

Legality of Army Evacuation Of Coast Japanese Argued In U. S. District Appeals Court

Constitutional Issues Heard by Seven Justices In San Francisco; Citizen Rights of Majority of Evacuees Told by Defense Counsels in S. F. Court

SAN FRANCISCO—The Federal Appellate Court (Ninth Circuit Court of Appeals) this week had under advisement three cases testing the legality of the Japanese exclusion orders issued in 1942 by Lt. Gen. John L. DeWitt and affecting American citizens as well as alien Japanese.

The constitutional issue, which has been declared the most important of all legal issues raised in America in World War II, came before the Federal Court through appeals of three American-born Japanese, who had been arrested for refusing to obey the exclusion orders and attendant curfew regulations. They are Fred T. Korematsu, 23, formerly of Oakland, Calif.; Minoru Yasui, University of Oregon graduate who was a reserve officer in the U. S. army, and Gordon Hirabayashi, former student of the University of Washington.

Frank Walters, Seattle attorney representing Hirabayashi, protested that American-born Japanese had been deprived of constitutional guarantee purely because of ancestry. According to the San Francisco Chronicle, Walters said that these were the main issues: Internment without hearing; discrimination; validity of the presidential executive order; martial law; validity of public law 503, through which internment was effected.

"If these things can be done to one minority group, such as the Japanese, they can be done to other minority groups, merely because they happen to be Chinese or Negroes, or Jews or Catholics. We do not want our boys to come home from foreign fronts and find that the very liberties for which they fought have been dissipated during their absence."

The defense counsels contended that the U. S. government acted in bad faith in ordering internment of citizens of Japanese ancestry, and charged that the government did not seek to prove they were guilty of disloyalty or sabotage before internment and that public records failed to show any disloyalty among them, even in Hawaii.

The judge frequently interrupted, according to the Chronicle, to remind defense counsels that the case in point was whether the government had the power in wartime to transfer any persons from one point to another in the interests of military security.

Attorney Wayne Collins, representing the Civil Liberties Union, declared that "if such an order had been issued by King George III of England there would have been no United States."

"These people," Collins declared, "have the same rights as all citizens, but they have been discriminated against because of their color and race."

Defense arguments were vigorously attacked by Assistant U. S. Attorney A. J. Zirpoli and Edward J. Ennis, special assistant from Washington.

"This present war is ruthless and barbaric," Zirpoli said. "We are fighting enemies avowedly committed to stamping out our democratic institutions. France fell in five pitiful weeks because there was no close supervision over persons there in a similar classification as these Japanese. We must have strict supervision over all persons because of the great danger of sabotage and espionage."

E. F. Bernard of Portland, attorney for Yasui, confined his argument to specific details of Yasui's, disagreeing with the findings of the trial judge who held Yasui had forfeited his rights as an American citizen by attempting to maintain dual citizenship. Bernard challenged that holding, pointing out that Yasui had twice sworn to uphold the Constitution of the United States, once taking the oath as a reserve Army officer, and again when being admitted to the practice of law in Oregon.

Zirpoli said that the treatment of the evacuated Japanese adequately proves the good faith of the government and demonstrates that all their rights and properties

will be restored when the dangers of war have passed.

Answering the charge that the President overstepped his authority and acted without authorization of Congress, Zirpoli pointed out that Congress had appropriated funds for relocation of the Japanese and had thus approved the presidential order, after it had been acted upon.

Legal cases upholding the exclusion orders and the right to issue them were cited by Edward J. Ennis, director of the enemy alien control division of the Department of Justice. "In wartime, protection of the body politic permits measures which would be outrageous in peacetime."

Quoting Abraham Lincoln, Attorney Collins of the American Civil Liberties Union argued that this country was "dedicated to the proposition that all men are created equal." He read a clipping from a paper published at the Manzanar relocation center quoting President Roosevelt as saying in reference to a proposal to have Japanese combat units in the U. S. Army:

"Americanism is a matter of mind or heart, not a matter of ancestry."

