

8:23 HAYASHI, MICHIKO nee TANABE

1948-1955

78/177
c

Kyoto, Japan
24 May 1948

Mr. Wayne M. Collins
Mills Tower
220 Bush Street
San Francisco, California

ACTIVE LIST

My dear Mr. Collins:

Will you please help me to have
my U. S. Citizenship restored?

During my internment in Tule
Lake WRA Center, I renounced my
citizenship under great duress,
and I was also married the same
year. The following year of 1946, I
accompanied my husband's sick
mother to Japan, against my own
personal desire. I wish to cancel
this renunciation and return to
the country where I was born
and educated, and to my Native
Country which I love so dearly.

I am submitting the following
information:

1. Name: ~~Michiko Tanabe~~ (maiden)
Michiko Hayashi (present)
2. Present Address:

% Mr. Ichimura
Motoseiganji-dori
Aburanokoji, Nishi-iru
Kanikyo-ku, Kyoto, Japan

3. Date of Birth: 22 July 1918
4. Place of Birth: Mukilteo, Washington
5. Place of Renunciation: Tule Lake
6. I received a letter from Attorney General approving the renunciation.

I will certainly appreciate your kind assistance very very much.

Anxiously waiting to hear from you soon, I remain

Sincerely yours,
Michito Hayashi

P. S. Will you kindly send the reply to my brother-in-law, Mr. Frank Hattori, 124-13th Ave, Seattle, Wash, who will then forward it to me. Enclosed please find addressed-envelope. Thank you!

WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET

SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

December 29, 1951.

Dear Mrs. Michiko Haya shi:

On Oct. 8, 1951, the U. S. Supreme Court refused to take jurisdiction and review our appeals and the appeals of the Attorney General in the mass equity suits and habeas corpus cases brought on behalf of the renunciants.

The direct result is that some 1228 of the renunciants will have their citizenship restored when I have a conclusive judgment entered in the U. S. District Court at San Francisco.

The remaining 3108 cases are ordered sent back to the U. S. District Court where they will be reopened to let the Attorney General try to overcome the "legal presumption" that their renunciations were caused by duress or coercion. The Attorney General there will be given an opportunity to introduce evidence against such of them as he may wish providing it tends to show that they renounced voluntarily. Thereupon I shall have the right to introduce contrary evidence showing that they renounced solely by reason of the duress in which the government held them and to which it subjected them.

You are one of the renunciants whose individual case has been ordered reopened for the introduction of additional evidence. Soon I shall write to you and let you know what documents, records and information I shall require of you by way of evidence to prove that your own renunciation was caused by coercion or duress.

In the meantime there is no reason for you to worry or be alarmed. We should be able to obtain sufficient evidence to overcome any that the Attorney General may offer against you. If he offers any such evidence we should be able to prove that your renunciation was caused solely by the mistreatment to which the government subjected you and to the duress in which it held you.

It may be that in your individual case we can supply the proof by affidavits or depositions and, if necessary, by a personal hearing in court. It well may develop that as matters progress the Attorney General or his agents in the Justice Department will concede that a goodly number of the plaintiffs remaining in the case should have their citizenship restored without the taking of depositions or hearings in court being necessitated.

Do not be alarmed by any newspaper or magazine article you have read or may read about these cases. False and misleading articles have appeared in a few Japanese language papers about the cases. Spokesmen for the JACL, the ACLU of New York and other persons who know nothing about the cases and are ignorant of your rights have made false statements concerning the cases. They long have been unfriendly to renunciants. Do not trust or rely upon any publications or statements of spokesmen for the JACL and the ACLU of N. Y. about the cases. Those people are not friendly to you.

Thousands of dollars had to be spent in these lawsuits to pry each renunciant loose from detention at Tule Lake, Bismark, Santa Fe, Crystal City, and Bridgeton. Thousands had to be spent to cover the enormous costs of the lawsuits in the District Court and on the appeals to the Court of Appeals and to the Supreme Court.

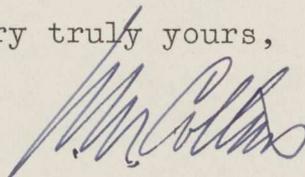
It is still necessary to carry on the struggle to win for those remaining in the cases. It is vital to the cause that sufficient funds be made available to me to carry on the struggle to a final conclusion to vindicate each person still in the cases. This is a debt each renunciant in the cases should be ready, willing and happy to pay.

No one has the right to expect to be carried in the cases at the expense of the others. No one should receive the benefit of the enormous amount of legal services and the expenses discharged, incurred and to be incurred in the prosecution of these cases to finality without contributing his or her full share of this financial burden.

It will be impossible to carry on each individual's personal case unless each pays his or her own share. Each person whose citizenship is to be restored by the conclusive judgment is being asked to pay his share. Likewise each person still in the cases is being asked to pay his or her own share of the costs, fees and expenses involved.

