

Jap Appeal Hits Army's Powers Of Internment

SAN FRANCISCO, Dec. 10.—(AP)—An appeal filed in United States District Court today on behalf of an American-born Japanese now in a relocation center, declared that "for the Army to intern any citizen is a usurpation of judicial power and an interference with judicial administration."

The appeal was on behalf of Fred Toyosaburo Korematsu, resident of Alameda County, now in a center near Topaz, Utah. He is under a five-year probationary sentence in Federal Court, convicted of trying to circumvent the military's evacuation orders. He underwent a facial operation in order to change his features—he hoped to pass, then, for a Mexican—but that didn't work.