

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

Re: Masayuki Akiyoshi

Your ref: Abo et al v. Brownell et al. Furuya
et al v. Brownell et al. (Consolidated actions -
Civil Nos. 25294 & 25295). Renunciation of
Citizenship, Former Title 8 U.S.C. 801(i).

Dear Mr. Burke:

This is in response to your letter of September 18, 1957
enclosing affidavit for a determination as to whether the case
of the above-named subject 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.

You are advised that in the event of litigation involving an
issue of the validity of the subject renunciation, this Department
would be unable either to stipulate that the affidavit be accepted
as evidence in lieu of testimony, or to concede that said case comes
within the coverage of the above decision. The reasons for the
Department's position in this respect, among others, are:

7 This subject was born October 8, 1917 in the United States and
resided in Japan from 1922 to 1927. Pertinent records of the War
Relocation Authority indicate that this subject gave negative
answers to questions 27 and 28 of the Army-WRA registration form.
6 He applied for repatriation on January 13, 1944, April 23, 1945 and
September 27, 1945. In this last mentioned application subject
stated that he desired to be repatriated to Japan unconditionally
and without qualification. This subject was an officer of the Hokoku
8 Seinen-dan. He applied for renunciation at a relatively early date.
9A He stated at his renunciation hearing that he wished to return to
Japan and fight for his mother country. On February 21, 1945 subject

9C requested approval by the Attorney General of his renunciation. In an interview on April 5, 1945 with an Immigration and Naturalization Patrol Inspector subject stated that he renounced because of evacuation and loss of civil rights and affirmed his intention to return to Japan at the earliest possible date.

In view of the facts hereinbefore recited, the expressed reasons for renunciation as stated by subject in his affidavit are not persuasive and we are of the opinion that his case may not be considered as coming within the coverage of the decision in the Murakami case.

In accordance with our above-referred to letter of September 21, 1953, we attach the original and three copies of the affidavit for return to Mr. Collins.

Yours very truly,

GEORGE COCHRAN DOUB
Assistant Attorney General
Civil Division

By:
Enoch E. Ellison
Chief, Japanese Claims Section

Enc: Original and three
copies of affidavit.

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

March 20, 1958

Mr. Masayuki Akiyoshi
2-Kum, 1-Chome, Shioi-cho
Hakozaki, Fukuoka Ken, Japan

Dear Mr. Akiyoshi:

The Department of Justice rejected your affidavits and denied you administrative clearance because it reached a conclusion that your renunciation of U.S. citizenship was not caused by fear, coercion or duress. It states that the reasons for its refusal to give you administrative clearance are as follows:

"This subject was born October 8, 1917 in the United States and resided in Japan from 1922 to 1927. Pertinent records of the War Relocation Authority indicate that this subject gave negative answers to questions 27 and 28 of the Army-WRA registration form. He applied for repatriation on January 13, 1944, April 23, 1945 and September 27, 1945. In this last mentioned application subject stated that he desired to be repatriated to Japan unconditionally and without qualification. This subject was an officer of the Hokoku Seinen-dan. He applied for renunciation at a relatively early date. He stated at his renunciation hearing that he wished to return to Japan and fight for his mother country. On February 21, 1945 subject requested approval by the Attorney General of his renunciation. In an interview on April 5, 1945 with an Immigration and Naturalization Patrol Inspector subject stated that he renounced because of evacuation and loss of civil rights and affirmed his intention to return to Japan at the earliest possible date."

I believe that by preparing a new affidavit going into more details that you yet may receive administrative clearance. In order to enable me to prepare another affidavit for you I would thank you to answer the following questions fully and to the very best of your ability and send your answers to me promptly by airmail.

1. What were your reasons for giving negative answers to questions 27 and 28 of the Army-WRA registration form?
2. What were your reasons for applying for repatriation to Japan on January 13, 1944 when you were in the Tule Lake Center?
3. What were your reasons for again applying for repatriation on April 23, 1945?
4. What were your reasons for applying for repatriation on September 27, 1945 in the alien internment camp at Santa Fe, New Mexico, after the end of the war?
5. Why, in your application of September 27, 1945 did you state that you desired to be repatriated unconditionally and without qualification?
6. What were your reasons for being an officer of the Hokoku Seinen-dan?
7. When did you apply for renunciation? Why did you do so "at a

(OVER)

WAYNE M. COLLINS

ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

August 23, 1957

Mr. Masayoshi Akiyoshi
2-1, Shioi-cho, Hakozaki
Fukuoka Shi, Japan

Dear Mr. Akiyoshi:

I am returning herewith via air mail the original of the affidavit which I have prepared for you from your answers to my questionnaire. I would thank you to read the answers therein and if you find them to be true, you should take the original to a U. S. Consul in Japan and there sign and swear to it. Thereupon you should return it to me promptly by air mail for processing to the Justice Department.