You are asked to do your share. You owe on this a balance of \$ 200.00 . You should make arrangements to remit this balance to me promptly so that the cause can be carried on to conclusion.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Mr. Collins", is written below the typed text.

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

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大友中央
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PARTI
GONE AWAY

RETOUR
INCONNU

Ichiko Hayashi
Ichimura
~~ganji dori~~
~~koji, Nishiru~~
~~ku~~
~~Japan~~

Filed 8/23/48 ACTIVE LIST

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

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Mrs. Michiko Hayashi
c/o Mr. Ichimura
~~Motoseiganji dori~~
~~Aburanokoji, Nishiru~~
~~Kamikyoku~~
~~Kyoto, Japan~~

PARTI
GONE AWAY

RETOUR
INCONNU

Filed 8/23/48 ACTIVE LIST

OSAKA
2
1957

June 9, 1954

Raymond N. Bushnell & Murray Sprung, Esqs.
Attorneys at Law
Hotel Tokyu Building, Rooms 338-340
Chiyoda-Ku
Tokyo, Japan

In re: Miss Jeannette Yaeko Tanabe and
Mrs. Michiko Lurette Hayashi, nee Tanabe

Gentlemen:

You addressed recently a letter to Mr. Carl Calbreath, Clerk of the U.S. District Court in San Francisco, requesting a statement by the clerk or assignment commissioner that the hearing of the cases of the above-named persons would be held within six (6) months so that certificates of identity might issue to them to enable them to return to the U.S.

Both of said persons are plaintiffs in consolidated mass class equity suits Nos. 25294-5. Some 1,400 plaintiffs in said suits are in Japan and some 1,800 are in the U.S. After lengthy negotiations with the Justice Department I consented to resort to the exhaustion of administrative remedies to clear the political status of the plaintiffs in an effort to reduce the number of plaintiffs who would have to appear personally for court trial.

It is possible that each of the persons on behalf of whom you addressed that inquiry might be cleared for passports by filling out the Affidavits I sent to them earlier this year. To date neither of them has sent the forms to me although they appear to have had adequate time to fill out those forms. Accompanying those forms I sent them an Outline of Events Leading to Renunciations of Citizenship and Memoranda showing the nature of the documentary evidence the Attorney General held against them tending to show that their renunciations were not coerced but were voluntary and also Memoranda bearing on the questions propounded to them in the Affidavit forms.

Even if both of said persons heretofore applied for passports and were turned down they nevertheless should fill out those Affidavit forms in accordance with my instructions to them because, as a result of my negotiations, a prior denial of a passport is not governing in their cases. Those Affidavits should be sent to me

for processing. If they are cleared for passports they can return as citizens and judgments can be entered cancelling their renunciations. If they are not thus cleared their individual cases will be scheduled for court trial at a definite time and thereupon they can apply for certificates of identity and, in such case, a statement from the Clerk can issue showing the time and place scheduled for their respective hearings. (It is possible, too, that the U.S. Immigration Service may require them to post bonds on their arrival here although to date it has not made posting of a bond a condition precedent to admission except in isolated instances.)

Very truly yours,

July 5, 1954

Dear Mr. Collins:

Thank you very much for your recent letter and I am presently working on my Affidavits. Under Question ⁸(A) I would like to get more information from you as I was made a member of the last and next to the last organizations mentioned under that question.

As soon as I receive additional information for Question 8 I will finish filling out the Affidavits and send them on to you with a request that you process my application through the Justice Dep't.

Thank you very much for your very kind service.

Yours sincerely,

M. L. Hayashi

MRS. Michiko Laurette (Tanabe)
Hayashi

This space is also for correspondence.

このにも通信文を記載することができます

M. L. Hayashi
#225 Hommuracho, Azabu
Minato-ku, Tokyo

VI
New all
revised
7/8/54



AEROGRAMME

RECEIVED

JUL 8 1954

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

PAR AVION
航空

U. S. A.

この郵便物には何物も封入又は添附できません

Nothing may be contained in or attached to this letter.

折込線

折込線

このにも通信文を記載することができます

This space is also for correspondence.

July 8, 1954

Mrs. Michiko Laurette Hayashi
#225 Honmuracho, Azabu
Minato-ku, Tokyo
Japan

Dear Mrs. Hayashi:

In response to your inquiry, please find memorandum concerning Question No. 8 which you requested.

Although the Justice Department may not have any documentary written evidence to prove your membership, it may know that you were a member and that you resigned, withdrew or dropped out.

Very truly yours,

Enc. Q-8 Mem.

zh

July 15, 1954

Re: TANABE, Yaeko Jeanette
& HAYASHI, Michiko, nee Tanabe

Letter is from attorney, Murray Sprung, who is leaving Japan for U.S. and says affidavits for above-named renunciants are being sent back to you this week. He wishes to be kept advised of progress of their cases.