To this Judge William Denman commented, "You say nothing about the war emergency."

Collins replied that would come up later.

In Japs

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Midwest Gets Jap Workers

CHICAGO, Feb. 22.—(INS)—The first group of American-born Japanese to be given employment in Midwest farms, homes and industry was housed in a building in Chicago today.

The American Friends Service Committee, which is assisting in the relocation program, said the first arrivals will work as domestics, gardeners and odd-job men. Four families in Palatine, Ill., have hired four Japanese girls, two of them twins. Graduates of West Coast high schools, the girls have been trained as domestics.

The War Relocation Authority established an office in Chicago to arrange for employment of the Japanese, who were brought here from Western concentration camps.

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Three of the parolees have been assigned to the Ickes estate, Headwater Farm, at near-by Olney, Md., a WRA spokesman said. Four are to go to the farm of Sam Rice, former Washington baseball player, who said he thought up the idea of obtaining Japanese internees as labor. Rice, who operates a 20,000-hen hatchery, said he had to have help or quit his business.

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War Jobs Asked for 'Loyal' Japs

CLEVELAND, Jan. 29.—(INS)—Plans to place American Japanese of proved loyalty and qualifications in war jobs throughout Ohio, Michigan and West Virginia were laid today by the War Relocation Authority, a regional office of which has been established.

Japs Ready to Join Army

WASHINGTON, March 17.—(AP)—A number of Japanese-Americans from the ten relocation centers already have been approved by the War Department as volunteers for the Army combat team to be composed entirely of American citizens of Japanese ancestry, officials disclosed today.

Induction of these men into the Army may have started, they said, but there are no reports yet that any of them actually are in uniform. However, large numbers have applied for service with the combat team, and the applications are being reviewed as rapidly as possible.

At the Gila River relocation center near Phoenix, Ariz., officers said, the Japanese-American residents celebrated with a party Monday night in honor of the 100 men who had volunteered.

MUNDT ARMY JAP

Opinion Ex Week's

Conditions at Poston, Ariz.

Congressman Karl E. Mundt, South Dakota, member of the Dies Committee, indicated yesterday he will recommend that the Army take over complete control of all Japanese relocation centers.

After a week of hearings here into conditions at the Poston (Ariz.) relocation center, Mundt said he believes it has been shown there is need for one central organization to operate the center with discipline.

Testimony before the committee has been that confusion exists in connection with administrative matters because of conflicting policy enunciated by the war relocation authority and the Indian service.

GOOD TRAINING 6-14-43
Mundt pointed out that in addition to centralizing control through the Army, it would provide good training for the military in setting up and handling such facilities.

He said he had in mind the fact that the Army now is conducting schools to train officers who will supervise civil affairs in occupied territory and that handling the Japanese problem here would give them a good background of experience.

The committee, headed by Congressman John M. Costello, California, and including Congressman Herman P. Eberharter, Pennsylvania, will resume its session tomorrow.

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L.A. TIMES
FEB 12-43

Japs' Return Protest Made

HANFORD, Feb. 11. (AP)—Opposition to any plan to permit Japanese to return to the West Coast from interior relocation centers was voiced in a resolution adopted here by a citizens' committee.

The resolution urged that Japanese, both alien and American-born, "be retained in relocation centers for the duration, unless they are placed under direct and absolute supervision and full control of Army authority and are engaged in the furtherance of our war effort."

Signers of the resolution included Dist. Atty. Roger R. Walch, State Senator Roy R. Cunningham, L. M. Stone, superintendent of Kings County Development Co.; M. G. Odenheimer, City Councilman, and S. P. Ross, lumber company executive.

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Military authority has now taken a firm grip of the situation at both troubled Japanese centers, also thanks to Gen. DeWitt's wise and prompt action, and it is promised that it will not be relaxed until sources of trouble have been eliminated.

The more the people of the West Coast see of Gen. DeWitt the better they like and trust him.

