

## LEGAL AID DEPARTMENT

### 1. Introduction

The Legal Aid Department is under the Community Service Division (?). Its purpose is to help the colonists in legal matters as much as possible. It has no funds to operate with and has only advice to offer. Because of this arrangement, members of the department at one time have had to pool about \$2.00 each to go to buy stamps to carry on their business. They have asked colonists to furnish their own stamps, which seems only fair.

The department was opened in the latter part of July with Henry Takeda the sole member on the staff at the time. At first the department shared the same recreation hall with the Recreation Department and the Social Welfare Department, but later it moved into the Administration Building.

So far the department has had no trouble to speak of and there has been practically no change in the personnel, an indication of lack of friction within the department. The significant fact about the Legal Aid Department is that it is the stronghold of JACL leaders, namely: Tsukamoto, Yego and Takeda. While their position is not one of any evident power over the people, in certain respects they are in an advantageous position. They are about the first ones to receive news of WRA regulations, which gives them a lead on others, for instance, in bringing up matters before the Council. Also when legal documents are to be made they

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are usually consulted on the matter, giving them a chance to influence people in that regard. When the Community Charter was made, for instance, Yego and Takeda did most of the work on it. They were also in a position of serving the people without remuneration, making it possible to gain the gratitude and respect of the colonists.

#### 11. Personnel

The personnel of the Legal Aid Department consists of the following:

1. Robert Throckmorton
2. Walter Tsukamoto
3. Tom Yego
4. Henry Takeda
5. Sakae Hayashi
6. Tazuko Washino, Secretary
7. Mars. Thomas, Notary

##### A. Robert Throckmorton

Mr. Throckmorton is the project attorney for both Tule Lake and Manzanar. He is a graduate of a law school, but has never practiced law. Part of the time he is at Manzanar, and for this reason has to leave many of the matters in the hands of the others on the staff. Because of these two facts he is unable to dominate the Japanese lawyers on the staff. When he is doubtful about what he should do on certain problems, he asks the advice of the others. While the relationship does not seem to be entirely cordial as it might be, still it seems to be favorable enough.

##### B. Walter Tsukamoto

Walter has had thirteen years of experience as a lawyer in Sacramento. His dealings with the people, however, has not always drawn favorable comments. One fellow recounted an



incident just prior to evacuation which turned him against Walter. He has asked Walter after the war began to take care of some property. It was understood that the fees he paid to Walter were to include services to be rendered even after evacuation. Walter, however, one day suddenly he left Sacramento, leaving only the name of a Caucasian lawyer who was to take over his clients. This lad had seen Walter the day but the latter did not choose to tell him that he was leaving the city. When the Caucasian lawyer was approached, this lad was told that he would have to pay another fee for his service because the Caucasian lawyer had not been paid yet. This same person related that Walter was unpopular in Sacramento because he charged excessive fees in comparison to Henry Takeda or even Saburo Kido in the Bay Region.

Walter is also recognized as the leader of the Sacramento JACL. The habit of JACL leaders to ignore democratic procedures in their meetings have met with disapproval from many people, and Walter has often been pointed out as a good example as this reactionary type of leadership. He is a very good speaker and a skillful arguer, and has the support of many people when he speaks to them. His desire for power seems to be unmistakable. Not only within the JACL organization, but in the Council he stood up for retention of a large amount of power by the Council and hence by Niseis and also wanted to have the Council control the cooperative association.

Walter seems to like to play the role of a clever lawyer or politician. He smokes a cigar most of the time. One of his pet complaints is that in spite of the fact that he has

done a great deal for the people, they do not appreciate it at all. He has been active in signing up people for the draft and in helping voters to notarize absentee ballots. He is careful of the effect of what he says. He often says things in a way which is difficult to "pin him down" because he says one thing and makes it sound like something else. When he finds it convenient he reverses his stand on an issue. His dominant trait is his aggressiveness. Underlying it may be his lower cast origin, which was recently written up in Harpers by an intelligence officer.

C. Henry Takeda

In contrast to Walter, Henry is less aggressive and dominating. He has had seven years of experience as a lawyer, most of which was spent in building up his profession. He does not have the cocksureness which Walter has. He does not play the role of a politician that Walter does and does not smoke a cigar, but only a pipe. He is more trusted by the Japanese people from Sacramento and has been charging less fees than Walter. Although he takes part in political activities and JACL activities with Walter, he is usually satisfied to remain in the background. For this reason most people do not find him objectionable as they do Walter.