A copy for you to keep for future reference is being sent via regular mail.

If you should make any additions or corrections in the affidavit, please inform me of the changes in a letter enclosing the affidavit.

Very truly yours,

WMC
Enc.

WAYNE M. COLLINS
ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA
TELEPHONE GARFIELD 1-1218

August 23, 1957

Mr. Masayoshi Akiyoshi
2-1, Shioi-cho, Hakozaki
Fukuoka Shi, Japan

Dear Mr. Akiyoshi:

Enclosed find your copy of the Affidavit,
the original of which was sent air mail. You
should keep this copy for future reference.

Very truly yours,

WMC
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 MASAYUKI AKIYOSHI		Date of Birth October 8, 1917	
2. If born prior to December 1, 1924	(A) Have you ever renounced Japanese nationality? Yes	When January 6, 1937	Where Rt. 1, Bx 279 Torrance, Calif.
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	To		
1923	March 1927	Parents sent us to Japan	
Dec. 1945	Present		
5. Give details concerning any formal education in Japan:			
School		Period of Attendance	
Ozeki-mura Grammar School, 1st to 3rd Grade		From 1924	To March 1927
Specify subjects studied (attach additional sheet if necessary).			
Japanese language and arithmetic.			
6. Have you ever made application for repatriation to Japan? Yes If so, give date 1944, Uncertain of date. , and your reasons for so applying:			
See separate sheet.			
7. (A) Have you ever expressly indicated that you would not swear unqualified allegiance to the United States? Yes		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:			
See separate sheet			
(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? Yes If so, state when you changed your mind and your reasons therefor: I would have if I hadn't been let out of the U.S. Army just because of my Japanese ancestry and I would have at the registration time at Gila River if I hadn't believed I'd be separated from my folks and be forced to relocate to some hostile area. I would have later in Tule Lake if I hadn't believed I'd be deported and the agitators hadn't control of the camp and I had not been afraid of them.			

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

(B) Give reasons for becoming a member: I became a member because I was playing baseball for the club manager who was one of the committee for the Hokoku Seinen Dan; he influenced me to join and study Japanese culture and customs as well as playing ball to prepare for the life in Japan which we had to face when we were going to be deported to Japan and it is a good opportunity to practice while we have indefinite period of confinement during the war. I thought it was good idea and to continue playing ball for the exercise to keep up my morale and health since I had leisure time. Other than that I did not know that the organization had any other purpose when I joined. Masaharu Hashimoto, Manabu Hosokawa, Tsutomu Sasaki and his brother all said I should join for such purposes and I believed them. I was a member till removed to Santa Fe, on Jan. 26, 1945 and after that it was not much of an organization any more.

(C) State nature of your activity and offices you held: Late part of year 1944, I was appointed as ward communication messenger which I refused but the pressure was too great that I was forced to take that position; later I was also forced to take another position as ward assistant bugle squad due to I had excess time with one position. My activities was carrying messages from and to ward office and central office of the Hokoku Seinen Dan and participating in the morning exercises, and blowing bugle.

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

When we were sent to Santa Fe the group didn't exist as a club any longer.

6. I think I made 2 requests in Tule Lake , one before and one after the Seinen Dan came into effect. There were rumors, propaganda and threats that we may be sent outside the Center to relocate among hostile Caucasians if we didn't sign request to repatriate or be drafted into the Army and be sent out just to get us killed. And when the Seinen Dan group came into being all the leaders said we should make the request as we are going to be deported anyway. In the Tule Lake segregation Center the rumors and influences that existed in camp were terrific. Alien and Kibei-Nisei agitators were active camp wide with threatening influences to the innocent ones to request repatriation to Japan. I was influenced by the agitators to request repatriation, forced by threats and fears I have requested for my security and protection even though I didn't want to but I had no other way out.