—Fri., Apr. 16, 1943

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The last group of key workers, 500 in number, were on a train that rolled out of Santa Anita, headed for relocation centers at Jerome and Rohwen, Ark. At the height of the evacuation last August, Santa Anita held 18,700 Japanese.

Fresno Assembly Center also has been cleaned out of Nipponese, it was reported today.

Thus the Army closed its books on the Japanese problem with the announcement by Gen. J. L. DeWitt of the Western Defense Command, that henceforth the Nipponese become the responsibility of the War Relocation Authority, a civilian organization.

After Sunday, it was announced, all the 18 assembly centers set up by the Army will be out of business. Whether the temporary barracks that housed thousands of evacuees at Santa Anita will be torn down or converted to military uses was not disclosed.

The migration of the Japanese to their wartime homes in the interior relocation centers began last March, when General DeWitt determined as a matter of military necessity that the defense of the West Coast required their removal.

MUNDT WANTS ARMY TO RUN JAP CENTERS

Opinion Expressed Following Week's Hearings Here Into Conditions at Poston, Ariz.

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L.A. EXAMINER 6-14-43

GOOD TRAINING

Gen. DeWitt's Policy Vindicated Completely

Events at the Japanese centers at Manzanar and at Poston, Ariz., prove up to the hilt the necessity of Gen. DeWitt's order clearing all persons of Japanese ancestry out of the Pacific Coast military areas. The evacuation order, it will be remembered, was roundly criticized by uninformed Easterners and by some Westerners who should have known better. It is now clear that the feeling of too many Japanese was entirely unfriendly to the United States, and that considerable numbers of Japanese born here were included in the unfriendly group. That so many pro-Axis Japs were included in the Manzanar demonstrations shows what danger we would have faced.

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Army Explains Necessity for Hawaii Move

Japanese With Relatives
On Mainland May Also
Be Evacuated, Report

HONOLULU, T. H. — Explaining the Army's proposed evacuation of a portion of Hawaii's population of 161,000 persons of Japanese ancestry, Lieut. Gen. Delos C. Emmons, commanding general in the Hawaiian Department, declared to newsmen that the Army proposes to evacuate persons of Japanese race who are not essential to the war effort, such as aged men, women and children, both alien and native-born and those with relatives already on the mainland.

It was suggested that the removal of some persons of Japanese ancestry will probably result in a redistribution of Honolulu's population so that crowded urban districts where, in case of attack, casualties would be high, may be eradicated.

It was stressed that there would NOT be any mass evacuation of the Japanese population, similar to that of the wholesale removals of persons of Japanese race from the western American coast. The Army said that evacuated Hawaiian Japanese would be relocated in mainland resettlement centers.

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ICKES TO USE JAP EVACUEES AS FARM HELP

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"I want to make one thing clear. I'm the one who started this. Mrs. Ickes had the same idea, but she was afraid to mention it until I said I was going to try to get some help from those relocation camps."

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Vagaries

City Limits . . .

Although all persons of Japanese ancestry have been evacuated from the west coast military zone, some 10,000 citizens and aliens of Japanese extraction are still technically living in the city of Los Angeles. They are the evacuees at the Manzanar relocation center in Owens Valley, 280 miles from the Los Angeles City Hall. However, the Manzanar relocation area is owned by the city of Los Angeles. Parcel post packages mailed from Los Angeles to Manzanar go at the local Los Angeles city rate. It costs only 2 cents for a first class letter to Los Angeles from Manzanar, traveling 280 miles, but 3 cents for a letter from Manzanar to Lone Pine, five miles away.

tered an evacuee because of his co-operation with government investigative agencies.

"It must be remembered that only a handful of leaders of the riot were removed from the center. Several hundred evacuees comprised the mob of rioters and the great majority of them are still there. No attempt has been made to segregate subversive from loyal evacuees. . . ."

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Dr. Gleason, executive secretary of the Los Angeles County Committee for Church and Community Co-operation, a county financed group, denied the booklet intended to place the Japanese in a good light, but to the contrary was a factual study of the Japanese situation on the Pacific Coast and the evacuation orders, which he lauded.

