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PRINTED & FORM LETTERS

1949

78/177
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WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

*Undated
Probably 1948-49*

I am not positive that additional parties can be joined to the renunciation cases inasmuch as the interlocutory judgment was signed by the Judge and filed on September 27, 1948.

However, before that judgment becomes final about February 25, 1949, it may be possible to join additional persons if the government does not object thereto. Consequently, I shall include your name in a subsequent motion to be made to the court for inclusion and, if not, you will be included in a new mass suit to be filed. I will need to have the following information IMMEDIATELY.

1. Full name, including middle name (also maiden name, if married woman).
2. Date of birth.
3. Place of birth.
4. Place and approximate time of renunciation.
5. Name under which you renounced your citizenship.
6. Whether or not you received a letter from the Attorney General approving your renunciation. If you have such a letter in your possession, please forward it to me immediately.

Very truly yours,

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIOHRO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA
MICHIGAN ~~9376~~ 4728

COMMITTEE

T. OBATAKE
M. SAKAKI
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
P. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

JAN 3 1949

November 1, 1948

Dear

At this time we wish to bring forth to each and everyone of more than 5,000 parties plaintiff in consolidated suit No. 25294, filed December 13, 1945, in the U. S. District Court in San Francisco, the accomplishments that were realized through the untiring effort of our attorney, Wayne M. Collins of San Francisco.

As you may already be aware of, U. S. District Judge Louis E. Goodman on April 29, 1948, filed his written opinion in the case cancelling the renunciations and restoring citizenship to all the Nisei plaintiffs on the ground they were caused by duress. However, the defendants were given 120 days within which, in good faith, they may designate any particular plaintiffs against whom they might wish to present additional evidence, if they can, but placed the burden of proof upon the defendants to demonstrate the renunciations of any such designated persons were free and voluntary and in no wise the product of the duress in which they were held and to which they were subjected.

The accomplishment as cited above cannot merely be expressed in words, but it was a tough uphill battle for three years, and waged single-handedly by Mr. Collins.

The committee has been brought aware of the situation where the original fund collected at Tule Lake has just about been expended. The long battle, which has already consumed more than three years, not only has been a difficult one, but a costly one. Although Mr. Collins has unselfishly devoted his full time to our cause, he has not received a single penny for his own welfare from this fund.

Also, we are aware of the situation where the government may at their decision designate some or many of the persons within the prescribed limit of 120 days. We also are aware of the situation where the government may appeal the decision to the higher courts. Under such circumstances we shall be terribly handicapped by the lack of fund. Therefore, being aware of such a situation we have reactivated the original Defense Committee to raise the additional fund in order to meet any future events.

The Defense Committee in their recent meeting decided that all renunciants in this suit should fulfill their original pledge of \$100.00. The post-camp days have materially improved the economic status of each renunciant, and we feel it is only fair and just that each be assessed the similar amount. The collection of this fund will assure us the protection of our victory, as well as finding some way of remunerating our attorney for services heretofore rendered.

Inasmuch as the labor and expense involved to collect the fund will be prohibitive, we appeal to you by mail so that you may respond by mailing your remittances to our office at Room 302, 117 N. San Pedro Street, Los Angeles 12, California. We ask your cooperation in this matter by mailing all remittances payable to Wayne M. Collins.

By way of reminder your total contribution heretofore has been \$.....leaving a total balance of \$.....

Very truly yours,

TULE LAKE DEFENSE COMMITTEE

P.S. We are unable to locate the individual pledges received at the Bismarck Internment Camp. We shall appreciate your informing us of your contributions and remitting to us whatever balance due from the original pledge of \$100.00.

T. Nakamura

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

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ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA

Michigan 4728

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Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

January 21, 1949

Dear

At this time we wish to announce to each and everyone of more than 1,500 parties plaintiff, residing in Japan, in consolidated suit No. 25294, filed December 13, 1945, in the U. S. District Court in San Francisco, the accomplishments that were realized through the untiring effort of our attorney, Wayne M. Collins of San Francisco.

As you may already know, U. S. District Judge Louis E. Goodman on September 27, 1948, signed an interlocutory decree in the case cancelling the renunciations and restoring citizenship to all the Nisei plaintiffs on the ground they were caused by duress. However, the defendants were given 120 days within which, in good faith, they may designate any particular plaintiffs against whom they might wish to present additional evidence, if they can, but placed the burden of proof upon the defendants to demonstrate the renunciations of any such designated persons were free and voluntary and in no wise the product of the duress in which they were held and to which they were subjected.

