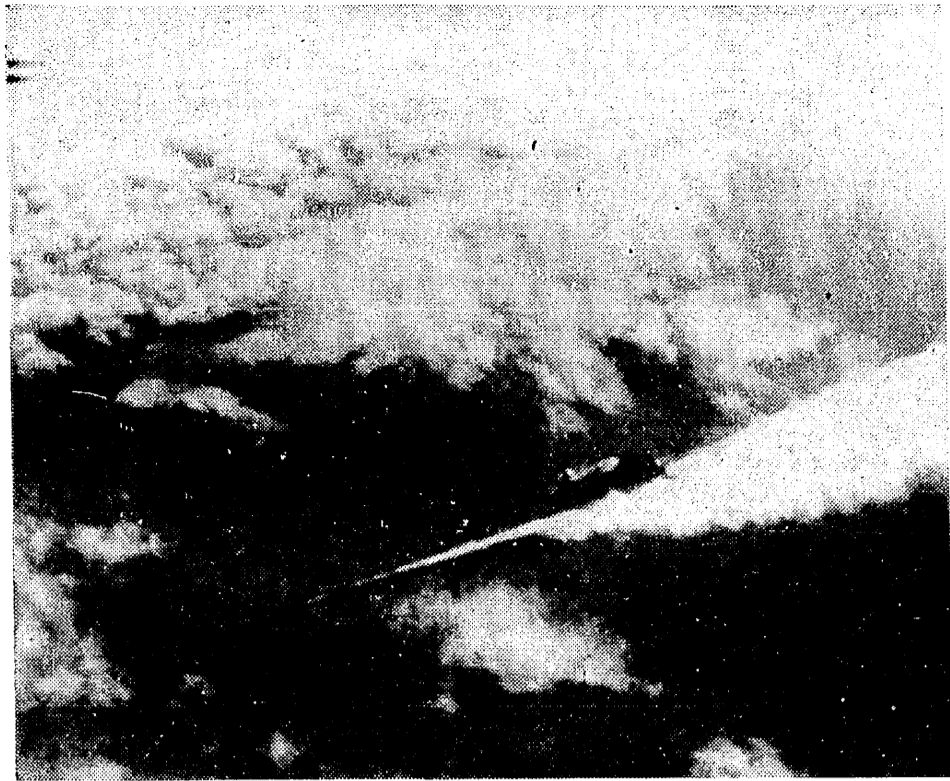
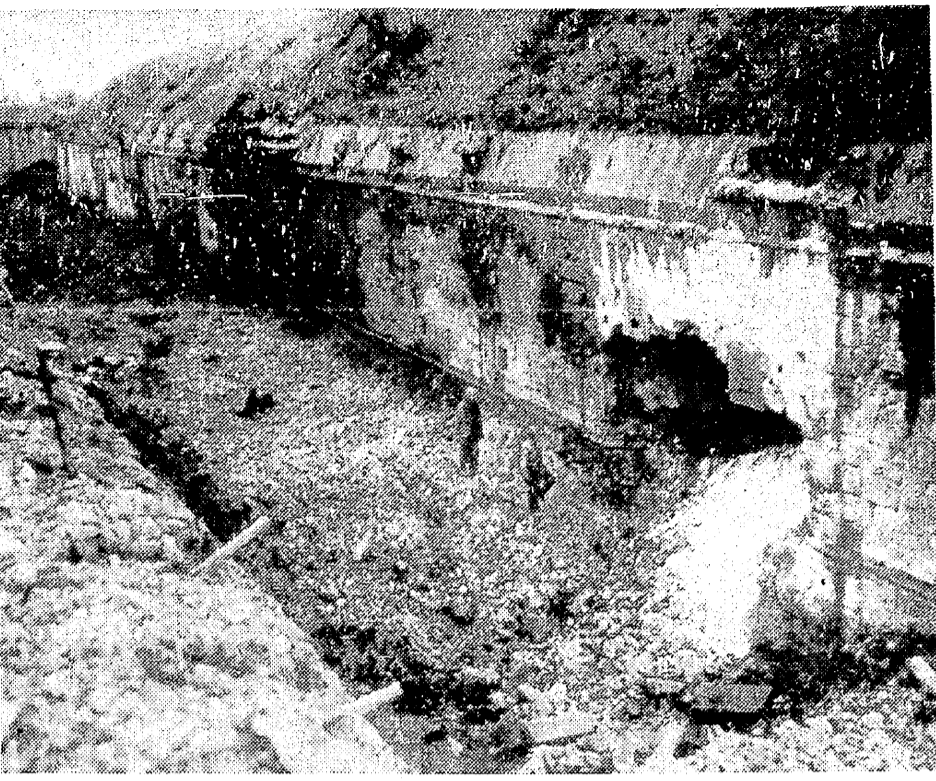


'FORT' DOWNED IN COLLISION



OVER STUTTGART GERMANY—A B-17 Flying Fortress, lead plane of a formation of Eighth Army Air Force heavy bombers attacking Stuttgart, plummets earthward trailing heavy smoke after its tail assembly was completely knocked off by the propellers of the following plane. No parachutes were seen to open.—A. P. wirephoto from Army Air Forces.