7.(A)

In Gila River I answered No to question 27 and 28. My parents insisted I must answer "No" or I would be volunteering to serve in Army again, after being let out and be separated from my parents and the Army might send me out just to get killed. And If I answered Yes to 28 I would be sent out of camp and be separated from them. My father, mother, Otsu, Nakahara and many others said I should answer "No" to the questions to stay in camp with my folks.

I had registered for the draft in Wilmington, Calif. in Oct. 1940 and was classified 1-A. I volunteered and was inducted into the U.S. Army on March 5, 1941, and served to Feb. 21, 1942, for 11½ months at Fort Lewis, Washington, and was released from active duty just because of my ancestry, and was transferred to the Reserve Corps. My Army Serial No. is 39153747. In Dec. 1942, I received my Honorable Discharge.

I was influenced to sign "No" to question 28 because I feared from rumors and influences that existed camp wide and believed in it that I will be forced out of camp without security or protection, I have made negative answer in order to stay in the camp for the duration of the war, because I have lost all my interests and hopes due to evacuation and confinement by force simply by discrimination, I had no future to look forward to except to stay in camp.

9.(A)

Hashimoto, Hosokawa and practically all the Dan members in my block 14 said I must renounce because I was sure to be deported to Japan and would be put in jail or in concentration camp if I didn't do it and that it was only way to be sure I wouldn't get physically harmed in that Center. Isamu Uchida, Kibei who was a big leader and Tamura told me if I didn't renounce my citizenship I would be reported to the Japanese government once I was deported to Japan and being as I had served in the U.S. Army I would be considered a spy and had served against Japan and may be executed by the Japanese military. My brother was worried as much as I was too and we feared we would be beaten up in this camp by radical gangs in the Hoshi Dan, Seinen Dan, Manzanar, Poston, Tora's or the Jerome group and the WRA wouldn't protect us and there wouldn't be anyone to help us and nobody would dare accuse the ones responsible. People were being beaten with clubs and many persons were carrying clubs during the renunciation time. There was just no way of telling who you could trust or what group they belonged to and we never knew just when we might get hurt. The only way to be safe from harm was by being a Dan member and by renouncing and then people would let us alone.

During this time there were rumors of forced relocation among hostile Caucasians because the Centers were going to be closed up by the WRA. I wasn't sure I'd be relocated but I was worried about the rumors because I didn't want to be sent outside because of the way Japanese were being treated by the public. I was more afraid of getting harmed in Tule Lake and I believed it was almost certain I would be deported because I answered No to questions 27 and 28 and had signed for repatriation and I feared I'd be persecuted and maybe executed in Japan if I didn't renounce my citizenship. Hashimoto, Hosokawa, Sasaki

9.(A) continued:

brothers and Tamura sure put pressure on me to do it and I was just plain scared to refuse.

10.(A)

The folks were to meet us in Japan later, and our homes were burnt by someone right after the war was over therefore I didn't have a place to turn to and that our old aged grandmother wanted to see me once more before she died so I came to Japan on first opportunity even though the representative of the government agent came to Santa Fe Internment Camp to deliver a message of the Government to all renounciants and aliens who were leaving for Japan stating that anyone who wished to stay in the U.S. were welcomed by the Government to change their minds but it was too late and I was still afraid of the gangs.

Since my return to Japan I have worked steadily from 1946 to date for the U.S. Army as an interpreter at the Itazuka Air Base.

10.(B)

I was "stateless" on arriving in Japan. In 1946 I had to be registered in the family census records (Koseki) which was a necessary condition to draw food rations to live on as everything was rationed in Japan and without such a registration I would have faced starvation.

I voted once in 194⁷ in a Japanese election because it was the order of General MacArthur that all residents must vote. Also the Ward Manager Hiratsuka told me I must comply as voting was compulsory. My uncle and aunt also verified that it was compulsory for me to vote. Also if I refused I would have been penalized and would have been deprived of a ration card and of essential food necessary to sustain life.

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

See answer to 8(B).

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

I didn't discontinue as I heard we wouldn't be treated well when we got sent to Japan. When we were sent to Santa Fe the group wasn't a club any longer.

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

See separate sheet.

