

Ctn. 1:19

Imperial Co.

1942 Feb - June

C-A  
172

Exhibit 8

JAPANESE PICKED UP FOR IMMIGRATION:

2-14-42

Sakurai, M  
Masukane, Sotsuichi  
Taniguchi, Yoshito  
Omori, Juro  
Nimura, Tamiza  
Koike, Shiro  
Okutsu, O.  
Nakazona, Yaichi  
Otsuka, Frank K.  
Fujizama, Muyaza  
Okida, Ryosaku  
Ononye, Torazo  
Yamashita, Chosabura  
Tanose, Yasaburo  
Nishimoto, Kikatono  
Yukawa, G.  
Furukawa, George  
Ohta, Renroku H.  
Ushimoru, Kuroji  
Miyata, Otokichi  
Shigematsu, Masuku  
Okamura, Naoye  
Kodama, Ryonosuke  
Usuchiyama, Kanyiro  
Nakahara, Takutmo  
Seko, Fusataro  
Yamada, Juichi  
Koroda, S.  
Rumagai, Takiji  
Minami, Somatsu  
Sasaki, E. K.  
Myose, Sakutaro

9963 FEB 21 42  
EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
ASSIGNED TO:

Exhibit "E"

ORDINANCE NO. 154

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, REQUIRING REGISTRATION OF, AND REGULATION AND CONTROL OF ALIEN ENEMIES OF THE UNITED STATES OF AMERICA, PRESCRIBING RULES AND REGULATIONS THEREFOR, AND PRESCRIBING AND SETTING FORTH PENALTIES FOR VIOLATIONS HEREOF.

The Board of Supervisors of the County of Imperial do ordain as follows:

Section 1. Definitions. As used in this Ordinance

- (a) words "alien enemies", or "alien enemy", shall mean any and all persons who are citizens or nationals of any country with which the United States of America is now, or hereafter may be, at war, or against which war has been or may hereafter be declared, and this definition is hereby specifically deemed to include all citizens or nationals of Germany and/or Italy and/or the Empire of Japan;
- (b) "Agricultural Commissioner" means the Agricultural Commissioner of the County of Imperial, State of California;
- (c) "County" means County of Imperial;
- (d) "Section" means a section of this Ordinance, unless some other Ordinance or statute is particularly mentioned;
- (e) the present tense includes the past and future tenses, and the future tense includes the present tense;
- (f) the masculine gender includes the feminine gender;
- (g) the plural number includes the singular number and the singular number the plural number;
- (h) "Shall" is mandatory, and "may" is permissive;
- (i) "Peace officer" means every person defined as a peace officer by Section 817 of the Penal Code of the

State of California; (j) "Person" includes firm, corporation, company, or association.

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Section 2. Every alien enemy now in, or hereafter coming into the County of Imperial, shall within 10 days subsequent to the effective date of this Ordinance, or within 10 days subsequent to coming into the County of Imperial, register with the Agricultural Commissioner of the County of Imperial, at his office in the Court House in the City of El Centro, and every such alien enemy shall upon such registration give his full name, age, residence address and occupation, and if married, the name, age and residence address of husband or wife, the number of children, if any, with the name, age and residence address of each child, and shall file with said Agricultural Commissioner two clear, signed photographs, size 2 by 2 inches, of such alien enemy.

Section 3. It shall be the duty of said Agricultural Commissioner upon the registration of each alien enemy to issue to him a numbered identification card upon which said identification card there shall appear the name, age, residence address and occupation of the holder thereof, together with a thumb print of said alien enemy, with said alien enemy's photograph affixed thereto. It shall be the duty of such alien enemy to keep said registration card in his personal possession at all times, and he shall exhibit the same to any and all persons whenever requested so to do.

Section 4. Every alien enemy in the County of Imperial who is directly or indirectly engaged in farming, agriculture,

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horticulture or viticulture, or in any other operation involving the farming or occupancy of agricultural land, or the processing, marketing, sale, harvesting or shipping of agricultural products, shall also at the time of registering, give to the Agricultural Commissioner in addition to the data and photographs required in Section 3 above, the following information: The legal description of the land of which he is directly or indirectly engaged in farming, occupying or operating, or in connection with which he is carrying on agriculture, horticulture, viticulture or other farming activities and operations, the name and address of the owner of the land, and the water delivery gate number and name of the Irrigation Canal serving said land. If such alien enemy is a lessee, or interested in, or operating said land under either a written or oral lease or contract, he shall also give the name of the owner of the land and the terms and character of the lease or contract, and shall exhibit any such written lease or contract, and file a certified copy thereof with the said Agricultural Commissioner, at the time of registering.

Section 5. Every alien enemy who is directly or indirectly engaged in or interested in the handling, harvesting, processing or shipping of agricultural products, whether as a commission merchant, produce dealer, broker, salesman or agent, shall within the time specified in Section 2 hereof, register with the Agricultural Commissioner

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1 of the County of Imperial, and shall thereupon give his  
2 name and address, and the name and address of every person,  
3 partnership, company or corporation whom he represents. If  
4 such alien enemy is interested in a corporation, whether as  
5 a stockholder, member, or manager, or otherwise, he shall  
6 then furnish to the Agricultural Commissioner the names and  
7 addresses of all other stockholders, or members of such  
8 company, corporation or partnership; and such alien enemy  
9 shall also thereupon file with the Agricultural Commissioner  
10 of the County of Imperial, copies of any and all licenses,  
11 whether federal, state, city or county, or otherwise, under  
12 which he may be operating as such commission merchant,  
13 produce dealer, broker, salesman or agent.

14 Section 6. It shall be unlawful for any alien enemy,  
15 either as tenant, lessee, sublessee, cropper, partner or  
16 foreman, or under any other designation or arrangement what-  
17 soever, directly or indirectly, to occupy, lease, sublease,  
18 farm, operate, control, have or direct any interest what-  
19 soever in agricultural lands within the County of Imperial,  
20 or benefit in the products or proceeds of any such products  
21 grown on such agricultural lands; and it shall further be  
22 unlawful for any such alien enemy to acquire, control, or in  
23 any degree, benefit, directly or indirectly, from any of  
24 said operations through a native born, or a naturalized  
25 United States citizen, by means of any direct, or indirect  
26 plan or arrangement, whereby it is made to appear that said

1 native born or naturalized United States citizen is the  
 2 de facto tenant, lessee, owner and/or operator, or is in  
 3 actual control of any agricultural lands; provided, however,  
 4 that this ordinance does not prohibit the employment of an  
 5 alien enemy as a laborer under any rights granted him by any  
 6 federal or state constitutions, treaties, laws or  
 7 regulations, but in any event said employment shall be a bona-  
 fide labor employment, and not otherwise.

8 Section 7. It shall be unlawful for any citizen of  
 9 the United States of America, whether native born or  
 10 naturalized, to perform any act or carry out any plan  
 11 whatsoever, directly or indirectly, for the purpose of, or  
 12 resulting in, assisting, encouraging, aiding or abetting  
 13 any alien enemy to violate any of the terms or provisions  
 14 of this Ordinance; and it shall be unlawful for any such  
 15 citizen to enter into any lease or other kind of agreement  
 16 in any form whatsoever, whether written or oral, for the  
 17 purpose of aiding, abetting or assisting an alien enemy  
 18 to procure the occupancy, possession of, or any interest in,  
 19 agricultural land in the County of Imperial for the purpose  
 20 of carrying on or accomplishing any of the operations  
 21 prohibited by this Ordinance.

22 Section 8. It shall be unlawful for any native born  
 23 or naturalized citizen of the United States of America,  
 24 directly or indirectly, to enter into or be interested in  
 25 any lease contract, lease agreement, cropping agreement, or  
 26 any other kind of agreement, whether written or oral, for the

1 purpose of directly or indirectly, or under subterfuge, or  
2 otherwise, placing or permitting an alien enemy upon any  
3 agricultural lands in the County of Imperial, or permitting  
4 him to grow or produce crops thereon, or to enjoy the bene-  
5 ficial use thereof, or to have or enjoy an interest in  
6 agricultural crops grown or to be grown upon agricultural  
7 lands, or to participate in any degree in the proceeds from  
8 the sale thereof.