HOLE BLASTED IN NAZI FORT



TNT IN TRUCK DID IT—Two American soldiers examine a hole in the wall of a German-held fort near Metz, France, after United States Army engineers had loaded a German half-truck with TNT and rolled it into the side of the structure. Eighty-two Germans surrendered to an American Infantry company after the blast.—A. P. wirephoto from United States Signal Corps.

24-HOUR LEAVE



IN HOLLYWOOD—Gail Patrick, film actress, and her husband, Lieut. Dean White, U. S. N. R., celebrated their first Christmas together Saturday night. The advanced date was necessary as Lieutenant White had only a 24-hour leave from the Naval Air Station in Alameda, and will be unable to get home Christmas Day. This is the first time since Pearl Harbor that White has been in this country for the holidays.—A. P. wirephoto.

Text of Army Order Lifting Ban on Japanese on Coast

By Associated Press. WASHINGTON, Dec. 18.—The text of the War Department announcement of the rescinding of the Japanese exclusion order:

Favorable progress of the war in the Pacific, as well as other developments, has resulted in a determination by the commanding general of the Western Defense Command, with the approval of the War Department, that the continued mass exclusion from the West Coast of persons of Japanese ancestry is no longer a matter of military necessity. For this reason, mass exclusion orders under which persons of Japanese ancestry were evacuated from the Pacific Coast area in 1942 were revoked today through the issuance of Maj. Gen. Henry C. Pratt, commanding general of the Western Defense Command, of public proclamation No. 21. The revocation order provides any person of Japanese ancestry, about whom information is available indicating a pro-Japanese attitude, will continue to be excluded on an individual basis. Those persons of Japanese ancestry whose records have stood the tests of Army scrutiny during the past two years will be permitted the same freedom of movement throughout the United States as other loyal citizens and law-abiding aliens. The decision to revoke the exclusion orders, first applied on March 26, 1942, was prompted by military considerations. Since the evacuation, our armed forces steadily have pushed the enemy in the Pacific farther from our shores and closer to the Japanese home islands. Although hard fighting is ahead in the Pacific, it no longer can be said, as it could be said in 1942, that an enemy invasion of the West Coast on a large scale is a substantial possibility. In 1942, it was impossible to make an immediate determination of which persons of Japanese ancestry were loyal and which were not. Mass treatment of all Japanese-Americans, therefore was a necessary military precaution. Since that time, persons of Japanese ancestry who were evacuated from the coastal area have been thoroughly investigated from the standpoint of loyalty, probably more thoroughly than any other segment of our population. As a result of these investigations, it has been possible to make progress in separating those who may be dangerous from those who are loyal to the United States. One of the first steps in this direction was taken by the Army itself in selecting those persons of military age among the persons of Japanese ancestry who were acceptable for the Army, initially as volunteers and later under Selective Service. Many of these men were recruited from relocation centers and many of them have families in the centers. The outstanding record which these men have made fighting for the United States in Italy, in France, and in the Pacific has shown conclusively it is possible to make sound judgments as to their loyalty. The War Department is aware the rescission of mass exclusion will create certain adjustment problems beyond military considerations. It believes, however, that adequate solutions for these problems exist. The Department of the Interior has informed the War Department that it intends to put into effect a program based on a gradual and orderly return to the West Coast and a vigorous continuation of its efforts to relocate persons of Japanese descent throughout the United States. The War Department believes the people of the Pacific Coast area will accord returning persons of Japanese ancestry all the considerations to which they are entitled as loyal citizens and law-abiding residents.

Gen. Pratt



REVOKES EXCLUSION ORDER—With the approval of the War Department, Maj. Gen. Henry C. Pratt (above), chief of the Western Defense Command, yesterday in San Francisco issued the revocation order which excluded persons of Japanese ancestry from the West Coast.—A. P. wirephoto.

NO MORE DIMES FOR BABY



IN BOSTON YESTERDAY—Six-month-old Linda Edgar, held by her mother, Mrs. Lillian Edgar, looks searchingly on at her brother, Peter, 2½, believed by his mother to be responsible for "feeding" the baby a dime which became lodged in her throat. The child suffered with an infected throat for two months before an operation disclosed the coin. Peter offers consolation with a pat on the arm but his sister, just home from the hospital, appears a bit distrustful.—A. P. wirephoto.

