Editorial:

the many, or sitting passive and

unrestricting in the presence of the threat. We think that consti-

tutional government, in time of

war, is not so powerless and does

not compel so hard a choice if those charged with the responsi-

bility of our national defense have reasonable ground for be-lieving that the threat is real."

Chief Justice Stone then went

on to analyze the status of the Japanese population on the Pacific Coast, declaring:

political conditions which have pre-

vailed since the close of the last century, when the Japanese began to come to this country in substan-

tial numbers, nave intensified

generally believed to be sources of

Japanese nationalistic propaganda,

cultivating allegiance to Japan. Considerable numbers, estimated to

be approximately 10,000, of American-born children of Japanese parentage, have been sent to Japanese parentage, and or a part of their education.

"Congress and the Executive, in-

positions of influence in Japanese

influential Japanese residents with

Japanese Consulates has been deemed a ready means for the dis-

semination of propaganda and for the maintenance of the influence

of the Japanese government with

the Japanese population in this

"As a result of all these conditions affecting the life of the Japa-

the Pacific Coast area, there has been relatively little social inter-

course between them and the white

practical and legal, affecting the privileges and opportunities af-

forded to persons of Japanese ex-

aspects, Congress and the Execu-

encouraged the continued attach-

ment of members of this group to

Japan and Japanese institutions. These are only some of the many

considerations which those charged with the responsibility for the

national defense could take into ac-

The resrictions, both

nese, both aliens and citizens,

communities.

population.

The association of

that social, economic and

Undecided by Supreme Court, Says Wirin Special JACL Counsel Asks for Immediate

Institution, Prosecution of New Test Case On Legality of Military Exclusion Orders

By A. L. Wirin, Special Counsel, JACL

On June 21 the Supreme Court of the United States passed upon the rights of American citizens of Japanese ancestry, as affected by military orders. What the Supreme Court decided was that:

The curfew orders issued by Lt. Gen. J. L. DeWitt, prohibiting Japanese, alien and American citizens alike, from leaving their homes between the hours of 8:00 P. M. and 6:00 A. M., were valid and constitutional. A unanimous court speaking through Chief Justice Stone made ened air raids and invasion by the

"We decide only the issue as we Japanese forces from the danger of

have defined it —we decide only that: and at the time it was applied, was within the boundaries of the What the court did not decide, but expressly left open for later consideration is:

1. Whether or not the military orders of evacuation, excluding some 70,000 American citizens of Japanese ancestry from the entire Pacific Coast, are

constitutional; 2. Whether or not the military orders of detention, either in detention or relocation cen-ters, following the evacuation,

3. Whether or not the military orders continuing to exclude American citizens of Japanese descent from return to he Pacific Coast AT THE PRES-ENT TIME, violate constitution-

their solidarity and have in large measure prevented their assimila-The Supreme Court accordingly tion as an integral part of the white population. In addition, large decided only a minor question in connection with the treatment of numbers of children of Japanese parentage are sent to Japanese American citizens of Japanese anlanguage schools outside the reg-ular hours of public schools in the locality. Some of these schools are cestry. Indeed, as the Court it-self stated, the validity of the evacself stated, the validity of the evacuation orders were not challenged by either Yasui or Hirabayashi, and was not an issue in the case. The Court concluded, however, that since Hirabayashi was convicted for a violation of both the curfew and exclusion orders and the sentence imposed was to run concurrently, upholding of the curfew orders was sufficient to affew orders was sufficient to af-firm the conviction, and hence it was unnecessary for the Court to pass upon the legality of the exdusion orders.

Although deciding a narrow is-sue, the Supreme Court used broad language upholding the authority of the military in war-time.

Thus the Court observed:

"The war power of the national government is 'the power to wage war successfully'. It extends

o every matter and activity so reby Japanese law, to be citizens of Japan. No official census of those lated to war as substantially to affect its conduct and progress. whom Japan regards as having thus retained Japanese citizenship is available, but there is ground for the belief that the number is The power is not restricted to the The power is not restricted to the winning of victories in the field and the repulse of enemy forces. It embraces every phase of the national defense, including the protection of war materials and protection of war materials and the members of the armed forces the members of the armed forces the members of the dangers in line and from the dangers in line and from the dangers in the dangers in line and from the line and from th third of all Japanese inhabitants; are of mature years and occupy from injury and from the dangers which attend the rise, prosecution and progress of war. Since the constitution commits to the Execuive and to Congress the exercise of the war power in all the vicis-situdes and conditions of warfare, it has necessarily given them wide scope for the exercise of judgment and discretion in determining the nature and extent of the threatened injury or danger and in the selection of the means for resisting it. Where, as they did here, the conditions call for the exercise of judgment and discretion and for the choice of means by those branches of the Government on which the Constitution has placed the resposibility of war-making, it s not for any court to sit in re-view of the wisdom of their action or substitute its judgment for

The court then reviewed the military situation on the Pacific Coast in the early months of 1942, and concluded that "reasonably prudent men charged with responsibil ity of our national defense had ample ground for concluding that they must face the danger of invasion, take measures against it, and in making the choice of measures consider our internal sit-

uation, cannot be doubted." It held the curfew orders as being reasonably designed as a de-fense measure to safeguard the Pacific Coast at a time or threat- count in determining the nature

and extent of the danger of sabo-tage, in the event of invasion or air raid attack. The extent of that air raid attack. The extent of that danger could be definitely known only after the event and after it was too late to meet it. Whatever views we may entertain regarding the loyalty to this country of the citizens of Japanese ancestry, we cannot reject as unfounded the judgment of the military authorities and of Congress that there were disloyal members of that were disloyal members of that population, whose number and strength could not be precisely and quickly ascertained. We cannot say that the war-making branches of the government did not have ground for believing that in a critical hour such persons could not readily be isolated and control of the country of the coun not readily be isolated and separately dealt with, and constituted a menace to the national defense and safety, which demanded that prompt and adequate measures be "In a case of threatened danger requiring prompt action, it is a choice between inflicting obviously needless hardship on