9 Section 9. It shall be unlawful for any person to  
10 fail or to refuse to comply with, or to violate, any of  
11 the terms and provisions of this Ordinance. Any person who  
12 fails or refuses to comply with, or who violates, any of  
13 the terms and provisions of this Ordinance, shall be guilty  
14 of a misdemeanor, and upon conviction thereof shall be  
15 punished by imprisonment in the County Jail of the County  
16 of Imperial for a period of not to exceed six months, or  
17 fined in ~~sum~~ not to exceed \$500.00, or by both such  
18 fine and imprisonment; and in the event a fine is imposed  
19 under this Ordinance and such fine shall not be paid,  
20 the Court may adjudge that the defendant shall serve  
21 one day in said County Jail for each \$2.00 of the unpaid  
22 portion of such fine.

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Section 10. The Agricultural Commissioner of the County of Imperial, and each of his deputies, inspectors, agents and employees, and all peace officers of said County of Imperial, are hereby authorized, and it shall be the duty of each of said persons and officers, to enter upon all agricultural lands in the County of Imperial for the purpose of investigating any alleged violations of this Ordinance. It shall be the duty of any and all persons who may be found in or about or upon such agricultural lands to furnish to the Agricultural Commissioner, or any of his deputies, inspectors, agents, or employees, and to such peace officers, all requested information relative to the occupancy and farming of said lands, and to exhibit to such peace officers and said Agricultural Commissioner, and each of his deputies, inspectors, agents and employees, upon demand, any and all legal documents, including leases, cropping contracts and other instruments under the control of such persons and involved in the occupancy or possession of said lands. Any person who interferes with any such peace officer, or the Agricultural Commissioner, or any of his inspectors, deputies, agents or employees, in the performance of their duties under the terms and provisions of this Ordinance, or who shall fail or refuse to comply with the terms and conditions hereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Section 9 hereof.

Section 11. The District Attorney of the County of Imperial is hereby empowered and authorized, and it shall be his

1 duty to enforce the provisions of this Ordinance, and said  
2 District Attorney is hereby authorized to maintain proceedings  
3 in proper courts and tribunals against all persons who are  
4 found to be violating any of the terms and provisions of this  
5 Ordinance to enjoin such persons from carrying on farming  
6 operations or performing any of the acts prohibited by this  
7 Ordinance; and said District Attorney is further hereby empowered  
8 to maintain civil proceedings in the proper courts and tribunals  
9 and in the name of the People of the State of California to can-  
10 cel all lease contracts, cropping contracts and/or any other  
11 types of contract, whether written or oral, violating, or appear-  
12 ing to violate, any of the terms and provisions of this Ordin-  
13 ance, or of the laws of the State of California.

14 Section 12. It shall be unlawful for any alien enemy to  
15 have in his possession, or under his custody and control, any  
16 shotgun, rifle, pistol, revolver, or any other recognized fire-  
17 arm whatsoever. Any such firearm shall be summarily seized by  
18 the Sheriff, or by any peace officer of the County of Imperial,  
19 and if so seized, shall be confiscated or destroyed by said  
20 Sheriff, or any such peace officer, upon order of the Superior  
21 Court. Any violation of this section shall constitute a mis-  
22 demeanor, and upon conviction thereof such alien enemy shall be  
23 punished as provided in Section 9 of this Ordinance.

24 Section 13. It shall be unlawful for any alien enemy to  
25 have in his possession, or under his custody and control any  
26 carrier pigeon, or carrier pigeon facilities, short wave radio

1 apparatus or signalling or communicating device (except public  
 2 telephone) of any kind or character whatsoever, and cameras,  
 3 binoculars, telescopes, maps. Any such carrier pigeon, carrier  
 4 pigeon facilities, short wave radio apparatus, or signalling  
 5 or communicating device, cameras, binoculars, telescopes, maps,  
 6 shall be summarily seized by the Sheriff, or by any peace  
 7 officer of the County of Imperial, and if so seized, shall be  
 8 confiscated or destroyed by said Sheriff, or any such peace  
 9 officer upon order of the Superior Court. Any violation of  
 10 this section shall constitute a misdemeanor and upon conviction  
 11 thereof such alien enemy shall be punished as provided in  
 12 Section 9 of this Ordinance.

13 Section 14. It shall be unlawful for any alien enemy to  
 14 transport, carry, haul, or in any manner whatsoever, by any  
 15 means whatsoever transport or haul farm products, food products  
 16 or crops in, along, upon or over the public highways of the  
 17 County of Imperial.

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SMALL PRINT  
 COUNTY OF IMPERIAL  
 REGISTERED OFFICE

1           Section 15. It shall be the legal and patriotic duty  
2 of all United States citizens now in the County of Imperial,  
3 on or before February 26, 1942, or if not in the County of  
4 Imperial at the effective date of this Ordinance, within 10  
5 days after coming into the County of Imperial, to appear per-  
6 sonally at the office of, and report to, the Agricultural Com-  
7 missioner of the said County of Imperial, in the Court House  
8 in the City of El Centro, all information, within the knowledge  
9 of such citizen, concerning any apparent or actual violation  
10 of this Ordinance, and concerning any alien enemy who is  
11 occupying agricultural lands, or who is directly or indirectly  
12 engaged in farming, agriculture, horticulture or viticulture,  
13 or in any other operation involving the farming or occupancy  
14 of agricultural lands, or in the processing, marketing, sale,  
15 harvesting or shipping of agricultural products. Any person  
16 who, having knowledge of any such information, fails or re-  
17 fuses to report same to the Agricultural Commissioner as here-  
18 in required, shall be guilty of a misdemeanor, and upon con-  
19 viction thereof, shall be punished as provided for under Sec-  
20 tion 9 hereof.

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2 Section 16. This Ordinance is hereby declared to be  
3 passed, adopted and approved by the Board of Supervisors  
4 of the County of Imperial under and by virtue of the  
5 constitutional police powers of said Board of Supervisors  
6 and of said County.  
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1 Section 17. This Ordinance is hereby declared to be an  
2 urgency measure necessary for the immediate preservation of  
3 the public peace, health and safety of the people of Imperial  
4 County and shall become effective immediately. The following  
5 is a declaration of facts constituting such necessity: On  
6 December 7, 1941, while Washington officials were discussing  
7 peace with Japanese ambassadors, the Japanese Imperial forces  
8 in strength deliberately attacked Pearl Harbor and other  
9 United States possessions in the Pacific, without cause or  
10 notice, killing several thousand American soldiers and sailors.  
11 The United States thereafter declared war upon the Empire of  
12 Japan, and upon their Axis allies, the Italian and German  
13 totalitarian nations. A bitter, all-out state of war now  
14 exists between the United States and said three nations.  
15 Numerous alien enemies of the United States reside in  
16 Imperial County. Many thousands of acres of agricultural  
17 lands in Imperial County are occupied by, or are reported to  
18 be occupied by, alien enemies. An army camp and military  
19 airports are maintained in this County, with additional air-  
20 ports and military installations projected. There are in  
21 this county many valuable and important public utility  
22 projects, including power and water plants, bridges, highways  
23 and canals, all of which are potentially subject to military  
24 attack in event of invasion. They are all subject to sabo-  
25 tage. Their impairment or destruction would be disastrous  
26 to our people and to the military program of the United States

1 in this war. The Board of Supervisors is advised that the  
2 nations with which we are at war plan to attack and seize  
3 all the territory on the Pacific coast. The agricultural  
4 lands in Imperial County are among the richest in the World.  
5 Large irrigation works have been developed by the people  
6 in this county at a cost of millions of dollars, and rough,  
7 virgin land has been transformed from a desert waste into  
8 a region of untold productivity. Many of said alien enemies  
9 have children and families in the countries with which we  
10 are at war. By occupying agricultural lands in Imperial  
11 County, these alien enemies are obtaining information con-  
12 cerning the kind and quantity of farm products being grown  
13 here, and also information relating to the supply and  
14 delivery of water to the agricultural lands in the county  
15 and to the nature and extent of all public utilities. Urgent  
16 demands have been made upon the federal and state govern-  
17 ments to investigate the activities of alien enemies in this  
18 county. The federal and state governments have been requested  
19 to evacuate all alien enemies from the Pacific Coast area.  
20 The action of said federal and state governments has not  
21 been as expeditious as the local situation warrants. The  
22 presence of such alien enemies in this county is a serious  
23 menace to the peace, health and safety of our people and  
24 their property. Their unrestricted activities at this time  
25 constitute manifestly a dangerous and innocuous public evil  
26 that should be suppressed forthwith. The number and the

1 occupations of the alien enemies of this county are unknown.  
2 Unless all such alien enemies are immediately registered and  
3 their movements or activities exposed and controlled, they  
4 have it in their power to cause vast damage and havoc to our  
5 public works and enterprises, both military and civil. They  
6 are in a position to furnish unlimited aid and comfort to our  
7 enemies unless restricted. In order to anticipate and avoid  
8 any such damage, and as a practical and effective measure of  
9 civilian defense, this Ordinance is deemed necessary at this  
10 time. Military forces of our allied nations have met with  
11 disastrous defeats by the Japanese. German submarines are  
12 taking heavy toll of our shipping. Sabotage is reported in  
13 this country almost daily. We earnestly believe that our  
14 people should immediately fully realize the seriousness of  
15 the war we are engaged in to maintain and protect our  
16 American liberties. We should present a united front against  
17 our common enemies. It is vitally important that we now  
18 procure complete information concerning all alien enemies  
19 in our midst. The Board of Supervisors of the County of  
20 Imperial has heretofore been dissatisfied with, and dismayed  
21 at the apparent lack of federal and state official interest in  
22 our welfare, and their failure to recognize our situation and  
23 act immediately for our protection. The situation presented  
24 herein is not met by any federal or state laws. Therefore,  
25 the Board of Supervisors is taking what it deems to be  
26 necessary steps as a police regulation in the interest of our  
people for their proper protection from these alien enemies.

