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TAKEUCHI, HARRY TAKAO

1946-1956

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WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET

SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1218

February 6, 1946

Mr. Harry T. Takeuchi,
Rm. 31-B, P.O. Box 300,
Bismarck, North Dakota.

Dear Harry:

I have received the bank money order for \$4,399.00. Please inform Mr. Satoru Shinde that Mr. Kamekichi Nishida, 1216½ Fourth Street, Sacramento, California, has forwarded to me the sum of \$100.00 to represent Yoshiko Shinde, wife of Mr. Satoru Shinde.

I have also received a postal money order for the sum of \$25.00 for Hiroshi Morita. I have also received from Lieutenant William S. Tsuchiya on behalf of his brother Yoshio in Bismarck the sum of \$25.00. The Lieutenant came into see me on Saturday last and returned to Fort Snelling on Monday last.

I have also received \$50.00 from Miyoko Nakamura, Tule Lake on behalf of her brother in Bismarck. I have also received \$100.00 for Sueo Frank Matsumoto in Bismarck and also \$100.00 for Minoru George Matsumoto.

Please inform Frank Susumu Sakamoto that since he wishes to remain in this country he should have a mitigation hearing in Bismarck. I shall keep him in the test cases and protect his interests unless he informs me that he does not desire such representation. I suggest that you inform him that he ought to notify Mr. Cook that he no longer desires to be repatriated.

I have received questionnaires from the following persons: Satoshi Mori, Yoshiro Aramaki, Shigeo Aramaki, Alexander R. Iseri, Shinji Dote, Takeshi Dendo, Tsuyoshi Okada, Shigeru Ikejiri, Masaaki Nakagiri, Frank Yoshio Tsuchiya, Tomozumi Yanai and Masao Nakao, Minoru Kakutani, and Harry Tokimitsu Oshiro.

I have not yet received questionnaires from Mitsugu Fukaye, Leo Masao Nishioka and Kenji Fukuda.

Very truly yours,

WMC:cnw

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

February 9, 1946.

Mr. Harry Takao Takeuchi,
Box 300, Rm. 31-B,
Bismarck, North Dakota.

Dear Harry:

Mr. Shevlin of the Department of Justice
was in Bismarck for the mitigation hearings to
be held there.

When the hearing officers have concluded
the hearings the release of successful renun-
ciants will be sent to the officer there in
charge. I suggest that you and your committee
obtain from the renunciants, if they are released,
their permanent addresses and telephone numbers
so that we will be able to get in touch with
them when the trials are ready to be presented
in court.

Yours very truly,

WMC:cnw

WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET

SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1218

February 13, 1946.

Mr. Harry T. Takeuchi,
Box 300, Rm. 31-B,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

Enclosed find sample forms of application for re-opening of a mitigation hearing or re-hearing or new hearing.

If any of the renunciants receive an unfavorable recommendation as a result of a mitigation hearing given him he should immediately prepare a letter in triplicate in precisely the form and language of the enclosed sample form. The original should be mailed promptly to Hon. Tom Clark, a duplicate original thereof to Hon. W.S. Cook, Acting Officer-in-Charge and the triplicate original should be sent to me.

Your committee should see that each unsuccessful renunciant prepare the aforesaid form letter and that the duplicate originals are mailed.

These letters could be mimeographed if you have the opportunity of mimeographing same. If there should be other grounds or reasons why any renunciant was dissatisfied with his mitigation hearing, he could add his reasons to the reasons already set forth in the sample letter enclosed.

Very truly yours,

WMC:cnw

Fort Lincoln Internment Camp,
Bismarck, North Dakota,
February __, 1946.

HON. TOM CLARK,
Attorney General of the United States,
Department of Justice Building,
Washington, D.C.

Dear Mr. Attorney General:

Without waiving any of my constitutional and legal rights asserted by me in Actions Nos. 25294 to 25297, inclusive, now pending in the U.S. District Court for the Northern District of California, at San Francisco, California, or to be asserted by me in any similar actions and without this request in anywise operating as a bar to said or any actions or as a waiver thereof, I hereby request that the mitigation hearing or examination heretofore given me at the Fort Lincoln Internment Camp, Bismarck, North Dakota, to show cause why I should not be deported to Japan by you be re-opened for the introduction of further evidence or that a re-examination or new examination be given me thereon for the following reasons and upon the following grounds:

1. I was not allowed to be represented at said mitigation hearing by counsel of my own choosing or by any counsel whatever;

2. I was given neither the time nor the opportunity to obtain witnesses to appear at said hearing and to testify on my behalf;

3. I was not given time or the opportunity to obtain evidence on my behalf or to submit the same to the hearing officer at said hearing and I was not allowed to subpoena witnesses to appear and testify on my behalf but was arbitrarily summoned to said hearing or examination without any reasonable period of time or any time whatever having been allowed me to prepare for the same;

4. The hearing officer's recommendation made at said examination and the refusal to release me from detention and to restore me to civilian life in this country was based either in whole or in part upon secret data kept in dossiers and files in the possession of the hearing officer and authorities which was not made known to me or exhibited to me but was kept secret from me;

5. The said examination or hearing was arbitrary, unreasonable and oppressive in its brevity, in the manner in which it was conducted and in the circumstances under which it was held;

6. The said examination was not under oath and no witnesses were sworn, and no witnesses appeared and testified against me;

7. The said examination was neither full, complete nor adequate and was neither fair nor impartial: I was given neither the time nor the opportunity to answer any unjust charges that may have been brought against me or unjust suspicions that may have been entertained against me and, in fact, there neither then nor now exists nor was there introduced at said hearing any competent evidence whatever upon which an unfavorable recommendation ought to have been made against me or upon which a refusal to release me from detention properly and legally could be based.

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3 For the foregoing reasons and grounds I request that the said
4 examination or hearing be re-opened for the introduction of addi-
5 tional evidence or that a re-hearing or new hearing or examination
6 be given me.

7
8 Very truly yours,

9
10 _____
11 Name.

12
13 _____
14 Barrack Number.
15 Fort Lincoln Internment Camp
16 Bismarck, North Dakota.

17 Duplicate original to:

18 W.S. Cook, Acting Officer-in-Charge,
19 Fort Lincoln Internment Camp,
20 Bismarck, North Dakota.
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WAYNE M. COLLINS
ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA
TELEPHONE GARFIELD 1218

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February 14, 1946.

Mr. Harry Takao Takeuchi,
Box 300, Rm. 31-B,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

This is to inform you and your committee
that today I received questionnaire forms from
Kenji Ikejiri and Matsuo Mac Ikejiri who are
presently confined in your camp.

Very truly yours,

WMC:cnw

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February 18, 1946.

Mr. Harry T. Takeuchi,
Box 300, Rm. 31-B,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

I am informed by Mr. Burling that the mitigation hearings in your camp either have been finished or are about to be finished.

I would thank you to notify me whether or not the hearings have been completed and I would also thank you to inform me whether or not you have received the sample forms of letters I sent to you which unsuccessful renunciants are to use in applying for re-hearings.

As renunciants in your camp receive notification either that they are to be released or that they received unfavorable recommendations, I would thank you to inform me of their names as rapidly as possible. All of the persons who have sent me questionnaire forms in your camp are to be included as plaintiffs in the equity cases which were filed in the Federal District Court in San Francisco by consent of Mr. Burling, the newly appointed chief litigation attorney for the Department of Justice who is to defend those suits.

It is probable, although not yet definitely decided by the Department of Justice, that the renunciants who are not successful in obtaining their releases through their mitigation hearings may be transferred from Tule Lake and Bismarck to the Alien Internment Camps at Santa Fe, New Mexico and Crystal City, Texas. The transfer will be only for the purpose of convenience due to the fact that the government intends to close out Tule Lake and Bismarck. Such a transfer to Santa Fe or any other camp will not jeopardize the rights of any of the persons who are included in these court cases. So I ask you and your committee members to notify the interested persons in your camp of these facts.

Very truly yours,

WMC:Cnw

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February 21, 1946.

Mr. Harry T. Takeuchi,
Box 300, Rm. 30-G,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

Thank you for your letter of February 14,
1946 together with the enclosures. Mr. Frank
Susumu Sakamoto is eligible for repatriation
to Japan if he so desires and he will be kept
out of the cases unless he notifies you or
me to the contrary. Please inform Mr. Goro
Amemiya that his name will be included in the
test cases.

- Dismissal

- U.S. Active

U.S. Active - I have received questionnaire forms of
Matsuo Ikejiri and Kenji Ikejiri. *- can not locate*

Very truly yours,

WMC:cnw

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February 21, 1946.

Mr. Harry T. Takeuchi,
Box 300, Rm. 30-G,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

In your letter of February 14th you mention the total number of my clients at Bismarck as 163, but according to the list which I have attached which includes Goro Amemiya, Matsuo Ikejiri and Kenji Ikejiri, I find the total to be 166. Consequently if you find any errors in my list or in the number I would thank you to inform me.

In excess of 1000 persons already have received notices at Tule Lake that they will be released from detention. Approximately 450 there have received notice that they have received unfavorable recommendation from the hearing board. However, the unfavorable recommendation is not final. In many cases those recommendations are tentative and were probably based on the fact that a member or members of their families are detained in Bismarck or Santa Fe for deportation and the Department did not desire to disunite the families. Consequently when the Bismarck and the Santa Fe hearings are concluded it is my opinion that the persons detained in Tule Lake who have family members in Bismarck and Santa Fe who are released will also be released. I suggest you and your committee inform the renunciants in your camp not to be alarmed if members of their families appear on the unfavorable recommendation list at Tule Lake.

Please inform me when the mitigation hearings are terminated at Bismarck.

In the event that any ^{of you} persons in your camp should receive an unfavorable recommendation following their mitigation hearing, please see that the form letter, sample of which I sent you heretofore, which apply for re-hearings to the Attorney General and the officer in charge of your camp are mailed out promptly and that a copy thereof is obtained by your committee and sent on to me.

It is likely that the persons who are to be detained at Tule Lake (as well as at your camp) will be transferred to Santa Fe, but such a transfer will in nowise destroy *them* the legal rights or interfere with the test cases and no deportation will be had pending the outcome of the test cases.

Very truly yours,

WMC:cnw

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February 21, 1946.

Mr. Harry T. Takeuchi,
Box 300, Rm. 30-G,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

Please inform Mr. Nakagaki that Mary W.
Adams of Berkeley has sent in to me a check
for \$70.00 for Mr. Sadao Nakagaki, Bldg. 30-N,
Bismarck.

Very truly yours,

WMC:cnw

WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1218

February 23, 1946.

Mr. Harry T. Takeuchi,
Box 300, Barrack T-12,
Fort Lincoln Internment Camp,
Bismarck, N.D.

Dear Harry:

In addition to the names I sent on to you a day or so ago I am enclosing a list of names of the persons whose questionnaires I received on February 20, 1946. Leo Masao Nishioka and Kenji Fukuda's names appear on the list and I have received their questionnaires.

U.S. active
The questionnaires of Kenji Ikejiri and Matsuo Mac Ikejiri also have been received. As I informed you in my last letter the name of Goro Amemiya also has been added to the list of persons to be included in the cases. *Can not locate*

Very truly yours,

WMC/W

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February 27, 1946.

*Committee
Hank*

Mr. Harry T. Takeuchi,
Box 300, Rm. 30-G,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

I have made a proposal to the Department of Justice that it give immediate consideration to a release of all persons detained at Tule Lake, Bismarck, Santa Fe and Crystal City, whether or not they have received unfavorable recommendations following their mitigation hearings. Whether or not the Department will weigh these proposals and consent to a release of all of you remains to be seen. In the event that it does, I shall notify you promptly. If such a release can be obtained our problems will be much lighter.

Keep up your good spirits.

Very truly yours,

WMC:cnw

WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET

SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1218

February 28, 1946.

Mr. Harry Takao Takeuchi,
Barr. T-12, Box 300,
Fort Lincoln Internment Camp,
Bismarck, N. D.

Dear Harry:

My records now show a list of 164 persons, including Goro Amemiya, are now in the cases. On the list mimeographed which I sent to you the names of Minoru Kakutani and Harry Tokumitsu appeared twice, consequently when I wrote you on Feb. 21st I stated there were 166 on the list. The correct list shows 164 to date. Please inform me if this figure is correct according to your records.