D. Tom Yego

According to his own frequent utterances in public, Tom Yego was a farmer before he was evacuated. He is the president of the Placer JACL. His unpopularity with certain segments of the Japanese community who thought he was a spy for the FBI, is evident in the rumor that went around



that he was hanged or that he was threatened with death. Tom has no legal training, but no doubt he got his entrance to the Legal Aid Department because of his friendship with Walter.

Tom follows Walter's aggressive attitude very closely and also smokes a cigar. Like Walter he likes to talk and to argue, giving the impression that he knows a great deal. He was put-spoken in his opposition to the cooperative movement. He was also against the Council taking any matters at all back to the blocks to be decided upon. In these respects, he followed Walter's path of adjustment quite closely, but there were differences.

In the first place, Walter was highly intelligent and without scruples in changing his stand when he saw that it was advantageous to him. Tom, on the other hand, did not possess a brilliant mind. He made all sorts of erroneous statements and drew illogical conclusions when he spoke. He was also sincere in believing what he said so that he found it difficult to change his stand in the manner Walter did. He was more likely to be sympathetic with anyone that came in to ask him for help than Walter. Much of Tom's source of aggressive behavior seems to rest on the fear that he is inferior to other men taking active part in the community. Whenever he speaks he stresses the fact that he never went to college, but that he was brought up on a farm. He implies that he has experience whereas people who went to college have none. He clings strongly to the idea that experience is much more important than education. He seems to blame



the fact that he does not know as much as some people on his not having gone to college, thus keeping from admitting that he is not as intelligent as other people.

About the middle of October, Tom left for the beetfield. Before he left he was saying that many council men and JACL leaders were planning to leave the Project because they did not find it worthwhile to stay in the project. He, too, felt that his efforts to help the community were not being recognized. He secured a job recruiting workers from various projects, it seems, and returned to the Project once to get outside workers.

#### E. Sakae Hayashi

Sakae is a law student and lately left for school somewhere in the East. He seemed to have been greatly influenced by the thoughts of the JACL leaders about him. He was a member of the Cal Club and seems to represent the leadership of that organization. When it was rumored that a bill had been passed in the House of Representatives to take away the citizenship of Niseis and Walter was very much impressed by Walter. Mas Sakada, president of the Cal Club and a dentist, was in the same frame of mind as Sakae, and wanted to know whether the Cal Club could not do anything about the matter. The result of these discussions was the citizenship Rally partially sponsored by the Cal Club. At any rate this tie-up between the JACL leaders and the cliquish Cal Club is very interesting.

#### III. Activities

The Legal Aid Department handles the following type of cases.

1. Insanity Cases: Persons who have to be sent to an institution because of mental illness have to be tried before they can be confined. The Legal Aid Department furnishes the defense for such individuals.

2. Legal suits of various sorts.

3. Marriage: The department arranges for the marriage license.

4. Notarizing: A fee of 50 cents is being charged. Some of the colonists believe that this is too high a fee for persons with very little income.

5. Collection

6. Evacuee Property: Properties of evacuee are often handled through the Evacuee Property Division of the WRA, as offices are located in San Francisco, Los Angeles, and Seattle. Many cases seem to exist where innocent colonists have been cheated out by lawyers or neighbors in whose hands their property were placed. The comment made by Sakae that "all the Japanese are getting jipped" is quite significant.

7. Selective Service

8. Legal matters within the community; The department is consulted whenever a legal document has to be made. The Charter of the Community Council and the by-laws of the Co-operative Enterprise both received help from the Legal Aid Department.

9. Insurance: Colonists are being advised to make payments on their insurance because it was not possible to make special arrangements to stop payment on the insurance without losing protection.

10. Divorce: By the end of September about 25 or 30 people had come in to the department to see about getting a



divorce. Many of these are the results of separation on the outside. For these cases very little action has been taken because procedures have not been set up for them as yet. For one thing it has not been determined whether the colonists are residents of their former community or whether they are residents of Modoc County. Since they haven't been in Modoc County long enough, they can not begin divorce proceedings yet.

1 11. Absentee ballots: The Legal Aid Department has been instrumental in getting voters to vote by mail by mimeographing application blanks and helping in the notarizing of the absentee ballots.

#### 1V. Conclusion

At present the Legal Aid Department seems to have very little to offer in the way of material for the study. If access to their files is possible, a wealth of material might be gotten on the financial problems of the colonists. The fact that there has been hardly any change in the personnel, the nature of the personnel and the fact that Tom Was able to get into the Department are significant.

Completed 11/14/42

Source: Interview with Tom Yego, 9/26/42 (JAJ)