- (B) If reasons given in answer to preceding question differ from reasons given to officer who held renunciation hearing, give your explanation for difference: **The Dan members who put pressure on me to renounce and of whom I was scared told us to make disloyal statements to get our renunciations approved. I gave the officer as my reasons that I was loyal or faithful to Japan, respected the emperor and would serve in the Japanese army like I had been told I should say.**

- (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: **The pressure group which existed in camp was fearful and I was afraid of being attacked and harmed by the agitators which were active threatening the internees. I heard of a man being slaughtered, many beaten because they were not cooperative and fears grew greater and greater that I would be next victim. I was afraid that if I didn't renounce I would be subjected to fierce beating. Hashimoto, Hosokawa, Sasaki brothers ~~etc~~ and others kept their eyes on me and checked on me to see that I had my hearing and I was scared of them. And I believed I was pretty sure to be deported and was in fear of being sent to jail, concentration camp or being executed in Japan if I didn't renounce because having served in the U.S. Army I'd be treated as an American spy or soldier who had borne arms against Japan. I had some fear at the time that if the U.S. Govern't decided not to deport me that it would force me out to live among hostile Americans and that I'd be in danger of harm and would have no chance to earn a living or live safely.**

- (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:

I was transferred to Santa Fe Internment camp where there were many aliens and Kibei-Nisei agitators and were active undercover. They had their conscious mind, eager eye and ears opened and inquired of any false move anyone makes and if necessary, they made threatening comments even though the groups weren't acting like clubs any longer.

- (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 didn't know I could do anything about being able to do this. After I arrived in Japan I heard about Mr. Collins and wrote to him to help me and he did by joining me in the San Francisco lawsuit.**

(F) If there are any other facts which influenced your action in renouncing your United States citizenship, state fully below or on a separate sheet if necessary. **Before confinement I faithfully observed and obeyed laws and rules of the U.S. as a patriotic citizen; I have done my endeavors for the states policies and public services; I have voted in political elections and have contributed for the progress and protection of associations such as Red Cross Christian activities, Salvation Army, Reserve Army and for democracy. I even volunteered for the U.S. Army on March 5, 1941, and with the development of World War II I was released from active duty without choice on February 21, 1942, for the reason of convenience of the government. Although under the worse crisis of World War there was no difference in my belief in the fate of U.S. and mine, that of American-born Japanese. Then the evacuation took place for all Japanese and the citizens of the Japanese descent on the West Coast, was discriminated and evacuated by force to camp; weary of the prolonged and indefinite confinement I was entirely a different person; I was not myself and was in a stage that I did not care to think twice or give a second thought; I had no will power whatsoever due to removal of citizens from citizenship rights with confinement.**

10. (A) If you now are in Japan, give your reasons for having returned to Japan.

See separate sheet.

(B) If you are in Japan, have you since you returned to Japan taken any action to resume or acquire Japanese citizenship? **No** **YES**
Answer Yes or No

If you have, state nature of action taken and reasons therefor.

See separate sheet.

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 **March 5, 1941** in the **U.S. Army**; my Serial number is **39153747**;
State the date State the Branch of Service

I still am in such service **No**; I was released from active duty on **February 21, 1942** and received my Discharge
Answer Yes or No
on **December 21, 1942**.

(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.

None

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

None

(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.

None

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:

Brother

Relationship

George Akiyoshi

Name

U.S. Army

Branch of Service

US-56074471

Serial Number

Japan
Prefecture of Fukuoka
City of Fukuoka
Consulate of the United
States of America

SS.

/s/ Masayuki Akiyoshi
(Signature in full of applicant)

Subscribed and sworn to before me this **6th** day of **September**, 19 **57**

(CONSULAR SEAL)

/s/ Wm. Dixon
American Vice Consul

Kcy.

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

August 26, 1958

7-2
5/8/59

Mr. Masayuki Akiyoshi
2-1, Shioi-cho, Hakozaiki
Fukuoka, Japan

Dear Mr. Akiyoshi:

On March 20, 1958, I wrote and notified you that the Justice Department had denied you administrative clearance because it reached a conclusion that your renunciation of U.S. citizenship was not caused by fear, coercion or duress. However, I believe that by preparing a new affidavit going into more details that you yet may receive administrative clearance.