Very truly yours,

WMC/W

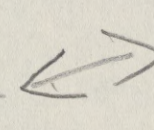
INTERNEES AT FORT LINCOLN INTERNMENT

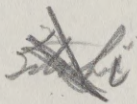
CAMP, BISMARCK, NORTH DAKOTA

164

- ✓ Takashi Abe
- ✓ Yoshio Abe
- ✓ Akira Ralph Adachi
- ✓ Minoru Adachi
- ✓ George Hiroshi Akahori
- ✓ Isao Akiba
- ~~Goro Amemiya~~
- ✓ Yoshio Amemiya
- ✓ Tomio Bingo o ?
- ✓ Keiichi George Dohi
- ✓ Tsugio Dohara
- ✓ Nobuo Ebisuda
- ✓ Shuntaro Frank Emoto
- ✓ Jiro Fujii
- ✓ Hideo Fukagawa
- ✓ Raymond Katsumi Fukunaga
- ✓ Masao Furusawa
- ✓ Matsuichi Hamamoto
- ✓ Takeo Fred Hamamoto
- ✓ Tamotsu Hataye
- ✓ Hisashi Joe Hayano
- ✓ Yoshiro Hayashi
- ✓ Kenzo Kendo Higashi
- ✓ Harry Fumio Hiraki
- ✓ Henry Tokio Hiraki
- ✓ Shigeu Hiraki
- ✓ Denichi Ted Hiraoka
- ✓ Akira Hirata
- ✓ Shigeru Hirata
- ✓ Taneo Johnny Hirokane
- ✓ Asao Honda
- ✓ Kazuo Honda

31

✓ Mitsuo Ichinose
✓ Toshio Ichinose
✓ Tatsuo Iida
✓ Jimmie Iwao Imamura
✓ George Imoto
✓ Itaru Ina
✓ Keiichi Inouye
✓ Mitsuji Inouye
✓ Keiichi Kay Ishigami
✓ Morimitsu George Ishuin
✓ Tatsuma Itani
✓ Masaichi Frank Ito
✓ Kiyoshi Ito
✓ ~~Yukio Paul Kajikawa~~
✓ Tsugio Kaku
✓ Minoru Kakutani 
✓ Shigenobu Kato
✓ Yasunori Kawahara
✓ Yoshinori Kawahara
✓ Fujio Frank Kawamoto
✓ Richard Takao Kawana
✓ Yoshio Kinoshita
✓ Katsuo Jimmie Kiyama
✓ Toshio Tommy Kiyama
✓ Hideo Kobayashi
✓ Masumi Eddie Kobayashi
✓ ~~Hiroshi Koga~~
✓ ~~Sateru Koga~~
✓ Masao Kotake
✓ Seigo Kotake
✓ Sunao Koyanagi
✓ ~~Rikiso Kushida~~

✓ Eki Masuoka
 ✓ ~~Mineru George Matsumoto~~
 ✓ ~~Sueo Frank Matsumoto~~
 ✓ Masaru Matsuura
 ✓ Tatsumi Bill Matsuura
 ✓ Frank Ko Mayeda
 ✓ ~~Henry Masashi Mikami~~
 ✓ Teruo Mitooka
 ✓ Susumu Miyakawa
 ✓ Wataru Miyakawa
 ✓ Kazuo Miyake
 ✓ Toshio Mizuhata ?
 ✓ Shigeru Morinaka
 ✓ Larry Hiroshi Morita
 ✓ Noboru Morita
 ✓ Akira Magaoka
 ✓ Charles Tadashi Nagatoishi
 ✓ Sadao Nakagaki
 ✓ Masazo Nakamura
 ✓ ✓ Satoshi Nakamura 
 ✓ ✓ Toshio Nakamura
 ✓ Ukyo Nakanishi
 ✓ George Ryoji Nakao
 ✓ Isao Nakashima
 ✓ Toshiro Nakayama
 ✓ Masajiro Niimi
 ✓ ~~George Mineru Nishi~~
 ✓ Miki Nishiyama
 ✓ Shoji Nosaka
 ✓ Tanemi Obatake
 ✓ Sei Ochi

- ✓ Takumi Okamoto
- ✓ Tamio Thomas Okano
- ✓ Juichi James Okazaki
- ✓ Toshio Okimoto
- ✓ Kazuo Okinaka
- ✓ Isami Thomas Osaki
- ✓ Harry Tokumitsu Oshiro
- ✓ Makoto Otsuka
- ✓ Haruo Harry Ozawa
- ✓ Kihachiro Saiki
- ✓ Yutaka Sakaguchi
- ✓ Gengo Sakamoto
- ✓ Jingo Sakamoto
- ✓ Kageto Sakamoto
- ~~Susumu Frank Sakamoto~~
- ✓ Iwao George Shibata
- ✓ Tomeo Tony Shibata
- ~~✓ Yoshio Shibata~~
- ✓ Satoru Shinde
- ✓ Yukio Soga
- ✓ Kiyoshi Suzuki
- ✓ Masao Taketa
- ✓ Morio Steve Taketa
- ~~✓ Harry Takao Takeuchi~~
- ✓ George Masanobu Tamura
- ✓ Shigeo Tanaka
- ✓ Yoshio Henry Tanaka
- ✓ George Joji Tani
- ✓ Shiro Tanji
- ✓ Ken Terada
- ✓ Masaru Teshiba

- ✓ Tsumoru Tokubo
- ✓ Sadaki Tominaga
- ✓ Shigeru Jim Toriumi
- ✓ ~~Yukio Allen Tsuehitani~~
- ✓ ~~Frank Yeshio Tsuchiya~~
- ✓ Takashi Tsujita
- ✓ Hironori Tsukida
- ✓ Minoru Ueda
- ✓ Yoshito Ueda
- ✓ Jack Chiaki Uemura
- ✓ Seiichi Umemoto
- ✓ Isamu Uyeda
- ✓ Masato Uyeda
- ✓ Toju Roy Uyeda
- ✓ Shuji Uyemaruko
- ✓ Isamu Uyemura
- ✓ Tadao Uyemura
- ✓ Yasushi George Yamashita
- ✓ Seiji Fred Yanari
- ✓ Yoshio Tom Yanari
- ✓ Sadao Yorita
- ✓ Riichi Yoshida
- ✓ Masanobu Tim Yoshimiya
- ✓ ~~Kiyoshi Yokawa~~

~~Handwritten signature~~

INTERNEES AT FORT LINCOLN INTERNMENT CAMP,

BISMARCK, NORTH DAKOTA

Shigeo Aramaki ✓

Yoshiro Roy Aramaki ✓

Takeshi Dendo ✓

Shinji Dote ✓

Mitsugu Fukaye ✓

Kenji Fukuda ✓

Shigeru Ikejiri ✓

Alexander Rekisander Iseri ✓

~~Minoru Kakutani~~

Satoshi Tom Mori ✓

Masaaki Jimmy Nakagiri ✓

Masao Roy Nakao ✓

Leo Masao Nishioka ✓

~~Tsuyoshi George Okada~~ ✓

~~Harry Tokumitsu Oshiro~~ ✓

Tomozumi Yanai ✓

147

INTERNEES AT FORT LINCOLN INTERNMENT CAMP
BISMARCK, NORTH DAKOTA

Goro Amemiya ✓

~~Kenji Ikejiri~~ ✓

Matsuo Mac Ikejiri ✓

~~KA 164~~

(5)

Tule Lake Center,
Newell, Modoc County, Calif.
February __, 1946.

HON. TOM CLARK,
Attorney General of the United States,
Department of Justice Building,
Washington, D.C.

Dear Mr. Attorney General:

Without waiving any of my constitutional and legal rights asserted by me in Actions Nos. 25294 to 25297, inclusive, now pending in the U.S. District Court for the Northern District of California, at San Francisco, California, and without this request in anywise operating as a bar to said or any actions or as a waiver thereof, I hereby request that the mitigation hearing or examination heretofore given me at the Tule Lake Center to show cause why I should not be deported to Japan by you be re-opened for the introduction of further evidence or that a re-examination or new examination be given me thereon for the following reasons and upon the following grounds:

1. I was not allowed to be represented at said mitigation hearing by counsel of my own choosing or by any counsel whatever;

2. I was given neither the time nor the opportunity to obtain witnesses to appear at said hearing and to testify on my behalf;

3. I was not given time or the opportunity to obtain evidence on my behalf or to submit the same to the hearing officer at said hearing and I was not allowed to subpoena witnesses to appear and testify on my behalf but was arbitrarily summoned to said hearing or examination without any reasonable period of time or any time whatever having been allowed me to prepare for the same;

4. The hearing officer's recommendation made at said examination and the refusal to release me from detention and to restore me to civilian life in this country was based either in whole or in part upon secret data kept in dossiers and files in the possession of the hearing officer and authorities which was not made known to me or exhibited to me but was kept secret from me;

5. The said examination or hearing was arbitrary, unreasonable and oppressive in its brevity, in the manner in which it was conducted and in the circumstances under which it was held;

6. The said examination was not under oath and no witnesses were sworn, and no witnesses appeared and testified against me;

7. The said examination was neither full, complete nor adequate and was neither fair nor impartial: I was given neither the time nor the opportunity to answer any unjust charges that may have been brought against me or unjust suspicions that may have been entertained against me and, in fact, there neither then nor now exists nor was there introduced at said hearing any competent evidence whatever upon which an unfavorable recommendation ought to have been made against me or upon which a refusal to release me from detention properly and legally could be based.

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2 For the foregoing reasons and grounds I request that the said
3 examination or hearing be re-opened for the introduction of addi-
4 tional evidence or that a re-hearing or new hearing or examination
5 be given me.

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7 Very truly yours,

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Name.

Block Number.
Tule Lake Center,
Newell, Modoc County,
California.

Duplicate original to:

Ivan Williams, Officer-in-Charge,
Tule Lake Center.

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March 1, 1946.

*Communist
Newspaper*

Mr. Harry T. Takeuchi,
Barrack T-12, Box 300,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

Mr. Burling informed me this afternoon that the Attorney General, Hon. Tom C. Clark himself, will make a decision as to whether or not all of the renunciants in the respective camps are to be released. Therefore, it is possible that the Attorney General may yet decide to release all the detainees whether they have received unfavorable recommendations or not. If he decides in favor of a release of all persons our burdens will be considerably lighter because that will leave for court determination only the question of restoration of citizenship.

The main court battle may well develop into the question of whether or not the letter of Abe Fortas, Under Secretary of Interior, admitting that "80% of the citizens" at Tule Lake eligible to do so applied for renunciations as a result of duress, is binding as a pleading upon the government. If it be binding as a pleading there is a chance not only that the renunciants are entitled to release from detention but to have their citizenship restored.

The groups in Bismarck and Santa Fe who have engaged my services have been incorporated as plaintiffs in the equity suit by agreement with the Department of Justice.

Very truly yours,

WMC:cnw

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March 4, 1946.

Mr. Harry T. Takeuchi,
Barrack T-12, Box 300,
Fort Lincoln Internment Camp,
Bismarck, North Dakota.

Dear Harry:

Enclosed find article which appeared in the San Francisco News mentioning the fact that renunciants in Bismarck and Santa Fe whom I am representing have been joined in the equity suits in San Francisco.

There is also enclosed a copy of the press release which accompanied the filing of supplemental complaints in equity and orders joining all of you in the equity proceedings.

Very truly yours,

WMC:cnw

Enc.

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March 7, 1946.

Mr. Harry T. Takeuchi,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

In the Pacific Citizen of March 2, 1946, appears an article by John Kitasako that seems designed to injure the reputation of all those persons who renounced at Tule. Do not be alarmed by what Mr. Kitasako may write and the Pacific Citizen may publish. Neither Mr. Kitasako nor the Pacific Citizen are aware of the facts of the reign of terror that was allowed to rule at Tule and none of them know of the duress practiced there. Apparently they disregard facts and are quite careless of the truth. Mr. Kitasako was once at Heart Mountain and, according to the information which has reached me, he never even visited Tule.

The Pacific Citizen is the mouthpiece of the JACL which in the past has injured renunciants and still, on occasions, endeavors to harm them by publishing and spreading ugly statements and rumors. I believe the majority of you are aware of its purposes. Apparently, it has been converted into a publicity organ for the benefit of the JACL leadership and Mr. Wirin, its attorney. It could serve a useful purpose if it were to devote more space to news and to the cause of the unfortunate minority whose mistreatment is the sorriest that has occurred in our history.

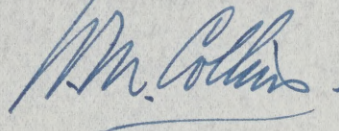
The same edition announces that Mr. Tietz of Wirin's office returned to Los Angeles from Santa Fe where he represented the renunciants at hearings before the Justice Department. The Department does not allow attorneys to appear on behalf of renunciants at mitigation hearings except in the capacity of mere "observers". Observation is not representation. If an attorney appeared and were allowed to represent a renunciant as an attorney at such a hearing there is danger that the renunciant would be bound by an unfavorable finding made against him by the Attorney General. The reason for this is that a voluntary submission to such an arbitrary hearing with counsel being present and representing a renunciant may be construed as a submission to the jurisdiction of the Attorney General. Thereafter the Attorney General could plead or offer evidence of such a submission to such a jurisdiction and this might be construed to deprive the court of jurisdiction to review the Attorney General's unfavorable recommendation. I informed each of you that we would not submit voluntarily to such examinations although we would not refuse to have mitigation-hearings. I informed

you we would accept concessions but yield no rights. Consequently, to preserve the rights of each of you I entered into written stipulations with the Attorney General on January 2, 1946, which read as follows:

"IT IS STIPULATED between the parties hereto and said Attorney General that upon applying for or submitting to such a mitigation hearing each plaintiff in the above entitled action shall be deemed to have objected to such hearing upon the grounds that he or she is a native born citizen of the United States and not subject thereto, and that he or she does not intend the same to operate as or constitute a waiver of any constitutional, statutory, or other legal right or remedy asserted in the above entitled action by him or her, or in any wise to bar or prejudice his or her right to maintain said action."

This stipulation protects the rights of each of you who is a party to any of the test cases whether you are now confined to Tule, Bismarck or Santa Fe.

Very truly yours,



cc. to:
Ben Tsutomu Adachi,
Arthur Hattori,
Yasu Honda,
Raizo Inagaki and
Katsuichi Morioka.

WMC:cnw

U. S. DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Tule Lake, California

March 14, 1946

All Japanese internees and segregated parolees, in whose cases orders of release or parole have not been received by March 20, 1946, will be removed to the Crystal City Internment Camp on that date, together with members of their families desiring to accompany them and unrellocatable members of families of internees in custody at the Santa Fe Internment Camp.

The following classes of internees will report to the Processing Building 10:00 A.M. Thur., March 14th for registration:

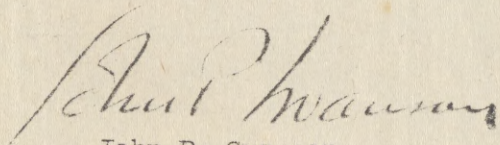
1. All interned renunciants who have been recommended for removal from the United States and all interned renunciants who have not yet received an order of release, together with such members of their family who wish to accompany them.
2. All interned segregated parolees in whose cases orders of release or parole have not been received, together with such members of their families who wish to accompany them.
3. All members of families of internees at the Santa Fe Internment Camp who are unable to relocate.

Those persons listed above will be registered for removal to the Crystal City Internment Camp but in the event that a release or parole is received prior to March 20th their names will be stricken from the list.