aken to guard against it." The Court recognized, however, "Distinctions between citizens solely because of their ancestry

are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality. For that reason, legis-lative classification or discrimination based on race alone has often been held to be a denial of equal protection. We may assume that these considerations would be con-trolling here were it not for the fact that the danger of espionage and sabotage, in time of war and of threatened invasion, calls upon

cumstances irrelevant and there-fore, prohibited, it by no means follows that, in dealing with the periods of war, Congress and the Executive are wholly precluded from taking into account those facts and circumstances which are relevant to measures for our national defense and for the successful prosecution of the war, and which may in fact place citizens of one ancestry in a different category from others. 'We must never forget, that it is a constitution we are expounding, 'a constitution intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs. The adoption by government, in the crises of war and of threatened invasion, of measures for the public safety, based upon the recognition of facts and cluding the military commander, could have attributed special significance, in its bearing on the loyalties of persons of Japanese descent, to the maintenance by upon the recognition of facts and Japan of its system of dual citizenship. Children born in the Uncircumstances which indicate that a group of one national extraction ited States of Japanese alien par-ents, and especially those children bern before December 1, 1924, are may menace that safety more than others, is not wholly beyond the limits of the Constitution and is not to be condemned merely be-cause in other and in most cir-cumstances racial distinctions are irrelevant." under many circumstances deemed,

The Court arrived at the con-

clusion accordingly that: "We cannot say that these facts and circumstances, considered in the particular war set-ting, could afford no ground for differentiating citizens of Japa nese ancestry from other groups in the United States. The fact alone that attack on our shores was threatened by Japan rather than another enemy power set these citizens apart from others who have no particular associations with Japan."

Upon the foregoing reasoning the military curfew orders were upheld as applicable to American citizens of Japanese descent. The reasoning of the Supreme Court, particularly of a great liberal like Chief Justice Stone, seems to me to be faulty, and carrying in its wake dangerous consequences other minority groups. At a later time, after opportunity for deliberate reflection, I shall want to point out in the columns of the Pacific Citizen the dangerous pretraction residing in the United States, have been sources of irritation and may well have tended to increase their isolation, and in many instances their attachments cedents to the democratic way of life which the decision establishes. to Japan and its institutions,
"Viewing these data in all their

At this time, however, I am content to refer to the courageous expression of views, which are in enire accord with mine, by Justice tive could reasonably have con-cluded that these conditions have Murphy who wrote a concurring opinion:
"The broad guaranties of the Bill of Rights and other provisions of

the Constitution protecting essen-

tial liberties are not suspended by

on frequently stated and

ed that the WRA was releasing

"In regard to those accusations made by some committees against the WRA, I wish to say in defense that in spite of the num-

The WRA director pointed out that "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."

the military authorities to scrut-inize every revelant fact bearing on the loyalty of populations in the danger areas. Because racial discriminations are in most cir-cumstances irrelevant and there-fore, prohibited, it by no means fore, prohibited, it by no means "Let's not deal with the prob-

In the course of his talk, which

was a featured part of the March of Time program, Myer explained the work of the WRA. He said the task of the WRA in the beginning was to give temporary housing to 100,000 persons evacuated from the Pacific coast, and that the agency's second task 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," Myer said. "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.

cestry has been allowed to enter this country since 1924, and so all aliens of the group have lived here at least 19 years—many of them more than 40 years."

Myer Denies Charges Against Nisei on Radio

WRA Head Answers Relocation Critics

On "March of Time" Speaking on the March of Time radio program over the NBC network Thursday of last week, Dillon S. Myer, WRA director, refuted charges made against the WRA relocation program by the Dies committee and appealed to his audience that the problem be handled in "the American The Dies committee had charg-

thousands of evacuees from the relocation centers without thoroughly investigating their loyal-

ber of people that have been released into private industry there has been not one report of sabotage or disloyalty among these people," Mr. Myer said.

"Remember that a basic principle of the Axis philosophy which

lem 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."

"No immigrant of Japanese an-

JACL Council Recommends New Test Case on Evacuation

(Continued from page 3)
recognized by this Court that the war power, like the other great character in the application of laws substantive powers of government, is subject to the limitations of the Constitution. We give great de-ference to the judgment of the Congress and of the military authorities as to what is necessary in the effective prosecution of war, but we can never forget that here are constitutional boundaries which it is our duty to uphold. It would not be supposed, for instance that public elections could be suspended or that the prerogatives of the courts could be set aside, or that persons not charged with of-fenses against the law or war could be deprived of due process of law and the benefits of trial by jury, in the absence of a valid dec-

"Distinctions based on color and ancestry are utterly inconsistent with our traditions and ideals. They are at variance with the principles for which we are now waging var. We cannot close our eyes to he fact that for centuries the Old World has been torn by racial and religious conflicts and has suffered the worst kind of anguish because of inequality of treatment for different groups. There was one law for one and a different law for another. Nothing is written more firmly into our law than ten more firmly into our law than the compact of the Plymouth voyagers to have just and equal laws. To say that any group cannot be assimiliated is to admit that the

great American experiment failed when confronted with the normal attachment of certain groups to the lands of their forefathers. As a nation we embrace many groups, some of them among the oldest settlements in our midst which have isolated themselves for religious and cultural reasons.