If you will send me your answers to the following questions I will prepare an amplified affidavit which may enable you to obtain administrative clearance:

1. What were your reasons for giving negative answers to questions 27 and 28 of the Army-WRA registration form?
2. What were your reasons for applying for repatriation to Japan on January 13, 1944 when you were in the Tule Lake Center?
3. What were your reasons for again applying for repatriation on April 23, 1945?
4. What were your reasons for applying for repatriation on September 27, 1945 in the alien internment camp at Santa Fe, New Mexico, after the end of the war?
5. Why, in your application of September 27, 1945 did you state that you desired to be repatriated unconditionally and without qualification?
6. What were your reasons for being an officer of the Hokoku Seinen-dan?
7. When did you apply for renunciation? Why did you do so "at a relatively early date"?
8. Why did you state at your renunciation hearing that you wished to return to Japan?
9. Why did you state at your renunciation hearing that you wished to fight for your "mother country"? Why did you refer to Japan as your "mother country"?
10. On February 21, 1945 what did you do to request approval by the Attorney General of your renunciation? Did you write a letter to Washington, D.C.?
11. Why, in an interview on April 5, 1945 with an Immigration and Naturalization officer, did you state that you renounced because of evacuation and loss of civil rights? Further, why did you state that you intended to return to Japan at the earliest possible date?

Please do not hesitate to give full, true and correct answers and to mention names. The giving of names will assist me and will

not do any harm either to you or the persons you name.

I would thank you to write out your answers and explanations to the above questions in detail to the best of your ability and recollection and send them to me immediately via airmail so that I will be able to prepare a new affidavit upon which you may recover your citizenship.

Very truly yours,

(VIA AIRLETTER)

(VIA AIRLETTER)

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

November 3, 1958

Mr. Masayuki Akiyoshi
2-1, Shioi-cho, Hakozaki
Fukuoka, Japan

Dear Mr. Akiyoshi:

Please send me your answers to the questions
I put to you in my letter of August 26, 1958,
so that I may prepare a new affidavit upon which
you may receive administrative clearance.

Very truly yours,

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

(VIA AIRLETTER)

March 25, 1959

78 5/8/59

Mr. Sunao Akiyoshi
138 Nishibaru Oaza, Tachiarai Machi
Hongo kyoku Kunai, Mii Gun
Fukuoka Ken, Japan

Dear Mr. Akiyoshi:

I have previously notified you that I will need additional information before I will be able to prepare a new affidavit for submission to the Justice Department. Therefore, please send me your answers to the following questions immediately:

1. When you applied for repatriation on August 30, 1945, what were your reasons for stating that you desired to be repatriated to Japan unconditionally and without qualification?
2. As an officer of the Hokoku Seinen-dan what office did you hold? How did you become such officer? What duties did you perform as such officer?
3. Why did you state at your renunciation hearing that you believed in the aims and purposes of the organization (Hokoku Seinen-dan)?
4. At your renunciation hearing why did you indicate you were willing to serve in the Japanese Army and engage in combat against this country?
5. Why did you state in an interview with an Immigration and Naturalization Patrol Officer on May 26, 1945, that you considered the U.S. an enemy country?

Please do not hesitate to give full, true and correct answers and to mention names. The giving of names will assist me and will not do any harm either to you or the persons you name.

I would thank you to write out your answers and explanations to the above questions in detail to the best of your ability and recollection and send them to me immediately via airmail.

Very truly yours,

WMC:ss
cc: Mr. Toraichi Kono ✓



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 20530

Address Reply to the
Division Indicated
and Refer to Initials and Number

GCD:EEB:OC
116-51-126
93-1-1320

APR 16 1959

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

Re: MASAYUKI AKIYOSHI

Your ref: Abo, et al v. Rogers, et al.
Furuya, et al v. Rogers, et al. (Consolidated
actions - Civil Nos. 25294 & 25295).
Renunciation of Citizenship, Former Title 8
U.S.C. 801(1).

Dear Mr. Schnacke:

On September 18, 1957, you forwarded to this Department an affidavit for a determination as to whether the case of the above-named renunciant might 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.

On December 13, 1957, we advised you that we were of the opinion that the case of the subject could not be considered as coming within the ruling of the Court of Appeals in the above case. Upon reconsideration of the evidence of record and in the light of subsequent decision and revised policies, you are advised that we are now of the opinion that subject's case may be considered as coming within the ruling of the Court of Appeals in the Murakami case.