Equal Rights Promised Japs by Mayor Devin

Mayor William F. Devin today promised that alien and American-born Japanese who are permitted to return to Seattle by military authorities will be "given equal protection under the law" with all other citizens. "It is assumed that the War Department has satisfied itself that those American-Japanese who are permitted to return to the West Coast area are not dangerous to the war effort," the mayor declared in a formal statement. "If this be true, they are entitled to the same rights and privileges as other citizens. I call upon our citizens to put into effect at this time those principles of democracy of which we are all so justly proud as Americans. Our men are fighting and dying that those principles may be preserved in this nation and in the world. Protection For All "As the mayor of this city, it is my duty to see to it that all of our citizens, regardless of color or creed, are given equal protection under the law, and that I intend to do." Revocation of the Japanese exclusion order for the Pacific Coast won praise from the Seattle Council of Churches, but met criticism from the Remember Pearl Harbor League. The league was organized in the White and Puyallup River Valleys to oppose resettlement of the Japanese. The Rev. Dr. Harold V. Jensen, pastor of the First Baptist Church and president of the Council of Churches, said the return of the Japanese will be "a real testing period for the city," and made a plea for tolerance. "Now that the military emergency which caused the evacuation of residents of Japanese descent has passed, the revocation of the order is a much-needed indication of democracy. I rejoice that our military authorities, in the midst of the battle for democracy overseas, are acting to preserve that democracy at home. Hundreds Have Died in War "I am confident that the loyalty and sense of fair play of our citizens will prompt them to cooperate fully in the period of readjustment when these Americans of Japanese ancestry begin to return to their homes. In that connection, we should be reminded that hundreds of American citizens of Japanese ancestry have given their lives for the country, and many more are

Evacuees

(Continued From Page One)

1942, and it was estimated that there are now approximately 119,000 under jurisdiction of the War Relocation Authority. Spokesmen for the Western Defense Command said that lifting of the ban will not mean a sudden return of population, adding further strain to war-taxed housing conditions. The Defense Command said it expects the War Relocation Authority to see that the process is gradual, and added that those permitted to return will be carefully investigated. In Boise, Idaho's Gov. C. A. Bottolfsen voiced hearty accord with the revocation order. Idaho is the site of the Minidoka Relocation Center, which at one time housed 10,000 Japanese-Americans. "Having proved themselves loyal American citizens, these people should be given every opportunity to return to their homes..." Internees Waited for Today Yoshita Fujii, chairman of the Minidoka Community Council, said the 7,500 Minidoka internees "have been waiting for this day. We long to return to our homes, our farms, our businesses. We feel that we are good Americans..." At Salt Lake City, Saburo Kido, president of the Japanese-American Citizens' League and a former San Francisco lawyer, termed the action "a vindication of the loyalty of the Japanese-American population to the United States. But at Kent, Wash., Benjamin Smith, president of the Remember Pearl Harbor League, declared the Japanese still are dangerous to the war effort, and declared the Japanese still are dangerous to the war effort, and added that his organization has pledged 500 persons not to sell, lease or rent farms, homes or stores to the returning evacuees. He said that "further steps" might be taken. Orderly Dismissal An orderly dismissal of the Japanese from the camps was envisioned by War Relocation Authorities. At the Topaz (Ariz.) Center, Director Luther T. Hossman said it would probably be a year before the center is abandoned. Director Leroy H. Bennett of the Gila River Center at Rivers, Ariz., said the residents won't be returned "immediately," and promised a detailed announcement of procedure would be made later in Washington. At Washington, D. C., West Coast congressmen were reluctant to comment. Representative Lea, Democrat, California, said he hoped many of the Japanese who left the state would stay away. Congressmen from Oregon and Washington State said there was still considerable feeling against the Japanese in some parts of their districts. Housing Is Problem Representative Sheppard, Democrat, California, said he thought the housing situation in many California areas would retard the return of the Japanese. At Salinas, Calif., which sent many of its youth to Bataan and Corregidor, Chamber of Commerce Secretary Fred A. McCargar said: "Salinas certainly doesn't want any incidents to happen." He en-