"Today is the first time, so far as I am aware, that we have sustained a substantial restriction of the personal liberty of citizens of the United States based upon the accident of race or ancestry. Under the curfew order here challenged no less than 70,000 American citizens have been placed untheir liberty because of their particular racial inheritance. In this sense it bears a melancholy resemblance to the treatment accorded to members of the Jewish race in Germany and in other parts of Europe. The result is the creation in this country of two classes of citizens for the purposes of a crit-ical and perilous hour—to sanction discrimination between groups of United States citizens on the basis of ancestry. In my opinion this goes to the very brink of constitu-

tional power. "Except under conditions of great emergency a regulation of this kind applicable solely to citizens of a particular racial extraction would not be regarded as in accord with the requirements of due process of law contained in the Fifth Amendment. We have consistently held that attempts to apply regulatory action to partic-ular groups solely on the basis of racial distinction or classification is not in accordance with due process of law as prescribed by the Fifth and Fourteenth Amendments. It is true that the Fifth Amend-ment, unlike the Fourteenth, contains no guarantee of equal pro-tection of the laws. It is also true that even the guaranty of equal protection of the laws allows a neasure of reasonable classification. It by no means follows, how.

ever, that there may not be discrimination of such an injurious as to amount to a denial of due process of law as that term is used in the Fifth Amendment. I think that point is dangerously approached when we have one law for the majority of our citizens and another for those of a particular racial heritage."

Justice Murphy concurred in the view, however, that the urgency of the military danger on the Pacific Coast warranted the curfew orders but noted the reservation: "Whether such a restriction is valid today is another matter." He concluded his notable and historic concurring opinion thus:

"In voting for affirmance of the judgment I do not wish to be understood as intimating that the military authorities in time of war are subject to no restraints whatsoever, or that they are free to impose any restrictions they may choose on the rights and liberties of individual citizens or groups of citizens in those places which may be designated as 'military areas.' While this court sits, it has the inescapable duty of seeing that the mandates of the Constitution are beyed. That duty exists in time of war as well as in time of peace, and in its performance we must not forget that few indeed have been the invasion upon essential liber-ties which have not been accompanied by pleas of urgent necessity advanced in good faith by responsible men.

"Nor do I mean to intimate that citizens of a particular racial group whose freedom may be curtailed within an area threatened with attack should be generally prevented from leaving the area and going at large in other areas that are not in danger of attack and where special precautions are not needed. Their status as citizens, though subject to requirements of national security and military nec-essity, should at all times be accorded the fullest consideration and respect. When the danger is past, the restrictions im-

wrote separate concurring opin- ecuted vigorously.

ions, Justice Rutledge observing: "Given the generating conditions for exercise of military authority and recognizing the wide latitude for particular applications that ordinarily creates, I do not think it is necessary in this case to decide that there is no action a person in the position of General DeWitt here may take, and which he may regard as necessary to the re-gion's or the country's safety, which will call judicial power into play. The officer of course must have wide discretion and room for its operations. But it does not folits operations. But it does not fol-low there may not be bounds be-yond which he cannot go and, if he oversteps them, that the courts may not have power to protect the civilian citizen. But in this case that question need not be faced and I merely add my reservation without indication of opinion concern-

With the major constitutional questions arising out of the evacuation, detention, and continuing exclusion of American citizens of Japaese ancestry from the Pacific Coast, still expressly undetermin-ed by the Supreme Court, the challenge for continuing and renewing aggressive action remains. An appropriate legal proceeding test-ing the legality of the military exclusion orders as applied to loyal ly removed and their freedom of action fully restored."

American citizens of Japanese ancestry, at the present time, should be instituted immediately and pros-

Carey McWilliams Expresses Hope for Relaxing Ban Against Return of Evacuees to Coast

Current Agitation Against Evacuees Predicated Upon Race Prejudices, Says Writer; Detention Of Loyal Is Abrogation of Citizenship Rights

By CAREY McWILLIAMS

"Should all Japanese continue to be excluded from the west

coast for the duration of the war?"

My answer to this question is "No," with, however, some important qualifications. For example, there are about 2,000 Japanese who were taken into custody immediately after Pearl Harbor and who are now held in detention camps. Each of these individuals is being held for good cause after full investigation and an impartial hearing. There are also several thousand evac-

uees in relocation centers who have expressed a desire for repatriation or have indicated a disinclination to renounce all allegiance to Japan, Obviously neither of these groups should be released. It is equally obvious that no person should be released from a relocation center without a searching and vigorous investigation.

Once such an investigation has been made, then those suspected as potentially dangerous should be held in separate relocation centers for the duration. But those whose records are approved should be released as rapidly as they can be relocated. The longer their release is delayed, the more complicated the entire problem becomes. This is particularly true of the third generation, made up of children born in this country. These children have already been made far too conscious of the fact that they have Japanese faces.

Whether any of those released should be permitted to
return to the west coast is
primarily a military question
since the area has been declared
a theatre of war. There are
special hazards in a theatre of
war which it would be folly to
minimize. Only the military
can appraise these hazards,
since they alone possess the
requisite information. Since it
is their responsibility, they
should make the decision. If
and when the military authorities relax the ban (as they
have already done in the case
of furloughed soldiers), then
evacuees should be permitted to
return if they so desire. As a
citizen, I hope that the ban can
be relaxed before the war is
over and for the following reasons:

Hawaii is certainly no less important strategically than the west coast. Our policy of not removing persons of Japanese descent from the islands has been entirely successful. While there were only 121,000 persons of Japanese descent on the west coast on December 7, 1941—less than 1 per cent of the population—there were 157,000, constituting 37 per cent of the population in Hawaii. No acts of sabotage have been reported in Hawaii either before or after Pearl Harbor. The conduct of the Japanese has, in fact, won official commendation. That there was less prejudice in Hawaii and therefore less political agitation of the question, merely indicates that political, and not strictly military, considerations may have played too large a part in shaping policy on the mainland.