We have informed the Department of State of our present view by letter, three copies of which are enclosed herewith. If you disagree with our action please so advise us promptly in order that we may recall our clearance from that Department before action is taken thereon. If you do not disagree, please forward two of the copies to Mr. Collins, and 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, as modified by this Department's letter to you dated June 9, 1955. We shall appreciate your forwarding

- 2 -

to this office a copy of the stipulation and judgment when record entry of the same has been accomplished.

Yours very truly,

GEORGE COCHRAN DOUB
Assistant Attorney General
Civil Division

By:
Enoch E. Ellison
Chief, Japanese Claims Section

Encls.
cc: Department of State.



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

AM

Address Reply to the
Division Indicated
and Refer to Initials and Number

CLERK:CC
146-51-126
93-1-1320

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

Attention: Miss Frances Knight
Director, Passport Office

Re: MASAYUKI ARIYOSHI
October 8, 1917, Redondo Beach, California
Your ref: F130

Dear Sirs:

Pursuant to an 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 copy of our letter to the United States Attorney for the 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 Murakami case.

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.

Yours very truly,

GEORGE COCHRAN DOUB
Assistant Attorney General
Civil Division

By:
Enoch E. Ellison
Chief, Japanese Claims Section

Encl.
cc: Robert M. Schnacke, Esquire

Bk ltr 9/18/57
card noted
abs- 5/28/47
cc 4
126
BP 1403

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 MARUYUKI ANIYOSHI		Date of Birth October 8, 1917	
2. If born prior to December 1, 1924	(A) Have you ever renounced Japanese nationality? Yes	When January 6, 1937	Where St. 1, Rm 279 Terrence, Calif.
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	To		
1933	March 1937	Parents sent us to Japan	
Dec. 1945	Present		
5. Give details concerning any formal education in Japan:			
School		Period of Attendance	
Osaki-mura Grammar School, 1st to 3rd Grade		From 1924	To March 1927
Specify subjects studied (attach additional sheet if necessary). Japanese language and arithmetic.			
Yes 1944, Uncertain of date.			
6. Have you ever made application for repatriation to Japan?.....If so, give date....., and your reasons for so applying: See separate sheet.			
7. (A) Have you ever expressly indicated that you would not swear unqualified allegiance to the United States? Yes		Have you ever declined to answer when asked whether you would swear unqualified allegiance? Yes	
Or have you ever given a qualified answer to such question asked at War Relocation Centers?.....If so, give your reasons: See separate sheet			
(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?.....If so, state when you changed your mind and your reasons therefor: Yes U.S. Army War Relocation Authority of Japanese ancestry and I would have at the registration time at Gila River if I hadn't believed I'd be separated from my folks and be forced to relocate to some hostile area. I would have later in Tule Lake if I hadn't believed I'd be deported and the agitators hadn't control of the camp and I had not been afraid of them.			

(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?..... If so, give reasons:

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

(B) Give reasons for becoming a member: I became a member because I was playing baseball for the club manager who was one of the committee for the Hokoku Seinen Dan; he influenced me to join and study Japanese culture and customs as well as playing ball to prepare for the life in Japan which we had to face when we were going to be deported to Japan and it is a good opportunity to practice while we have indefinite period of confinement during the war. I thought it was good idea and to continue playing ball for the exercise to keep up my morale and health since I had leisure time. Other than that I did not know that the organization had any other purpose when I joined. Masaharu Hashimoto, Masabu Hosokawa, Tsutomu Sasaki and his brother all said I should join for such purposes and I believed them. I was a member till removed to Santa Fe, on Jan. 26, 1945 and after that it was not such of an organization any more.

(C) State nature of your activity and offices you held: Late part of year 1944, I was appointed as ward communication messenger which I refused but the pressure was too great that I was forced to take that position; later I was also forced to take another position as ward assistant bugle squad due to I had excess time with one position. My activities was carrying messages from and to ward office and central office of the Hokoku Seinen Dan and participating in the morning exercises, and blowing bugle.

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

When we were sent to Santa Fe the group didn't exist as a club any longer.

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

April 27, 1959

Mr. Masayuki Akiyoshi
2-Kumi, 1-Chome, Shioi-cho
Hakozaki, Fukuoka Ken, Japan

Dear Mr. Akiyoshi:

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.

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 the 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 United States.

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 nonquota 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 non-quota 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 in course of time becomes eligible to apply for naturalization as a U.S. citizen.

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 U.S. or before an authorized Japanese Government office in Japan.

Very truly yours,

Wagne M. Collins

Enc.