The accomplishment as cited above cannot merely be expressed in words, but it was a tough uphill battle waged single-handedly by Mr. Collins for three years.

The committee wishes to inform you that the original fund collected at Tule Lake has just about been expended. The long battle, which has already consumed more than three years, not only has been a difficult one, but a costly one. Although Mr. Collins has unselfishly devoted his full time to our cause, he has not received a single penny for his own welfare from this fund.

Also, we realize that the government may at its election designate some or many of the persons within the prescribed limit of 120 days for individual hearings. We also are aware that the government may appeal the decision to the higher courts. Under such circumstances we shall be terribly handicapped by the lack of funds.

Realizing the necessity of raising additional funds, the Tule Lake Defense Committee was reactivated for the purpose of protecting the whole group so that the burden of financing the hearings of those designated for individual hearings will not fall on any individual person. We felt that very few persons would be able to pay the sum of \$1,500 which is the approximate figure for each individual trial.

We have tried our utmost to protect all the plaintiffs in Japan, by canvassing all the plaintiffs in this country. However, the results are very disappointing, and we feel that the burden of financing each single hearing should be borne by the whole group. We realize the hardship condition you are now undergoing, but we ask your cooperation in contacting your friends or relatives in the United States to contribute the sum of \$100 per person as a retainer.

As long as we have funds to continue the case we will continue to protect all the persons in the suit, but we have arrived at a financial position where we cannot do the impossible.

We regret that we have to inform you of these facts, but the committee felt that it was its duty to inform you of the danger to our case due to the lack of funds.

We shall appreciate your taking immediate steps to communicate with your friends or relatives in the United States, and we beg that your representatives make direct contact with our office at Room 302, 117 N. San Pedro Street, Los Angeles 12, California, to make a contribution to the common cause.

Very truly yours,

Tetsujiro Nakamura
Tule Lake Defense Committee

P. S. We expect one of our committee men to be in Japan in March at which time you can consult him.

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA
MICHIGAN 9576-4728

COMMITTEE

T. OBATAKE
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Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
P. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

January 7, 1949

Dear Sir:

Recently the Director of the Tule Lake Defense Committee held a special meeting to determine the future policy of the whole group in connection with those renunciants who have not rendered us any response to our appeals. The board determined that a thorough study be made on each individual case for the reason of their non-cooperation.

The Tule Lake Defense Committee was reactivated for the sole purpose of protecting the whole group so that the burden of financing the individual trial will not fall on any individual person. We were confronted with a situation where the original fund collected at Tule Lake was dissipated. Mr. Collins stated that in event any person should be designated it will cost approximately \$1,500.00 each.

We felt that very few persons would be able to pay such a sum, but we felt sure that we should have sufficient persons interested in the suit to contribute \$100.00 each to assure everyone a full protection. With this purpose in mind we made an appeal for contribution. However, we regret to state that very few have responded, and we have not to this date reached near the required one-quarter.

We are rather amazed at your impassiveness, as we presumed that you were very much concerned about your citizenship status when you made your individual request to be included in the suit. We shall appreciate your responding to this letter as the group possibly cannot afford to provide you a \$1,500.00 protection without any form of contribution at all.

In order to assure the safe delivery of this mail, we are mailing it by registered mail return receipt requested.

The committee has decided that individual contribution should be \$100.00 each, and we hope that you will not impose on the group continuously by responding at once.

Yours very truly,

T. Nakamura
Tule Lake Defense Committee

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA

Michigan 4728

Jan. 27, 1949

COMMITTEE

T. OBATAKE
M. SASAKI
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

Dear Sir:

Recently the Director of the Tule Lake Defense Committee held a special meeting in connection with the present drive to raise enough fund to continue with our case.

As repeatedly explained in our previous letters, our committee was reactivated for the sole purpose of protecting the whole group so that the burden of financing the individual trial will not fall on any individual person. Mr. Collins has stated that in event any person should be designated it will cost approximately \$1,500.00 each.

After more than two months of an intensive campaign, we find that we have not to this date arrived near the required one-quarter. We appreciate the response you have given us to date, but we beg of you to remit to our office the remaining balance as soon as possible.

Our committee finds it very difficult to impose on Mr. Collins to continue with the case unless we have an ample fund to do so. In order to be fair to everyone in the suit, the pledge was set at \$100.00 each, and we appreciate your fulfilling it at once.