The present agitation against the return of any evacuees is, in fact, being conducted with primary regard to non-military considerations. No attempt is made to disguise the fact that this agitation has for its real purpose the permanent exclusion of all Japanese from the west coast. Its avowed purposes include such objectives as, stripping the American-born Japanese of their American citizenship, establishing rigid economic barriers against them, and laying the foundation for their eventual deportation. If this emerging pattern is permitted to take form now, it is likely to result in the indefinite postponement of the restoration of full citizenship even to those who have never been suspected of disloyalty. Since this was not our intention, in ordering mass evacuation, we should either promptly restore full citi-

zenship rights or give an immediate guarantee of such restoration the moment the military emergency terminates,

We cannot ignore the fact that the current agitation is being largely predicated, as in the past, upon dangerously irrelevant socalled racial considerations unsupported by a shred of scientific evidence. To make a race issue of this problem is to do precisely what Tojo is trying to do; namely, to convince the colored peoples of the Far East that this is a race war. How we handle the evacuee problem is, therefore, one measure of our intention to apply the Four Freedoms to all peoples, regardless of color. The peoples of India and China, as well as our own colored minorities, are watching the development of race feeling in the Unit-ed States with the deepest con-cern. There can be no doubt but that the manner in which the evacuee problem is being discussed on the coast today has tended to heighten race tension in a dangerously irresponsible Since racism tends to be cumulative in its intensity, scope and consequences, any at tempt to appease race bigotry can only result in stimulating further aggressions not merely against the particular minority, but against all minorities.

As a nation we stand firmly committed to the great ideal that distinctions beard against all minorities.

As a nation we stand firmly committed to the great ideal that distinctions based upon race, color or creed have no place in American life in peace or in war. If we permit the concept of citizenship to be broken at one point, for one group, we are undermining the very structure of American citizenship. We have never tolerated the notion that there could be different levels of citizenship, with rights withheld from some citizens which were freely granted others. Political subdivisions of the nation, therefore, should not be encouraged in the arrogant assumption that they can set up their own canons of citizenship or abrogate rights granted by the Constitution. As I recall there are 48 states in the Union, not 45, and certainly not 47.

Once investigated and released by the authorities, no cloud of suspicion should follow the evacuees. Unity is imperative in the war effort, but unity cannot be achieved if we listen to those who believe that loyalty is only skin-deep. In the relocation centers today, there are men who are veterans of the first World war.

Today, also, several thousand citizens of Japanese descent are serving with the armed forces of this nation. When on furlough, these soldiers are now permitted to visit the west coast on military passes. They are to me, as I am sure they are to most Americans, living symbols of the greatness and strength of American democracy. To suggest that race can be a test of loyalty is as insulting to these soldiers, and to their families, as it is to some 16,000,000 other Americans whose skins happen to be red or black, yellow or brown. Such a sug-gestion is utterly at variance with American ideals and is well calculated to jeopardize America's magnificent opportunity for world leadership in an unprecedented crisis in human affairs. As the President has reminded us, "Americanism is a matter of the mind and heart; Americanism is not, and never was, a matter of race or ancestry.

(Ed. note: The above article is the text of a prepared ad-

An Editorial:

Saturday, July 24, 1943.

"Let This Minority Know ... '

It was a pleasure to see Dillon S. Myer, Director of the War Relocation Administration, slash the whole fabric of downright lies and irresponsible race-baiting which the Dies Committee has been weaving not only around the WRA and the administration, but also around a loyal and peculiarly helpless minority—Americans of Japanese ancestry. The very restraint, thoroughness and documentation of Mr. Myer's refutation made it all the more devastating and at the same time provided a real foundation for his vigorous denunciation of the committee's antics.

The dignified testimony of the two former officers of the Japanese American Citizens' League, both of whom are now in the army as volunteers with the famous combat unit training at Camp Shelby, disposed of most of the charges against Americans of Japanese ancestry not discussed by Mr. Myer. The Costello Subcommittee of the Dies Committee has been making no distinction between the few possibly disloyal persons of Japanese ancestry who will not be released from the relocation centers and the large majority of loyal American citizens. On the contrary, the news was slanted to induce the public to regard them as enemies, indeed as enemy prisoners of war, instead of the fellow Americans that they are. The ridiculous effort simultaneously to link the Japanese American Citizens League, a patriotic organization of Americans of Japanese ancestry which has been repeatedly commended for its services by highest officials, both to Communists and to allegedly pro-Axis individuals, is a part of the typical persecution of this minority.

All thoughtful Americans will agree with Mr. Myer that the committee has created hate and mistrust by spreading outright falsehood. This hate and mistrust, concludes Mr. Myer, provides the enemy, especially Japan, with material to convince the peoples of the Orient that the United States is undemocratic and is fighting a racial war, undermines the unity of the American people, betrays the democratic objectives for which we are fighting and, as we have recently noted, may jeopardize the very lives of American prisoners held in Japan.

These attacks incidentally smear the FBI and the Army and Navy Intelligence Services. Competent agents of the FBI and of the Army Intelligence and officers of the efficient West Coast Naval Intelligence have found not one American of Japanese ancestry guilty of treasonable activities, but the Dies Committee sees in every nook and cranny of California thousands of well drilled Japanese soldiers and trained saboteurs.

In their satisfaction at seeing the sensational charges of the committee thoroughly refuted, democratic-minded Americans are apt to overlook the effect of the extraordinary publicity given on the West Coast to the most irresponsible and obviously false statements issued by the committee. The activities of the committee are an essential part of the concerted race-baiting campaign of several months duration against persons of Japanese ancestry. West Coast newspaper readers have only seen the screaming headlines and the lurid front-page articles about alleged Japanese sabotage and aid to invasion armies. The Dies Committee gives a pseudo-official status to these fantasies and extends the campaign to other parts of the country. The refutation of these false stories has not, therefore, seriously hindered the race-baiting, which continues.