B A G G A G E

Each person may take but 200 pounds of personal baggage. This baggage must be checked in and inspected at Mess Hall No. 1720 commencing 8:00 A.M. Sunday, March 17th. All baggage must consist of trunks, suitcases, barracks bags or boxes provided with hinged lid, hasp, and padlock and rope handles. No baggage whatsoever will be accepted on the train with the exception of one small bag containing no other articles than toilet articles and one towel which will be sufficient for the trip. These regulations will be strictly enforced except that women with small babies will be allowed to carry changes of clothing, food, and other necessities for the baby.

Further instructions will be furnished prior to departure.


John P. Swanson
Acting Officer in Charge
Tule Lake, California

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March 15, 1946.

Mr. Harry T. Takeuchi,
Barrack #7,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

I wish to thank you for your recent letters including that of March 12th. As of yesterday 2726 persons have been ordered released from Tule Lake. Approximately 28 additional persons in Tule Lake are yet to hear from the Attorney General's reviewing board on the question of their release. In addition thereto some 417 renunciants at Tule Lake together with 34 family members are scheduled for removal either to Santa Fe or Crystal City, and 12 renunciants at Tule Lake who have been recommended for release, the review board desires to review their cases further. I am also informed that a number of said persons at Tule Lake will receive their release either before the 20th while at Tule Lake, or subsequent thereto, upon or after their arrival at Santa Fe or Crystal City. It is still possible that all persons may yet be released and if not that they may be paroled pending the outcome of the cases. I have made this request of the Department but as yet no final decision has been made thereon.

The Attorney General has requested additional time before proceeding in court within which to pass upon those files which the review board has not yet had time to pass upon and I have consented to his continuance. Mr. Burling is to move to strike the Abe Fortas letter from our pleadings on or by April 8th and he is to file his responsive pleadings on or by April 15th. So soon as responsive pleadings are filed I shall move for judgment on the pleading together with a motion for summary judgment. These motions may determine not only the right to release from detention of any person then detained but the right of all renunciants to restoration of citizenship. I do not prophesy what the court ruling will be. It is to the best interest of all persons that as many as possible be released by order of the Attorney General before any risk whatsoever is run in court. I expect to visit you in your camp before these motions are argued in court. I shall be in Tule Lake this Sunday and upon my return to San Francisco I will inform you of the time I expect to arrive in Santa Fe.

I would thank you to inform me by air mail whether or not you have telephone facilities in camp where I can reach you in the event that telephone communication be deemed advisable. You might ask Mr. Schrieber if such telephone communication can be arranged. Also kindly give him my best regards.

I have received the questionnaires of Masao Akiyoshi, Toshio Akiyoshi, Tsugio Imoto, Kazuyoshi Okamoto and Yutaka Tsurutome. If Mr. Adachi has the list of the seven additional names I suggest that you notify me of their names immediately.

My best wishes,

Very truly yours,

WMC:cnw

cc: Ben Tsutomu Adachi

March 18, 1946.

Mr. Harry T. Takeuchi,
Barrack #7,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

Enclosed find copy of a letter sent this day to the Hon. Tom C. Clark which is self-explanatory. That letter was sent to Mr. Clark at the suggestion of the Hon. Graham Morison of the Department of Justice to whom I telephoned during the absence of Mr. Clark. I have sent a copy of the letter to John L. Burling, Esq. of the Department of Justice with whose permission I telephoned Hon. Tom C. Clark and conversed with Mr. Morison on the subjects which I mention in that letter.

Very truly yours,

WMC:cnw

March 18, 1946.

Hon. Frank J. Hennessy,
U.S. Attorney,
Post Office Building,
San Francisco, California.

Attention: Robert B. McMillan, Esq.

Dear Sir:

Enclosed find copy of a letter I have this date sent to Hon. Tom C. Clark following a telephone conversation with the Hon. Graham Morison of the Department of Justice at whose suggestion I wrote such a letter. In addition thereto I had the prior permission of John L. Burling Esq. to telephone to the Hon. Tom C. Clark as well as to write such a letter. The copy is for your files. I have sent a copy of said letter to John L. Burling, Esq., Chief, Alien Enemy Litigation Section, Department of Justice in Washington.

Very truly yours,

WMC:cnw

March 18, 1946.

John L. Burling, Esquire,
Chief, Alien Enemy Litigation Section,
Department of Justice,
Department of Justice Building,
Washington 25, D.C.

Dear Mr. Burling:

After talking with you this morning I telephoned to the Hon. Tom C. Clark and discussed the renunciation cases with Graham Morison, Esquire. Following the conversation I addressed the letter, copy of which is enclosed, to Hon. Tom C. Clark. The copy is for your files.

Very truly yours,

WMC:cnw

March 18, 1946.

Hon. Tom C. Clark,
Attorney General of the United States,
Department of Justice Building,
Washington 25, D.C.

Dear Sir:

I am an attorney representing several hundred persons of Japanese ancestry who are interned at the Tule Lake Center, California, and the Alien Internment Camp at Santa Fe, New Mexico. The suits filed on behalf of these persons are class actions in habeas corpus and in equity, the former seeking the release from detention of several hundred who are presently detained and the latter the restoration of the citizenship rights of some 1,500 persons. I appreciate that the present plight of these internees was not your doing but is a matter which you inherited from your predecessor in office and also that the prime responsibility for the renunciations of these persons lies with the War Relocation Authority to whose charge they were committed when the renunciation applications were signed.

Pursuant to agreement with John L. Burling, Esquire, of your office, the renunciants presently detained at the Tule Lake Center are being transferred to Crystal City, Texas.

The military authorities long ago cancelled the mass and individual civilian exclusion orders that once affected these people, thereby recognizing they did not constitute a threat to our security. None of them is in anywise dangerous to our security and none of them is hostile to us. A simple renunciation of citizenship by a native born resident citizen converts him into a non-citizen. Such a person is still a resident of this country and domiciled herein. A renunciation deprives him of political privileges but does not render him an alien enemy or cast him into the jurisdiction of a foreign government. As such the Alien Enemy Act has no application to him. That Act would apply, however, to an expatriate, that is, one who not only renounces citizenship but abandons his native residence and domicile and voluntarily takes up residence in a foreign country and becomes a citizen thereof. None of these renunciants is an expatriate - none has given up residence and domicile in this country - and none has voluntarily departed from this country and taken up residence in a foreign country.

During the past eight months I have personally discussed their status and condition with each of these renunciants who is presently detained and whom I represent. These people are and for a long period of time have been filled with fear, fear of the pressure groups that existed in these camps, fear of community hostility, fear they would never again be accepted in civilian life in this country, fear of deportation, fear of a disuniting of their families, and fear and dread of the uncertainty of their future. This terrible combination of fears still besets them and is causing them serious psychological injuries. The tension under which they have been compelled to live in these camps was somewhat relaxed as the leaders of the pressure groups were repatriated to Japan and their grip over the internees ceased. They still live under tension and fear however. A number of cases of insanity have developed in these camps induced by the strain and constant fear under which they labor. Physicians and surgeons at the Tule Lake Center have informed me they fear that some of the young people may be driven to suicide by their despair. The internment of these people has caused and is causing severe psychological injuries to the detainees and damage of this nature is irreparable. Many young girls and boys, still under their majority, and all of whom have spent years in the W.R.A. camps and internment camps, are suffering intensely from the continued confinement. The uncertainty that confronts them and the detention causes them to despair. My own fear for their mental condition is genuine.

I believe that the right and humane thing to do in these cases is to release them from detention and to save these unfortunates from the fear, anxiety and dread in which they are compelled to exist. Such a determination and procedure upon your part will stamp you a person of humane and humanitarian purposes and will relieve these people from their extreme suffering.

If, however, an outright release from detention cannot be immediately determined upon I urgently request you to give consideration to a parole for these people pending a determination of their right to release from detention by the court. I am ready and willing to give you assurance that each person who might be paroled on such terms as you might deem fit will be produced, upon reasonable notice, in the event the final decision of our courts should be against us on the deportation issue. Even a parole, given under such circumstances, would do much to relieve the suffering of these people. It would also probably enable us to try the restoration of citizenship issue without separate trials for each of the 1,500 persons being involved.

I urgently request you to consider these proposals.

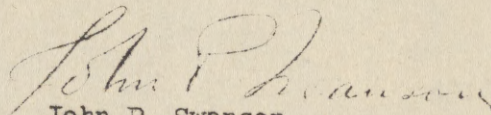
Very truly yours,

U. S. DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
Tule Lake, California
March 19, 1946

All Japanese scheduled to depart from the Tule Lake Segregation Center for the Crystal City Internment Camp on March 20th will report to the Processing Building 11:30 AM Wednesday March 20th prepared to leave.

The seating schedule of the train will be announced on the loud speaker system at this time. Each person will take his place beside the appropriate car number immediately after his name is announced. All persons will be called into the Processing Building by names as soon as segregation by car is completed and transported by truck to the stockade area. As previously announced, no hand baggage will be allowed other than one small bag containing only a towel and such toilet articles necessary for the trip. The only exception to this rule will be made in the case of women with small babies, who will be allowed to carry changes of clothing, food, and other necessities for the baby. No lunches or other food, except for the forgoing exception will be allowed.

Upon arrival at the stockade area each person will be searched and all money, securities, negotiable papers and all weapons such as knives, straight razors, etc., will be taken and sealed in individual property envelopes for transmission to the Officer in Charge, Crystal City Internment Camp. To facilitate this process it is requested that all persons cooperate to the fullest extent and declare all valuables and weapons in their possession.


John P. Swanson
Acting Officer in Charge
Tule Lake, California

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March 23, 1946.

Mr. Harry T. Takeuchi,
Barrack #7,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

I wish to thank you for your letters including the last letter of March 21st.

Tule Lake was closed out on the late afternoon of March 20th and those who had not yet received their releases there were transferred, with my consent, to Crystal City, the government having entered into a written stipulation that if any persons are finally detained that such persons will be produced in court for his or her hearing upon reasonable notice being given. Releases were received at Tule Lake up to the actual time the train departed, some persons being taken off the train at the last minute upon telegraphic communication that they were released. A goodly number of the persons who were transferred to Crystal City should receive releases upon their arrival there, and a goodly number should receive their releases shortly thereafter. I am still hopeful that the Attorney General will consent to release all persons presently detained wherever they may be held in custody.

I had expected to visit you some time this week at Santa Fe, but because of the progress of the program I can not break away immediately for reasons which undoubtedly are apparent to you.

Mr. Wirin's three clients who are being used by him as guinea pigs and who might, except for the fact that he filed suits for them, have been transferred to Crystal City and probably received releases now find themselves in the Immigration Department's jail in the Appraiser's Building in San Francisco, where they will be held until such time as a hearing may be had on their behalf. Mr. Wirin attempted unsuccessfully to obtain bail for his three clients. He seemed to be unfamiliar with the fact that when a person is detained under the Alien Enemy Act he cannot be bailed. Consequently his clients will remain in custody until such time as they have a hearing or until the Attorney General orders them released.

I have written to Thomas Okano who has been released from the hospital in Bismarck and is now at the Fort Lincoln Internment Camp and well on the road to recovery. Please keep me informed by air mail of the numbers of releases and the names of persons released. Also give Mr. Ivan Williams and Mr. Schreiber my best regards.

Very truly yours,

WMC:cnw

March 26, 1946
1721 Mills Tower
San Francisco, Calif.

Dear

Sorry that I haven't written to you sooner but I had hopes of seeing you out of camp before this, but I guess due to the fact that the releases are not coming as fast as expected, you were transferred to Crystal City. I hope that you may be all released from detention before long. Won't you write to me and let me know how you are making out in the new camp? If you want anything please don't hesitate to ask for it as I would be glad to help in any respect.

The case that Mr. Wirin and Mr. Tietz were handling are being dismissed by the three clients themselves; I guess you know the clients' names as they were from Tule Lake but just to refresh your memory they are as follows: Kitterer, Hoggawa and Teshiba. They are going to have Mr. Wayne M. Collins as their attorney and join in the suit with the Defense Committee. This action will, of course, strengthen our case against the Department of Justice as there will be only one group to pressure them into a final release of all those detained at present.

I believe that you may have already heard that those in Santa Fe are being released from detention so in the near future I hope to hear from you saying that you and the others are being released too. Please keep the group informed as to what we are trying to do for them; it is not an easy task as you can see. Mr. Collins is doing everything in his power to get everyone released from detention.

The aliens are being released from detention here in San Francisco by putting up bonds for their release; we have most of them released now and in the near future we hope to have everyone out. Speaking of aliens, it reminded me of some persons I know. Can you inform me as to where Mr. or Mrs. Furuta have gone or are they at Crystal City with you? I hope that you can find out for me as Larry Kataoka was asking for the same information.

One thing I forgot to mention was that Dr. Yamauchi was here to see the three persons detained here in San Francisco. I don't know the nature of his visit, but I guess it was to cheer them up or keep them informed and from wondering what Mr. Wirin or Mr. Tietz was doing. Anyway, those three now know what's it all about or the three wouldn't be dismissing the case. Mr. Tietz, I understand, was very mad upon hearing from them that they were cancelling the action, and he told them that he never wanted to hear from or see them again. This little incident should wake up all those who had any trust in Mr. Wirin or Mr. Tietz as to what type of persons they are. I guess they were out to get publicity more than anything else and were not sincerely interested in getting the people released from detention. I feel that everyone will be released very shortly so keep up the good work that you are doing in keeping the others informed of the latest developments.

Hoping to hear from you in the near future.

Sincerely yours,

March 26, 1946.

Mr. Harry T. Takeuchi,
Barrack # 7,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

On March 20, 1946, Tule Lake Center was closed out and the Reclamation Department took over the center. Some 356 renunciants together with 91 family members were transferred to Crystal City. A total of 2892 were released at Tule. Many of those transferred to Crystal City will receive releases on arrival and many more their releases shortly thereafter. The Attorney General is yet to make his decision upon a general release for all renunciants not yet released.