By way of reminder your total contribution heretofore has been \$ 20 — leaving a total balance of \$ 80 — .

Yours very truly,

T. Nakamura *ln*
Tule Lake Defense Committee

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

February 3, 1949

To The Renunciants in Equity Suit No. 25294:

This is to inform you that Mr. Toraichi Kono of the Tule Lake Defense Committee, 117 No. San Pedro Street, Los Angeles, 12, Calif., shortly will call upon you or communicate with you concerning the question of your contributing to the Tule Lake Defense fund.

Approximately 5,000 renunciants now are joined as plaintiffs in the suit. An interlocutory judgment in favor of the renunciants was entered on September 27, 1948. Judge Louis E. Goodman gave the government 120 days within which to file in court a list of the names of any of the plaintiffs the Attorney General, in good faith, may designate for special individual hearings. However, he placed the burden of proof on the Attorney General to demonstrate that the renunciations of such designated persons were not affected by the duress in which they were held and to which they were subjected.

The Judge has further extended the government's time to February 25, 1949, within which to file any such designation. On or about February 26, 1949, a final judgment will be entered in favor of all renunciants who are not designated for special individual hearings.

The original group of approximately 1,000 renunciants at Tule Lake and Bismarck contributed what they were able to commence the habeas corpus and equity suits but that fund has been practically exhausted. Over 4,000 additional renunciants have been joined to the equity suit since they were released from internment by the habeas corpus proceedings. The great majority of these have not made any contribution to the case for the common cause of all renunciants in the suit. They have received, however, the full benefit of the fund contributed by the original defense group.

The government attorneys have informed me that a number of the plaintiffs will be designated for special individual hearings. This means that the costs and expenses of these individual hearings will be enormous and entirely outside the means of the individuals designated. In consequence, the Defense Committee, realizing the importance of giving each individual the same protection that has been given to those who will not be designated has undertaken and now is engaged in raising the necessary funds to give each designated individual the maximum protection. For said purpose and to carry the case on to a successful conclusion, the Defense Committee is requesting each plaintiff who has not contributed to the common defense fund to make such contribution now. With my approval the Defense Committee, which Mr. Kono represents, requests you to make your check or money order payable to my order.

Very truly yours,

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA
Michigan 4728

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T. OBATAKE
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G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

February 15, 1949

Dear Sir:

At this time we wish to announce to you that our case was extended an additional 30 days—till February 25, 1949.

The government insisted upon an extension of 60 days in which to finalize their check upon all the renunciants in the suit. However, Mr. Collins vigorously objected to any extension whatsoever, but the court finally granted an extension of 30 days.

In view of this fact, we find that the government is taking a great deal of pain to prepare a substantial list of persons whom they wish to designate. We must therefore face the fact that we are confronted with a very difficult problem and with a promise of an intensive battle in the offing.

We wish to report that after more than three months of campaigning we find ourselves hopelessly short of our anticipated goal. We fully understand the hardship conditions you may be undergoing in rehabilitating yourself after a long period of internment, but we beg of you to assist us in realizing the required goal. In event it is impossible on your behalf to contribute the remaining balance immediately, we shall be very glad to receive any amount on an installment basis. We feel every little contribution will assist us very materially.

May we thank you again for your cooperation.

Very truly yours,

T. NAKAMURA,
Tule Lake Defense Committee

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
R. NARIMATSU
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA
Michigan 4728

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H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

March 12, 1949

Dear Sir:

We wish to inform you that on February 25th the government filed a list of designations in 22 separate categories including all the plaintiffs within the suit. It was the intention of the government to try a representative person from each group. However, Mr. Collins objected to this very vigorously and contended that he will try the whole 5,500 cases individually. The court suggested to Mr. Collins, that in view of the fact that the designation was nothing comparable to what the judge instructed, the plaintiffs should file order to show cause why the designations should not be stricken from the record and summary judgment requested. This order was to have been heard on the 7th of March. However, Judge Goodman was called to Washington, D. C. on a special mission to testify before the Senate Judiciary Committee. He is expected to return by the 21st of March, and the case is scheduled to be heard on that date.

In respect to your contribution we shall appreciate your cooperation in fulfilling your pledge as every bit will assist us in the cause tremendously.

