

2:5

GENERAL CORRESPONDENCE

MISCELLANEOUS

1949-1950

78/177

c

*General
Renun.
file*

April 4, 1949

Lt. C. J. Kullmeyer
756 S. Spring St.
Los Angeles 14, Calif.

Dear Lt. Kullmeyer:

I regret that due to the pressure of work I was unable to answer your letter of March 18th until today. Nisei who renounced in the United States during the time of war at the Tule Lake and other WRA camps under duress, governmental coupled with private duress, who were included in the mass equity suit I brought on their behalf were successful in their suit. Final judgment has been ordered for in excess of 5,000 of the renunciants and will be entered within a few days. Thereafter each of the renunciants in Japan whose citizenship has been restored by that suit will be permitted to return to the United States.

Renunciants who may not be in the suit and who are in Japan may bring an action in a U. S. District Court in the District in the U. S. where they claim permanent residence to determine their nationality. Thereupon after the suit is filed, such person may appear before a U. S. Consul abroad and there fill out an affidavit form stating that the suit has been filed in good faith, whereupon the U. S. Consul will issue to such person a certificate of identity enabling him to return to the U. S. upon the condition that if he is not successful in the suit that he will return to the foreign country. The Consul is empowered to demand the posting of a bond as a condition precedent to the grant of a certificate of identity. If the Consul denies that certificate, an appeal may be had to the Secretary of State. I trust that the foregoing answers your question.

Very truly yours,

6708th A St
756 S. Spring St.
Los Angeles 14, Calif.
18 March 1949

Mr Wayne M. Collins, Atty at Law
Mills Tower
220 Bush Street
San Francisco, 4 Calif.

Dear Sir:

While serving in Japan with the United States Army I became interested in the problem of the reinstatement of Nisei who renounced their citizenship during the war as a result of Relocation, etc.

I would deeply appreciate any information which you could give me at this time concerning the status of the above. I would also like to know if it is possible for some one residing in, and a citizen of the United States to arrange for their support and return prior to clarification or a decision by the Supreme Court.

Thanking you for your attention in this matter and hoping for an early reply, I am

Sincerely yours
Clarence J. Kallmeyer
12 St.

[Apr. 2, 1949]

Phone WESt 1-0453

(1)

KONKOKYO CHURCH OF SAN FRANCISCO

- INCORPORATED -

金光教桑港教會

1909 BUSH STREET

SAN FRANCISCO 15, CALIFORNIA

Dear Mr. Collins:

Please accept our hearty
congratulation and thanks for
your great success in the
renunciants' case.

I received the enclosed money
order of \$100, from Mr.

Hitoshi Kuribayashi, who is now
residing at 152 W. Division St
Chicago, to be used for
Mr. Miyagawa + Kobayashi case.

Miyazawa ^{to} + Kobayashi Case

from

Hitoshi Kuribayashi

152

W. Swinton St. Chicago

(2)

KONKOKYO CHURCH OF SAN FRANCISCO

- INCORPORATED -

金光教桑港教會

1909 BUSH STREET

SAN FRANCISCO 15, CALIFORNIA

Praying for your health and
another success in Isei case
and Tokyo Rose case,

yours very trustfully

Rev. Y. Fukuda

1329 Kaihee Street
Honolulu 4, T. H.
June 8, 1949

Mr. Wayne M. Collins,
Attorney-at-Law
Mills Tower, 220 Bush Street
San Francisco 4, California

Dear Mr. Collins:

I am in receipt of a letter from my niece, who happens to be one of the renuncees in Japan. In her letter, she writes that you have informed a Mr. Tamba in Japan that all renuncees are eligible for return, either to the mainland United States or to Hawaii.

Eligibility for return depends on two things: first, the ability to purchase the fare and to post a bond; second, provided the person has not married a national and did not vote during the last Japanese election. According to my niece, she understands the above conditions govern the return of all renuncees.

If the above statement is correct, will you kindly inform me by return air mail, what procedure I will have to follow to purchase the fare and post the bond. If, on the other hand, there are other conditions to be met before the renuncees are eligible for return, will you please forward to me the necessary information.

Trusting to be favored with an answer by return air mail, I remain

Sincerely yours,

T. Kuwana
T. Kuwana

Ms. Kuwana

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

June 14, 1949

Mr. T. Kuwana
1329 Kaihee Street
Honolulu 4, T. H.