High Court

(Continued From Page One)

vison of our West Coast and felt constrained to take proper security measures, because they decided that the military urgency of the situation demanded that all citizens of Japanese ancestry be segregated from the West Coast temporarily, and, finally, because Congress, reposing its confidence in this time of war in our military leaders—as inevitably it must—determined that they should have the power to do just this. Three Justices Dissent "There was evidence of disloyalty on the part of some, the military authorities considered that the need for action was great and time was short. We cannot—by availing ourselves of the calm perspective of hindsight—now say that at that time these actions were unjustified." Justices Murphy, Jackson and Roberts each wrote dissenting opinions. Justice Frankfurter wrote a separate concurring opinion. Terming the exclusion "an obvious racial discrimination," Murphy said it was "one of the most sweeping and complete deprivations of constitutional rights in the history of this nation in the absence of martial law." No Immediate Relation to an "Immediate" Public Danger is Evident, he said, "to support this racial discrimination." Murphy said it was essential "that there be definite limits to military discretion, especially where martial law has not been declared." The Douglas decision explained: "We do not mean to imply that detention in connection with no phase of the (Japanese) evacuation program would be lawful." In the decision by Justice Douglas the court declined, however, to rule on the questions of military law involved in the case. The Douglas decision explained: "We do not mean to imply that detention in connection with no phase of the (Japanese) evacuation program would be lawful." In reaching its conclusion, the court said it did not "come to the underlying constitutional issues which have been argued. For we conclude that, whatever power the War Relocation Authority may have to detain other classes of citizens, it has no authority to subject citizens who are concededly loyal to its... procedure." The court's decision came just a day after the War Department revoked its order by which persons of Japanese ancestry have been barred from strategic areas of California, Washington and Oregon. The Army revocation did not, however, extend to citizens of Japanese ancestry of known pro-Nipponese sympathies. Born in California Justice Roberts wrote a separate concurring opinion in which he said he felt that court was "squarely faced" with the constitutional rights of Miss Endo. Miss Endo was born 24 years ago in Sacramento, Calif. Described by "because I think the indisputable

EARLY CHRISTMAS



IN DES MOINES YESTERDAY—Five-year-old Russell Huckstep is shown with some of the Christmas toys he has been receiving ahead of time because he may not live until December 25. A hospital patient since July 20, the boy is suffering from an inflammation of the lungs from which physicians say he cannot recover. His father, an Army major, was killed in a plane crash in Cairo, Egypt, last year.—A. P. wirephoto.

Survivors Tell How Germans Mowed Down Captive Yanks

and as we got to the road intersection they opened up on us," said Summers. "They had at least 15 to 20 tanks. They disarmed us and then searched us for wristwatches and anything else they wanted. "I guess we were lined up along that road for a full hour. Then they stood us all together in an open field. I thought something was wrong. As we were standing there, one German soldier moving past in a tank column less than 50 yards away pulled out a pistol and emptied it on our fellows. "A grimy soldier sitting in the little room here with Summers ran his hands through mud-caked hair and broke into sobs. There were tears in Summers' eyes as he went on: "Then they opened up on us from their armored cars with machine guns. We hadn't tried to run away or anything. We were just standing there with our hands up and they tried to murder us all. And they did murder a lot of us. "There was nothing to do but flop and play dead. "I never saw such slaughter before in this war," said Pvt. William F. Geem of Elizabethtown, Pa. "They were cutting us down like guinea pigs. Then those German non-coms began walking around knocking off our wounded. I kept my head down, but after they had emptied their pistols I could hear them click fresh cartridges in their hands while they were reloading. Then they went on looking for more of our fellows to shoot. "We just hoped and prayed while we lay there listening to them shoot every man that moved," said Charles F. Appman, technician, fifth grade, Verona, Pa. "Hour in Freezing Mud The survivors lay in tense, rigid silence in the freezing mud for an hour, before cautious glances showed all the Germans had moved away except one Tiger tank. "It wasn't more than 100 yards away, but we decided we had to make a break for it then or never," said Harold W. Billow, technician fifth grade, Mount Jay, Pa. "We jumped up and scattered for the woods. The tank opened up on us, but I don't think it got many that time." Three hours after the slaughter, less than 20 survivors had made their way back to the American lines. Jack Belden of Time Magazine and I rode back to this clearing station with the first survivors picked up by our reconnaissance jeeps.

Russ Buyers in U. S. Win Soviet Awards

MOSCOW, Dec. 18.—(AP)—The Supreme Soviet yesterday announced the award of decorations to more than 100 members of the Russian Purchasing Commission in the United States for "successful effort in supplying the Red Army and Navy with needed war supplies and materials." Heading the list was Rear Adm. Mikhail Ivanovich Akulov, who received the Order of Lenin.

Baron Ikki Dies in Tokyo

NEW YORK, Dec. 18.—(AP)—Baron Kitokuro Ikki, 71 years old, former president of the Japanese Privy Council and one of Emperor Hirohito's personal financial advisers, died yesterday of pneumonia at his home in Tokyo, Domei Japanese news agency said. Baron Ikki was appointed to the Privy Council in August, 1917.