DP

No answer required.

File/8/6/54
WMC

TOKYO OFFICE
HOTEL TOKYO BUILDING
ROOMS 338-340
TELEPHONE: TOKYO 28-6171-2-3
CABLE ADDRESS: BUSHELL TOKYO

Raymond N. Bushell
Murray Sprung
Attorneys-at-Law

NEW YORK OFFICE
545 FIFTH AVENUE
NEW YORK 17, N. Y.
MURRAY HILL 2-7779 - 7780
CABLE ADDRESS:
SPRUNGUS, NEW YORK

July 12, 1954

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

In re: Miss Jeannette Yaeko Tanabe and
Mrs. Michiko Laurette Hayashi, nee Tanabe

Dear Mr. Collins;

Thank you for your letter of June 9, 1954, re above matter.

I have shared your letter of June 23, that you sent to the above named.

I discussed your letter with Miss Tanabe and Mrs. Hayashi, and recommended to them that they complete the affidavits and send them to you. They will be dispatched this week.

I am interested in them not only as attorney but as friend and volunteered my services without fee. Please be assured of my co-operation and sincere desire to serve and help them.

I am leaving Japan to-day for the States and I will appreciate your keeping me advised by writing me at my New York office.

Sincerely yours,

Murray Sprung

AFFIDAVIT

INSTRUCTIONS FOR THE PREPARATION OF AFFIDAVIT

This affidavit should be specifically addressed to the circumstances of your particular case and should not consist of generalities. When you are uncertain as to matters related in your affidavit write "uncertain". Where you claim that any action was taken by you as the result of fear, you should state in each instance, with the greatest possible particularity, what was feared and why. If it is claimed that the fears were caused by threats from individuals or groups of individuals, the nature of the threats, the names of the individuals making them, if known, and the time, place and occasion for the making of the threats should be given.

If more space is needed for answers to particular questions, separate sheets of plain white paper should be used. Each separate sheet so used should be plainly marked with the number of the question being answered and your name.

1. Name MICHIKO LAURETTE (TANABE) HAYASHI	Date of Birth JULY 22, 1918
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2. If born prior to December 1, 1924	(A) Have you ever renounced Japanese nationality? No, I did not know I had Japanese nationality as my father never told me. After I came to Japan, I learned for the	When	Where
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3. If born since December 1, 1924	(A) Was your name ever registered with a Japanese Consulate for the purpose of reserving your Japanese nationality?	(See Rider 1 attached)
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If so, did you thereafter renounce your Japanese nationality?	When	Where
---	------	-------

4. State periods of visits to Japan and purpose of each visit:

Date		Purpose
From	To	
Jan. 1946	Present	Was compelled to accompany my semi-invalid mother-in-law to join my husband, his father and his elder brother who had already been sent to Japan.

5. Give details concerning any formal education in Japan:

School	Period of Attendance	
	From	To
NONE AT ALL		

Specify subjects studied (attach additional sheet if necessary).

NONE

6. Have you ever made application for repatriation to Japan? **Yes** If so, give date **Sometime in 1945**, and your reasons for so applying: **after I was married**

When my eldest sister, brother-in-law, their family, another sister and I left Minidoka Relocation Center for Tule Lake in September, 1943, we had no intention of returning to Japan so had not signed up for repatriation. The reason for going to Tule Lake was because of a better climate than Minidoka for my eldest sister, who was suffering from rheumatism, and because we, having lost all our assets, were without funds to start life anew outside of the camp, and therefore did not wish to be forced to be relocated elsewhere for fear of danger

(See Rider 1 attached)

7. (A) Have you ever expressly indicated that you would not swear unqualified allegiance to the United States?	Have you ever declined to answer when asked whether you would swear unqualified allegiance?
No.	Yes

Or have you ever given a qualified answer to such question asked at War Relocation Centers?.....If so, give your reasons:

Being an America-born citizen, I knew I could not answer the question, "No" as it was not my desire to be disloyal to my country, the United States. Yet due to the continued pressure of my sister and brother-in-law, who are both Japanese citizens, that I must stay together with their family throughout the war years, for together we had a better chance of survival, I could not answer it expressly "Yes", for fear I would be forced to relocate, thus causing family separation. I lost my mother when not yet two years old and my eldest

(See Rider 1 attached)

(B) If your answer to any of the questions in (A) is affirmative, then did you ever subsequently change your mind and express your willingness to swear an unqualified allegiance or would you have been willing to do so if an opportunity had been afforded you? **Yes**.....If so, state when you changed your mind and your reasons therefor:

About August 1953, I would have been willing to do so. If the American Government had assured me full physical protection from any anti-Japanese acts of violence and had my sister and brother-in-law given me their full approval of finding employment outside of the camp without causing any family trouble, I would have been most happy and willing to swear allegiance to the United States and help her war effort to the best of my ability.