1           Section 18.    If any section, sub-section, sentence,  
2           clause or phrase of this Ordinance is for any reason held  
3           to be unconstitutional or invalid, such decision shall  
4           not affect the validity of the remaining portions of this  
5           Ordinance.    The Board of Supervisors hereby declares  
6           that it would have passed this Ordinance and each section,  
7           sub-section, sentence, clause and phrase hereof, irrespective  
8           of the fact that any one or more other sections, sub-sections,  
9           sentences, clauses or phrases be declared unconstitutional  
10          or invalid.   If any provision of this Ordinance is found to  
11          conflict with any state or federal statute or regulation,  
12          then such provision shall not apply.  
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1           Section 19. This Ordinance shall take effect and be  
2 in force immediately from and after its passage, and before  
3 the expiration of fifteen days, the same shall be published  
4 with the names of the members voting for and against the  
5 same, for at least one week in the Westmorland Mail, a  
6 newspaper of general circulation, published in the  
7 County of Imperial.  
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Section 20. All Ordinances, or parts of Ordinances, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL THIS 16 DAY OF February, 1942.

B. M. Graham  
B. M. GRAHAM, Chairman of the Board of Supervisors

ATTEST: W. J. McClelland  
W. J. McCLELLAND, County Clerk of the County of Imperial, and Ex-officio Clerk of the Board of Supervisors of the County of Imperial

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STATE OF CALIFORNIA )  
                          ) ss  
COUNTY OF IMPERIAL )

I, W. J. McCLELLAND, County Clerk of the County of Imperial, and Ex-Officio Clerk of the Board of Supervisors of said County, do hereby certify that at an adjourned regular meeting of the Board of Supervisors held on the 16th day of February, 1942, the foregoing Ordinance was passed, adopted and approved by said Board of Supervisors by the following called vote;

AYES: Supervisors Schlatter, Osborne, Preble, Graham, and Vencill.

NOES: Supervisors None

ABSENT AND NOT VOTING: Supervisors None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of the Board of Supervisors of the County of Imperial this 16 day of February, 1942.

W. J. Mc Clelland

SEAL

W. J. McCLELLAND  
County Clerk and Ex-Officio  
Clerk of the Board of Supervisors  
of the County of Imperial

# County of Imperial

THE WINTER GARDEN OF AMERICA



EL CENTRO, CALIFORNIA

February 18, 1942.

9968 FEB 21 42  
EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
ASSIGNED TO:

*Olney*

Honorable Earl Warren,  
Attorney General,  
State Building,  
Sacramento, California.

Dear Mr. Warren:

Upon my return to El Centro after the meeting held in your office on February 2, 1942, I immediately started to make a survey of the County of Imperial to ascertain the number of alien enemies in this County directly or indirectly connected with the farming of agricultural lands. Beginning on Thursday February 5th, 1942, and continuing up until 8:00 o'clock Wednesday night February 11, 1942, we requested all alien Japanese and citizen Japanese to come to the court house and give information concerning their activities in connection with the farming of agriculture lands in the County of Imperial. In connection with this investigation I prepared two questionnaires, copies of which I am enclosing herewith, marked Exhibits "A" and "B". During these few days we questioned and obtained detailed information from approximately 1200 alien and citizen Japanese, and I am now making a careful analysis of this information and I am sure that we are going to obtain some very valuable facts in connection with the violation of the Alien Land Law of the State of California upon which future proceedings can be predicated.

Starting on Monday February 16, 1942, I have requested all land owners who have any alien Japanese or citizen Japanese farming or operating or connected with the farming or operating of their agricultural lands in this County to report to the court house for the purpose of obtaining facts and information from them. Enclosed herewith you will find a form of questionnaire used for the land owners which is marked Exhibit "C". The land owners are responding quite readily and I feel very much encouraged over the entire situation.

During the past six or seven weeks the Sheriff's office of this County and the District Attorney's office together with the Naval Intelligence and the F.B.I. have conducting a very intensive investigation into the activities of the alien Japanese, and as a result of this work on February 14, 1942, 32 alien Japanese were apprehended by the F.B.I. and the Sheriff's office and have been taken to internment

Earl Warren  
Page

- 2 -

Feb. 18, 1942.

centers in the interior of the United States. Attached hereto is a list of the alien Japanese involved in this round-up, which is marked Exhibit "D".

As a result of my study and investigation of this matter, it occurred to me that a County Ordinance would be helpful and I therefore prepared an Ordinance, the same being Ordinance No. 154, which has to do with alien enemies. This Ordinance was presented to the Board of Supervisors and the same was passed, adopted and approved on February 16, 1942, a copy of the same is enclosed herewith marked Exhibit "E". I do not know that this Ordinance will meet the situation in its entirety, but it will at least give us a system of checking all alien enemies in this County, in order that we may have in our possession a record of each and every alien enemy within the borders of the County of Imperial. I am enclosing a copy of said Ordinance for your study and such suggestions as you may care to make.

As soon as the land owners have all been questioned and the facts obtained in our questionnaires have been carefully analyzed, it is my intention to then try to get as quick action as possible in the removal of all alien enemies from agricultural lands in this County. If there are any who refuse to cooperate their cases will be handled under the terms and provisions of the Alien Land Law and County Ordinance No. 154.

I am satisfied that I will have two or three cases which I can prepare and file in the Superior Court under the escheat provision of the Alien Land Law.

The balance of this letter, I shall devote to a discussion of the five topics suggested in the second paragraph of your letter of February 9, 1942, which was signed by Sherrill Halbert, Deputy. I shall list the topics just as they appear in your letter as follows:

*about*  
" (1) Subterfuge used to violate the law;

Under this heading I would say that in this County the most flagrant violations appear to be carried out under the guise of a lease made to a Japanese citizen. The land owner usually makes a lease with a Japanese born in this Country, in many instances this Japanese is the wife of the alien Japanese, or one of his children, or it may even be a citizen Japanese in no way related to the alien Japanese farmer actually engaged in the farming and tilling of the property in question. In some few instances I have found where the lessee whose name appears in the written lease agreement, is a Mexican, Filipino, or white person. In practically all of these cases the citizen Japanese does not live upon the land, and in many

Feb. 18, 1942.

instances the citizen Japanese does not even live in Imperial County. The only exceptions to this statement are in those cases where the tenant is the wife of the alien Japanese or the native born child of the alien Japanese. In every instance, however, the land is actually being farmed by an alien Japanese who receives a share or a portion or an interest in the crops produced upon the land and the proceeds received from the sale thereof. There is another type of case which appears to be quite prevalent in this County. I refer to that type of violation wherein the owner of the land or the person farming the land employs an alien Japanese who is designated "foreman". This alien Japanese is supposed to receive a stipulated salary payable monthly or semi-monthly. Careful investigation, however, discloses that in this type of case the alien Japanese receives a share of the crop or the proceeds received from the sale thereof. This he receives either as a so-called "bonus" or as his part of the crop. In addition to the foregoing there are the so-called guardianship cases. In these cases an alien Japanese purchases land in the names of his minor children and through Court proceedings has himself appointed as the guardian of his minor children, and under this subterfuge he immediately proceeds to farm large tracts of land.