William P. Haughton of El Monte, state chairman of Americanism for the Legion, asked for copies of the pamphlet and announced he would make a study of the content and inquire into the motives behind its publication at county expense.

At the Nov. 9 meeting, Sullivan announced it is expected that a report on the booklet will be made by John Gault, county Americanism chairman and an assistant United States attorney. Gault was asked to make a full investigation.

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Luxury of Jap Camp Life Hit

By International News Service

SACRAMENTO, April 16.—Containing charges of strikes and disturbances in Japanese relocation centers fomented by pro-Axis Nipponese, a report of the special American Legion committee investigating Japanese camps in this state was ordered printed in the Senate Journal today.

The committee, headed by Senator Jack B. Tenney of Los Angeles—who is also chairman of the legislative joint fact finding committee of un-American activities—conducted investigations at Manzanar, Tule Lake, Bishop, Independence and Camp Newell.

Recalling the Manzanar riots of Dec. 6, 7 and 8, the committee said: "Reliable information is available to the effect that it was far from sheer coincidence that the riot at Manzanar and similar demonstrations at other relocation centers occurred on the anniversary of Pearl Harbor."

"Conditions at Manzanar are certainly not so overcrowded that congestion alone would cause such an outbreak of subversive violence.

"As for newspapers stressing only the sensational aspects of the affair, it would be difficult to imagine anything more sensational than a riot by Japanese evacuees which lasted three days and resulted in the death of two, the wounding of four and serious beating adminis-

tered an evacuee because of his co-operation with government investigative agencies.

"It must be remembered that only a handful of leaders of the riot were removed from the center. Several hundred evacuees comprised the mob of rioters and the great majority of them are still there. No attempt has been made to segregate subversive from loyal evacuees...."

At Tule Lake the committee stated they found in the homes

Vagaries

City Limits . . .

Although all persons of Japanese ancestry have been evacuated from the west coast military zone, some 10,000 citizens and aliens of Japanese extraction are still technically living in the city of Los Angeles. They are the evacuees at the Manzanar relocation center in Owens Valley, 280 miles from the Los Angeles City Hall. However, the Manzanar relocation area is owned by the city of Los Angeles. Parcel post packages mailed from Los Angeles to Manzanar go at the local Los Angeles city rate. It costs only 2 cents for a first class letter to Los Angeles from Manzanar, traveling 280 miles, but 3 cents for a letter from Manzanar to Lone Pine, five miles away.

* * *

of internees at Camp Newell electric equipment no longer available to our own citizens."

"... Japanese evacuees from Camp Newell without scort have been observed by forest rangers at the Medicine Lake guard station inside the U. S. forest reserve, 40 miles from the restricted area. On this particular occasion no one was permitted in the United States forest reserve because of the peril of fire."

Prominent Californians Tell Faith in Loyalty of U. S. Nisei

Delegates to the emergency national conference of the Japanese American Citizens League heard Dr. Galen Fisher read, at Wednesday's session, letters and messages expressing the confidence of prominent California citizens in the loyalty of Americans of Japanese ancestry. These messages, which commended the War Relocation Authority for its policy of resettling the evacuees outside the military and relocation areas, included the following:

MELVYN DOUGLAS, motion picture actor, OGD Official.

October 21, 1942

I am of the opinion that the War Relocation Authority and the Federal Bureau of Investigation are completely competent to select Japanese-Americans for gradual release to areas where they can be useful to the community and themselves.

This seems to me a most desirable policy in view of the genuinely patriotic manner in which the large majority of Japanese-Americans have accepted their burden. It is this kind of approach which will help to establish the fact that we mean it when we say we are fighting the war for the Four Freedoms.

(signed)

Melvyn Douglas.

MONROE E. DEUTSCH, Vice-President and Provost, University of California.