(See Rider 1 attached)

(C) Did you ever indicate that you would not swear unqualified allegiance to the United States either expressly or by refusal to answer, or a qualified answer, knowing that by so doing you would be sent to the WRA Segregation Center at Tule Lake? **Yes** If so, give reasons:

I was afraid to answer "Yes" as my oldest sister's family had answered it in the negative, because they were Japanese nationals and wished to be sent to Tule Lake for their security. In order to prevent family separation, my sister and brother-in-law compelled me to answer the question in the negative so that I may be permitted to go along with their family. I was afraid and insecure. Where could I turn at that time in my confusion and fear—but to the family and people, who like me, were driven from their homes and communi-

8. **Yes.** Everyone seemed to be afraid.

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

(B) Give reasons for becoming a member: * I am uncertain of period of membership in above organization as my name was listed with the family's without my knowledge

I personally did not sign up to become a member but being a member of my sister's and brother-in-law's family (having been given the same family number by authorities) my name was included along with their family. Later, after I was married my husband's folks added my name with theirs and persuaded me to become acquainted with their customs and culture as my husband was a Japanese national and they taught and lectured me of many things "Japanese" as they were determined to take me back to Japan with them.

(C) State nature of your activity and offices you held:

Inactive.

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

MICHIKO LAURETTE (TANABE) HAYASHI

DATE OF BIRTH: JULY 22, 1918

RIDER NO. 1

Continuation of Question 2 (A)

first time that my father had registered my name. He did this without my knowledge or consent. I inquired at the Foreign Affairs Office to have my Japanese nationality cancelled but was told that I could not do so unless I have my U. S. citizenship restored first.

Continuation of Question 6

to my eldest sister and brother-in-law who were both Japanese citizens. It was firmly decided by my brother-in-law that we were all to stay united as one family in a permanent camp until all hostilities were over. However, after several months of residence at Tule Lake, the pro-Japan group became very active and finally pressured my eldest sister and brother-in-law to sign up for repatriation. At that time, I do not recall signing any individual repatriation paper, but learned that my name was listed along with my sister's family in order to protect me from any physical harm by the strong pro-Japan group. As I was given the same family number as my sister's family, I was regarded as a member of her household.

I was married on December 17, 1944, and as my husband was a Japanese national, his father included my name along with his family in order to prevent family separation. I was told by his parents that his entire family was scheduled by WRA to go to Japan on the next exchange ship; therefore, it was compulsory that I sign up with them if I wanted to be accepted upon arrival in Japan along with my husband.

Continuation of Question 7 (A)

sister and her husband had been acting as my guardians; therefore, because of our close family ties I had no choice. If I had felt that I did not owe them any obligations, I would have been able to make my own free decision and happily swear allegiance to the only Country I knew, the United States. I was afraid and uncertain; therefore, being incapable of answering that question as my poor heart dictated, I answered it "Neutral". I compromised, hoping it would give my family and me temporary relief.

Continuation of Question 7 (B)

I did nothing at all, of course, to hurt the war effort of the United States.

Continuation of Question

8 (F)

who would then bring physical harm to my alien husband and carry out threats made all around us at that time.

Continuation of Question 9 (B)

Just a morning or two before my hearing some time in January 1945, there appeared in the local newspapers a big headline that a certain general had stated, "Once a Jap, always a Jap". They told me this also referred to us, American citizens as well, and lectured me over and over again that I must not forget this — that I must repeat this phrase in order to sound real and forceful, thereby easily inducing the hearing officer to accept my application. They imposed their will on me. I said and did what they told me to. I was sick, worried and afraid.

NEEHKO LAURETTE (TANABE) HAYASHI

DATE OF BIRTH: JULY 22, 1918

RIER NO. 2

Continuation of Question 9 (F)

Therefore, many times it was compulsory for me to sacrifice my own personal feelings and I endeavored to help them in their business and family as much as I could so as not to become a total burden to them. It was my sincere desire to repay them for their kindness and they told me the only way I could do this was by being obedient to them. Therefore, I was tied down to their wishes and commands and was not able to express my free thoughts.

After the war broke out in December 1942, I was evacuated together with my eldest sister's family as I was considered a part of her household. As I had no savings of my own I had to depend on my sister's family for what emergency might arise during the years of hostilities. Being helpless and insecure during the days of internment in War Relocation Camps I was compelled to lean on them more and more. Therefore, I avoided all family arguments and faithfully tried to comply with their desires and feelings.

After I was married, I could not be myself as my father-in-law was the authority. I drifted along not being able to express my own free will. To refuse to obey them would be to insult them and deny the many things they did for me.