(2) Securing of evidence;

This has always been a very difficult task under the terms and provisions of the Alien Land Law, however, I am very much encouraged by the results which we have obtained in my investigation, since my return to Imperial County, and I believe that we are not going to have much difficulty in establishing a case of escheat under the provisions of the Alien Land Law. In practically every instance we have been able to obtain the original copies of the agreements between the owner of the land and the alien Japanese, and our questionnaires contain facts and information which will make it possible for us to establish an escheat case. In a criminal case it will be rather difficult to procure satisfactory evidence upon which to base a criminal prosecution. Under the provisions of the law and the decisions of the courts, it will be necessary for the prosecution to prove, beyond a reasonable doubt and to a moral certainty, that the alien Japanese is in fact an alien ineligible to citizenship under the laws of the United States. The courts may be a little more liberal on their rulings on this phase of the trial under present conditions, and I believe that a criminal case can be established by using the testimony of the persons to whom the Japanese made statements, as to the place of his birth, the date of his birth, and the date of his entry into the United States; and I have always felt that you could use a defendant himself as an Exhibit in the case if necessary, and the jury by observing the defendant could themselves arrive at the conclusion that he was in fact an alien Japanese. In all of the prosecutions

Earl Warren  
Page

- 4 -

Feb. 18, 1942.

handled under the Alien Land Law in Imperial County, we procured most of our evidence by Grand Jury subpoenas. We subpoenaed the land owners and the alien farmer into court and compelled them to produce all leases, cropping contracts, etc., which they had in their possession. I employed competent investigators who made a very thorough and exhaustive investigation of the entire case before same was ever even presented to the Grand Jury, and we had a fairly accurate idea of the evidence available before the case was started.

(3) Preparation of the case for trial;

In every instance I have prepared a very comprehensive trial brief divided into two parts: First, Evidence; Second, Legal Points Involved. This is necessary because the courts are not very familiar with this particular type of criminal trial, and it becomes the duty of the District Attorney to practically educate the trial judge on both the law and evidence, consequently the District Attorney must prepare his case very carefully in advance.

(4) Use of evidence and proof of case at trial;

Under the terms of the Alien Land Law, it is necessary to charge and prove a conspiracy to violate said law. The prosecution must allege and prove at least one overt act. The defense always attempts to compel the District Attorney to prove the existence of the conspiracy at the very outset of the trial; however, the courts have repeatedly held in California that the District Attorney may present his case in accordance with his own pre-arranged plan of procedure so long as he assures the trial court that when all of the evidence has been finally presented, the existence of the conspiracy will have been established by a proper proof. Generally speaking a conspiracy under the Alien Land Law is handled in about the same manner as any other conspiracy prosecution.

(5) Enforcement problems after judgment;

My experience has been that the trial judges have been influenced to some extent by the apathy of the people themselves. The Alien Land Law has been a very unpopular law throughout the State of California, and I would say that approximately fifty per cent of the people in this County have been opposed to the enforcement of this Statute. This has been reflected in the jury panels. The courts therefore have been very lenient in imposing sentences. Under present conditions however, it is my belief that the courts will enforce the law after a conviction is procured. \

*Encl.*  
Hoping that this information will be of some value to your office, I beg to remain,

Very truly yours,

*Elmer W. Heald*  
ELMER W. HEALD, District Attorney  
of the County of Imperial

EW:IA  
Encls/5

San Francisco, February 26, 1942

Honorable Elmer W. Heald  
District Attorney, Imperial County  
El Centro, California

Dear Sir:

This will acknowledge receipt of your letter of February 18th and the enclosures transmitted with it.

I wish to thank you very much for your courtesy and cooperation in connection with this matter. The suggestions which you have made in your letter will be very helpful to me in cooperating with the District Attorneys of other counties in the State. I doubt that any District Attorney in the State has had as much experience and is as thoroughly familiar with all of the phases of the Alien Land Law as you are. Your suggestions are, therefore, very valuable to me and I hope that you will continue to let me have them from time to time.

I have not yet had an opportunity to study the enclosures which you sent, but they certainly are in the right direction. I will be very interested in an analysis of the final results of your investigation.

If we can be of any help to you at any time in connection with these matters please do not hesitate to call upon us.

Very truly yours,

SHERRILL HALBERT  
Deputy Attorney General

SH:ES

San Francisco, March 6, 1942

Honorable Elmer W. Heald  
District Attorney of Imperial County  
Salinas, California

Dear Sir:

In an effort to secure precise information concerning the location of all lands owned, occupied or controlled by Japanese for use in discussions between this office and the United States military authorities, and other Federal agencies, concerning the Alien Land Law and related problems connected with the presence of Japanese in this State, a series of maps has been secured from the Department of Public Works. The maps for your County have just now become available and they will shortly be forwarded to you in duplicate directly from Sacramento.

Accurate knowledge of the location of Japanese occupied lands with respect to military establishments, airports, war industries and vital utilities is, of course, of particular importance. The information which we would like includes the location of all lands owned, occupied or in the control of persons of the Japanese race, including those who are American citizens as well as those who are aliens.

The maps which are being forwarded to you will enable you to compile this information and illustrate in graphic form the location of such lands with respect to military establishments and other objects of interest. These maps are the most recent and informative maps available, covering all parts of the State. You will note that these maps already have indicated upon them many important installations, such as power plants, radio stations, factories and industrial plants, oil and gas wells, power lines, bridges and tunnels, airports and the like. However, since the printing of these maps, additional installations of like character have been made. If such is the case, it is requested that they be added to the maps

#2 March 6, 1942

and also that the boundaries of the military encampments within your County, if any there be, be indicated thereon.

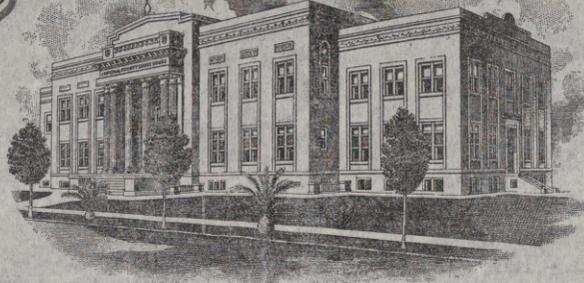
All property which is owned, controlled or occupied by persons of the Japanese race, whether citizens or not, should be marked on the maps in red. The scale of the General Highway Map is too small to permit the location of city lots. It is, therefore, requested that you obtain a separate city map for each city and indicate thereon, in red, such lots or other lands as may be in the hands of members of the Japanese race, also locating on the city maps such establishments as the City Hall, gas plant, hospital, water reservoir, water plant, airports, freight yards, power substations, power transmission lines, sewer plant, telephone exchange and war industries. It is realized that the preparation of city maps may take some time and we, therefore, request that the general highway map of the County be completed as far as possible and sent to us without waiting for the completion of the city maps.

A considerable amount of information concerning the location of properties in the hands of Japanese is, we believe, already available in a number of counties, some work along this line having already been commenced by several different local officers and agencies. In order that you may have the advantage of what work has already been done and also make sure that no Japanese owned or controlled property is overlooked, we request that you check the sources of information on this subject with the following:

1. County Assessor
2. City Assessors
3. County Agricultural Commissioner
4. Sheriff
5. Chiefs of Police
6. Such other sources of information as are known to you to be reliable, such as land departments of oil companies with large holdings in the oil fields, public utilities serving your County, or concerns engaged in businesses requiring them to be familiar with the occupants of various tracts, such as dealers in farm implements, fertilizers, insecticides, etc.

"THE LARGEST IRRIGATED DISTRICT IN THE WORLD"

County of Imperial  
THE WINTER GARDEN OF AMERICA



EL CENTRO, CALIFORNIA  
March 12, 1942

ELMER W. HEALD  
DISTRICT ATTORNEY  
C. G. HALLIDAY  
CHIEF DEPUTY

DEPUTIES:  
D. H. WOLFORD  
R. I. FRENCH  
DON C. BITLER

John L. DeWitt,  
Lieutenant General,  
Commanding Fourth Army,  
Presidio,  
San Francisco, Calif.

Dear General DeWitt:

The County of Imperial through the District Attorney's office and the Agricultural Commissioner have made a survey to determine the number of Japanese, both alien and native born, who are living in this county. This survey has been completed, and a vast amount of very valuable information has been compiled. This survey indicates that there are 1,800 Japanese, both alien and native born, living in the County of Imperial. These Japanese are engaged in farming and in the growing, processing and marketing of agricultural products. Of this number, approximately 580 are aliens. This survey also discloses that these alien and citizen Japanese are violating the Alien Land Law of the State of California in that they are conducting farming operations under various and sundry methods and schemes devised for the purpose of evading the provisions of this law. It was hoped that this whole problem could be solved in the most expeditious manner which, of course, would be the evacuation of all alien and citizen Japanese from this area by the Federal government.