So certain are the West Coast race-baiters of their influence that the Costello Subcommittee announced, even before the "hearings" began, that it would issue a report recommending the detention of all persons of Japanese ancestry regardless of loyalty. Chairman Costello is one of thhe leading West Coast racists.

It is high time that democratic-minded Americans put a stop to this shameless persecution of loyal Americans of Japanese ancestry. We should accelerate the WRA program of resettling loyal persons of Japanese origin, and demand that this country make full use of their extraordinary productivity in agriculture and their proved skills in industry and in the learned professions. Let this minority know that its faith in American democracy has not been in vain.—Editorial in the New Republic of July 19, 1943.

Dies Committee Member Backs Loyal Nisei

Rep. Mundt Says WRA Not Unduly Extravagant In Feeding Evacuees

WASHINGTON, D. C.—Representative Karl Mundt (R., South Dakota), a member of the Dies Committee, this week found something good to say of evacuees and the WRA program, the Associated Press reported.

Following the Costello Subcommittee's hearings into the evacuee situation, Congressman Mundt said evidence in war department files show many loyal Japanese Americans are serving with U. S. armed forces and bear "eloquent testimony to the fact that real Americanism has a fervent appeal for many of Japanese ancestry."

Congressman Mundt also declared the WRA has not been unduly extravagant in its use of food and materials at the centers. Flatly contradicting previous Dies Committee statements, Congressman Mundt said he believed the evacuees were being "amply, but not lavishly, fed," and that housing conditions were "too meager rather than too expansive."

The congressman found WRA centers potentially "a highly significant factor in the Americanization of all evacuees in such centers." If properly used, Mundt said, the projects may go far toward dissipating any potential racial problem which might otherwise develop after the war with regard to citizens of Japanese ancestry. Press dispatches did not elaborate on or clarify this statement.

Congressman Mundt also scored expenditure of public funds for teaching evacuees judo in WRA centers.

Arizona Congressmen Ask Army Control Of State Japanese

WASHINGTON, D. C. — Arizona's congressional delegation has asked President Roosevelt for army control of Japanese in that state, Senator Carl Hayden told the United Press after a White House conference last week.

Senator Hayden said he recommended the prohibited zone be extended so that a number of nonevacuated persons of Japanese descent in Arizona will be brought under military authorities.

The prohibited area in Arizona was reduced in area earlier this year, removing the Gila and Poston relocation centers from military zones.

Senator Hayden said state authorities are worried about "the threat of sabotage to reclamation dams, copper mines and power plants, as well as the intense war feeling which might lead to violence against the Japanese."

lence against the Japanese."

Asking that the army take a greater interest in the problem, Senator Hayden said that the military thus far had regarded the situation as a problem for local police to handle.

The senator was accompanied by Representatives John R. Mur-

Representatives John R. Mun

dress delivered by Carey Mc-Williams, noted authority on American minority problems and former California state director of immigration and housing, at the Blue Network's Town Meeting of the Air on Thursday, July 15, in Santa Barbara, Calif. Mr. McWilliams is the author of two books on migratory labor, "Factories in the Field" and "Ill Fares the Land." His book on America's minority race groups, "Brothers Under the Skin," was published in April, 1943, by Little, Brown and Co.)

Fire Prevention

Attempts at Sabotage Rev 16 casualties at Jap camp; Declared Wrecked by tanks, troops move in

(Continued from Page 1)

of the fire department, bu onets. officials refused.

"Several of the loyal ously, but one WRA official said nese came to me," Rhode "This is the first time I've seen "and told me the new me them at night." disloyal and that we I followed a detachment of solsoon lose everything we diers with fixed bayonets into an the department.

"I was not long in di asked.
"I was not long with "No, this is the real thing,"

soldier replied. ing that the warning we founded. Immediately one soldier replied.

fied, the Japanese d'troublemakers among the internees fire truck was fined the fire fire for the fire fire federal govern the fire fire fire fire federal govern opposed to his

(Continued From Page carrying machine guns and bay-sinvestigating Japanese-American relations and alien land laws, will resume its hearings at Tule Lake, Calif., next Monday at 10 a.m., "Several of the loyal ously, but one WRA official said

Turlock announced today.

Senator Donnelly indicated the committee likely will hear testimony on the current trouble at the Jap segregation center at Tule Lake but pointed out it was chief-willy concerned with the Jap problem furning and after the war in "Are these maneuvers?" I lem during and after the war in B taken

Canfornia. the disloyal Japs mo Then I went to the administration building and saw soldiers and internal police herding disheveled in Turlock, Modesto and Watson-will no longer had c Japs into an office with line.

He was told by the army that "military assistance" would be forthcoming if the situation got

captain deliberately national status" to provoke the truck, which c'camp authorities, a WRA official Immediately after said.

Japs took over the according to Rhode 15, when 5000 male Japs refused to harvest truck crops grown at mattresses, which we furnished by the WI Tule lake to supply other relocation centers. The Japs took the attitude they were prisoners of war, not evacuees, the WRA explained.

A crisis was reached Monday, as 5000 demonstrating Japs held

A crisis was reached Monday, as 5000 demonstrating Japs held

Touble began at the camp Oct. he firmly believes "positive danger I stion centers were rounded up by is attached to the presence of so. W the soldiers. Many were held in the camp can hating Japanese in an area where sabotage or any other civilian disorders would be so detrimental to the war effort."