Very truly yours,

T. NAKAMURA
Tule Lake Defense Committee

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
R. NARIMATSU
H. OKITA

TULE LAKE DEFENSE COMMITTEE

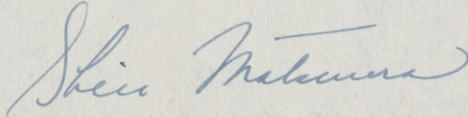
ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA

Michigan 4728

COMMITTEE

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M. SASAKI
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Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

March 25, 1949



We are very glad to inform you that on March 21, 1949, Judge Goodman granted in our favor the motion to strike the list of designation filed by the government and granted to us the summary judgment.

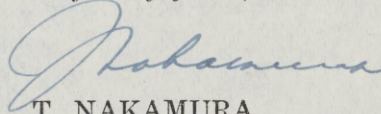
This in turn will mean that everyone of more than 5,000 party plaintiff in consolidated suit No. 25294 will have their citizenship restored. Upon the signing of the summary judgment by Judge Goodman, the government will have 60 days in which to determine whether they wish to appeal to the Circuit Court. However, Mr. Collins assured us that in as much as the facts of this case has been fully established by the lower court, it will be of no avail for the government to appeal this case.

This decision will affect the rights of all the plaintiffs in Japan, and in due course of time they will be able to return to the United States.

We have anxiously awaited this favorable news, and it is indeed an accomplishment won singlehandedly by Mr. Collins. We of the committee feel that everyone of the plaintiffs owe it individually to Mr. Collins to fulfill their original pledge, and we shall appreciate your cooperation in this matter at your earliest convenience.

For your convenience, we are enclosing Form No. Cl. 1, which is the form for Claim for Damage to or Loss of Real or Personal Property by a Person of Japanese Ancestry. Mr. Collins suggested that all the renunciants should exercise their privilege of filing their individual claim for damages. We shall therefore be very glad to be of assistance to you on this matter.

Very truly yours,



T. NAKAMURA
Tule Lake Defense Committee

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

Form letter sent to
people on Mr. Collins'
list. Used to reply
to subsequent plaintiffs'
inquiries.

April 13, 1949

Late yesterday afternoon, April 12, 1949, final judgments were entered in the Tule Lake mass equity suits. The judgments, signed by U. S. District Judge Louis E. Goodman, cancel each of the renunciations of approximately 5,000 Nisei plaintiffs.

The renunciations were ordered cancelled because they were proximately caused by governmental duress to which the duress of groups and individual internees was merely an incident. The judgments declare the detention of Nisei in a concentration camp was in violation of their constitutional rights.

The judgments also declare that none of the plaintiffs lost citizenship because the renunciations were void from the time they were made. The judgments also declare each plaintiff to be a native born national and citizen of the United States and that each is entitled to exercise all the rights, privileges and immunities of citizenship without interference by the Government and its agents.

It is not yet known whether the U. S. Attorney General and the Secretary of State will appeal from the judgments. If they do there is very little chance for them to reverse the judgments either on questions of fact or of law. In any event each Nisei plaintiff will remain a U. S. citizen with all the rights of U.S. citizenship until and unless the judgments are reversed by the Ninth Circuit Court or the U. S. Supreme Court.

Very truly yours,

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

On April 12, 1949, final judgments were entered in the Tule Lake mass equity suits. The judgments, signed by U. S. District Judge Louis E. Goodman, cancel each of the renunciations of approximately 5,000 Nisei plaintiffs.

The renunciations were ordered cancelled because they were proximately caused by governmental duress to which the duress of groups and individual internees was merely an incident. The judgments declare the detention of Nisei in a concentration camp was in violation of their constitutional rights.

The judgments also declare that none of the plaintiffs lost citizenship because the renunciations were void from the time they were made. The judgments also declare each plaintiff to be a native born national and citizen of the United States and that each is entitled to exercise all the rights, privileges and immunities of citizenship without interference by the Government and its agents.

It is not yet known whether the U. S. Attorney General and the Secretary of State will appeal from the judgments. If they do there is very little chance for them to reverse the judgments either on questions of fact or of law. In any event each Nisei plaintiff will remain a U. S. citizen with all the rights of U.S. citizenship until and unless the judgments are reversed by the Ninth Circuit Court or the U. S. Supreme Court.

Very truly yours,

*Extra copy
sample*

June 2, 1949

Mr. Tadasu Fukushima
Route 2, Box 1210
Stockton, Calif.

Dear Mr. Fukushima:

A citizen wife of a renunciant has the lawful right to purchase property in her own name with or without the husband's consent.