Under date of March 2, 1942, Public Proclamation 1, Headquarters, Western Defense Command and Fourth Army, Presidio, San Francisco, California, was issued. This Proclamation sets up in Exhibit No. 1 a description of Zone A-1. On page 12, beginning with line 8, the boundary of this zone is described as follows:

\*\*\*thence along the westerly line of California State Highway #79 to the point at or near Santa Ysabel where the same intersects the southerly line of California State Highway #78, projected; thence easterly along the southerly line of California State Highway #78, projected, to the point where the same intersects the westerly line of U. S. Highway #99; thence southeasterly along the westerly line of U. S. Highway #99 to the

John L. DeWitt--2--March 12, 1942

point at or near Brawley, California, where the same intersects the easterly line of California State Highway #111; thence northerly along the easterly line of California State Highway #111 to the point at or in Niland, California, where the same intersects an unimproved road or trail running in an easterly direction past Beal Well and Wiley Well to Ripley, California;\*\*\*\*

By following the line described in the preceding paragraph, approximately one-half of the irrigated area of the County of Imperial is excluded from Zone A-1, and it is our judgment that one-half of the Japanese are in the territory which is thus excluded. In this excluded territory the United States Navy and Marine Corps are constructing two gigantic naval bases, one immediately west of the City of Niland which will be an airfield, and the other one on the southwest corner of Salton Sea which will be used as a naval air base. The United States Navy is now spending approximately four million dollars on an air base fifteen miles southwest of Brawley. Construction work is progressing rapidly on all of these projects and in a very short space of time airplanes, buildings, naval and marine corps equipment of great value will be stationed and located on all of these air fields. Two of these projects and bases will be located outside of Zone A-1 and the other project is in close proximity to the proposed boundary line above set forth. At the present time there are Japanese farmers located adjacent to the proposed airport project at Niland and, also, Japanese farmers within a very short distance of the Salton Sea base. The proposed line between Zones A-1 and A-2, as set forth in the above-quoted paragraph, divides three of the incorporated cities of the County of Imperial into two equal parts. The people of this county feel that the boundary line which I have copied from page 12 as above set forth should be changed in the following manner:

Thence along the westerly line of California State Highway #79 to the point at or near Santa Isabel where the same intersects the southerly line of California State Highway #78, projected; thence easterly along the southerly line of California State Highway #78, projected, to the point where the same intersects the westerly line of U. S. Highway #99; thence northerly along the westerly line of U. S. Highway No. 99 to the point where U. S. Highway #99 intersects U. S. Highway #195; thence along the westerly line of U. S. Highway #195 and along the northerly line of U. S.

John L. DeWitt--3--March 13, 1942

Highway #195 through the town of Mecca  
following the said northerly line of  
U. S. Highway #195 to the point where  
said Highway intersects with U. S.  
Highways 60 and 70; thence along the  
northerly line of U. S. Highways 60  
and 70; thence along the northerly line  
of U. S. Highway #60 and 70 to the City  
of Blythe.

The underscored portion of the description is the change which we suggest should be made. By changing the description in this manner all of the irrigated and inhabited portions of the County of Imperial will be placed in Zone A-1, and all of the Naval and Marine Bases now being constructed will be entirely within said zone, thereby making it possible to remove all alien enemy Japanese and all citizen Japanese thus providing the maximum amount of protection for these huge Naval and Marine Bases and also protection to the agricultural and farming interests of Imperial County. If this is not done the whole population of 1800 Japanese will move into the northwesterly portion of the County of Imperial which is now excluded from Zone A-1 and they will then be living immediately adjacent to the Marine Base at Niland and the Naval Base on the southwest corner of Salton Sea, and they will all still be located in the County of Imperial and will continue to engage in farming in violation of the law, all of which creates a very unsatisfactory and dangerous situation.

It is our belief that as soon as these facts have been brought to your attention that you will agree with us that the proposed change should be made for the best interests of all concerned and for the immediate protection of Military and Naval establishments and the people of this county. We have been reliably informed by the Naval and Marine Corps officials that these projects are going to be constructed as rapidly as possible; in fact, the big air base just southwest of Brawley is now in process of being built and will undoubtedly be available for the use of the Navy and Marine Corps in the very near future, and it is our understanding that it is to be used for bombers and a base for all type of aircraft for the Second Marine Corps Wing. The mountainous country north and east of Salton Sea between the blue and red lines, as indicated on the enclosed map, consists of wild, rugged desert mountains mostly unsurveyed and unclaimed government land. The location indicated with No. 6 on the map is the area which will be used by the United States Marine Corps as a bombing range and firing range for artillery.

This letter is written in a spirit of cooperation with a desire to

John L. DeWitt--4--March 13, 1942

help your department in every way possible to the end that our country be adequately and properly protected, and the information herein contained is submitted with that thought in mind. The people of the County of Imperial are very much interested in this matter and, without exception, they believe that the present proposed boundary line would be highly detrimental to the interests of this entire county and would also endanger valuable naval and marine facilities.

Enclosed herewith you will find a map upon which we have delineated and set forth the boundary of Zone A-1 as indicated on page 12. This boundary line is shown in red. We have also indicated on this same map the proposed change in the boundary of Zone A-1 in blue. The map also shows the location of present and existing military and naval facilities together with the location of those which are now under construction or which will be under construction in the immediate future.

Assuring you of our desire to cooperate and assist the United States Armed Forces in every way possible, and hoping that you will see your way clear to make the proposed change in the boundary of Zone A-1, we beg to remain,

Very truly yours,

BOARD OF SUPERVISORS  
OF THE COUNTY OF IMPERIAL

By E. M. Graham  
E. M. Graham, Chairman

Elmer W. Heald  
Elmer W. Heald,  
DISTRICT ATTORNEY OF THE  
COUNTY OF IMPERIAL

R. W. Ware  
R. W. WARE,  
SHERIFF OF THE COUNTY  
OF IMPERIAL

Hugh Osborne  
HUGH OSBORNE, Member of the  
Board of Supervisors of the  
County of Imperial and Chairman  
of the Council of Civilian De-  
fense of the County of Imperial

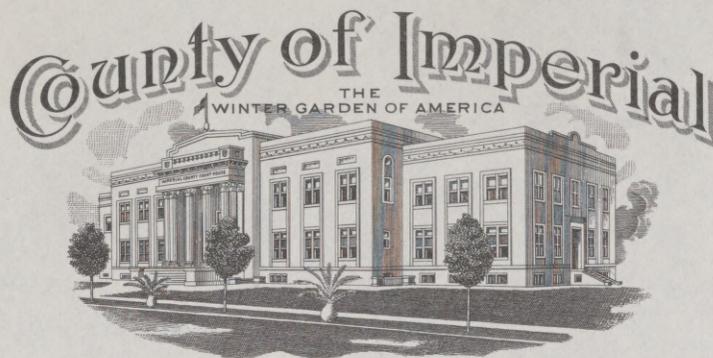
John L. DeWitt--5--March 12, 1942

P. S. For your further information relative to the entire situation beg to call your attention to the fact that below the international boundary line between Baja, California, and the State of California, there is a very large irrigated territory which includes that portion of Imperial Valley lying in the Republic of Mexico. Shortly after December 7, 1941, when the Japanese made their attack on Hawaii the Mexican government moved all Japanese out of this territory and on many occasions the Mexican Consul and the government of lower California have expressed their wish that all Japanese be eventually removed from Imperial County. At one time there was some intimation that the Japanese might be moved from Terminal Island to Imperial County. Immediately the Mexican officials in Mexicali, Baja, California, protested vigorously to the moving of any additional Japanese into Imperial Valley.

At the present time the most amicable relations exist between the local public officials in Imperial County and those in Mexicali, Baja, California, immediately across the international boundary line, and it would be most advisable to remove all Japanese, both citizens and aliens, from Imperial County in order to maintain these friendly relations.

We merely present this additional factor to show that the change in the proposed boundary would tend to meet the present emergency and would be a much better solution of the problem than the present proposed boundary line.