Dear Mr. Kuwana:

In reply to your recent inquiry, I wish to inform you that on April 12, 1949, a final judgment cancelling renunciations of some 5,000 renunciants and declaring them to be nationals and citizens of the United States ever since birth was entered in Equity Proceeding No. 25294. The judgment binds the Secretary of State and consular officials. All of the 1,500 or so plaintiffs who are in Japan are entitled to return to this country even though the government has appealed from the judgment. However, the consuls, as agents of the Secretary of State, have the right to demand that those in Japan who wish to return to this country first establish their identity and obtain clearance from the consular offices. If a consul refuses outright clearances they may apply to that consul for certificates of identity under the provisions of Title 5 U. S. Code, Section 903. The consul thereupon will have them fill out affidavits showing that the suit here was filed in good faith and thereupon issue them the certificates of identity but he may demand as conditions precedent to their right to return to the United States (because the appeal is pending) a bond conditioned that if the judgment should be reversed that they will return to Japan.

I am waiting for the Secretary of State and the Department of Justice to clarify the status and right of the plaintiffs in Japan to return to the United States. As soon as I have a definite answer, each of the plaintiffs in Japan will receive a letter of instructions direct from me.

Very truly yours,

MAS YANO
ATTORNEY AT LAW
537 - 538 ATLAS BUILDING
SALT LAKE CITY 1, UTAH

July 2, 1949

Wayne M. Collins, Esq.,
Attorney at law
Mills Tower--220 Bush St.,
San Francisco, California

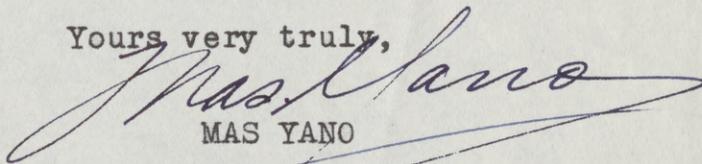
Dear Sir:

I was informed recently that you have been handling cases of Nisei persons who had expatriated to Japan from Tule Lake but now desiring to return to this country after regaining their U. S. citizenships.

Kindly inform me at your earliest convenience as to whether you are in a position to handle such cases, and if so, on what arrangement. I will have several such cases in the near future. Any other information you can supply me on this matter will be greatly appreciated.

With kindest regards,

Yours very truly,


MAS YANO

MY:cs

August 25, 1949

Mr. Mas Yano
Attorney at Law
537 - 538 Atlas Building
Salt Lake City 1, Utah

Dear Mr. Yano:

In reply to your letter of July 2, I wish to inform you that for those renunciant plaintiffs who have already been joined in Equity Suit No. 25294, the enclosed letter regarding renunciant plaintiffs in Japan sets forth the latest information I am able to furnish. For those who have renounced their U.S. citizenship in the United States during the war and have not yet been joined as plaintiffs in the renunciant suits, the enclosed questionnaire is to be completed and returned to me.

Very truly yours,

J. Nakaya
Nakaya Trading Company
327 East Second Street
Los Angeles 12, Calif.
July 29, 1949.

Mr. Wayne M. Collins,
Attorney At Law,
Mills Tower,
220 Bush Street,
San Francisco 4, Calif.

Dear Mr. Collins,

Would you please advise me on the following subject matters: 1). If one secures a certified copy of the opinion of the United States District Judge, who decided cases of American's of Japanese descent, who were forced to renounce their American Citizenship at Tule Lake Assembly Center or elsewhere, and send it to a party in Japan, whose case is involved in said decision, will he be permitted to proceed to America as a citizen thereof. 2). Do you have a copy of the said decision and, if you have it, will you favor me with one.

Any further advise in connection with this matter will be deeply appreciated.

Yours very truly,

J. Nakaya
J. Nakaya

NAKAYA TRADING COMPANY

No record

August 26, 1949

Mr. J. Nakaya
Nakaya Trading Company
327 East Second Street
Los Angeles 12, Calif.

