

MASUDA CLEARED OF U. S. CHARGE

The federal government last night lost its second case against a Japanese-American charged with having acted as an agent of Japan in Seattle, when a jury in United States District Court acquitted Thomas S. Masuda, an attorney.

Masuda was arrested by the Federal Bureau of Investigation shortly after the Pearl Harbor attack.

Kenji Ito, also a Japanese-American attorney, recently was acquitted of the same charge. Both were tried under a statute which makes it illegal to act as the agent of a foreign power without registering as such with the State Department.

The jury in the Masuda case, which retired to consider its verdict at 3:25 o'clock yesterday afternoon, indicated that it laid great stress on the legal definition of an "agent." Under the law a man cannot be considered an agent unless he is appointed or accepted as such by the party in whose interest he is active.

The jury returned to the courtroom at 8 o'clock last night to request additional information on the legal interpretation of "agency" from United States Judge Lloyd L. Black. The verdict was brought in at 10:45 o'clock.

Masuda and his wife, who shortly will join other Seattle Japanese at the Army's assembly center at Puyallup, left the courtroom with no display of emotion.