"THE LARGEST IRRIGATED DISTRICT IN THE WORLD"



ELMER W. HEALD  
DISTRICT ATTORNEY  
C. G. HALLIDAY  
CHIEF DEPUTY

DEPUTIES:  
D. H. WOLFORD  
R. I. FRENCH  
DON C. BITLER

11885 MAR 27 42

EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
SAN FRANCISCO

EL CENTRO, CALIFORNIA

March 24, 1942

Hon. Earl Warren,  
Attorney General,  
State of California,  
State Building,  
San Francisco, Calif.

Dear Mr. Warren:

Your letter of March 18, 1942, relative to enforcement of the Alien Land Law, received.

Since the meeting in San Francisco I have been continuously engaged in carrying on a comprehensive and thorough investigation of the entire Alien Land Law situation in this county. A great volume of evidence and facts has been accumulated. A very extensive registration of alien Japanese has also been set up in this office for the County of Imperial. This mass of information is now being analyzed and indexed, and I am now about ready to start escheat proceedings under Section 8 of the Statute.

During the past several days I have been carrying on considerable correspondence with the Federal Reserve Bank, both in San Francisco and Los Angeles, and, more particularly, the war-time Civilian Control Administration. The local representative of this agency, a Mr. Gordon Williams, arrived in Imperial County some few days ago, together with a man by the name of Schneck who is working under the United States Department of Agriculture. These two men are endeavoring to procure voluntary removal of Japanese in this area. How successful this effort is going to be is problematical. I had hoped that the army would remove all Japanese, both alien and native born, from this county as this county is in Zone A-1. However, despite constant news releases and statements on the part of the federal officials, both military and civilian, little progress has been made.

I am now preparing one or two cases under Section 8 of the Alien Land Law to escheat the lease-hold interests of the Japanese aliens, and I should like very much to have your office join in these Petitions as one of the attorneys for the People. I presume that you would want to check over my Petition and possibly suggest changes or additions in the contents thereof; consequently, as soon as the Petitions have been prepared I should like very much to contact one of your deputies assigned to this work and go over the pleadings with him before same are filed and served.

Will you kindly let me hear from you at your earliest convenience and

Hon. Earl Warren--2--March 24, 1942

give me the name of your deputy in charge of this work. If possible, I would like to be able to work with a deputy in your Los Angeles office as it would be much more convenient.

It has been a tremendous task to make the survey and gather the information; consequently, I have been rather slow in getting a case filed. However, I believe it was advisable to be sure of the situation before starting any legal proceedings.

Awaiting your early reply and assuring you of my desire to cooperate in every way, I beg to remain,

Very truly yours,

*Elmer W. Heald*

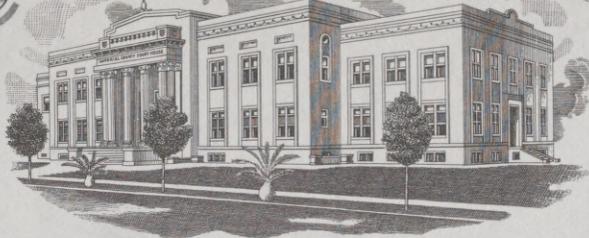
ELMER W. HEALD,  
District Attorney,  
County of Imperial

EWH:DC

"THE LARGEST IRRIGATED DISTRICT IN THE WORLD"

# County of Imperial

THE WINTER GARDEN OF AMERICA



ELMER W. HEALD  
DISTRICT ATTORNEY  
C. G. HALLIDAY  
CHIEF DEPUTY

DEPUTIES:  
D. H. WOLFORD  
R. I. FRENCH  
DON C. BITLER

EL CENTRO, CALIFORNIA

March 25, 1942

11886 MAR 27 42  
EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
ASSIGNED TO: *Halliday*

Honorable Earl Warren,  
Attorney General,  
State of California,  
State Building,  
San Francisco, California

Dear Mr. Warren:

Some few days ago I received from your office a set of maps together with instructions to locate thereon by means of red markings the residences and farms of Japanese aliens and Japanese citizens in the County of Imperial.

I have had two girls and a man working on the survey of Japanese aliens and Japanese citizens and their farming operations for about three weeks and, as stated to you in another letter, this work has been completed. These same people prepared the maps requested by your office.

I am forwarding the maps under separate cover. Enclosed herewith, however, you will find an index giving the names of all of the Japanese in the County of Imperial who are engaged in farming and agriculture either as growers and producers or in the processing, harvesting and marketing of agricultural crops. The names of the Japanese are listed alphabetically. Opposite each name you will find a column of letters and figures. The first column consists of the letter "M" which refers to the map. The second column consists of a number of figures starting with the figure "1" and running up to the highest number which was required in order to indicate the number of Japanese families. The last column refers to the number of the map. The map which you sent to my office for this purpose consisted of seven sheets, numbered from one to seven inclusive. On each map you will find the location of the Japanese on that particular map indicated with a red dot. Opposite this red dot is a number. This number is the same number as shown on the index opposite the name of the Japanese who is farming that particular piece of land.

To illustrate the use of the index and the maps, I am setting forth

Honorable Earl Warren--2--March 25, 1942

herewith the following example:

Take the first name in the index "Aiboshi, Yoshinare." Opposite this name you will find the following letter and figure: M-231-5. The letter "M" refers to the map. The figure "5" is the number of the map, and the figures "231" indicate the location of the land being farmed by this Japanese. You will, therefore, turn to map 5 and locate on this map the figures 231 and you will have the exact location where the Japanese "Aiboshi, Yoshinare" is farming, and the description of the land can be obtained from the township and range as indicated on the map. The figures "231," you will note, appear above the red dot directly under the words "New River Gun Club." Directly to the northwest of this Japanese farm you will notice a large red square with the words "Navy Sea Planes Base" printed therein. This is the Naval Sea Plane Base which is being constructed by the United States Navy. By counting the sections north of this range you will see that the proposed naval base is only approximately six miles from this Japanese farm and, as the index indicates, there are many other Japanese farms in this immediate vicinity.

I tried to make the map and the reference thereto as simple as possible and yet accurate in reference to the location of the land.

Hoping that this will meet with your requirements and assuring you that if there is anything further that I can do, kindly feel free to call upon me, I beg to remain

Very truly yours,

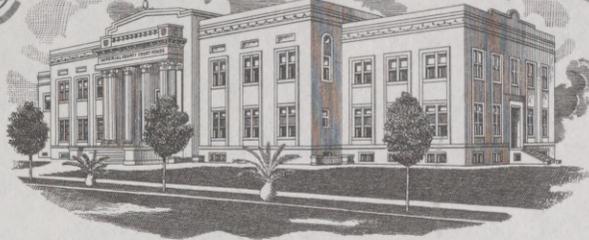
*Elmer W. Heald*  
ELMER W. HEALD,  
District Attorney,  
County of Imperial

EWH:DC  
Encl.

"THE LARGEST IRRIGATED DISTRICT IN THE WORLD"

# County of Imperial

THE WINTER GARDEN OF AMERICA



ELMER W. HEALD  
DISTRICT ATTORNEY  
C. G. HALLIDAY  
CHIEF DEPUTY

DEPUTIES:  
D. H. WOLFORD  
R. I. FRENCH  
DON C. BITLER

11955 MAR 28 42

EL CENTRO, CALIFORNIA

EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
ASSIGNED TO:

March 26, 1942

*Heald*

*act. 4-2-42*

Honorable Earl Warren,  
Attorney General,  
State of California,  
State Building,  
San Francisco, Calif.

Dear Mr. Warren:

In addition to the index and map which I mailed to you under date of March 25, 1942, I am sending you herewith an index covering all Japanese living within the limits of the seven cities located in the County of Imperial.

Under separate cover I am mailing to you a map of each city upon which said map there is located in red the residence and the property upon which each of said Japanese resides. The names of the Japanese, both aliens and citizens, are shown in the index alphabetically. After each name appears a number indicating the location of that particular Japanese on the map. Following each of these numbers are letters. These letters indicate the name of the city. For illustration, "B" indicates the City of Brawley, "E" the City of El Centro, "C" the City of Calexico, "W" the City of Westmorland, and "H" the City of Holtville. There are no Japanese living within the City Limits of the City of Calipatria. This will complete your record for the County of Imperial.

Very truly yours,

*Elmer W. Heald*

ELMER W. HEALD,  
District Attorney,  
County of Imperial

EWH:DC  
Encl.