Continuation of Question 10 (B)

However, due to the pressure of work there at that time, could not get my appointment until November 13, 1946. Also after my arrival in Japan I immediately found employment with the Military Government Teams (U.S. Army) in Tsuruga (my husband's country) and later in Kyoto. After moving to Tokyo, I have been employed by Far East Air Force Headquarters, by an American trading company, by an American bank and am presently employed by an American steamship company. For the past eight years, I have been in constant contact with the American Embassy trying most earnestly to return to my native country and to have my birthright, my citizenship restored to me. Now I regret my timidity during the war years in being compelled to do the things I know I should not have done if I were myself and make my own free decision.

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

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

I truthfully wanted to discontinue membership from these organizations as I had no interest but due to my husband's parent's insistence as they were very strong pro-Japanese, I did not want to create any family arguments thereby jeopardizing our marriage. Therefore, I did not take any formal action. Furthermore, I feared that if I did resign the people around us would notice and someone would report this to the leaders of ultra-militaristic group

9. (A) When did you decide to apply for forms upon which to renounce your United States citizenship? Give reasons for so doing: (See Rider 1 attached)

The pressure to renounce my citizenship was becoming more and more vigorous as the weeks went by; however I was determined not to renounce as I knew how much my citizenship meant to me and how dear it is to me. However, a little after we were married, which took place on December 17, 1944, my husband's father, who was strong pro-Japanese, brought over the forms upon which to apply and stated that now I was in his family I must do as he directed and told me to fill out the forms. I told him I would think it over but he insisted that I fill them out immediately as he wanted every member of his family to do as he said, when he said it. He was the authority, that is the way it must be done. Torn between my love for my Country and love for my husband I was very confused. Added to my constant fear and uncertainty, and to give me a bit of peace, with a heavy heart I filled out the application. Moreover, my husband's parents made me believe that if I did not renounce my husband's life would be endangered as there was inadequate protection in the camp against the ever growing strong ultra-militaristic group.

(B) If reasons given in answer to preceding question differ from reasons given to officer who held renunciation hearing, give your explanation for difference:

At my hearing I was forced to say that I was renouncing voluntarily as I was under the constant pressure and influence of my husband's parents and my sister and brother-in-law who were all Japanese citizens. They told me that as I was now married to a Japanese by all means I must sound strong and forceful if I wanted to join my alien husband.

(C) If you claim that your renunciation was caused by fear, you should explain fully why such fear extended to the date of actual renunciation: (See Rider 1 attached)

I feared that if my application was not approved, I would not be able to join my alien husband, thereby causing separation—that to me at that time meant security and protection. We were being driven by similar fears, and all of us suffered from mass hysteria.

(D) If the fear did not extend from the date of application to the date of approval by the Attorney General, you should state whether you made any effort to withdraw your application, and if not, explain fully:

(E) If, after approval, you requested the Attorney General to withdraw his approval of your renunciation or to cancel your renunciation, give the reasons for the delay in making such request:

(F) If there are any other facts which influenced your action in renouncing your United States citizenship, state fully below or on a separate sheet if necessary.

Perhaps if I explain thoroughly my early childhood training I would be able to clear the steps which led me into the circumstance of renouncing my U. S. citizenship. My mother died when I was not yet two years old and my father and my eldest sister, who was born in Japan and received her early formal education in Japan, reared five of us children. From very young I was taught filial duty to my elders and family and subjected to the old Japanese traditional customs which my sister and father were accustomed to. The importance of family and authority was always before us. Depending on my eldest sister for my only maternal love, I always sought her advices and almost always complied with her decisions and wishes.

In November 1940, my father passed away in Seattle, Washington, leaving me an orphan which necessitated me to a great extent to depend upon my eldest sister and her husband for guidance and support. Having lost both mother and father, I felt I was under greater obligation to them for all they had done for me and depended upon them for my future destiny.

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

Because my husband, his father and brother had already returned to Japan leaving me and my mother-in-law in Tule Lake. My mother-in-law being a semi-invalid insisted that she must join her husband and family and I was therefore compelled to accompany her to Japan as I thought it was one of my duties. Also, my eldest sister and her family were returning so I feared family separation.

(B) If you are in Japan, have you since you returned to Japan taken any action to resume or acquire Japanese citizenship? Answer Yes or No
If you have, state nature of action taken and reasons therefor.

The very day that I arrived in Japan I realized that Japan is not my country. Therefore, I immediately endeavored to apply to the American consul in Yokohama to have my renunciation cancelled and to beg that I may return to the land of my birth, the United States.

11. (A) If you have served or are serving in the military or naval forces of the United States fill in the following: (See Rider No. 2)

I have not (or was drafted) on _____ in the _____ my Serial number is _____
State the date State the Branch of Service

I still am in such service _____; I was released from active duty on _____ and received my Discharge on _____
Answer Yes or No

(B) If at any time while in a war relocation center or since then you volunteered for military or naval service but your offer of service was rejected state the time when and the place where you volunteered.