Zene Yeur Mail—

The Japs sat with their hands over their heads for two hours, with soldiers equipped with mawith soldiers.

DisloBiscailuz Seeks at Tul Tule Jap Trade

5. — (U.P) — Repatriation of the 16,000 re-

internal police herding disheveled Japs into an office, with lines of control of the department was told to act mere supervisory capacity.

"We caught one of annese fire captains red turning in a false alarm admitted turning in five He was given 90 days camp jail but was of days.

Internal police herding disheveled Japs into an office, with lines of control of the department of supervisory capacity.

Other members of the committee were Sens. Jesse H. Dorsey, Kern county: George J. Hatfield, Merpolice of the WRA camp administration were aiding the soldiers.

White members of the internal police herding disheveled Japs into an office, with lines of control of the department was told to act mere supervisory capacity.

White members of the internal police herding disheveled Japs into an office, with lines of collers with fixed bayonets and waston-was told to act mere supervisory capacity.

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WARREN BELIEVES ARMY
SHOULD CONTROL CAMPS
SACRAMENTO, Nov 5.

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intercepting German planes were tanks and 150 trucks and silenced Germans were killed and support-ing Soviet air force planes de-stroyed or damaged 20 German

TULE LA for Americans

days.

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"The fire department sag furning the night and gold-live double the subject of the touble."

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Russian refugees who slip the German lines out

other strongholds. More than 1000

Ray R. Best, WRA director of the center, told the United Press fate yesterday that he "would never permit" another demon-stration by the internees, but warned at the same time that warned at the same time that he might be powerless to stop one from developing. An earlier revelation by WRA authorities in San Francisco that a Buddhist priest who led Monlay's demonstration had warned amp directors that "we can't take esponsibility for what may happen here" indicated the Jap internees did not intend to yield in what appeared to be a planned campaign of provocation.

Best called the situation at the camp "a reverse game of cat and mouse," in which the camp authorities had been placed in the position of "mice."

They feared rioting at the

while a protest mass meeting was

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Taking over of the center from the war relocation authority by the army followed statements made

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center would cause retaliation against Americans held prisoner by the Jap government, he explained. The internees had consistently resorted to many subterfuges to provoke the directors of the cen-

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COZZENS TO DESCRIBE DISORDER IN L. A. MONDAY

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Cozzens will speak before the Town Hall at noon Monday in Biltmore hotel.

Meanwhile, James H. Steadman chief west coast investigator for the Dies committee, disclosed he had been ordered to investigate the Tule Lake disorders Steadman said Rep. Martin Dies had wired instructions to him to

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STATE SENATE COMMITTEE TO RESUME JAP INQUIRY

TURLOCK, Calif., Nov. 5.—(UP) The senate interim committee

rrevention Declared Wrecked by

of the fire department, but officials refused.

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"I was not long in discream during the daytime previing that the warning was ously, but one WRA official said
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We're going after them down believed the army should retain complete and permanent control over interned Japanese.

Rhodes said he reported fire department sabotage Camp Director Ray R. Best blamed him (Rhofor the trouble.

"He told me I had to along with the Japs the I could," Rhodes declared. On one occasion, Rhodes of the Japanese during the heads, while questioning of leaders of the Japanese continued.

SACRAMENTO, Nov. 5.—ULP)—

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"I think," Warren stated, "that the security of this coast as a combat area is one for the army to administer. Inasmuch as the landscape during the night and on one occasion, Rhodes declared. On one occasion, Rhodes during the played over the landscape during the night and of the trouble and permanent control over interned Japanese.

"I think," Warren stated, "that the security of this coast as a combat area is one for the army thousands of saboteurs and fifth columnists is a danger that confronts us here, landscape during the night and military passes were required of all persons entering or leaving the center.

The war relocation authority officials with whom I had talked of assurances of protection. He said he contacted army officials with whom I had talked of the WRA asked the army to file ask the war relocation authority officials with whom I had talked of the war relocation authority of this coast as a combat area is one for the army to administer. Inasmuch as the landscape during the night and complete and permanent control over interned Japanese.

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Japs took over the departman according to Rhodes, they manded new blankets and ramattresses, which were promp furnished to the wife.

They and other troublesome Japs had relied upon their "international status" to provoke the camp authorities, a WRA official and

(Continued From Page (16 casualties at Jap camp; "Several of the loyal J tanks, troops move in

(Continued from Page 1)

disloyal and that we wearrying machine guns and bay-sinvestigating Japanese-American soon lose everything we lit onets.

The department.

Maneuvers had been held in the department.

Maneuvers had been held in the resume its hearings at Tule Lake, Calif., next Monday at 10 a.m., chairman Hugh. P. Donnelly of Turlock announced today.

Senator Donnelly will hear testing the distance of the second them at night."

Cairfornia

Previous hearings were held in

WARREN BELIEVES ARMY

of its attitude of "protecting the to name of even violently anti-Amer- ir

He was told by the army that "military assistance" would be forthcoming if the situation got out of hand.

-Zone Your Mail

The governor said that while the

there was an outbreak of f I followed a detachment of solalarms.

"I no longer had comp apartment, "Are these maneuvers?"

was told to act merely 1. "Are these maneuvers?"

"I no longer had comp apartment, asked.

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"No, this is the real thing,"

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"The fire hydrants v But many of the Japs under guard Jammed with sand sev wore the internal police uniform.

times and the \$50,000 teleph two hours, their hands over their alarm system was tampe heads, while questioning of leaders SHOULD CONTROL CAMPS

officials with whom I had talked "Within two hours," Rhoc looked 10 years younger when continued, "a Japanese f they saw the army taking over captain deliberately wreck the center.

the truck, which cost \$300 One explained that the principal Immediately after the disk troublemakers among the internees Japs took over the departm were "Jap zootsuiters" who wore tassled stocking caps and blazers.

national status" to provoke the camp authorities, a WRA official said.