As I mentioned to you in previous letters, Abraham L. Wirin and J. B. Tietz, attorneys of Los Angeles, on February 27, 1946, filed an application for writs of habeas corpus for Henry Mittwer, Yukiye Teshiba and Yoshio Nogawa who were then in Tule. These three persons state they were misled into so doing by Wirin, Tietz, Noyes and Oppler - that they were assured they would not be removed from Tule, that they would be released without having to appear in court, etc. On March 20, 1946, they were scheduled for transfer, originally to Crystal City where they probably would have been released, but they wound up in the Immigration & Naturalization Detention Quarters in the Appraiser's Building, San Francisco, a jail, where they were scheduled to be detained pending their hearings in court which had been put over to an indefinite date sometime after April 1st. They state the promises made to them by Wirin & Tietz have not materialized and that they have notified Wirin & Tietz they do not desire them to represent them and have instructed them to dismiss their habeas corpus petition. They have requested that I have them joined in the equity suits.

The interference with the release program occasioned by Wirin & Tietz has now ceased - although it has been mentioned to me that they might appear in Santa Fe and Crystal City for like purposes.

I telephoned Mr. Ivan Williams this afternoon and he informed me that releases are steadily being received at Santa Fe. In talking to him I mentioned that I would probably telephone to you sometime on Thursday and he stated that he would make the arrangements for you to have access to a telephone.

The list of names, including the six additional names, is a correct one and I wish to thank you for obtaining the permanent addresses of all the internees.

It is my suggestion that if you receive your release that you stay on for a short while at the camp, if it can be arranged, until the last receives his release.

George Yukio Fujii will be included in the equity suit.

Very truly yours,

WMC/W

Copy:

Ben T. Adachi,
Barrack #10.

1721 Mills Tower
San Francisco 4, Calif.
March 26, 1946

Mr. Isamu Myose
Alien Internment Camp
Crystal City, Texas.

Dear Mr. Myose:

I wish to take this opportunity to explain to you the progresses that are been made on the releases of the renunciants. The releases are rapidly coming in to the Santa Fe Internment Camp, Santa Fe, New Mexico, and I think this in turn will lead to the releases of many of the detainees that were transferred from Tule Lake. I am confident that all the detainees will be released from your center in the near future.

Messrs. Henry Mittwer, Yoshio Nogawa, and Miss Tukiye Teshiba, who were represented by Messrs Tietz and Wirin have taken steps by themselves to dismiss their suit that were brought for them in the local district court. They have asked Mrs. Collins to have them represented in our pending test case. Thus you can now see that what was promised for all of the above mentioned plaintiffs at Tule Lake did not actually materialize at all. I feel that it will be the best thing for all of you to be calm, and mark your time as releases are all on their way to your center.

It may be probable that I may have the pleasure of meeting with you at Crystal City in the near future. My best regards to all the boys.

Very truly yours,

Tex Nakamura

Sent to: Mr. Minoru Matsumoto, Mr. Masanori Kato,
Mr. Raizo Inagaki, Mr. Isamu Myose, Mr. Osamu
Kobayashi, Mr. Tomiji Shono

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March 28, 1946.

Mr.
Alien Internment Camp,
Crystal City, Texas.

Dear

I believe that you would like to learn of the developments in the petition for writs of habeas corpus filed by Messrs. Wirin and Tietz for Henry Mittwer, Yukiye Teshiba and Henry Nogawa in San Francisco. The three petitioners, much to their amazement, found themselves transferred from Tule to the Immigration & Naturalization Detention Quarters in the Appraisers Building, San Francisco, that is to say, in a jail where they were scheduled to be held until they could have a hearing in court at an indefinite date in the future. They were terribly disappointed in finding themselves in such a jail after they had been promised they wouldn't even be transferred from Tule. They couldn't get any satisfactory explanation or relief from their plight from Wirin & Tietz. Consequently, they fired Wirin and Tietz and had a dismissal of their suit filed in court and signed by Judge Goodman.

Thereupon they requested me to represent them. I had them included and protected in the mass suits we filed. I telephoned to Mr. Burling who assured me Mr. Nogawa would be released. The order to release him has been received at the Immigration office here and he will return to his home as soon as he received transportation. Mr. Mittwer and Miss Teshiba will be transferred so soon as possible to Crystal City in the event their releases are not received here. The date of such a transfer will depend upon how soon transportation facilities can be obtained to send them on to Crystal City. If they are not released here and are sent on to Crystal City they will inform you of the reasons they dismissed Wirin & Tietz. If they had not been used as guinea pigs they probably would have been released while at Tule. As it was, if they hadn't dismissed their suit they could have been detained by the Attorney General until such time as the U.S. Supreme Court finally decided their case and this might have taken over a year and during that period of time they could have been held in custody by the Attorney General whether they had won or lost the suit in the district court.

Naturally, it is to the advantage of everyone concerned that all the releases possible should be made by the Attorney General before the legal issues of deportation, detention and citizenship rights be determined by a court. It is still possible that the Attorney General may release everyone before the matter is argued in court on motions. If he doesn't then the court will be required to pass on these issues. No one in the mass suits is in any present danger of being deported. It is my opinion that when the matter comes on in court that the court may rule that none of the renunciant can be deported and that none of them can be detained by the Attorney General. Obviously it is best to have as many persons released as possible before the issues have to be passed upon by the court. I do not want any of you running any risk you do not have to run.

The present Attorney General, Hon. Tom C. Clark, was not responsible for the renunciati on program. He inherited the problem from his predecessor in office, Hon. Francis Biddle. Mr. Clark should be given a reasonable period of time to do justice to you by releasing as many as possible before the court is required to pass on the matter.

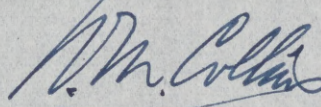
Releases are being steadily received at Santa Fe by renunciants detained there. It is likely that releases are being received at Crystal. In any event, when the Santa Fe cases have been passed on by the Attorney General's reviewing staff more releases will be sent on to those at Crystal City. I am informed that the camp at Santa Fe will be closed out within two weeks or so.

Jitsushige Tsuha apparently is still at the Immigration & Naturalization office at Terminal Island, California. I requested Mr. Burling on March 18th by telegram to have him transferred to Crystal City but Mr. Burling informed me today that my telegram was not received by him. He is endeavoring to have Mr. Tsuha transferred to Crystal City where he may join Mrs. Tsuha. I would thank you, therefore, to inform Mrs. Tsuha of these facts.

I would thank you also to inform me of the barrack number or address of each member of the defense committee at Crystal City so I can address letters to you properly. I also suggest that you keep me informed by letter of the names of the persons in the suits who receive their releases and also the permanent address of each person released.

Keep up your good spirits and do not become alarmed. It is possible that I may pay a quick visit soon as also a visit to those still at Santa Fe.

Very truly yours,



March 28, 1946.

Hon. Ivan Williams,
Officer in Charge,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Mr. Williams:

I wish to thank you for the courtesy you extended to me in enabling me to get in direct telephone communication with Mr. Harry Takeuchi, one of my clients in your camp. Mr. Takeuchi informed me that you desire a list of the persons whose names appear as plaintiffs in the equity suits and who are or have been detained at the Fort Lincoln Internment Camp, Bismarck, N.D. and the Alien Internment Camp at Santa Fe, New Mexico. I am enclosing a copy of the names of those who appear as plaintiffs for your records. The court order joining them having been entered on March 4th, 1946. As I count the names I represent 178 persons from Bismarck and Santa Fe, a few of whom already have received their releases.

Very truly yours,

WMC:cnw

Enc.

P.S. It might interest you to know that Henry Mittwer, Yukiye Teshiba and Yoshio Nogawa who filed suit through Messrs. Wirin and Tietz wound up in the Immigration and Naturalization jail in San Francisco, and thereafter fired Mr. Wirin and Mr. Tietz, dismissed their suit and have requested me to join them in the equity suits. Mr. Nogawa has been released and Miss Teshiba and Mr. Mittwer will be transferred to Crystal City within a few days.

Court order of March 10th, 1946 included the following persons in Santa Fe as parties plaintiffs in the equity suits:

Masao Akiyoshi,
Toshio Akiyoshi,
Sugio Imoto,
Kazuyoshi Okamoto,
Yutaka Tsurutome.

On March 27th the following named person was included as a party plaintiff in the equity suits by court order, said person being detained at Santa Fe, New Mexico:

George Yukio Fujii.

March 31, 1946.

Mr. Harry T. Takeuchi,
Barrack # 7,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

I just telephoned Minoru Matsumoto at Crystal City and he informs me that eight persons have been released there since their arrival from Tule Lake.

I am enclosing a copy of Mr. Nogawa's letter to various persons at Crystal City together with a copy of my letter of this afternoon to the committee at Crystal City. That committee is made up of the following there:

Iwao Shimizu,
Minoru Matsumoto,
Raizo Inagaki,
Isamu Myose,
Osamu Kobayashi,
Tomiji Shono.

With best wishes.

Very truly yours,

WMC/W

March 31, 1946.

Mr. Harry T. Takeuchi,
Barrack # 7,
Alien Internment Camp,
Santa Fe, New Mexico.

Dear Harry:

Enclosed find a copy of a letter
Yoshio Nogawa sent on to all those persons
now in Crystal City whom Wirin & Tietz claimed
they represented. I think you and the committee
will find it interesting.

Very truly yours,

WMC/W

March 31, 1946.

Mr.
Alien Internment Camp,
Crystal City, Texas.

Dear Mr.

You already have been informed that Henry Wittwer, Yukiyo Teshiba and Yoshio Nogawa fired Abraham Wirin and J. B. Tietz because of the mess they were gotten into. They dismissed their suit and wrote Wirin & Tietz that they cancelled any agreement they had with them and cancelled their authority to represent them. Thereafter they asked my help and I had a court order entered by which they were joined in our mass suits. Then I telephoned Mr. Burling and arranged for Mr. Nogawa to be released. He has been released - is now in San Francisco seeing the sights and will leave for his home in Santa Paula on Tuesday. Mr. Wittwer and Miss Teshiba will be transferred to Crystal City in a few days if they do not receive their releases here. It is likely that they will then be released at Crystal City. If they had not joined in Wirin & Tietz's suit they probably would have been released at Pula Lake before that camp was closed out. All that Wirin & Tietz did for them was to get them incarcerated in the Immigration jail here where they might have been kept for months.

When Mr. Nogawa was released he wrote to many of those who tried to join Wirin & Tietz suit and told them of what had occurred. A copy of his letter to them is enclosed for your records. He sent copies of his letter to the following persons at Crystal City, namely; Ben Hara, Chiyeo Morita, Helen Ikejiri, Kmai Katsura, Toyoko Sakemihara, Junko Nakashima, Hideko Mary Kawasaki, Grace Tomiko Kawasaki, Tomi Ryono, Roy Yamashita, Shizuyo June Yamashita, Fumiyo Isakubo, Kiyofumi Yamashiroya, Tetsuo Shimo, Hideo Seta, Masayuki Yoshioka, Miyoko Morita, Sakao Jack Baba, Isami San Uyeda, Chiharu Ikeda, Yoshiaki Kami, George Masami Ozamoto, Kiyoshi Kitazawa and Shoji Paul Fujii. You will note that a number of these persons whom Wirin & Tietz claimed to represent were already in our mass suits. They could not be represented in different suits. Mr. Nogawa, Mr. Wittwer and Miss Teshiba state that Tietz told them they could be in our mass suits

and could be in Wirin & Tietz suits at the same time. They were not told the truth. It is not permissible at law to have double representation. The only reason Tietz could have had to tell them such a thing was to interfere with the Attorney General's release program and our mass suits. Evidently Wirin & Tietz don't care what happens to renunciants so long as Wirin & Tietz can get themselves some favorable publicity in the "Pacific Citizen".

I shall write you again tomorrow.

Very truly yours,

WMC/W

April 2, 1946

Dear Mrs. Miyeko Morita:

Mr. Abraham Wirin and J. B. Tietz got Henry Mittwer, Yukiye Teshiba and Yoshio Nogawa into a mess after having made them and us a lot of false promises at Tule Lake. They were using them as guinea-pigs so that Wirin and Tietz could get publicity for themselves in the Pacific Citizen and other papers. Mr. Mittwer, Miss Teshiba and Mr. Nogawa found themselves in jail at the Appraiser's Building in San Francisco. Wirin and Tietz weren't able to do anything for them and refused to talk to them. They fired Wirin and Tietz, dismissed their case and then asked Mr. Collins for help. Mr. Collins joined them in his mass suits - then got Mr. Burling to release Mr. Nogawa and to transfer Mr. Mittwer and Miss Teshiba to Crystal City. They will be arriving in Crystal City in a few days and they will tell you of their experiences.

The best thing each of you who were misled like the rest of us can do is to refuse to have anything to do with Wirin and Tietz. Each of you should immediately send a letter to Wirin and Tietz telling them you do not wish them to represent you and cancelling any agreements you made with them. This is important. I haven't got a complete list of those they tried to represent so please pass the word around.

It think all of you should know that Mr. Wirin told the Dickstein Committee that "all renunciants should be deported to Japan". He, like the Civil Liberties Union of New York of which Mr. Roger Baldwin is the head, has been opposed to us in the past. Mr. Baldwin and his group were in favor of our evacuation in 1942. They were in favor of our continued detention in the WRA camps. They were friends of the WRA and wanted to relieve the WRA of criticism. They were opposed to the Korematsu and Endo test cases. They have never been friendly to internees at Tule Lake or elsewhere. They were against Mr. Collins' mass suits last November but are changing their opinions now when so much has been accomplished. They would like Wirin and Tietz to get a test case or two and to use a few internees at Crystal as guinea-pigs. In that way they would interfere with the release program and might harm those who have not yet been released. In that way they also might injure some of those who are in Mr. Collins' suits. They would use their guinea-pigs for their own purposes to get publicity for themselves. The guinea-pigs would be harmed and probably would get into the same sort of trouble that Wirin and Tietz got Mr. Mittwer, Miss Teshiba and Mr. Nogawa into. If they get even one case they may harm a lot of people. You should pass this word along and tell everyone not to get mixed up with Wirin and Tietz.