STATE OF CALIFORNIA  
LEGAL DEPARTMENT

San Francisco, California

April 2, 1942

Honorable Elmer W. Heald,  
District Attorney of Imperial County,  
El Centro, California

Dear Mr. Heald:

In Mr. Halbert's absence from the office I am acknowledging your letter of March 25, maps forwarded under separate cover, and your letter of March 26 enclosing an index covering Japanese living within the limits of the seven cities in the County of Imperial. I am sure Mr. Halbert will appreciate the work your office has done in this connection. Your letters will be called to his attention when he returns and if there is any further information needed he will write you then.

If from time to time in the future there should be any changes in the Japanese population in your county, sufficiently important to justify it, Mr. Halbert will wish to be advised of these changes so that the proper notations can be made on the records we have.

Thanking you, I am

Very truly yours,

LMA

Secretary to Sherrill Halbert

San Francisco, California

April 2, 1942

Honorable Elmer W. Heald,  
District Attorney of Imperial County,  
El Centro, California

Dear Mr. Heald:

In Mr. Halbert's absence from the office I am acknowledging your letter of March 25, maps forwarded under separate cover, and your letter of March 26 enclosing an index covering Japanese living within the limits of the seven cities in the County of Imperial. I am sure Mr. Halbert will appreciate the work your office has done in this connection. Your letters will be called to his attention when he returns and if there is any further information needed he will write you then.

If from time to time in the future there should be any changes in the Japanese population in your county, sufficiently important to justify it, Mr. Halbert will wish to be advised of these changes so that the proper notations can be made on the records we have.

Thanking you, I am

Very truly yours,

LMA

Secretary to Sherrill Halbert

EARL WARREN  
ATTORNEY GENERAL

STATE OF CALIFORNIA  
LEGAL DEPARTMENT

San Francisco, California

April 7, 1942

Honorable Elmer W. Heald,  
District Attorney of Imperial County,  
El Centro, California

Dear Mr. Heald:

Your letter of March 24 has been referred to Deputy Attorney General Sherrill Halbert. In his absence from the office I am acknowledging its receipt. As soon as he returns your request for assistance in connection with the preparation of pleadings in escheat proceedings under the Alien Land Law will have his attention. However, in the meantime, you might forward copies of the petitions you are preparing so that he can have them at hand when he writes you.

Very truly yours,

LMA

Secretary to Sherrill Halbert

*no pet. received as yet 4/14  
La.*

San Francisco, California

April 7, 1942

Honorable Elmer W. Heald,  
District Attorney of Imperial County,  
El Centro, California

Dear Mr. Heald:

Your letter of March 24 has been referred to Deputy Attorney General Sherrill Halbert. In his absence from the office I am acknowledging its receipt. As soon as he returns your request for assistance in connection with the preparation of pleadings in escheat proceedings under the Alien Land Law will have his attention. However, in the meantime, you might forward copies of the petitions you are preparing so that he can have them at hand when he writes you.

Very truly yours,

LMA

Secretary to Sherrill Halbert

San Francisco, May 26, 1942

Honorable Elmer W. Heald  
District Attorney  
Imperial County  
El Centro, California

Dear Mr. Heald:

You will no doubt recall sending us a copy of the letter of March 12th, addressed to General John L. DeWitt, and signed by the Board of Supervisors of Imperial County, yourself, Sheriff Ware and Mr. Hugh Osborn, as Chairman of the Imperial County Civilian Defense Council, urging a change in the location of the boundary of Military Zone A-1 so as to include, within the prohibited area, the important military establishments located in the neighborhood of the Southern end of the Salton Sea.

I noticed from your letter that the military establishments in that area which were being surrounded by Japanese included certain important installations of the Marine Corps, and consequently I called the matter particularly to the attention of General Upshur and Major Fout of the Marine Corps, with whom I happened to be acquainted, and furnished them with a copy of your letter. I have now received a letter from Major Fout which seems to indicate that the boundary line will probably be changed in the near future to conform to the line recommended by the Imperial County authorities. A copy of Major Fout's letter is enclosed herewith for your file.

Very truly yours,

WO:T  
Encl.

San Francisco, California

June 2, 1942

Honorable Elmer W. Heald,  
District Attorney, Imperial County,  
El Centro, California

Dear Mr. Heald:

For the past month I have been quite steadily engaged in work on the subversive organizations existing here in our State. The result is that I have had to neglect a number of my other duties. Among the unanswered correspondence on my desk there are a number of letters from you. I hope you will pardon my failure to answer them before this time. My failure to give them more prompt attention results from the pressure of official duties rather than any desire to ignore them.

In your letter of March 24th you mentioned the fact that you were about ready to start two escheat cases under section 8 of the Alien Land Law. My secretary advised you that I would be glad to work with you on these cases. I am still ready and willing to do this. I am wondering, however, if the Army's evacuation orders have not solved your problem insofar as these leasehold interests are concerned. If you still wish to proceed with either of these cases, or in fact with any other escheat proceedings under the Alien Land Law, you can feel free to join this office with you as counsel for the People. The writer will be glad to examine any pleadings that you might care to prepare. I am frequently in Los Angeles and I will be glad to confer with you while there, or if it is necessary or advisable I will be glad to come to El Centro at your request.

While my secretary acknowledged receipt of your letters of March 25th and March 26th, respectively, together with the maps and indices mentioned in your letters, I nonetheless desire to express my appreciation for the fine work which you did in connection with the preparation of these maps and indices. I have examined both the maps and indices quite carefully. They give us a very clear picture of the location of Japanese in your county as of the date of the preparation of your maps. They are entirely satisfactory for our needs.

I hope that I have now given you an answer to all the questions covered by your letters of March 24th, 25th and 26th.

Honorable Elmer W. Heald

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If, however, there is anything further that you would like to know or if I can be of any help to you in any way in connection with any of these matters, please do not hesitate to call upon me.

Very truly yours,

EARL WARREN, Attorney General

By

SHERRILL HALBERT  
Deputy Attorney General

SH:LMA

Exhibit "A"

QUESTIONNAIRE CONCERNING AGRICULTURE INFORMATION TO BE OBTAINED FROM ALIEN ENEMIES

\_\_\_\_\_, being first duly sworn, gave answers to the following questions as hereinafter indicated:

1. State your name in full \_\_\_\_\_  
(Obtain full name of alien)
2. State the date of your birth and the place where you were born  
\_\_\_\_\_  
(Obtain name of city, province or other political subdivision of Japanese Empire where alien was born)
3. State the date upon which you left Japan for the United States of America, giving port of debarcation \_\_\_\_\_  
\_\_\_\_\_
4. State the name of ship upon which you sailed when you came to the United States \_\_\_\_\_
5. State the name of the port of entry and the date of entry into the United States \_\_\_\_\_
6. How many years have you resided in the United States \_\_\_\_\_
7. How many years have you resided in the State of California \_\_\_\_\_
8. How many years have you resided in the County of Imperial \_\_\_\_\_
9. State the name of your wife, the date of your marriage, the place of your marriage, and the nationality of your wife \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. State the name and age of each of your children and the date and place of their birth \_\_\_\_\_
11. What is your occupation \_\_\_\_\_

IF ALIEN STATES HE IS ENGAGED IN FARMING AND AGRICULTURAL WORK, OBTAIN HIS ANSWERS TO THE FOLLOWING QUESTIONS:

1. Give the legal description of the land which you are farming

QUESTIONS CONCERNING IMMIGRATION RECORDS  
MAINTAINED BY THE IMMIGRATION AND NATURALIZATION SERVICE

1. Give answers to the following questions as hereinafter indicated:

1. State your name in full (include full name of alias)

2. State the date of your birth and the place where you were born

3. State the date upon which you left Japan for the United States of America, giving port of departure

4. State the name of ship upon which you sailed when you came to the United States

5. State the name of the port of entry and the date of entry into the United States

6. How many years have you resided in the State of California

7. How many years have you resided in the County of Imperial

8. State the name of your wife, the date of your marriage, and the place of your marriage

9. State the names and birth dates of your children and the date and place of their births

10. State the names and birth dates of your children and the date and place of their marriages

11. State the names and birth dates of your children and the date and place of their marriages

12. State the names and birth dates of your children and the date and place of their marriages

13. State the names and birth dates of your children and the date and place of their marriages

14. State the names and birth dates of your children and the date and place of their marriages

15. Give the legal description of the land which you are farming

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EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
EX-100-701

2. Give the gate number and name of ditch which supplies the land which you are farming with water \_\_\_\_\_
3. Who is the owner of the land you are farming and what is his address \_\_\_\_\_
4. Do you have a Lease Agreement with the owner of the land? If not, state the kind, character and nature of your Agreement with the owner of the land under which you are operating.