September 12, 1942

As one who has lived almost all his life in California and has seen a great deal of the Japanese population, I feel able to express a considered judgment on them. I have never had occasion to doubt the loyalty of any of those with whom I have been in contact; I have found them hard working, devoted and law-abiding. On the Berkeley campus of the University of California we have had some four hundred American-Japanese; they have acquitted themselves well, not only in their studies, but in their conduct, also. It has been a joy to me to see how in the days preceding the war these students were accepted more and more as part of the student life on the campus.

(signed)

Monroe E. Deutsch.

JAMES CHAMBERLAIN BAKER, Bishop of The Methodist Church for the California Area.

I have known intimately many Japanese-American citizens. I am proud of them as fellow-citizens and should count it a privilege to have them as my neighbors. They are persons of character and are devoted to the ideals of American democracy.

The War Relocation Authority in its scattered resettlement policy, can be depended upon to select only such loyal Americans as will be genuine assets in any community. The willingness to welcome these fellow-citizens is a searching test of the reality of our own Americanism.

(signed)

James C. Baker.

HENRY F. GRADY, President, American President Lines; formerly, Assistant Secretary of State.

September 1, 1942

With reference to the Japanese who have been evacuated from California, it should be recognized that the Army took this step to remove all Japanese from vital military areas as a precautionary one. No one has ever assumed that all the Japanese on the Pacific Coast were disloyal. On the contrary, it is thoroughly recognized by all, including the Army officials, that they are not all disloyal—in fact the number of disloyal is probably

few. The Army felt, however, that we should take no chances whatsoever and ordered the complete evacuation of all Japanese, both American citizens and non-citizens.

(signed)

Henry F. Grady.

CHESTER ROWELL, Editor Emeritus, San Francisco Chronicle.

October 8, 1942

I have known many Japanese, including some who worked for me personally and others of much higher social status, of whose personal loyalty to me I was 100% certain, and whose loyalty to the United States I had no reason whatever to doubt.

I know that it is the opinion of the national authorities, including the very ones who conducted the deportation, that this attitude was then more common than the reverse one. In my opinion it is our responsibility to make it possible to preserve that attitude.

(signed)

Chester Rowell.

IRVING F. REICHERT, Rabbi Congregation Emanu-El, San Francisco.

The War Relocation Authority is to be commended for its enlightened policy of resettling selected Japanese in communities at a distance from the "Target Zone". Many of the interned Japanese are persons of unquestioned loyalty to our country and uncompromising hostility to the Axis cause. We on the Pacific Coast, who have known Japanese, can bear witness to the sterling character and integrity of many of them. Heroic measures and exceptional precautions were required after Pearl Harbor to minimize Fifth column activities. This resulted inevitably in grave injustices to American citizens of Japanese ancestry. It is reassuring to find the War Relocation Authority, with the cooperation of the F.B.I., endeavoring to correct these errors, and return our loyal Japanese citizens their constitutional rights.

(signed)

Irving F. Reichert.

AUGUST VOLLMER, Criminologist, formerly Chief of Police Berkeley, Calif.; Professor of Police Administration in University of Chicago and University of California.

October 12, 1942

Since I have unbounded faith in J. Edgar Hoover, Director of the Federal Bureau of Investigation, I would unhesitatingly approve the release of evacuees who in Mr. Hoover's opinion are worthy to be released.

Most of the native born persons of Japanese parentage are undoubtedly good citizens and will not give the government any trouble if released.

(signed)

August Vollmer.

FREDERICK J. KOSTER, President, California Barrel Co., Ltd.; Chairman of the San Francisco Chapter of Red Cross; San Francisco, California.

September 18, 1942

From my own association with Japanese people throughout the years, I have no hesitation in expressing my confidence that there are many who are just as loyal to our country as any of us, and I believe that we can depend upon the judgment of the War Relocation Authority and the F.B.I. to certify those who are worthy. I believe the policy of the W.R.A. of gradually releasing those evacuees whom it and the F.B.I. deem worthy, providing inland communities will welcome them, is entirely sound.

(signed)

Frederick J. Koster.

Supreme Court Rules Military Restrictions On Nisei Constitutional

The United States Supreme Court in an unanimous decision read Monday by Chief Justice Stone held constitutional the curfew restrictions imposed by the military against American citizens of Japanese ancestry just prior to evacuation early in 1942. The Court ruled only on the curfew.