Your renunciation was cancelled by a final judgment of the U. S. District Court which was entered on April 12, 1949. That judgment declares that you are and ever have been a U.S. citizen and that the defendants, the Attorney General, the Secretary of State and other defendants, are permanently prohibited from interfering with your rights, privileges and immunities of U. S. nationality and citizenship. The Government has taken an appeal from the judgment.

Under the judgment, therefore, you are entitled to buy or own property on the same basis as any other citizen and you have that right up to and until and unless the judgment is reversed on the appeal that was taken by the defendants to the Ninth Circuit of Appeals.

You may experience some difficulty with a title insurance company, however, over obtaining title insurance on any property you may purchase. Therefore, before you sign any written contract to purchase land or buildings and before you put up any money deposit on any such purchase you should first consult a local attorney and also a title insurance company and ascertain whether or not you can get title insurance if you do buy the property. You must disclose to them that you renounced citizenship under duress, that you sued to cancel your renunciation and that a final judgment cancelling your renunciation and declaring you to be a citizen was entered on April 12, 1949, but that the government has taken an appeal from that judgment.

Very truly yours,

WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

July 31, 1949

Mr. Motomi Bill Okine
5483 S. Dorchester Avenue
Chicago, Illinois

Dear Mr. Okine:

On April 12, 1949, a final judgment was entered in the Tule Lake mass renunciation suit cancelling your renunciation, declaring you to be a native-born U. S. citizen ever since your birth and prohibiting the defendants Attorney General, the Secretary of State and his consular agents and other defendants from depriving you or any other plaintiff of your rights, liberties, privileges and immunities of U. S. citizenship. The defendants took an appeal from the judgments but, nevertheless, you are and will remain a citizen of the U. S. unless and until that judgment is reversed by a higher court.

The proceedings have taken $3\frac{1}{2}$ years but have been successful so far. The appeal may be determined during the latter part of 1949 or the early part of 1950.

Mass proceedings involving the rights of 5,000 renunciants involve a long period of time. It first was necessary to obtain the release of each renunciant from detention at Tule Lake, Bismarck, Santa Fe, Crystal City and Bridgeton in habeas corpus proceedings before it could be expected that the renunciations could be ordered cancelled.

The releases from internment and cancellation of the renunciations were made possible only because of the efforts and interest of the Tule Lake Defense Committee which raised sufficient funds to start these suits. Had it not been for the efforts of that Committee it would have been impossible to carry on the long and expensive litigation.

A majority of the persons who are in the suits and who joined long after the suits were commenced have received the maximum benefits of the work done and the limited funds supplied by those who originally made the initial contributions to the committee fund to carry on these suits. It is unfair for those who entered the suits late, which added greatly to the cost of the litigation, to receive the benefits at the expense of the original contributors. The expenses should be shared equally by all those benefited.

The Tule Lake Defense Committee which maintains its office at 117 No. San Pedro St., (Room 302), Los Angeles, California, informs me that the balance of your contribution in the sum of \$ 75.00 has not been received. I suggest, therefore, that you forward your contribution direct to the Committee to enable the suits to be carried on to a final conclusion.

Very truly yours,

\$ 75.00
25.00
\$ 50.00 (Balance to be paid)

sample cy

October 10, 1949

Mr. William Y. Mambu
Attorney and Counselor
318 Sixth Ave., So.
Seattle 4, Washington

Dear Mr. Mambu:

In re: Katsumi Nakamichi

A number of renunciants whose citizenship has been restored in the judgment entered in the mass renunciation suit have since departed for Japan without re-entry permits and their rights are protected in the suit inasmuch as the decision restores their citizenship. The U. S. Consuls in Japan, however, probably will withhold granting permission to return to the United States until the judgment becomes conclusive after the pending appeal is determined. There is no reason for your client to withdraw from this suit at the present time.

It may be possible that the Immigration Service would be willing to issue him a re-entry permit pending the determination on appeal. I suggest that you have him apply therefore to the Immigration Office for such permission.

Very truly yours,

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
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R. NARIMATSU
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA

Michigan 4728

November 30, 1949

COMMITTEE

T. OBATAKE
M. SASAKI
T. SHONO
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

During the past year we have endeavored to impress upon you the fact that all individual plaintiffs in Consolidated Suit No. 25294 must fulfill their original pledge of \$100.