Trouble began at the camp Oct. 15, when 5000 male Japs refused to harvest truck crops grown at Tule lake to supply other relocation centers. The Japs took the attitude they were prisoners of war, not evacuees, the WRA explained.

The governor said that while the federal government apparently is opposed to his policy on Japanese, he firmly believes "positive danger is attached to the presence of so many of those admittedly American hating Japanese in an area where sabotage or any other civiliant disorders would be so detrimental to the war effort."

Zone Yeur Mail said plained.

A crisis was reached Monday, as 5000 demonstrating Japs held WRA national director Dillon Myer and 100 other white person-nel virtual prisoners for four hours while a protest mass meeting was held in front of the camp administration building.

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Cozzens will speak before the Town Hall at noon Monday in Biltmore hotel. Meanwhile, James H. Steadman,

chief west coast investigator for the Dies committee, disclosed he had been ordered to investigate the Tule Lake disorders.
Steadman said Rep. Martin Dies had wired instructions to him to "investigate thoroughly" the reported riots of disloyal Japanese.
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STATE SENATE COMMITTEE TO RESUME JAP INQUIRY

TURLOCK, Calif., Nov. 5.—(UP)

The senate interim committee

Disloyal Nips at Tule Lake

taken in hand By NICK BOURNE

TULE LAKE, Calif., Nov. 5. - (U.P) - Troops marched into Tule Lake Japanese segregation center today with tanks and machine guns to Quinn was reported en route to-NE loyal Japanese who defied day to Tule Lake. is civilian authorities following the a labor controversy a fort-on night ago.

because he "knew there was no dipurpose in negotiating" with the war relocation authority in view ix of its attitude of "protection" at the WRA asked the army to intervene following the severe beating of a security guard by Japanese internees last night.

There were no reports of shots

There were no reports of shots being fired by the troops. However, it was stated on good authority at the camp that 15 Japanese who resisted the military occupation were injured. One white internal security officer was also hurt.

About 500 of the 15,000 disloyal Japs who had been congregated here from the other nine relocation centers were rounded up by the soldiers.

Many were held in the camp administration building, where demonstrating Japs had scored one near-victory Monday, holding WRA national director Dillon

WRA national director Dillon
Myer and 100 white personnel virtual prisoners for four hours.

The Japs sat with their hands
over their heads for two hours,
with soldiers equipped with machine guns guarding them, while
their leaders were questioned.

One soldier told me: "They

were getting near our ammuni-tion depot tonight when we caught them."

I was sitting in an apartment with two WRA officials at 10:30 p. m. last night discussing the situation. We heard boys cry "fight, fight" in front of the apartment, but we paid no attention.

ment, but we paid no attention.

Then came sounds of motors and sirens. I asked the WRA men "Is that what happens every night at 10:30?"

They said "No," and we put overcoats over our pajamas and went into the street.

We saw tanks and columns of

We saw tanks and columns of soldiers wearing steel helmets and ontinued on Page 41, Col. 2)



Fire Sweeps 30,000 Acres

Examiner Building, 1111 S. Broadway Examiner Telephone Richmond 1212

VOL. XL-NO. 333

LOS ANGELES, TUESDAY, NOVEMBER 9, 1943

PCC (

Two Sections-Part I-FIVE CENTS



weather yesterday aided fire fighters and the flames were reported under control and burning themselves out. The south slope of Mt. Tahquitz and homes in the Idylwild area were flame-swept. Pictures of other fires still raging are on Pages 3 and 6.

Fire Prevention System Ruined, Chief Testifies

By Robert C. Weakley

TULE LAKE, Nov. 8.—Rebellious disloyal Japanese plotted to burn down most of the administrative buildings at the Tule Lake Segregation Camp the night the Army took

This startling testimony was given today to a California State Senate committee investigating the reign of terror launched by the Jap internees which forced the War Relocation Authority to call for Army help.

Ernest Rhodes, chief of the camp fire department until last Saturday, testified he personally found boxes of oilsoaked straw hidden in garages, near the camp butcher shop and close to two large warehouses.

In addition, Rhodes declared, most of 30 automobiles of civilian employees housed in three garages had been sprayed with oil and the caps of the gasoline tanks removed.

"If a fire had been touched off," Rhodes said, "the garages, cars, butcher shop, the big warehouses and other buildings would have been destroyed. In fact, we would have had a hard time saving any of the buildings in the administrative area."

Prevention System Tampered With

Previously, Rhodes said, the camp fire fighting system was sabotaged several times by jamming stand-pipe fire hydrants with sand and broken glass and tampering with the

The ex-fire chief's amazing revelations came on the heels of testimony by another former high official of the camp that the disloyal Japanese internees "attempted to set up their own government and dictate policies to the War

Relocation Authority.' Rhodes asserted that at the time the 16,000 disloyal Japs were brought to Tule Lake from other relocation centers he asked to keep several of the loyal Japanese members

(Continued on Page 2, Column 1)

63 Jap Planes Blasted in New Pacific Blitz

SOUTHWEST PACIFIC ALLIED HEADQUARTERS, Nov. 9 (Tuesday) .- (P)-Sixty-three Japanese planes have been destroyed in new air battles over the South Pacific

Twenty-three planes were shot out of the air and 12 destroyed on the ground in another of a growing series of smashes on Rabaul, New Britain, headquarters said today.