Court attaches explained the opinion does not involve action confining citizens to relocation centers.

The Court also reaffirmed the citizenship of the nisei, remanding the case of Minoru Yasui to a lower court for re-sentence, holding that a year's imprisonment was too heavy and giving the lower court a chance to strike out findings that Yasui was not an American citizen by reason of his Japanese ancestry.

Chief Justice Stone said: "We cannot close our eyes to the fact demonstrated by experience that in time of war residents having ethnic affiliations with the invading enemy may be a greater source of danger than those of different ancestry."

"Nor can we deny that Congress, or the military authorities acting with its authorization have the constitutional power to

The Sentinel received the following telegram this week from Amy Smith, chairman of the Seattle Fellowship of Reconciliation:

"We deeply regret the Supreme Court decision upholding the constitutionality of the evacuation policy. We want you to know of our continuing friendship and of our resolve to keep on working in every way possible for a restoration of that historic Americanism which holds all citizens equal under law."

appraise danger in the light of facts of public notoriety.

"We need not now attempt to define the ultimate boundaries of war power. We decide only the issue as we have defined it. We decide only that the curfew order as applied, and at the time it was applied, was within the boundaries of war power."

The court held it was necessary to rule on Gordon Hirabayashi's conviction of the violation of the exclusion order since his convictions on curfew and evacuation counts ran concurrently.

Distinctions between citizens solely because of their ancestry are by their very nature odious to free people whose institutions are founded upon the doctrine of equality," Chief Justice Stone added. "We may assume these considerations would be controlling here were it not for the fact that the danger from espionage and sabotage in time of war and threatened invasion calls upon the military authorities to scrutinize every relevant fact

Myer Defends Evacuees In National Broadcast

Dillon S. Myer, WRA, director, featured on the March of Time radio program broadcast nationally over the NBC chain Thursday night told the American people the story of evacuation and relocation. Myer declared that despite accusations, not one single report had reached the WRA of any sabotage or disloyal act by evacuees released from centers.

"Now," he asked the American people, "are we going to handle these American citizens in the Hitlerite Nazi manner, or are we going to take care of them in the American way?"

"More than 14,000 evacuees have left the relocation centers.

"Remember that a basic principle of the Axis philosophy which we are fighting is oppression of racial minorities. The United States is fighting for principles of democracy which include rights of citizenship regardless of racial ancestry.

"The future of these 100,000 people of Japanese ancestry is of concern not to the WRA alone, but to the nation as a whole," he said.

"Let's not deal with the problem as Hitler would handle it under his Nazi regime, or as Tojo would deal with it in Japan. Let's do it the American way," Myer concluded.

"In regard to those accusations made by some committees against the WRA, I wish to say in defense that in spite of the number of people that have been released into private industry there has been not one report of sabotage or disloyalty among these people.

"The work of the WRA was in the beginning to temporarily house 100,000 Japanese people who were evacuated from the Pacific Coast," he declared.

A factual background was dramatically portrayed prior to Myer's talk. The WRA director said his agency's second job was to "assist eligible evacuees to relocate in normal communities where they can contribute to the war effort like other citizens and law-abiding aliens.

"These evacuees are not prisoners of war. They are not internees. Two-thirds are American citizens by right of birth. Seventy-two per cent of this citizen group have never seen Japan. They are products of American schools and know no other country.

"No immigrant of Japanese ancestry has been allowed to enter this country since 1924, and so all aliens of this group have lived here at least 19 years—many of them more than 40 years", Myer said.

Short Wave Radios Banned

Short wave radios were banned this week from the four WRA centers outside the Western Defense Command under administrative instruction No. 97 issued by the Washington WRA office. All short wave receiver sets here are to be turned in to the Chief of Internal Security in the Sentinel building by July 1.