As previously mentioned in our letters, the mass proceedings involving the rights of 5,000 renunciants involves a long period of time as well as it being a very expensive proceeding.

We feel that you fully understand the efforts of the committee member to conclude this long litigation as soon as possible. Therefore we are seeking your cooperation to realize this end.

To facilitate this end we have sought a medium whereby a minimum of hardship will be borne by you. We are enclosing herewith _____ checks totaling in the sum of _____ dollars, which is the total amount due this date. For your convenience we are also enclosing a stamped, self-addressed envelope for reply.

We ask that you sign these checks individually, and place the name of your banking institution as well as it's clearing house numbers on the top. All these checks are dated on the 15th of each month, and we appreciate your having funds available on these dates. On the 15th of each month we shall have them deposited for collection.

Thus in this manner we feel we can assist you in the orderly payment of your remaining balance. We ask that you assist us in mailing the enclosed checks at your earliest convenience.

Very truly yours,

T. Nakamura

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

December 13, 1949

A final judgment restoring your citizenship together with some 5,000 Nisei, including some 1,535 who are in Japan, was entered on April 12, 1949. The Government has appealed that decision and the matter is now pending in the Circuit Court where a final and conclusive determination should be rendered sometime in March, 1950. Under the judgment the rights of citizenship of the plaintiffs cannot be interfered with by the Government. However, the State Department has made it a practice, at least so far, not to grant the Nisei plaintiffs in Japan clearances to return to America. I am presently powerless to compel the consuls in Japan to issue such clearances. However, when the final and conclusive judgment is rendered by the Circuit Court, probably sometime in March, there will be no doubt that the consuls will permit the Nisei plaintiffs in Japan to return without further interference with their rights.

Very truly yours,

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

*Extra copy
use as form*

December 14, 1949

Mr. Yoshiaki Kawaoka
c/o Mr. K. Suzuki
53, Sanya-cho, Meguro-ku
Tokyo, Japan

Dear Mr. Kawaoka:

If any of your property has been vested by order of the Alien Property Custodian (or by the Attorney General who is now the Acting Alien Property Custodian), you can file with him a notice of claim to the said property. Under the provisions of the Trading with the Enemy Act, Title 50, U.S. Code, Appendix, Section 9, he has jurisdiction to entertain that claim and the President may order a return of the property or of its equivalent in cash if application is also made to him within the statutory period. If no such application has been made to the President or if not acted on, instead of pursuing a right before the Alien Property Custodian (Attorney General) or an Administrative Board set up by him, you are entitled to proceed as follows:

(1) To bring a suit in equity in the Supreme Court of the District of Columbia or in the U.S. District Court of the District of Columbia or in a U.S. District Court in the U.S. in the District where you claim your permanent residence, to establish your right to recover the property or the debt as the case may be.

The fact that the Alien Property Custodian has issued a vesting order concerning your property does not deprive you of that property; it merely compels you to make an election to proceed to test your right to the property by the filing of the aforesaid notice of claim and application, or proceeding to test your right to the property by an equity suit in court. The court suit is the only remedy open to you if you do not file your notice of claim with the Alien Property Custodian within the period of time set up by him for the filing of such claims.

In my opinion, the best procedure to follow in any event is simply to file a suit in court to determine your right to the property because by such a suit you can obtain a final determination of your rights long before the Alien Property Custodian Board (Attorney General's Board) would render a final decision if the matter were pending before it.

Inasmuch as your property apparently is situated in San Francisco, it is my suggestion that you communicate with Mr. Victor Abe, Attorney at Law, 2209 Pine St., San Francisco, California, who will, I believe, be willing to represent you in such a suit.

Very truly yours,

CC: Mr. Victor Abe

COMMITTEE

Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
H. OKITA

TULE LAKE DEFENSE COMMITTEE

ROOM 302, 117 NORTH SAN PEDRO STREET
LOS ANGELES 12, CALIFORNIA
Michigan 4728

COMMITTEE

T. OBATAKE
M. SASAKI
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

December 21, 1949

Dear Sir:

On October 12, 1949, we mailed in your care a letter outlining the status of Immigration cases handled by Mr. Collins.

Also we asked that you pay your remaining balance in the sum of \$ for services rendered on your behalf.

To this date we have not received any response from you, and we would appreciate your attending to this matter at your earliest convenience.