Japanese planes also were active on a widespread scale. They
struck at Empress Augusta Bay,
where U. S. Marines hold a
bridged on the west coast of

Bouggalaville

(Continued on Recognization of Recognization

(Continued on Page 2, Column 6) Bougainville. MARRIED MEN with an eye to the future WOMEN DESIRING work close to he will be interested in jobs at Van de Kamp's Kamp's Rakeries! Ideal working to and bakers' belipers needed. Anoly at plant. 2930 Fletcher Drive. L. A. — 2030 Fletcher Drive L. A. — 2030 Fletcher Drive Advertisement

ur Boys, Our Homes, Our Allies

MANZANAR'S CHIEF ANSWERS CHARGES

Stories of Promiscuous Release of Japanese Assailed as Without Fact or Foundation

BY TOM CATON

Times Staff Representative

MANZANAR, Nov. 18.—Ralph P. Merritt, director of the Japanese relocation center here, to-day acidly replied to charges that internees were promiscuously released to civilian jobs as "without fact or foundation."

"Someone seems to have had a bad dream," he said in com-

an interview with The Times, released figures and data in refutation of assertions that Japanese were being turned out of the state of the relocation center in whole. cal, 15. sale numbers.

Only Those Qualified

"Only those qualified to go, can go," he declared. "The Army and authorities in Washington see to that."

Merritt said a published statement attributed to him to the effect that "disloyal" Japs were given a "second chance" to pledge loyalty to the United States was false.

In the current furor, he remarked, some people appear to be losing sight of the fact that the Japanese are interned in "re-location centers" by order of President Roosevelt. These were set up for the very purpose—to relocate them in jobs outside combat zones-that is now being criticized.

One Dispute Cause

Some dispute arose, he said, over the fact that alien interned Japanese were submitted loyal-ty statements to sign on two different occasions.

This was necessary, Merritt said, because the first one was so worded the alien Japanese thought they were being asked to bear arms for the United

As a matter of fact," he said, "this was obviously out of the question as they are enemy aliens and would not be considered for armed service under any circumstance."

He said the wording of the

cath was changed to read that they would obey the laws of the United States and not interfere with the war effort.

Results in Sign-up

Of the entire camp population, 98 per cent signed "Yes."
The remaining 2 per cent, numbering 84 individuals, said "No" because they already had applied for repatriation on an exchange basis.

Other figures released by Merritt discounted reports that the released Japanese headed for war-working centers. They are

scattered over 26 States and are working at everything from laboring to interpreting.

themselves. Of this number, 81 per cent are American citizens and 19 per cent aliens.

Job Breakdown

menting on the accusation. "The whole thing is a tempest in a crackpot."

To prove his point, Merritt, in the period from Aug. 1, 1942, to July 31, 1943, the breakdown as to jobs is as follows:

Illinois leads the list of States Illinois leads the list of States where employers have applied to the Federal government for Japanese workers. This is due, Merritt said, to the fact there is a W.R.A. office there that takes applications and transmits them to the relocation center here. The job offers are posted on a camp bulletin board posted on a camp bulletin board and if the applicant is cleared by the Army, F.B.I. and other check agencies, the internee is released to take the position.

BILL WILL ASK ARMY STAY AT TULE LAKE

LA TIMES W/19/43

Engle Will Demand That Troops Retain Charge; Fears W.R.A. Ready to Resume Active Control

SAN FRANCISCO, Nov. 18. the part of the camp housing (U.R)—Rep. Engle, (D.) Cal., will introduce a bill in Congress to prevent the Army's relinquishing control of the Tule Lake Japanese segregation center to the War Relocation Authority, he announced today following a personal investigation of the center.

Engle said "it could be as the part of the camp housing white employees. Army barracks are being built a half-mile outside the camp. When the rumpus subsides it is the assumption that the Army will retire and the W.R.A. will take over." Engle said.

The bill would take jurisdiction of all relocation camps away

Engle said "it could be assumed" that the W.R.A. would again take complete charge of the camp for disloyal Japanese "as soon as it wants to" following recent disturbances which caused the Army to march into the camp Nov. 4.

Army Barracks Outside

"A fence is being built to seg-regate the Japanese colony from

said.

The bill would take jurisdiction of all relocation camps away from the W.R.A. which, he charged, had failed to deal with disloyal Japanese "with a firm hand" and place control of the 10 camps and the present functions of the W.R.A. under the Secretary of War.

"The W.R.A. still runs the project, as far as I can ascertain," said Engle, who spent several

project, as far as I can ascertain," said Engle, who spent several days at Tule Lake investigating circumstances leading to the calling of troops after Japanese attempted to kidnap Project Director Ray R. Best.
"The Army is merely policing it"

it."

The national W.R.A. administration is to blame for the situation because it did not take a firm hand, Engle charged. The W.R.A. has not changed as the result of a series of investiga-tions at the camp, he said.

More troops Jap camp "/43 Tule Lake

discipline on disloyal Japanese indiscipline on disloyal Japanese interned at the Tule lake segregation center today held the camp apanese surrounded the Tule in firm control as reinforcements Calif., Japanese relocation holding Dillon Myer, nawar relocation authority dispared.

in center today held the camp spaces with the camp

TULE LAKE, Calif., Nov. 6.— d by WRA

holding WRA national director Dillon Myer and 100 other Caucasian personnel virtual prisoners.

TULE LAKE JAP REVOLT DISCUSSION POSTPONED

Troubles at the Tule lake Japanese relocation center today hould not have to vest food, which would be caused R. B. Cozzens, field assistant director for the WRA, to postpone his Nov. 10 talk before the lawyers club here.

Program chairman Jerry Giesler announced that Wilbert L. Hindman, assistant professor of political science at the University of Southern California, will speak at the Hotel Rosslyn luncheon meeting on "The Legal Regulation of Postwar International Broadcasting."

Cozzens will talk on "The Problem and Facts of the Japanese Evacuee Program" later this month.