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

(D) If you were rejected for military or naval service by your Local Draft Board since your release from a war relocation center state the reason for the rejection if known to you.

12. If any member of your family has served or is serving in the military or naval forces of the United States state the relationship of such person to you, the name of such person, the branch of service and serial number of such person:

Nephew	Sgt. Takao Theodore Tanabe, US 56113312
Nephew	Cpl. Tsutomu Thomas Tanabe, US 56116397
Relationship	Name

U. S. ARMY

Branch of Service (See above) Serial Number

JAPAN) SS
CITY OF TOKYO)
EMBASSY OF THE UNITED STATES OF
AMERICA

Michiko Laurette Hanabe Hayashi in full of applicant

Subscribed and sworn to before me this 16th day of July, A.D. 1954

(SIGNED)

John W. Simms

Vice Consul of the United States of America
duly commissioned and qualified

Service No. 1987
Tariff No. 38

This affidavit may be executed before any person authorized to administer oaths.

Tokyo, Japan

July 17, 1954

Mr. Wayne M. Collins
Attorney at Law
1701 Mills Tower
220 Bush Street
San Francisco, California

Dear Mr. Collins;

Enclosed please find one original and three copies of the Affidavits which I have filled out to the best of my memory and ability.

Thank you very, very much for all your kind help and I beg you will assist me further in having my U. S. citizenship restored to me.

If there is anything further I can do on my part, kindly let me know immediately.

Gratefully yours,

M. L. Hayashi

VI
add
name Michiko Laurette (Tanabe) Hayashi
#225 Honmuracho, Azabu, Minato-ku
Tokyo, Japan

Encls.

File

September 17, 1954

Murray Sprung, Esq.
545 Fifth Avenue
New York 17, New York

Dear Mr. Sprung:

In re: Miss Jeanette Yaeko Tanabe and
Mrs. Michiko Laurette Hayashi

The affidavits of the above-mentioned persons have been received and are being processed. Doubtlessly it will take the Justice Department several months before the processing is completed. Both of them will be advised as to the decision of the Justice Department when I am notified thereon.

Very truly yours,

Murray Sprung

Counsellor at Law

Murray Hill 2-7779

*545 Fifth Avenue
New York*

September 27, 1954

Wayne M. Collins, Esq.
Mills Tower, 220 Bush Street,
San Francisco, Calif.

Dear Mr. Collins:

I just received a letter from Mrs. Michiko Laurette Hayashi, enclosing a letter to her of August 11, 1954 from your office. Had I received a copy of that letter it would have been unnecessary for me to send to you two follow-up letters and exchange correspondence with both Mrs. Hayashi and her sister, Miss Jeannette Tanabe.

Please be advised that though I am in no way interfering with the action you have taken and the work that has been done, I do represent both Mrs. Hayashi and Miss Tanabe. My authorization to act for them is on file with the American Consul's Office in Tokyo. I believe I informed you of my status with them and I do think that as a courtesy to me, you should have sent me a copy of your communication to them. It is not necessary for the sake of time to communicate to me that I can communicate with them, but I would appreciate a copy of whatever communications you send them so that I may be continuously acquainted with the situation.

Sincerely yours,

Murray Sprung

WEB:CMR

146-54-878

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AIR MAIL

CS

OCT 28 1954

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

Re: Michiko Laurette Hayashi nee Tanabe
Your ref: Abo, et al v. Brownell, et al.
Furuya, et al. v. Brownell, et al.
(Consolidated actions-Civil Nos. 25294
and 25295). CEC:hv.

Dear Mr. Burke:

This is in response to your letter of August 12, 1954, enclosing affidavit of the above-named subject for a determination as to whether her case may be considered as coming within the coverage of the ruling of the Court of Appeals in the case of Acheson v. Murakami, 176 F. 2nd, 953, in accordance with a letter from this Department dated September 21, 1953, to Mr. Wayne M. Collins.

You are advised that an affidavit of this subject was previously submitted to this Department by the Department of State with a similar request for our views. On January 11, 1951, we advised that Department that none of the reasons stated by the subject in her affidavit for renouncing her citizenship are similar to the allegations of fear and duress made by the renunciants in the above case, and expressed the belief that any questions as to the binding effect of subject's actions should properly be decided through court action.

However, a review of the subject's additional affidavit, together with the complete War Relocation Authority and Department files, indicates that this subject renounced because of fear, coercion and duress, and it is now the view of the Department that this subject's case may be considered as coming within the scope of the above decision.

We have informed the Department of State of our present view by a letter, two copies of which are enclosed herewith. If you disagree with our action please so advise us promptly in order that we may recall our clearance from the Department of State before action is taken thereon. If you do not disagree, please forward one of the copies to Mr. Collins, pursuant to the agreement in our above mentioned letter of September 21, 1953,

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and enter into the necessary arrangements for disposition of the case in accordance therewith. If time will permit, we shall appreciate receiving copies of the papers before they are filed. The original and one copy of plaintiff's affidavit are returned to you herewith.