The American Civil Liberties Union of Northern California has supported us ever since 1942. Mr. Ernest Besig at 216 Pine Street San Francisco, is the director of this independent organization.

It was against the evacuation program. It supported the Hirabayashi, Yasui, Korematsu and Endo cases. It supported the voting case. It exposed the illegal stockade business at Tule. It exposed the wage-slave labor racket at Tule Lake. It has helped the aliens and segregate parolees at Tule and elsewhere. It is supporting Mr. Collins' mass suits. It has always helped us.

You should tell everyone to go to the defense committee at Crystal and get into Mr. Collins' suits for their own protection and for the best interests of the group still detained. The members of the defense committee at Crystal City are Iwao Shimizu; Minoru Matsumoto; Raizo Inagaki; Isamu Myose; Osamu Kobayashi and Tomiji Shono. Yoshio Nogawa is sending each of you a letter which each of you should send to Wirin and Tietz immediately cancelling any agreement any of you made with them.

Very truly yours,

U.S. Active

Sachiye Uyemaru
906 - 143rd Street,
San Leandro, California.

Crystal City, Texas,
April ____, 1946.

Mr. Abraham L. Wirin and Mr. J. B. Tietz,
Attorneys-at-law,
257 South Spring Street,
Los Angeles 12, California.

Dear Sirs:

You are hereby notified that the undersigned hereby cancels any and all written and verbal agreements heretofore entered into with you and withdraws and cancels any and all authority heretofore given you in anywise to represent the undersigned in any lawsuits or proceedings or in anywise whatever to represent the undersigned.

Name:

Alien Internment Camp,
Crystal City, Texas.

April 15, 1946.

Mr. Harry Takeuchi,
Alien Internment Camp,
Santa Fe, New Mexico.

Mr. Iwao Shimizu,
Mr. Hisao Inouye,
Mr. Minoru Matsumoto,
Alien Internment Camp,
Crystal City, Texas.

Dear

A notice has been received at Santa Fe and probably a similar notice will be received at Crystal City containing the names of a number of renunciants whom the Attorney General at the present time lists as possible deportees. At Santa Fe the notice was read to the internees - and if a similar notice should be sent to Crystal City it also probably will be read to the internees. It is called a removal notice.

That removal notice was simply an informal notice that the Attorney General had made a preliminary order for the removal of the persons listed therein in the event the Government were to win the cases. That removal notice is not a final order. It is subject to being changed and to being disregarded in the discretion of the Attorney General and also to being nullified by the court. It was made to comply with the regulations of the Attorney General's office relating to what action it may take under the Alien Enemy Act which it administers. It was only an interim notice made to comply with the regulations of that office and it does not mean that any of the persons named therein will be deported.

Before the Attorney General actually can deport anyone he is required, under the regulations of the Department of Justice, to do the following two things: (1) to give an informal notice of possible removal and (2) at least 30 days before any person can be deported the Department must give such person notice thereof by having a written notice thereof personally served upon such person. The 30 day period is designed to enable such a person to prepare for his departure. (The regulation follows out the provision of the Alien Enemy Act which allows "alien enemies" who are not charged with actual hostility or crime against the nation a period of time within which to prepare to depart from this country.). The Attorney General

now intends to comply with these regulations before he endeavors to deport any person. It is strange that the Attorney General who last November intended to deport all the renunciants now gives advance notice of what he intends to do if we should lose our cases. If Congress were to declare that peace had been restored and that the war had ended the Attorney General could not deport anyone under the provisions of the Alien Enemy Act because that Act expires when the war declared by Congress has ended.

No renunciant who is protected in our mass suits need be alarmed simply because such a removal notice has been sent to Santa Fe or Crystal City. None of these in our suits need be alarmed if any of them at any future time receives a 30 day notice of removal. None of those who are in our suits is subject to deportation at the present time. The Attorney General has consented by written stipulations that none of them will be deported pending the outcome of the court cases and the court has ordered that none of them can be deported until the cases are finally decided by the court. The Attorney General will not violate his written stipulations and agreements - and the court will not allow them to be violated. Consequently, none of you need be alarmed if any such removal notices are read to you or if any of you should receive a 30 day removal notice.

For your information none of the Peruvian group in Santa Fe, all of whom are to be transferred to Terminal Island, and none of the Peruvian group in Crystal City are scheduled for deportation to Japan. The Department of Justice is still continuing to persuade the Peruvian Government to allow these Japanese nationals and their Peruvian families to return to Peru. I shall endeavor to persuade the Peruvian Consul here and the Peruvian Government to allow them to return to Peru - either as a group or individually. Mr. Ernest Besig, Director of the American Civil Liberties Union of Northern California, will assist me in my efforts. I believe the American Civil Liberties Union of Northern California of which Mr. Ernest Besig, 216 Pine Street, San Francisco, California, is the director, also will assist.

From information supplied me by the Peruvian group in Santa Fe I learned that the American Civil Liberties Union of New York of which Roger Baldwin is director and the Southern California Branch of the American Civil Liberties Union at Los Angeles (of which Wirin and Tietz seem to be attorneys) already have refused to render the Peruvian groups in Santa Fe and Crystal City any assistance. The Santa Fe Peruvian group informed me that their appeal to Messrs. Wirin & Tietz for the assistance of the New York and Southern California Branches of the American Civil Liberties Union was refused. There is no need to worry about that refusal. We do not need or require their help, assistance or good-will. I believe we can prevail upon the Peruvian Government to allow ~~the return of~~ all the Japanese nationals and their Peruvian families to return to Peru. Mr. Thomas Cooley informs me that the Department of Justice will continue trying to persuade the Peruvian Government to allow their return to Peru. There is no immediate necessity for filing a suit on the behalf of

any of the Peruvian group in Santa Fe or Crystal City.

When the Santa Fe group is transferred to Terminal Island they will be able to communicate with me. I request that you notify me of the name of any in that group who might be willing to act as their spokesmen - preferably one who is familiar with English. If none are able to understand English I shall have an interpreter available to communicate with them.

Very truly yours,

WMC:cnw

Spokesman's Office
Japanese Group
Alien Internment Camp,
Crystal City, Texas.

April 15, 1946

Mr. Wayne M. Collins,
Attorney at Law,
Mills Tower,
San Francisco, California

Dear Mr. Collins:

A renunciant who is a member of your mass suit has recently received a letter from the parents of her husband, requesting her to join her husband, who is in Japan.

This renunciant does not know what procedures she should take, and therefore, your instructions and replies to the following will be appreciated:

1- This person is desirous of regaining citizenship even after repatriation. Could this person remain in your mass suit?

2- This person will contact you when decision is reached. Is Attorney General's permission required in order to repatriate?

This person is desirous of receiving your prompt reply for the simple reason that this person wants to be prepared to meet with any situation that may arise at any time.

With kindest regards, I am

Very sincerely,

Hisao Inouye

Hisao Inouye
Spokesman for the Japanese Group



MAIN POINT OF OUR QUESTION


Read J. G. A. C. G.
4/17/46
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alms

1. In this camp, 10 internees received the oral notice of removal order by the decision of United States Attorney General, but 3 of them got the release afterward.

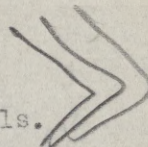
The officers of this camp advised us that this oral notice is only informal and the removal order will not be executed until the written notice will be delivered.

The officers of this camp also advised us that since February 8 of this year such written order of removal were instructed to be held in abeyance by the United States Government.

Do you know why the government published such instruction of February 8?

- 
2. We heard that the removal order will be influenced or dismissed by "the declaration of peace" the final judgement of the suits of German internees of same status, "the resolution of the bills which protest against the enforced removal or deportation of the Japanese descendants". "the new treaty between this country and Japan".

How do you think about such opinion?

3. While the German internees are taking legal procedure in the court (now at Supreme Court), whether or not the other internees who do not take the court action will also receive the same benefit of the German's suits and all of the removal notice will be kept in abeyance?
 4. If we receive the final written order of removal, shall we be able to take the court action through the Habeas Corpus? We heard that the Habeas Corpus will work only when some one is put in custody. Is it true or not? What is the difference between custody and internment camp?
 5. We heard that this camp has extended the contract one more years, but if our cases will be prolonged, is there any doubt that our family may be separated and internees only may be taken in some custody such as Angeles Island? In such occasion, shall we be able to get release in bail? How much money will be needed for bail?
 6. As Mr. Edger Hoover, F. B. I. Chief, announced, there are not any spies, sabotages or espionages among the Japanese internees, we are not criminals.
- 

Moreover, as we mentioned above, we will have plenty time to ask the reconsideration of the United States Attorney General for the cancellation of his decision.

Already three of us got their release.

Considering these instances, we are advised that it will be wise to wait the declaration of peace patiently, repeating the petitions for the cancellation of the removal notice.

But we have still deep anxiety about our future, so we are talking about to retain some lawyer for the purpose of staying the execution and securing our release.

However, we have not enough money because of many years internment life.

We had been intending to decide our attorney after our adviser's returning from Washington which is expected in a few days and after the arrival of Santa Fe group. We arranged with Santa Fe Group not to decide until they will come to this camp and until we hear Mr. Collin's opinion.

But to our surprise, we heard that Mr. Tietz has succeeded to make the contract with Santa Fe group.

In this camp, we have only 7 peoples of same status. How shall we do about our cases.

We will not be able to decide our attitude until our adviser's returning from Washington, but we would like to hear your kind and friendly advice about the best steps we should take.

April 27, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2, P.O. Box 788,
Crystal City, Texas.

Dear Harry:

Enclosed is a copy of the Points and Authorities which we have filed in opposition to the government's motion to strike the Abe Fortas letter.

Very truly yours,

WMC:cnw

C
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P
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April 27, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2, P.O. Box 788,
Crystal City, Texas.

Dear Harry:

Thanks for your letter of April 23rd and the information it contains. Judge St. Sure yesterday ordered the hearing on the motion to strike the Abe Fortas letter put over because he has an urgent contempt proceeding pending before him on the 29th. It is likely that the motion will be set down for argument on May 13th, the precise date to be fix by the Judge on Monday morning.

The postponement will give the Attorney General a further opportunity to review more files in connection with releases and also means that in the event that the trials finally should have to be had that the government probably would have to release all of the detained persons rather than to contribute to their support.

I am sending under separate cover a copy of my points and authorities in opposition to the government's motion to strike the Abe Fortas letter which you may find interesting. I shall also send you a copy of a like memorandum in opposition to the motion to strike matter from the equity cases.

Very truly yours,

WMC:cnw

April 29, 1946.

Mr. Harry T. Takeuchi,
Mr. Iwao Shimizu,
Q 40 C 2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry and Iwao:

The motion to strike the Fortas letter was scheduled to be heard this morning. Unfortunately Judge St. Sure was not available to hear the motion and his calendar was called by another judge. Consequently, the argument on the motion has been temporarily put over to May 13th. The matter, therefore, has been postponed by the court.

It is probable that the matter may not even be heard on the 13th and it may yet be put over by the court to a later date which probably will be May 27th. The postponement was occasioned by the judge and not by the Department or me.

The delay in nowise will harm our cases.

The delay presents another problem for the government to consider in connection with the detention of the renunciants to whose support they will have to contribute pending such time as your legal rights are determined. It is my hope and expectation that the Attorney General will consent to release more among you, if not all among you before the argument is finally heard in court. I realize that none of you wishes to remain interned but I wish you to recall that everything possible is being done to obtain the release of each of you. I shall write further tomorrow.

Very truly yours,

WMC:cnw

VIA AIR MAIL

April 30, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

Judge St. Sure was not available in court yesterday to hear arguments on the motions to strike the Fortas letter. He was scheduled to hear the contempt proceeding in the Fritz case which was an urgent matter on his calendar and consequently, had ordered all other cases postponed. Due to illness, however, he was unable to conduct his court at all. Another judge sat in to assign his cases in his absence and temporarily set over the motions in our case for oral argument on May 13th. Judge St. Sure, as a matter of fact, may be absent for reasons of health and vacation until the latter part of May but will be available to hear the oral argument on May 27th.

Tomorrow I shall try to arrange with Mr. Cooley to have the motions to strike submitted to Judge St. Sure on the Points and Authorities filed and without oral argument in order to save time. There is a possibility that if the matter is submitted on points and authorities (briefs) he may be able to make his ruling thereon without having to be in his courtroom. I believe the Department of Justice will not consent to this procedure but I shall endeavor to secure its consent nevertheless. Under no circumstances, however, would I be willing to have the oral arguments before any judge other than Judge St. Sure before whom the cases have been pending since they were filed. He is familiar with the cases in their entirety.

I am anxious to have the government's motion to strike disposed of so soon as possible so that our motions for judgment on the pleadings and for summary judgment in the habeas corpus proceedings and equity suits can be heard promptly. So soon as I can file these motions I shall send you copies of the voluminous briefs I have prepared to be submitted to the court on our motions.

The delay, nevertheless, presents difficult problems for the Department because it recognizes that detainees will have to be supported at government expense until the court passes on the

legal questions involved. The Department can solve the problem by releasing the remaining internees. I am still endeavoring to convince the Department that everyone should be released. The matter is fast approaching a state where the Department must be convinced that nothing is to be gained by detaining any renunciant and, if the court rules in our favor of the detention issue the government is faced with the fact that the past detention has been illegal - and that every person who has been wrongfully detained ought to be compensated by the government for time lost.

The government's policy with reference to the Peruvian group has changed almost from day to day. The Departments of State and Justice have been attempting to persuade the Peruvian Government to accept the return of all persons who were brought here from Peru. Late last week the Immigration Department informed us it was scheduling all the Japanese nationals from Peru, that is, single persons and married couples who had no children, for deportation to Japan on May 6th. Today it informed us that the deportation date has been postponed until May 29th. It has not yet finally determined upon deportating those in the Peruvian groups at Crystal City and Terminal Island who have families here or in Peru. It is still working on the problem. If and when deportation for any of these whom I represent become imminent I shall file suits to prevent their deportation to Japan.