Very truly yours,

T. Nakamura

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

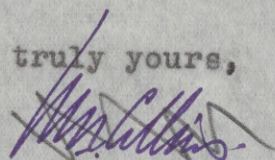
December 22, 1949

The judgment of the U. S. District Court cancelling your renunciation and declaring you to be a citizen was entered on April 12, 1949. The judgment enjoins the government and its consular agents from depriving you of any of the rights of citizenship. The government has appealed the case to the Ninth Circuit Court of Appeals where it probably will be decided about March, 1950. Until then, the Attorney General and the Secretary of State and his consular officers probably will deny renunciants in Japan clearance to return to the United States although the judgment forbids them from so doing.

The Attorney General and the Secretary of State have decided upon a policy of handling cases of renunciants in Japan and elsewhere who are not now in the mass suits. As to any such renunciant not now protected by the mass suits the policy is as follows: if such a person files an individual lawsuit to have his nationality determined in a U. S. District Court in the United States and thereupon fills out an affidavit form which will be supplied by the consul and states therein the reason why he or she renounced and the Attorney General's records contain nothing against such a person, the Attorney General will stipulate in court that the renunciation may be cancelled. However, if the Attorney General's records contain anything against the applicant, such a renunciant applicant will have to carry on the lawsuit at his or her own expense.

No renunciant who is already in the mass equity suits should file any such affidavit with any consul or with the Attorney General under any circumstances whatever. If anyone who is already in the mass equity suits and so protected thereby files any such affidavit the Attorney General may try to use the same against him or her on the appeal now pending in the Circuit Court. As it stands the judgment in favor of the renunciants in the mass suits prevents the government and its agents from introducing any additional facts against any of them.

Very truly yours,



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

*Undated
Probably 1949*

It is no longer possible to join plaintiffs in Equity Suit No. 25294 by reason of the fact that a final judgment was entered on April 12, 1949. However, because of the number of persons who have applied to me to have their citizenship restored a new mass suit will be filed to cover those who recently have applied to me. Consequently I shall include your name in a new suit.

I WILL NEED TO HAVE THE FOLLOWING INFORMATION IMMEDIATELY:

1. Full name, including middle name (also maiden name, if married woman).
2. Date of birth.
3. Place of birth.
4. Place and approximate time of renunciation.
5. Name under which you renounced your citizenship.
6. Whether or not you received a letter from the Attorney General approving your renunciation. If you have such a letter in your possession, please forward it to me immediately.

Very truly yours,

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

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Very truly yours,

[1949 ?]

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SAM ISERI

Committeeman in Tokyo, Japan

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H. TAKEUCHI
H. UCHIDA
M. YAMAICHI

Dear Sir:

On April 12, 1949, a final judgment was entered in the Tule Lake mass renunciation suit cancelling your renunciation, declaring you to be a native-born U. S. citizen ever since your birth and prohibiting the defendants Attorney General, the Secretary of State and his consular agents and other defendants from depriving you or any other plaintiff of your rights, liberties, privileges and immunities of U. S. citizenship. The defendants took an appeal from the judgments but, nevertheless, you are and will remain a citizen of the U. S. unless and until that judgment is reversed by a higher court.

This court ruling applies to all the plaintiffs in the suit, whether resident in the U. S. or in Japan. However, the State Department is presently flouting the court order in depriving you of your rights, liberties, privileges and immunities of U. S. citizenship.

The case is presently being appealed by the government in the Circuit Court of Appeals, and judgment in this proceeding will not be forthcoming until the early part of next year. Upon a favorable decision, it will be impossible for the State Department to ignore the court order.

On January 21, 1949, the Tule Lake Defense Committee in Los Angeles, California, mailed to each of you a letter asking that you make contacts with your friends or relatives in the U. S. to remit a retainer in the sum of \$100. To this date, we are informed that very few persons were able to find contacts in the U. S.

In as much as the proceeding has already consumed a great deal of time and money; with a further likelihood of it being a costly undertaking, we ask each of the plaintiffs to sign a note which is enclosed herewith. The note is for the sum of \$300 for those who have not made any contributions to date, and for those making any contribution the sum deducted from this figure. This note may be payable upon your return to the U. S.; or upon your being restored the privilege of returning to the U. S. We also ask that you write the address where we may contact you in the U. S. on the bottom of the note.

We appreciate your attending to this matter at your earliest convenience, and returning the signed note in care of Mr. Sam Iseri, Northwest Airlines, 138 Marunouchi Bldg., Tokyo, Japan.

Very truly yours,

SAM ISERI