Yours very truly,

WARREN E. BURGER
Assistant Attorney General
Civil Division

By:

Enoch E. Ellison
Chief, Japanese Claims Section

Encl. No. 97692

Original and copy of
affidavit; two copies
of letter to the
Department of State.

COPY

COPY

WEB:CMR
146-54-878
93-1-1320

CS

Oct. 28, 1954

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

Attention: Mrs. Ruth B. Shipley
Director, Passport Office

Re: Michiko Laurette Hayashi nee Tanabe
Your ref: F130

Dear Sirs:

On November 17, 1950, the Department of State forwarded to this Department a Supplemental Affidavit of the above-named subject, and requested an expression of our views as to whether her case might be considered as coming within the scope of the Murakami decision. On January 11, 1951, you were advised that we were of the opinion that her case did not come within the scope of the above decision and that we felt that it was one for trial.

Pursuant to an agreement entered into with Mr. Wayne M. Collins, Attorney, to stipulate to the introduction of satisfactory affidavits submitted by plaintiffs in the case of McGrath v. Abo, 186 F. 2d, 766, as set forth in the Department's letter of September 22, 1953, to the Department of State, the subject submitted an additional affidavit setting forth in detail the fear, coercion and pressures exerted upon her to renounce. A review of the subject's additional affidavit, together with an examination of the complete War Relocation Authority and Department files, indicate that this subject renounced because of fear, coercion and duress, and it is now the view of the Department that this subject's case may be considered as coming within the scope of the above decision, and we have advised Lloyd H. Burke, United States Attorney, Northern District of California to this effect. In accordance with our above-referred to letter of September 22, 1953, to the Department of State, we attach copy of our letter to Mr. Burke, together with affidavit of the subject.

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A copy of this letter is being forwarded to Mr. Collins, and in accordance with the agreement, may be presented by the subject in lieu of the usual supplemental affidavit required of renunciant applicants for documentation as American Citizens.

Yours very truly,

WARREN E. BURGER
Assistant Attorney General
Civil Division

By:

Enoch E. Ellison
Chief, Japanese Claims Section

Encl. No. 97691

Affidavit and copy of letter to
Lloyd H. Burke, Esquire

File Copy

November 2, 1954

AIR MAIL

Mrs. Michiko Laurette Hayashi
#225 Honmuracho Azabu
Minato-ku, Tokyo, Japan

Dear Mrs. Hayashi:

You have been successful in the administrative remedy pursued in your case. The Justice Department has reached the conclusion that you personally renounced citizenship because of fear, coercion and duress. Therefore, it is willing to withdraw the offer of proof it made against you in the mass class equity suits whereupon a judgment can be entered in your favor in the U.S. District Court cancelling your renunciation on the ground of duress and declaring you to be a citizen of the United States.

As soon as a large enough number of persons have been cleared administratively such a judgment will be entered for you. When the judgment is entered I shall let you know by letter and I shall send you a certified copy of the judgment which you can keep for future use.

I am enclosing a copy of the transmittal letter of the Justice Department (Attorney General) which was sent to the Department of State (Passport Office). You should take the enclosed copy of that transmittal letter promptly to the United States Consul in Japan nearest you and there apply for a U.S. passport if you have not already done so. The U.S. Consul will issue a U.S. Passport to you which will show on its face that you are a citizen of the United States.

When you receive the U.S. passport from the U.S. Consul you can make your own arrangements to return to the United States. You should write and let me know your U.S. address and the time you expect to return to the U.S.

If you have children born in Japan such children are U.S. citizens and you will be able to bring them back to the United States with you.

If you have a spouse (wife or husband) who is an alien such person can enter the United States as a "nonquota immigrant" because you are a U.S. citizen. An application can be made to the nearest U.S. Consul in Japan for a non-quota immigrant visa for such spouse.

If your spouse (wife or husband) is a renunciant who does not recover U.S. citizenship administratively through the Justice Department or by court trial, or does not wish further to try to recover U.S. citizenship, such a spouse, nevertheless, can elect to be an alien and can obtain a nonquota immigrant visa from the nearest U.S. Consul and can return to the U.S. because he or she is the spouse of a U.S. citizen.

If your spouse is an alien or a renunciant who does not recover citizenship but becomes an alien who returns to the United States as a nonquota immigrant he or she here becomes eligible to apply to an office of the U.S. Immigration Service to become naturalized, that is to say, to become a U.S. citizen by naturalization.