The latest word from the Department of Immigration was received today. All aliens, Japanese, wherever held in internment under the Alien Enemy Act, and also those Japanese aliens who are held under immigration laws or have been released on bond by the Immigration Department, are to be scheduled for deportation on May 13th from Seattle. The reason the government is scheduling all these people for deportation at this time is because it can deport them at a small expense on government boats, whereas if it can't deport until a much later time it will have to arrange to deport them on privately owned vessels at a much larger government expense. We have applied for stays of deportation in all these cases which have come to me or Mr. Ernest Besig. If we are not successful in obtaining these stays appropriate suits will be filed on their behalf to prevent deportation.

We are also endeavoring to obtain the release of all of the Peruvian group pending the government's final determination of whether the Peruvian Government will allow them re-entry into Peru. We shall endeavor to have them released in the interim so that they may be able to obtain employment and gain earnings so as to contribute to the support of their families until a final disposition

of their cases is had.

I am sending you, under separate cover, copies of our Points and Authorities in Opposition to the Government's motion to strike made in the equity cases. Copies of the similar briefs have been sent to you in the habeas corpus proceedings.

Very truly yours,

Wm. Collins.

April 30, 1946.

Mr. Harry T. Takeuchi,
Q-40-C-2, P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

I am enclosing two more copies of our Points and Authorities in Opposition to the motion to strike filed in the two habeas corpus proceedings. Some of those in the cases may be interested in reading them inasmuch as they bear on some of the issues involved in the cases.

Very truly yours,

WMC/W

May 1, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2,
Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

Following our telephone conversation of this morning, I was in touch with Washington and Philadelphia and the following is the latest information I have available.

Mr. Cooley informs me that there are still some of the renunciants who are to receive releases but that he is not acquainted with the number or the names of those who are to be released.

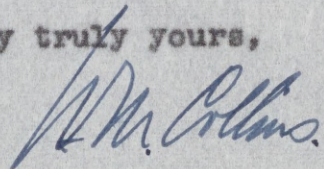
Those in the Peruvian group who are single persons and married couples without children were scheduled for deportation on May 6th but their deportation has been postponed to May 29th. In the event that the Commissioner of Immigration intends to carry through his deportation, appropriate suits will be brought by me to prevent the deportation of those at Crystal City and Terminal Island who have asked my assistance.

Aliens who are not detained under the Alien Enemy Act but who are held for violation of the immigration laws and who have not obtained stays of deportation, whether they are now detained or have been released on bond, are scheduled for deportation on May 13th from Seattle unless the Commissioner of Immigration grants stays in their cases. I shall file habeas corpus proceedings to prevent the deportation of those who have asked for my assistance.

Enclosed find copy of an article which appeared in the San Francisco News on April 29th concerning the Peruvians which may be of interest to you; it was written by Arthur Caylor. I am also enclosing a copy of ACLU of Northern California publication of May 1st containing articles on the Peruvians and the renunciants. Additional copies will be forwarded to you under separate cover. Copies are also being sent to committee members.

I had a long discussion with Mr. Cooley this afternoon by telephone. He informs me that he has tried but is unable to prepare an answer to the petitions and complaints in the renunciation cases - that he would prefer the pleadings to be briefer - that he is willing to admit and stipulate to a number of the facts involved in the cases with a view to obtaining a decision on the merits of the case on motions without being compelled to go to trial on issues of fact. He also informs me that upon receipt from the U.S. Attorney's office of my Points and Authorities in opposition to the government's motion to strike, that he will let me know whether he will agree that the motion be submitted to the judge without oral arguments. If he consents thereto it is possible that we will have the motion passed upon within a few days. Otherwise, it will have to go over to the 13th of May or some date thereafter. I am sending you under separate cover copies of our Points and Authorities in the equity cases.

Very truly yours,



WMC:cnw
Enc. 2

P.S. The aliens who are interned under the authority of the Alien Enemy Act at Crystal City are not scheduled for deportation. Those among them who have not received hearings are to be given administrative hearings. Thereafter it is expected that some, if not all of them, may be released. I understand that there are a few who have been informed that they would be removed or that they have received 30 day removal notices but it/My understanding that none of them is scheduled for deportation at the present time. In my opinion it is likely that all of the aliens detained under authority of the Alien Enemy Act may be released by the Attorney General.

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Y

May 2, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

All of the renunciants whom you named in
your letter of April 23rd who were desirous of
being included in the mass suits have sent in
their questionnaires except Hideo Taira.

Very truly yours,

WMC:cnw

May 3, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

All of the persons whom you mention in
your letter of April 29th, 1946 have sent
in their questionnaires with the exception of
Mrs. Tsuyuko Tsurutome.

Very truly yours,

WMC:onw

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May 11, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

Enclosed find mimeographed copy of the decision of the United States Court of Appeals, District of Columbia in the case of Citizens Protective League vs. Tom Clark and kindred cases. The decision was made on appeal from a judgment of the District Court of the United States for the District of Columbia and was decided on May 2nd, 1946. It involved the status of German nationals within this country who are detained by the Attorney General under authority of the Alien Enemy Act. You will note that the Appellate Court has held the Alien Enemy Act to be constitutional. The contention, however, may well be made in some cases that it is unconstitutional as applied to particular persons and unconstitutional as applied to others. In other words, the Act cannot be applied to any person other than those who fall within the definition of an alien enemy. An alien enemy is defined by the Act as being a native, citizen, denizen or subject of a government or nation with which we are at war. Our contention is that no renunciant falls within such a definition and that the Act, therefore, cannot be applied so as to justify the deportation of a renunciant.

You will note that the Court of Appeals has decided (Pg. 6 of the enclosed mimeographed decision) that the war has not terminated because no peace treaty has yet been signed with Germany and that the state of war has not been terminated by executive proclamation or act of Congress and, that therefore, the state of war still continues. Consequently, it holds the removal of alien enemies under Presidential Proclamation No. 2655 is authorized for those who are deemed by the Attorney General to be dangerous to the public peace and safety of the United States because they have adhered to an enemy government or the principles of the government thereof.

It is expected that the attorney for the appellants in that case will apply to the United States Supreme Court by certiorari for a review of that decision and opinion. It is contemplated that the deportation of the German nationals affected thereby will not take place until such time as the Supreme Court has granted or denied the application for certiorari. If the application be denied it is likely that the deportation of those persons will be carried into execution. If, however, the Court grants certiorari it is my opinion that the Attorney General will delay their deportation until such time as the Supreme Court passes upon the merits of that case.

There is no reason for the renunciants who have not yet received their releases to become alarmed at the decision of the Court of Appeals in the German case. However, I wish to keep you informed of any decision that have any bearing upon the mass suits either directly or indirectly.

I am not satisfied that the opinion of the Court of Appeals is correct in holding that the Alien Enemy Act is still in full force and effect, some nine months after the cessation of hostilities and there is a likelihood that the Supreme Court may not uphold the decision of the Court of Appeals.

Very truly yours,

WMC:cnw

P.S. The copies enclosed are for the committee members.

May 17, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2, P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

The result of my conversation with Mr. Cooley via telephone early this afternoon is as follows:

Mr. Cooley intends to leave Washington for San Francisco on May 24th for argument here on the motions to strike on May 27th. He will bring with him his answering "Points and Authorities" on these motions and will deliver copies to me shortly after his arrival here.

He informs me that the latest figures he has shows that removal orders were issued for 477 renunciants and for 48 aliens classified as alien enemies, all of whom are detained at Crystal City.

His office realizes fully that if a peace treaty is entered into with Japan or Congress declares that peace has been restored or the President issues a proclamation to that effect that persons held and viewed by the Government as alien enemies, whether they be renunciants or aliens, would not be deportable because the Alien Enemy Act has efficacy only until peace is declared. Peace terms and conditions are still in the preliminary or discussion stage. It is expected that the discussions will take more definite form in the month of June. You realize, of course, that if Congress or the President should declare that peace has been restored that all those detained as renunciants and as alien enemies would be released because the power to deport them would expire.

The budget of the Department has been cut down by Congress and although it is aware that a general release of the renunciants would diminish its departmental expenditures it exhibits no immediate intention to release all of

them. We shall, therefore, have to rely upon the court unless the Attorney General changes his present state of mind on the subject. Nevertheless, the budget cut and the fact that peace discussions are to be had operates in the favor of all detainees.

The Alien Enemy Act has been declared to be in full force and effect in the case of Citizens Protective League v. Tom Clark which was decided by the U.S. Court of Appeals for the District of Columbia on May 2, 1946. I sent you copies of that opinion. You will find the reasons for its decision set forth therein. I am informed that James J. Laughlin, the attorney who handled that case for the German citizens, intends to apply to the Supreme Court for a review of that decision. If he applies for such a review two possibilities are open to them, one that the Supreme Court might refuse to review in which case the affected Germans would be subject to immediate deportation. If it grants a review (certiorari) the case would be set down on the Supreme Court's calendar for an early date for argument and probably would be heard in October, 1946, and the Germans would be detained in the interim.

Until the Supreme Court either denies certiorari or grants a review and hears arguments on the German's case the question whether the Alien Enemy Act is still in force or not will remain undecided by that Court. If I find time I shall prepare a brief to file in that case and address it to the single question whether the Alien Enemy Act is in force or has expired. The reason why for this is because of the bearing its decision might have on the renunciant cases in the event renunciants might be held to occupy the status of alien enemies.

Very truly yours,

WMC:cw

May 17, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2, P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

For your personal information I wish to inform you that I have been informed that your file was reviewed only a few days ago. Mr. Cooley had written a long memorandum on your case to the Attorney General. Although the hardship your detention forces upon your family is well-known to the Department it appears that Mr. Clark was of the opinion that the release of your brother should have been sufficient to guarantee your family *its* maintenance and support.

However, do not be alarmed; Mr. Clark may change his opinion and if he does not do so I believe that the court will determine that all renunciants should be released from detention.

Very truly yours,

WMC:cw

May 24, 1946.

Mr. Harry T. Takeuchi,
Q 40 C 2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

Thanks for your letter of May 21st. Due to the rail strike and the tie-up of all means of transportation Mr. Cooley will be unable to come to San Francisco for hearings on the motions on May 27th, and it is unlikely that Judge St. Sure will have returned from his vacation for hearing at that time and consequently, the cases will be put over for one or two weeks for argument on the motions to strike. This delay is unavoidable.

I assume that because of the transportation tie-up that it is likely that releases will be withheld pending its outcome for lack of facilities to enable released persons to return to their homes.

We do not yet know what policy the government is to adopt with reference to the scheduled deportation of a number of aliens for violation of immigration laws, but I imagine that the program for sailing on or about May 29th will be postponed. I shall inform you tomorrow of any change of policy that may be decided upon by the government with reference to these matters if I am able to obtain an expression of policy from them. I am writing Mr. Ide concerning the letter he received from Mr. Cooley on May 14th. It is very likely that each renunciant who requests a reconsideration of his case may receive a like letter from Mr. Cooley. However, such letters merely indicate that the Attorney General's present policy is not to release such persons but to hold them until the matter is determined by the court or until the Attorney General alters his present policy. There is no danger of any renunciant being deported.

Very truly yours,

WMC:cw

June 3, 1946.

Mr. Harry T. Takeuchi,
Q-40-C-2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

Judge St. Sure has not yet returned from his vacation. I am in touch with his clerk however each day and on the day that he returns the case will be set down for hearing. It is my opinion that the case will be heard on Monday, June 17th, however, I shall inform you of the accurate date so soon as I am able.

A copy of the ACLU News is enclosed. On page 3 thereon you will notice that Mr. Besig has interpreted the German case as being unfavorable to the renunciants generally. Such a conclusion however is not my conclusion inasmuch as our position is that a renunciant could not in anywise be converted into an alien enemy so long as he never departed from the United States. So do not be alarmed by Mr. Besig's article.

Very truly yours,

WMC:cw

June 10, 1946.

Mr. Iwao Shimizu,
D-3-B,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Iwao:

Enclosed find copy of letter I sent to
Hon. Tom C. Clark on June 7th, 1946.

Very truly yours,

WMC:cw

Copy

June 7, 1946.

Hon. Tom C. Clark,
Attorney General of the United States,
Department of Justice Building,
Washington 25, D.C.

In re: Tule Lake - Crystal City
renunciation cases.

Dear Mr. Clark:

Some 470 American born renunciants who are of Japanese ancestry presently are detained under your authority at the Alien Internment Camp situated at Crystal City, Texas.

If the court decides, as I believe it will, that a native-born citizen did not and could not become an alien enemy by a simple renunciation of nationality but, at most, became a native stateless person and hence not deportable under the Alien Enemy Act it appears to me that the prolonged detention of these renunciants might arouse considerable criticism of the Department's action in ordering them detained.

I realize that the responsibility for the initial internment of these person did not rest upon you - that it was a problem you inherited when you took office. The causative factor of the renunciations was the duress existing at the Tule Lake Center which was condoned by the W.R.A. and for which it largely was responsible. As you doubtlessly are aware, it was that agency which has received widespread criticism and which merits the criticism and not your Department.

In releasing some 3,000 renunciants you have exhibited a regard for humanitarian principles and a sense of justice for which they ever will be grateful to you personally and to the members of your staff who were assigned to their cases.

Many of those who are presently detained at Crystal City are married and have families from which they are separated by their internment. Their detention works a terrible hardship

upon their families, many of which have been impoverished as a result. Many more have been cast upon relief rolls or are facing privation. None of them is dangerous to our security. Each, while detained, is a financial burden to the government. Their detention is an undeserved punishment imposed upon them and their families.

It must be recalled that had it not been for the cruel and unjustified evacuation of these people from their homes not one of them would now be in his or her present plight. Had it not been for the failure of the W.R.A. to protect them in the exercise of the few citizenship rights that remained to them while they were confined to the Tule Lake Center none would have renounced and none now would be detained.