Dear Mr. Nakaya:

In reply to your letter of July 29th, the enclosed letter sets forth the status of those renunciant plaintiffs who are in Japan. If you wish to obtain a copy of the Final Order, Judgment and Decree, I suggest that you write to Mr. Carl Calbreath, Clerk, U. S. District Court, Room 355, Post Office Building, 7th and Mission Streets, San Francisco, California. You might request that the title of the action show the renunciant plaintiff's name for whom you are inquiring so that he may have evidence that he is covered by the judgment, the action being ABO vs. CLARK, Cons. No. 25294-G, filed April 12, 1949. The price of \$1.20 is payable in advance.

Very truly yours,

Replied with
from letter J-1
9/15/49

August 29, 1949

Wayne M. Collins
Attorney at Law
Miller Tower, 220 Bush St.
San Francisco 4, California

Dear Sir:

I have read in paper "Renunciation Null;
Nisei Still Citizens."

I would like to know if this was the
signal, and are they entitled to return
to State now at any time? Will you
kindly give me a full information, and
how to go through due formalities?

I would appreciate it very much if you
would kindly answer my question as
soon as possible, for my only desire is
to have my brother back in State immediately.

Japan

I thank you very much.

Yours very truly,
Masao Murakami

no
reply

Mr. J. Nakaya
Nakaya Trading Company
327 East Second Street
Los Angeles 12, Calif.
September 2, 1949.

Mr. Wayne M. Collins,
Attorney at Law,
Mills Tower, 220 Bush Street,
San Francisco 4, California.

Re: Abo vs. Clark, Cons. No. 25294-G

Dear Mr. Collins,

I have received your letter of August 26, 1949, in reply to my inquiry of July 29th together with your letter setting forth the status of those renunciant plaintiffs in Japan, for which please accept my thanks.

When you receive a definite answer from the Secretary of State and Department of Justice as to the status and rights of the plaintiffs in Japan to return to the United States, please favor me with a copy of your instructions to those plaintiffs now in Japan.

Very truly yours,

Jeni Nakaya
J. Nakaya.

*No answer
necessary
9/15/49*

10/21/49.

Wayne:

I dredged the following out of the Minutes of the Southern California Committee, for October 17, 1949:

"Counsel's Report:

"5. Renunciant Cases - Counsel acquainted the Board with the results of conferences recently held in Washington in which he sought to induce the Department of Justice to have the decision of the Ninth Circuit Court of Appeals in the Renunciant Cases applied to all renunciants. The Department of Justice has decided not to appeal from the decision of Judge Penman but would not agree to the sweeping coverage which Mr. Wirin seeks. It is expected that administrative procedures will be worked out under which the decision will be applied to at least 50% of the cases."

Ernie

I see Al was, in effect, representing your clients before the Dept. of Justice. Of course, all help going is grandstanding.

In view of the information, I don't see how the Justice Dept. can do what it proposes, although they would very likely say they were conferred solely with persons not parties to the suit.

File

sent printed
form
ltr of 3/27/50

June 1st 50

Dear Mr. Collins:

I wish to acknowledge with
sincer thank for the letter of advice.

I would like to hear about
the results of the original judgment, I have
several plaintiff's still remaining
in Japan who have advised me to
write to you and ask all about the results,
So please advise me as soon as
possible.

~~incomplete name
no record
as return.~~

Sincerely,
Frankham

J. Murakami
S. P. S. Ry. Co, 4th Lang 5
1101 N. St. Hoyt St.
Portland, Ore.



~~VIA AIR MAIL~~

Mr. Wayne J. Collins
230 Bush Street
San Francisco 4,
California

Route 2, Box 635-
Clovis, California
March 31, 1950

Dear Sir:

I would like to have full information on the resurrenants now in Japan as to any possibility of gaining entry to United States. What would be the procedure in securing a permit to enter this country.

Yours truly

Susumu Mori

No
record.

Sent printed
letter of 3/27/50

P. O. Box 21
Papaikou, Hawaii
April 7th 1950

Mr. Wayne M. Collins
461 Market St.
San Francisco, Calif.

Sent printed
letter on 3/27/50
on 4/11/50

Dear Sir:

I am very sorry to bother you like this,
but would like to know if the Nisei
Citizenship Renunciation case is all settled
now. ----- I would like to know how soon
or when my friend could come back from Japan.
She is one of the many who is in the case and
living in Japan -

Thanking you, I remain

Sincerely yours,
Masami Nagasaka

no record