

SOLON TO TEST JAP EVACUATION

Legality of the evacuation of American-born Japanese will be tested in a suit in United States District Court by Mrs. Mary Farquharson, state senator and representative in Seattle of the Civil Liberties Union, she said today.

The case will be prosecuted by the Union, Mrs. Farquharson said. The issue will be over the evacuation of Gordon Hirabayashi, 24 years old, a University of Washington student, who is held in the county jail in lieu of \$5,000 bond because he refused to comply with evacuation orders of the Army.

Hirabayashi contends the military order is a denial to American citizens of the civil liberties to which they are entitled.

Mrs. Farquharson said legal counsel would be obtained by the Civil Liberties Union for the Japanese and that the case probably would be argued first when Hirabayashi applies for a writ of habeas corpus.

Hirabayashi said, anent his arrest and confinement:

"If I were to register and cooperate under these circumstances, I would be giving helpless consent to denial of practically all things which give me incentive to live."

Hirabayashi was chairman of the Conscientious Objectors' Group, an off-campus organization including in its membership several other University students.