Consequently, I urge that you consider a parole for these unfortunates, if not a release, until such time as the courts finally determine their status and rights. The discretionary power to do this is lodged in you. Such a procedure, it appears to me, would be humanitarian in principle and would not arouse adverse criticism but would merit public praise of your decision. A release or parole from internment would relieve these people and their families from their immediate suffering. The recovery of their citizenship would be a legal question left to the determination of the courts.

Very truly yours,

June 7, 1946.

Mr. Thomas Cooley, Esq.,
Director, Alien Enemy Control Unit,
Department of Justice Building,
Washington 25, D.C.

Dear Mr. Cooley:

Enclosed find a letter which I have sent
this day to Hon. Tom C. Clark concerning the
Tule Lake cases.

Very truly yours,

WMC:cw
Enc.

June 7, 1946.

Hon. Frank J. Hennessy,
United States Attorney,
Post Office Building,
7th and Mission Streets,
San Francisco, California.

Dear Mr. Hennessy:

Enclosed find a letter which I have sent
this day to Hon. Tom C. Clark concerning the
Tule Lake cases.

Very truly yours,

WMC:cw
Enc.

Copy for ~~Mr. Ben Tsutomu Adachi~~

June 7, 1946.

Mr. Harry T. Takeuchi,
Q-40-C-2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

The preliminary motions, that is the motions to strike the Fortas letter, originally scheduled to be heard on May 27th, were postponed for a combination of reasons. Just before the rail strike occurred the government ordered all plane reservations cancelled and reserved the planes for possible governmental emergency use. The strike upset rail and airplane schedules and reservations. Mr. Cooley expected his plane reservation for May 24th in order to be here on the 27th. He could not come because the rail strike occurred on Friday the 24th and plane reservations were cancelled. The strike was settled on the morning of the 26th but that was entirely too late for him to arrange to get a plane reservation to bring him here by the 27th for the arguments.

The judge before whom the cases are pending was on vacation following an absence for illness. He was scheduled to hear the motions on the 27th and was expected to be in court on that date. I am informed that he was in Santa Barbara when the strike occurred. I suppose he was unable to return to San Francisco by rail and that, consequently, he decided to extend his vacation period.

We have three federal district judges in San Francisco. They take their vacations in succession - and because of the accumulation of cases the Judicial Council assigns a federal judge from another jurisdiction, when possible, to help out during the court vacation period. I do not desire any judge other than the one before whom our cases are pending to pass upon any of the questions involved therein or upon any motions that may be made therein.

The motions to strike will be heard on June 17th if the judge has returned by that time. I have informed Mr. Cooley that the judge probably will hear them on that date and he has made or is making plane reservations to arrive here in time to argue his side. It is possible that the motions may not be heard on that date, but if not, they will be heard shortly thereafter. It is the practice

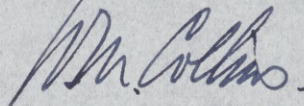
of the courts to hold their "law and motion calendars" on Monday of each week, the balance of each week being devoted to trials by jury and by court.

In any event, so soon as the motions to strike are disposed of, the motions I am to make for judgment on the pleadings and for summary judgment in our favor will be made promptly. The real issues then will come on rapidly for determination. The question of detention and the question of restoration of citizenship may be determined on these motions one way or the other on pure questions of law plus facts which will be admitted plus facts of public notoriety of which courts take judicial cognizance. If we win on those motions we gain everything - if we lose, the individual cases will have to be set down for trial at some date thereafter to be fixed by the court.

You doubtlessly appreciate the significance of these proceedings and of the desirability of having all the renunciants released whom it is possible to have released in advance of the court's decision.

Mr. Cooley informed me yesterday morning that additional renunciants are to be released but was unable to inform me of the names or numbers whom the Department shall release.

Very truly yours,



WMC:cw

June 7, 1946.

Mr. Harry T. Takeuchi,
Q-40-C-2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry:

I have just talked to Mr. Cooley on the telephone and he is making arrangements to come to San Francisco via plane for arguments on the preliminary motions which are expected to be argued on June 17th.

For your information Mr. Cooley now takes the view that those renunciants who are still detained and who are registered as dual citizens and those who heretofore stated that they were Japanese citizens are deportable under the Alien Enemy Act. I imagine he is also of the opinion that any renunciants who in the past may have expressed a preference for Japanese citizenship over American citizenship also became alien enemies deportable under the said Act. I do not agree with the conclusions - consequently, those matters will have to be determined by the courts.

I am informed that the Department is still giving consideration of the release of additional renunciants, but I am not informed as to their names.

I hope you will impress upon the renunciants the pertinent facts that if the President proclaims the war has ended or that peace has been restored or if Congress declares that peace has been restored or if Congress enters into a peace treaty with Japan, the Alien Enemy Act automatically will expire, and no person held under its authority thereafter could be deported under the provisions of that Act.

In the German cases, as you already know, the Circuit Court of Appeals for the District of Columbia held that the Alien Enemy Act was still in full force and effect and will be so until the President proclaims the end of war or until Congress declares that peace has been restored. There is still a possibility, however, that the Supreme Court in the appeal of the German case may determine that the Act expired when hostilities ended or within a reasonable period of time thereafter.

On the other hand, the Supreme Court may declare that the Act is in force and effect until the President makes a proclamation that peace has been restored or that the war has ended or until Congress so declares or until a peace treaty is signed.

Obviously, if the Supreme Court were to hold that the Alien Enemy Act is still in full force and effect, alien enemies who are deemed by the Attorney General to be dangerous to our security because of adherence to enemy governments or to the principles of enemy governments would be subject to detention and deportation under the Act and under President Truman's proclamation No. 2625 dated July 14, 1945.

You are aware, therefore, of the basic contentions that will be made by the government in the habeas corpus cases. It is my opinion that no renunciant could become an alien enemy whether he was ever registered as a dual citizen or otherwise. Inasmuch as there is no precedent at law involving renunciations no one can foresee with accuracy what the final opinion of the courts may be. Consequently, our position must be to pursue such a course of action as would involve the least risk in the event that the cases should go against us at any stage of the proceedings.

The discussions as to a peace treaty with Germany appears to have reached an impasse apparently. However, there does seem to be a likelihood that the peace treaty with Japan might be in the making for September.

Very truly yours,

WNC:GW

June 15, 1946.

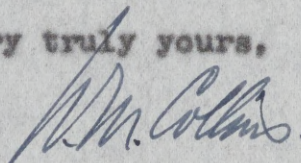
Mr. Harry T. Takeuchi,
Q-40-C-2,
P.O. Box 788,
Alien Internment Camp,
Crystal City, Texas.

Dear Harry and Committee Members:

Judge St. Sure has not yet returned to San Francisco. Consequently, I believe that on Monday the cases will be ordered postponed to June 24th or July 1st for argument on the preliminary motions.

It is possible that he may return on Monday or Tuesday of the coming week and if he does the motions probably will be heard on the 24th, otherwise on July 1st. Such motions are argued only on "law and motion" calendars which are heard on Monday of each week. We have only two Federal Judges presiding over the courts during the summer vacation months. A Federal Judge from Montana is expected to make his appearance here on Monday, the 17th. As I have heretofore informed you, I do not wish any judge other than the judge before whom the cases are pending to pass upon any of the questions involved or upon any motions that may be made therein. I shall let you know definitely on Monday the exact date the arguments are to be made. In the meantime keep up your spirits because it will not be long before the preliminary motions are heard and our motions for summary judgment and judgment thereon will be made and decided shortly thereafter.

Very truly yours,



WMC:ew

September 24, 1946.

Mr. Harry Takeuchi,
Rte. 2, Box 672,
Reedley, California.

Dear Harry:

I wish to thank you for your letter of September 21st. I had originally been informed that Susumu Shimizu had been paroled to Henry Shimizu in Petaluma.

A total of 24 Peruvian heads of families together with 99 wives and children are the only Peruvian Japanese now remaining at Crystal City. A number of them are ill and a number of them have such a large family that they deemed it desirable to remain at Crystal City pending the determination as to whether or not Peru will readmit them. All the rest of the Peruvians are now at Seabrook Farms or have been paroled to various sponsors. 25 of the Peruvian group have received notification that Peru will readmit them. The Peruvian test cases and the immigration test cases have been put over to December 16th, 1946, and I hope at that time they may be put over for a longer period of time. The greater the delay in these cases the longer the aliens will remain in the United States.

Arguments were to have been heard yesterday in the renunciation cases here. Mr. Cooley was not present. Instead he filed answers in the equity cases and returns in the habeas corpus cases. The returns in the latter case were insufficient to enable the court to pass on the detention issue, wherefore I am communicating with Mr. Cooley today and requesting him to file adequate returns immediately so that that issue can be determined with as much speed as possible. I had anticipated that there might be a last minute endeavor on the part of the government to stall the cases. It is my opinion that it desires to wait and see whether the Supreme Court will review in the German cases the question whether the Alien Enemy Act is or is not still in full force and effect. If the Supreme Court consents to review that case it is likely that the Department of Justice will take the view that that Court may hold it has expired and in such an event may consent to release most, if not all of the renunciants. We shall learn whether the Supreme Court is going to review that case in the early part of October.

There are still 432 renunciants at Crystal City and 26 members of their families who have voluntarily joined them there. There are 41 aliens with 9 members of their families who have joined them there, and as above mentioned, there are 24 Peruvian heads of families plus 99 family members. The releases of renunciants are proceeding at a much slower rate than heretofore. It is likely that Tom Clark may refuse to release many more until the court determines the matter or until the Supreme Court acts in the German cases. The only immediate pressure we can bring to bear to effectuate the release of renunciants is to insist that all of the renunciation cases be tried separately unless the Government is willing to release all of them from detention. This is the only lever by which renunciants have received releases to date and the only lever that may compel the release of the remainder.

It is my hope that Judge St. Sure will rule in our favor on the detention issue as well as on the citizenship issue but that determination can not be predicted with any degree of accuracy. A formal declaration of peace with Japan, which once was believed might be entered into during the month of September, now seems quite remote. By the time the Paris Peace Conference convenes we may know when such a declaration will be forthcoming. Such a declaration would prevent the detention and deportation of renunciants and alien enemies whether we had a court ruling on the detention and deportation issue or not.

I wish that you would write Iwao and others at Crystal City encouraging letters so as to keep up their good spirits. With best wishes, I am

Very truly yours,

WMC:cw

October 3, 1946.

Mr. Harry Takeuchi,
Route 2, Box 672,
Reedley, Calif.

Dear Harry:

Tomorrow the great majority of the renunciants and aliens at Crystal City will leave for Seabrook Farms, N.J. on a parole.

Those who will remain at Crystal City will be made up of families and those who are not able to work. Seabrook's representative selects those whom it will employ.

The government has had to amend its returns in the habeas corpus cases so that the detention issue can be decided by the court. The amended pleadings were to have been filed yesterday but Mr. Cooley was ill and the papers have not yet reached me. So soon as they are filed my motions in habeas corpus and in equity for judgments in our favor on the detention and citizenship issues will be made and the matter will be set down for argument the following Monday.

Very truly yours,

WMC/W

October 11, 1946.

Mr. Harry T. Takeuchi,
Rte. 2, Box 672,
Reedley, California.

Dear Harry:

296 renunciants and aliens are now at Seabrook Farms, having been paroled from Crystal City. A number of the renunciants have received outright releases. Minoru Matsumoto, Tanemi Obatake, Osamu Kobayashi and Tomiji Shono are now at Seabrook Farms, Bridgeton, New Jersey. Iwao Shimizu and Isamu Myose are remaining at Crystal City with members of their families. Raizo Inagaki has been released.

Aliens and renunciants are eligible for parole to Seabrook Farms provided they are accepted by the Seabrook field man. Most of the family units have remained at Crystal City. It is my belief that all renunciants must receive outright releases whether they remain at Crystal City or are employed at Seabrook Farms.

The government is in no position to try 1600 separate cases and as you know, I have refused to try any lesser number unless each and every person receives an outright release.

With best wishes, I am

Very truly yours,

WMC:cw

July 7, 1947

Pvt. Harry T. Takeuchi,
RA 19306790,
Co. C, 52nd R.T. Bn., 11th Regt.,
Fort Ord, California.

Dear Harry:

Thank you for your letter of July 4th.

I have not yet learned whether the Attorney General is going to appeal the order releasing the renunciants but I expect to know by the 15th of this month. I was delighted to learn that you were in the army. If you will keep in touch with me I shall keep you informed of the proceedings as they progress.

Very truly yours,

WMC:cw

Gilbert Onion Skin

Sept. 8, 1950

Mr. Harry T. Takeuchi
Route 13, Box 399
Fresno, California

Dear Harry:

I am still awaiting a decision of the Circuit Court which is now overdue. As soon as the decision is handed down I shall write you.

I am endeavoring to locate a number of persons who were heretofore held at Seabrook Farms but who long since were released into my custody and have returned to their homes. The Immigration office at Philadelphia does not have proper addresses for them or only old addresses from which they since have moved. Some of the boys were from Bismarck. It may be that you know of their present whereabouts and if so I would thank you to let me know their addresses.

FUKAWA, Yoshitaka

MATSUOKA, Yoneo

HATAYE, Tamotsu

MATSUSHITA, Masaru

KOBATA, Tamotsu

SAGARA, Koichi

MATSUMOTO, Masami

UYEDA, Isamu

Very truly yours,

File

December 1, 1952

Mr. Harry Takeuchi
Rt. 9, Box 557-A
Fresno, California

Active

Dear Harry:

Shigemi Horibe and Tsurugi Godwin Horibe, of Aomori Ken, Japan, are on the judgment list. As a result their renunciations were cancelled and they were declared to be U.S. citizens. The U.S. consul will issue them a passport upon their applying for the same. As proof of their U.S. citizenship they can submit the certified copies of the judgment which were forwarded to them. (It may be that they were refused a passport prior to the time that their names were entered on the judgment list; if so, the consul no longer will deny them a passport merely because they were renunciants).

