

JAPANESE CANNOT SERVE ON JURY

KIRANOSUKE HIRADE, of 423 Main Street, a banker, land owner, proprietor of several hotels and said to be the wealthiest Japanese in the Pacific Northwest, will not be permitted to serve on the September jury summoned for duty in Judge Gilliam's department of the superior court.

Hirade is the first Jap ever summoned and his name in the jury list immediately attracted attention of lawyers and prospective litigants. It was stated at the courthouse yesterday that Hirade was American born. He denies this and as an alien will be stricken from the jury list. He is forty-three years old and was a rice merchant in Japan before coming to this country.

G. W. Gregory is the only member of the jury commission in the city. "I don't know how Hirade's name got on the jury list," he said this morning, "unless it was taken from the tax list by some incompetent clerk. He will not serve on the jury next month."

"I shall make a personal application to have Hirade stricken from the jury list when Judge Mitchell Gilliam convenes the September term of his court," said Prosecuting Attorney Kenneth Mackintosh. "The statute says a person is not competent to act as a juror unless he be an elector of the State of Washington, and those who are qualified electors are male persons over the age of 21, citizens of the United States, who have lived in the State of Washington one year, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote.

"The provisions of the United States statutes as to citizenship are that naturalization applies only to free white aliens and to aliens of African nativity or to persons of African descent.

"In 1902 Takuji Yamashita applied for admission to the bar of Washington. In denying this application, Judges Dunbar, Fullerton, Anderson and Mount of the supreme court in their joint opinion said: 'A judgment of the superior court admitting a person of the Japanese race to citizenship shows upon its face that the court was without authority, and such judgment may be attacked at any time and in any proceeding.

"Under the United States statutes which provide that no person shall practice law in the United States who is not a citizen, a Japanese is not entitled to practice since he is ineligible to citizenship."

Under the laws of Washington the jury commissioners draw names of qualified electors from poll books and assessment rolls.

It is explained that Hirade's name came by inadvertence from the assessment rolls, and not the poll books.