If the Alien Property Custodian or the Attorney General, under the Trading With The Enemy Act, has barred you from transferring or has seized any real or personal property (that is to say, any land, buildings, bank accounts, or other assets) belonging to you or has vested such property you can engage the services of an attorney in the United States to represent you in an attempt to recover such property or its value. A new law allows such claims to be prepared and filed even if previous claims made for such property or its value were turned down. Therefore, if you have a claim for such property, you should immediately make a written request for claim forms direct to Tom C. Creighton, Jr., Chief, Claims Section, Office of Alien Property, Department of Justice, 101 Indiana Avenue, N.W., Washington 25, D.C. Such claim forms must be prepared and filed in the Office of Alien Property in Washington, D.C., by February 9, 1955. Because you have recovered your citizenship you should be able to succeed in recovering any such property you may have lost. (It is my conclusion that in due course of time Congress will enact a law authorizing the return of property or its approximate value to aliens whose property was seized and confiscated during the war under the provisions of that Act.)

If you intend to remain in Japan for a while you must be careful not to commit any act whereby you might lose U.S. citizenship. You were informed by me in previous letters of various acts of expatriation whereby U.S. citizenship can be lost.

If you have dual citizenship you can denounce (renounce) Japanese nationality. This can be done by signing a renunciation form before a Japanese consular officer in the United States or before an authorized Japanese government officer in Japan.

Very truly yours,

Enc.

Tokyo, Japan
November 16, 1954

Dear Mr. Collins:

How happy I was to receive your letter of November 2nd! I thank you very much for all your kind help. At last my prayer has been answered!

As you advised I immediately took the transmittal letter from the Attorney General to the U. S. Embassy. I was informed that as they had not received word from Washington they could not take action and was told that I wait until they telephone me.

This morning I telephoned the American Embassy, Passport Division, and she told me they had not as yet received the letter from the State Department. Therefore, it looks as though it will take some time before I can get my passport.

I will let you know when I do get my passport, the approximate date of our return and our address in the United States. He would like to return as soon as possible. His yours

こゝにも通信文を記載することができます

This space is also for correspondence.

information, I have two daughters who were both born in Japan. We hope to be able to take them home without any trouble.

I thank you again and again for making our dream come true.

Sincerely yours,
M. L. Hayashi

折込線

M. L. Hayashi
#225 Honmura-cho, Azabu
Minato-ku, Tokyo
Japan

Hayashi, Michiko LAURETTE

Address

PAR AVION
航空

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

U. S. A.

RECEIVED

NOV 22 1954



この郵便物には何物も封入又は添附できません
Nothing may be contained in or attached to this letter.

折込線

This space is also for correspondence.

こゝにも通信文を記載することができます

11/29/54

Re: Michiko Laurette Hayashi
For JUDGMENT - Cleared by
Affidavit

She expresses thanks for your recent letter. She immediately went to U.S. Embassy, but they had not yet received the letter from the State Dept., so action on passport is delayed until they receive word from Washington.

She will inform you when she gets passport. She has two daughters born in Japan.

DP

WAYNE M. COLLINS
Attorney at Law
1701 Mills Tower
220 Bush Street
San Francisco 4, California

December 29, 1954

Via Air Letter

Mrs. Michiko Laurette Hayashi
#225 Honmuracho, Azabu
Minato-ku, Tokyo, Japan

Dear Mrs. Hayashi:

You should present to the U. S. Consul the copy of the transmittal letter I sent to you, the original of which was sent by the Justice Department to the State Department on October 28, 1954.

When the passport issues to you it will show on its face that you are a U. S. citizen. Your two daughters born in Japan also are U. S. citizens.

Very truly yours,

WEB/PJG

146-54-878
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January 12, 1955

File

Murray Sprung, Esquire
Counsellor at Law
545 Fifth Avenue
New York, N. Y.

Re: Abo et al., v. Brownell et al.,
Nos. 25294-5 U.S.D.C. San Francisco
(Yaeko Jeanette Tanabe and Michiko
Laurette Tanabe Hayashi).

Dear Sir:

This acknowledges the receipt of your letter of December 21, 1954, requesting to be advised as to what action the Department of State has taken with respect to notifying appropriate embassies in Japan concerning the documentation of the above-named persons as nationals of the United States.

We have this day been advised by the Department of State that on January 7, 1955, the Consular Officer in Yokohama was notified that upon proper application there would be no objection to documenting Yaeko Jeanette Tanabe as a national of the United States, provided that she had not during her residence in Japan performed any act of expatriation.

The Department of State also advised us with respect to Michiko Laurette Tanabe Hayashi that it would immediately notify the Consular Officer at Tokyo that upon proper application she can be documented as an American national, provided that she has not otherwise performed any act of expatriation while in Japan.

I trust that the above is responsive to your inquiry of December 21, 1954.

Yours very truly,

WARREN E. BURGER
Assistant Attorney General
Civil Division

By:
Enoch E. Ellison
Chief, Japanese Claims Section