However, if either of them has voted in a Japanese election or committed any other act which is deemed to be an act of expatriation according to U.S. law, the consul probably would deny them a passport on such grounds. In any event the consul will notify them of the reasons for denial of a passport if he denies them a passport and his reasons will be specified in a writing.

If either of them participated in any activities at Tule Lake, that would not on any account interfere with their right to a passport.

The defendants made a motion in the Abo and Furuya cases to dismiss the complaints on various grounds. The cases were duly argued and Judge Goodman denied the motion to dismiss. At the same time I moved to join in the Abo case all those who were in the second suit (the Akata case), together with those who since the entry of the judgment in the District Court applied to me for joinder as party plaintiffs. The court granted my motion to join the 160 persons. In consequence they have been added to the list of 4354 plaintiffs previously in the suit, making the total now 4514.

The Justice Department is doing its level best to try to prevent a judicial determination of the rights of the active cases but has not answered my specific proposals as to a final disposition of those cases. It may be that since their motion to dismiss has been denied and I have joined the 160 persons that they may be more inclined to dispose of these cases by negotiations and thereby prevent any large number of individual court hearings.

Until my negotiations with the Justice Department are concluded, I am loathe to dismiss any plaintiff from the case. I do not intend to dismiss or withdraw from representing any plaintiff unless and until it becomes absolutely necessary because I think that if I were to dismiss a number of them for not paying that that fact alone would weaken our position somewhat. It is quite all right with me if a person in Japan pays something on account and promises to pay the remainder upon returning to the United States. Even if such a person never thereafter pays anything, the contribution nevertheless will help. It is even possible that such person as a result of negotiations may recover citizenship.

Very truly yours,

① A. HAYASHIDA ✓
1232 S. CALIFORNIA ST.
STOCKTON, CALIF.

② Y. HONDA ✓
1027 YALE ST.
SACRAMENTO, CALIF.

③ S. ISEI ✓
234, 2-CHOME EBARA
SHINAGAWA-KU, TOKYO, JAPAN

④ R. NARIMATSU
5457 So. KIMBARK ST.
CHICAGO 15, ILLINOIS

(OVER)

⑤ HARRY TAKEUCHI ✓
Rt. 9 Box 557-A
FRESNO, CALIF.

original

⑥ H. UCHIDA ✓
1904 ARMACOST AVE.
W. LOS ANGELES 25, CALIF.

2-15-54

⑦ B. WATANABE ✓
Rt. 6 Box 326
STOCKTON, CALIF.

⑧ M. YAMAICHI ✓
Rt. 6 Box 208
SAN JOSE, CALIF.

⑨ T. YAMAMOTO ✓
337 3RD AVE.
SAN FRANCISCO, CALIF.

original ✓

⑩ M. YEGO
P.O. Box 218
PENRYN, CALIF.

sent ~~received~~ { outline
memos,
etc for reference only
aw.

Harry Takemura

of letter letters
of all countries

2-12-59

Dear Harry:

We are in the process of mailing out to all

~~those who are~~

with the US who are

the renunciants ^{and} in the mass class suits who are on the
active "paid" list or extreme ^{and} hardship list the ~~the~~
papers necessary for them to pursue the administrative
remedy ~~and~~ we are using before resort to individual
court trials is rendered necessary. ~~Remedy~~

Concurrently, we are mailing to the Japan
active "paid" list like papers to enable them to clear

either for passports in Japan or, if such be denied *or already*
have been denied to them for "certificates of identity" to enable them to return

~~for trial purposes~~

for court trial purposes. Shortly thereafter, all those in Japan on the active "unpaid" list also will receive like papers. (These will be given such consideration because most of them are not in a position yet to pay their own way because of slender earnings in Japan and especially because if they are denied passports ~~and~~

~~the only way they can obtain a certificate of identity of the form~~
~~would be to make available for them to return to the U.S.~~
~~there would be~~

those who have not while in Japan committed an act of expatriation nevertheless can return to the U.S. on

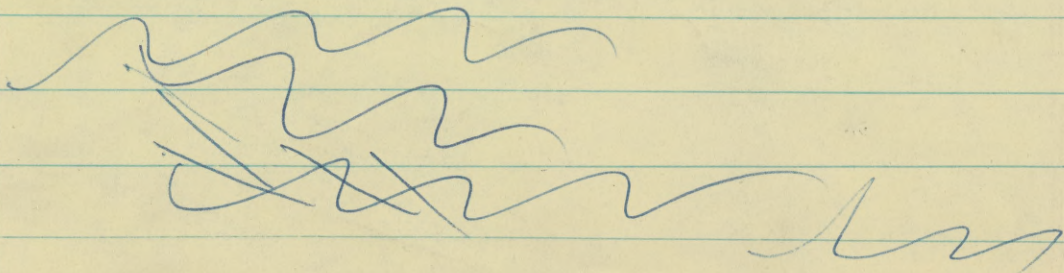
certificate of identity only because they are ~~making~~ plaintiffs in the mass class suits. ~~(Renunciants who are~~

~~are not in the mass suits but are in Japan)~~

~~(No other suits)~~

~~(No such persons who are~~

(No renunciant in Japan who is not in our suits ~~on~~ is now able to file an independent suit to test his citizenship - the McCarran Act bars any such suit. However, renunciants there still can join in our suits and thereupon become eligible for certificates of identity to return to the U.S. for trial purposes.)



77
Affidavit forms, an Outline of Events Leading
to Renunciation of Citizenship, letters of instructions,
and memoranda applying to each, ~~and memoranda applying to each~~

~~and memoranda applying to each~~
special notices, where required, and copies of questionnaires
made out for my use years ago and ^{copies of} pertinent correspondence,
all of which had to be copied from my files, are being sent

on to each person. These matters involved checking no less
than some 360,000 separate items and also ^{involved} a huge printing and labor
expense. ^{However, the expense is warranted and is unavoidable} I believe, ~~however, that the expense is warranted~~
^{the administrative remedy} because ~~it~~ presents a good chance to clear up the status
of a substantial ^{number} ~~percentage~~ of the ^{plaintiffs} ~~cases~~ before resorting
to individual court trials for the remainder ^{is necessitated}.

I am enclosing ~~your own separate document~~ for your own
use the particular information and documents which apply to
your own case for you to study and prepare at your ~~own convenience~~
own convenience.

As the affidavit forms from each plaintiff are
sent to me I shall compare them with my records and examine

them closely for consistency and, if ~~satisfied, otherwise~~
satisfied with them, will process them through the U.S.

Attorney's office and the Justice Department. I will
and withhold entering
process them only in large groups ~~because, my~~
judgment until later
because, were I to process them singly or in small groups,
I would run the risk of having the Justice Department
initiate appeals upon

process them in large groups only and will withhold
in court *for those who clear successfully except*
entering any judgment ~~except for fairly large numbers~~
when the number is substantiated
because I am unwilling to ~~have the Justice~~

give the Justice Department a premature opportunity to
initiate any appeals from any judgment which might
result in aborting the cases before those in Japan can
return to this country.

- ⑤ Harry ~~Mxxx~~ Takeuchi -
- ① Arata Hayashida -
- ⑥ Harry Uchida -
- ④ Roger Narimatsu -
- ③ Sam Iseri -
- ⑧ Masaru Yamaichi ~~Hon.~~ -
- ⑦ Ben Watanabe -
- ② Yas Honda -
- ⑨ Take Yamamoto -

⑩ M. Yego

P.O. Box 218
Berwyn, Calif.

Committee
men

2-15-54

^{necessary}
Because of the bulk of material ~~which I believe~~
~~being~~ necessary to be sent to each plaintiff ^{this likely the} ~~I believe~~ numbers
of them, particularly the Kibei who ~~may~~ read little or
no English, will have some difficulty in preparing the
aff idavit forms. However, we are unable to solve this
problem at the present time unless we were willing to
incur a prohibitive expense. The material should ~~be~~ ^{have to be}
of assistance to each person in filling out the questionnaires
and may require concentrated study by each person in filling
out the forms. Each ~~plaintiff's case~~
plaintiff's case differs from the others - this meant
preparing different printed memoranda to cover each ~~person~~
person - and ^{also supplementary} ~~also supplementary~~
~~to~~ typewritten information in a large number of cases.

The answers to the questions in the Affidavit
forms must not be stereotyped or verbatim
copies of reasons which are stated in my
Outline and Memoranda to the plaintiff. It is
essential that each answer the questions
in his or her own words, however well or
badly expressed, and that the answers be
truthful.

V. A. G.

WAYNE M. COLLINS
Attorney at Law
1701 Mills Tower
San Francisco 4, California
Garfield 1-1218

Copy for

February 12, 1954

Dear Committeemen:

We are in the process of mailing out to all the renunciants in the U.S. who are in the mass class suits and who are on the active "paid" list or extreme "hardship" list the papers necessary for them to pursue the administrative remedy we are using before resort to individual court trials is rendered necessary.

Concurrently, we are mailing to the Japan "active paid" list like papers to enable them to clear either for passports in Japan or, if such be denied or already have been denied to them, for "certificates of identity" to enable them to return for court trial purposes. Shortly thereafter, all those in Japan on the active "unpaid" list also will receive like papers. (These will be given such consideration because most of them are not in a position to pay their own way because of slender earnings in Japan and especially because if they are denied passports those who have not while in Japan committed an act of expatriation nevertheless can return to the U.S. on certificates of identity only because they are plaintiffs in the mass class suits. (No renunciant in Japan who is not in our suits is now able to file an independent suit to test his citizenship - the McCarran Act bars any such suit. However, renunciants there still can join in our suits and thereupon become eligible for certificates of identity to return to the U.S. for trial purposes.)

Affidavit forms, an outline of Events Leading to Renunciation of Citizenship, letters of instructions, and memoranda applying to each, special notices, where required, and copies of questionnaires made out for my use years ago and copies of pertinent correspondence all of which had to be copied from my files, are being sent on to each person. These matters involved checking no less than some 360,000 separate items and also involved a huge printing and labor expense. However, the expense is warranted and is unavoidable because the administrative remedy presents a good chance to clear up the status of a substantial number of the plaintiffs before resort to individual court trials for the remainder is necessitated.

I am enclosing for your own use the particular information and documents which apply to your own case for you to study and prepare at your own convenience.

As the affidavit forms from each plaintiff are sent to me I shall compare them with my records and examine them closely for consistency and, if satisfied with them, will process them through the U.S. Attorney's office and the Justice Department. I will process them in large groups only and will withhold entering any judgment in court for those who clear successfully except when the number is substantial because I am unwilling to give the Justice Department a premature opportunity to initiate any appeals from any judgment which might result in aborting the cases before those in Japan can return to this country.

Because of the bulk of necessary material being sent to each plaintiff it is likely that numbers of them, particularly the Kibei who read little or no English, will have some difficulty in preparing the affidavit forms. However, we are unable to solve this problem at the present time unless we were willing to incur a prohibitive expense. The material should prove to be of assistance to each person in filling out the questionnaires and may require concentrated study by each person in filling out the forms. Each plaintiff's case differs from the others - this meant preparing different printed memoranda to cover each person - and also supplementary typewritten information in a large number of cases.

The answers to the questions in the Affidavit forms must not be stereotyped or verbatim copies of reasons which are stated in my Outline and Memoranda to the plaintiffs. It is essential that each answer the questions in his or her own words, however well or badly expressed, and that the answers be truthful.

Very truly yours,

Letter sent to:

Arata Hayashida
Yas Honda
Sam Iseri
Roger Narimatsu
Harry Takeuchi
Harry Uchida
Ben Watanabe
Masaru Yamaichi
Tak Yamamoto
M. Yego

April 26, 1956

Mr. Harry Takeuchi
2414 N. Cornelia Avenue
Fresno, California

Dear Mr. Takeuchi:

I and the staff wish to thank you for
the delicious strawberries that were delivered
to my office on Tuesday.

Very truly yours,

k

June 22, 1956

Mr. Harry Takeuchi
2414 N. Cornelia
Fresno, California

Dear Mr. Takeuchi:

John Mitsuo Nakagawa and his wife, Alice Kaoru Nakagawa, of Santa Barbara, both Kibei, with parents in Japan during the war are renunciants who were confined in Manzanar and later at Tule Lake where they renounced U.S. citizenship. They lived in Block 2211 or 2210 where Mr. Miura was Block Manager. He informs me that a Mr. Harada who was a Kibei and three Kibei leaders from Block 32, one of whom was named Kimura and the other two names he does not remember, tried to persuade him to become a member of the Hoshi Seinen Dan. Subsequent thereto, Nakagawa heard from a group of boys that the club was giving lectures and that disloyal things were being said by the lecturer. He advised the boys not to have anything to do with such a club and that Harada got news of what he said and sent three of his boys to see him and told him to mind his own business and also that he was kicked out from being a member because of the advice he had given to the boys.

He states that in Block 22, there were many agitators and many influential people mixed up in the Dan. The names as he remembers them are as follows: Mr. Harada, Kibei, Dan leader, a Mr. Tanji, a Mr. Murakawa, an old Kibei bachelor, a Mr. Sato or Sano or Hamano, whose wife was a beautician and whose father in law was a Mr. Tsuji (Tanji?) and others.

If you are able, I would thank you to let me know whether the above names are correct and whether said persons lived in Block 22 and whether they were Issei, Kibei or Nisei and whether they were members of the Hoshi Dan or Seinen Dan.

Mr. Harry Takeuchi
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If there were any other leaders or members of either organizations in Block 22, I would thank you to let me know the full names, if you recall, of said persons and specify whether they were Issei, Kibei or Nisei and also if you know, which of them were taken away to Santa Fe or Bismarck and the time they were sent away. If you are able, I would be pleased if you would let me know also the names of the persons in Block-22 who were members of either of the organizations and whether they were Issei, Kibei or Nisei and whether they were leaders or members of the Dans.

Very truly yours,

WMC:k