Heart Mountain, Granada, Jerome and Rohwer are the centers affected. Within the Western Defense Command all persons of Japanese ancestry are prohibited from possessing short wave radio receivers. Under Presidential Proclamation No. 2525, no enemy alien may possess a short wave radio anywhere in the United States.

The Administrative Instruction points out under center conditions it is impossible "to keep the aliens from access to short wave sets or from appearing to possess or control them. They may, as a result, be prosecuted for violation of the Presidential Proclamation."

If the short wave attachment is readily removable, it will be taken out and the remainder of the set returned to the evacuee. Receipts will be issued for all sets or parts retained, and these will be returned to evacuees leaving the center on either seasonal or indefinite leave.

Provisions are provided for seizure of illegal sets and disciplinary action against violators of this regulation.

CIO Backs WRA Relocation Program; Hits Dies Committee

The Washington Industrial Union council, representing all CIO unions in the District of Columbia, went on record last week in favor of the relocation program and condemned the recent activities of the Dies committee on un-American Activities as "irresponsible, hindering the prosecution of the war, and—by putting one group of people against another, deliberately promoting the false Nazi doctrines of race," according to a copy of a resolution received by WRA Director Dillon S. Myer.

The union pointed out in its resolution that employment of evacuees outside relocation centers helps to utilize more fully the nation's manpower during the war against fascism and "sustains the democratic rights of residents of this land." The resolution also welcomed into membership evacuees who are working in the District of Columbia.

Copies were sent to Senator Chandler and Senator Reynolds,

chairman of the Senate Military Affairs committee, and to Congressmen Dies and Tolan.

According to a report in the Gary, Indiana Post-Tribune, the Lake County Industrial Union council of the CIO is also backing the relocation program. It recently voted to give evacuees "the chance to work in Lake County industries." The Post-Tribune article quotes the secretary of the CIO council as saying, "Since we allow patriotic German and Italian citizens to work, why should there be discrimination against the Japanese, simply because their skin is yellow."

These resolutions implement a statement made by CIO President Philip Murray in his report to the fourth constitutional convention of the CIO that the organization "is not blind to the historical fact that the political persecution of certain minority groups is the invariable prelude to the infringement of the rights of other broader groups."

Liberty Magazine To Print Article By Mary Oyama

An article on evacuation by Mary Oyama Mittwer, former Heart Mountain resident, has been accepted by Liberty magazine for publication some time in August. It is expected to appear under the title "My Face is My Crime".

The article was started while Mrs. Mittwer was in this center, and was originally written at the request of the editors of Reader's Digest. Reader's Digest felt the article had lost its timeliness since evacuation had changed to the resettlement stage, and turned it over to literary agents who made the sale to Liberty. Mrs. Mittwer lives in Denver.

Area Boundary Rules Stressed

Project Director Guy Robertson this week instructed the police to make every effort to stop unauthorized leave and to prosecute those apprehended outside the boundaries without proper authority.

Residents are permitted liberty from 8 a.m. to 9 p.m. or sundown, whichever time comes first in the project area whose limits are posted by signs in both English and Japanese. Residents are not permitted to be outside the boundaries of the area at any time without written authorization.

Fred J. Graves, Chief of Internal Security, in asking for public cooperation, said a bulletin will be issued next week carrying a project map indicating boundaries and instructions in both languages to inform residents of the restriction.

Supreme Court

(Continued from page 1)

bearing on the loyalty of populations in danger areas.

"The challenged orders were defense measures for the avowed purpose of safeguarding the military area in question," he said.

Chief Justice Stone asserted that "in a case of threatened danger requiring prompt action it is a choice between inflicting obviously needless hardships on the many sitting passive and unresisting in the presence of the threat. We think that constitutional government, in time of war, is not so powerless and does not compel so hard a choice if those charged with the responsibility for our national defense have reasonable ground for believing that the threat is real."

Both Yasui, of Portland, Ore., and Hirabayashi, of Seattle, Wn., were convicted in separate federal district courts of violating an act of Congress passed March 21, 1942, which made it a misdemeanor to violate restrictions imposed by a military commander on movements within a military zone.