(Note: Obtain all information possible relative to the kind, type and nature of Agreement under which alien is operating and require alien Japanese to produce the Agreement itself)

IF ALIEN JAPANESE, OR OTHER ALIEN, STATES  
HE IS FOREMAN OR MERELY WORKING FOR SOME  
OTHER PERSON, OR THE OWNER OF THE LAND,  
OBTAIN HIS ANSWERS TO THE FOLLOWING QUESTIONS:

1. State the name of the person by whom you are employed and give his address \_\_\_\_\_  
\_\_\_\_\_
2. What is the legal description of the property where you are working \_\_\_\_\_
3. Give the number of the gate where water is delivered upon the land which you are farming \_\_\_\_\_
4. What salary are you paid \_\_\_\_\_
5. Do you receive a bonus? If so, is the bonus in cash or a share of the crop \_\_\_\_\_
6. If the bonus is cash, what is the amount of the bonus, and if you receive a share of the crop, what portion of the crop do you receive and when do you receive it \_\_\_\_\_  
\_\_\_\_\_
7. Do you have a written agreement with the person for whom you are farming the land \_\_\_\_\_
8. Does the person who employs you own the land, or are you working for someone who is leasing the land from the owner? If so, state the facts

Give the date number and name of ditch which supplies the land which you are farming with water.

Who is the owner of the land you are farming and what is his address.

Do you have a lease agreement with the owner of the land? If not, state the kind, character and nature of your agreement with the owner of the land under which you are operating.

Obtain all information possible relative to the kind, type and nature of agreement with the owner of the land and require alien Japanese to produce the Agreement (if any).

IN ALIEN JAPANESE, OR OTHER ALIEN STATES  
 HE IS PERMITTED TO WORK FOR SOME  
 OTHER FARMER OR THE OWNER OF THE LAND.  
 OBTAIN THE ANSWERS TO THE FOLLOWING QUESTIONS:

1. State the name of the person by whom you are employed and give his address.

2. What is the exact description of the property where you are working?

3. Give the number of the gate where water is delivered upon the land which you are farming.

4. What salary are you paid?

5. Do you receive a bonus? If so, in the form of cash or a share of the crop?

6. If the bonus is cash, what is the amount of the bonus, and if you receive a share of the crop, what portion of the crop do you receive and when do you receive it?

7. Do you have a written agreement with the person for whom you are farming the land?

8. Does the person who employs you own the land, or are you working for someone who is leasing the land from the owner? If so, state the facts.

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 SAN FRANCISCO OFFICE  
 ASSIGNED TO:

9. How long have you been employed by this person \_\_\_\_\_
10. Give the legal description of the land which you are farming and the name and address of the owner, if you know ..

IF ALIEN JAPANESE STATES HE IS WORKING FOR A PRODUCE COMPANY, A COMMISSION HOUSE, OR OTHER CORPORATION, OBTAIN ANSWERS TO THE FOLLOWING QUESTIONS:

1. What is the name of the produce company by whom you are employed \_\_\_\_\_
2. Give the address of the produce company, or other corporation, by whom you are employed \_\_\_\_\_
3. Who is the principal owner of the company, or the manager \_\_\_\_\_
4. Give his name and address \_\_\_\_\_
5. What salary do you receive as foreman for said produce company, or other corporation, by which you are employed \_\_\_\_\_
6. How are you paid--in cash, or by a share of the crop \_\_\_\_\_
7. Do you receive a bonus? If so, what is the amount of the bonus \_\_\_\_\_
8. If your bonus is not in cash, do you receive a bonus in the form of a share of the crop produced \_\_\_\_\_
9. When do you receive your bonus, whether cash or a share of the crop \_\_\_\_\_
10. Who pays you the bonus \_\_\_\_\_
11. Are all, or any, of the members of the produce company or corporation by which you are employed Japanese \_\_\_\_\_  
If so, give the name and address of each Japanese who is a member of the corporation or produce company by which you are employed

12. If the manager of the company is a Japanese, obtain the name and address of the Japanese manager \_\_\_\_\_
- \_\_\_\_\_

IF ALIEN JAPANESE STATES THAT LEASE  
IS IN NAME OF NATIVE BORN JAPANESE,  
THEN ASK THE FOLLOWING QUESTIONS:

1. State the name of citizen Japanese lessee \_\_\_\_\_  
\_\_\_\_\_
2. Give date and place of his birth \_\_\_\_\_
3. State his age if you know it \_\_\_\_\_
4. State his address \_\_\_\_\_
5. Are you related to this citizen Japanese lessee? If so, what is your relationship \_\_\_\_\_
6. Have you a copy of lease agreement between the citizen Japanese lessee and the owner of the land? (Make alien Japanese produce agreement) \_\_\_\_\_
7. State the name and address of the owner of the land which you are now farming \_\_\_\_\_  
\_\_\_\_\_
8. Give the legal description of the same and the gate number where water is delivered \_\_\_\_\_
  
9. Does the native born Japanese lessee live on the land? If not, give his address and what interest he has in the crops grown on the land \_\_\_\_\_  
\_\_\_\_\_
10. (a) Does native born Japanese have any money or equipment invested in farming operations \_\_\_\_\_  
(b) Does native born Japanese lessee ever work on the land or have any part in its operation \_\_\_\_\_
10. How much rent do you pay under your lease to the owner of the land \_\_\_\_\_  
\_\_\_\_\_
11. Who pays the rent and to whom is the same paid \_\_\_\_\_  
\_\_\_\_\_
12. State why the lease was drawn in the name of a native born Japanese and also state why you are farming the land under this type of agreement. (Note: Obtain all information possible under this question)

IF ALIEN JAPANESE STATES HE HAS  
BEEN APPOINTED GUARDIAN FOR NA-  
TIVE BORN MINOR CHILD FOR PUR-  
POSE OF FARMING LAND, THEN ASK THE  
FOLLOWING QUESTIONS:

1. State your name and age \_\_\_\_\_
2. State your residence \_\_\_\_\_
3. State the number of the Superior Court case in which you were appointed guardian \_\_\_\_\_
4. State the legal description of the land you are holding as guardian for your minor child \_\_\_\_\_
  
5. State the name of your minor child for whom you were appointed guardian \_\_\_\_\_
6. When and where was said minor child born \_\_\_\_\_
7. How old is said minor child at this time \_\_\_\_\_
8. Have you any other minor children? If so, what are their names and ages and the place where they were born \_\_\_\_\_
  
9. Have you been appointed guardian for more than one of your minor children? If so, state the names and ages of all other minor children for whom you have been appointed guardian \_\_\_\_\_

IF NONE OF THE FOREGOING HEADINGS  
COVER THE PARTICULAR SITUATION FOR  
THE ALIEN JAPANESE ENGAGED IN FARM-  
ING AND AGRICULTURE, THEN ASK THE  
FOLLOWING QUESTIONS:

1. State the name of the owner of the land which you are farming or occupying \_\_\_\_\_
2. What is his address \_\_\_\_\_
3. Give the legal description of the land which you are occupying and farming \_\_\_\_\_
4. Are you leasing the land in your own name \_\_\_\_\_  
(Note: If question No. 4 is answered in the negative, then obtain names and addresses of all persons involved in the farming operation and what connection they have with the farming of the land involved)

(Note: If Alien states that some person other than a native born Japanese is leasing the land, obtain the name and address of such person and the arrangements under which lease is being held)

IF ALIEN JAPANESE HAS EVER RETURNED  
TO JAPAN, ASK THE FOLLOWING QUESTIONS:

1. When did you leave the United States for Japan \_\_\_\_\_
2. What was the port of your departure \_\_\_\_\_
3. What was the name of the ship on which you sailed \_\_\_\_\_  
\_\_\_\_\_
4. How long did you remain in Japan, and at what place did you remain during your stay in Japan \_\_\_\_\_  
\_\_\_\_\_
5. When did you leave Japan to return to the United States \_\_\_\_\_

6. What was the port of debarcation \_\_\_\_\_
7. When did you re-enter the United States \_\_\_\_\_
8. What port did you re-enter the United States \_\_\_\_\_
9. How many children did you take back to Japan with you \_\_\_\_\_  
(Give their names and ages)

10. Did the children remain in Japan? If so, state where they are at the present time

11. Have you any Bank account in Japan? If so, state the name of the Bank and the amount of the deposit therein \_\_\_\_\_

12. State the name of your Bank here in California \_\_\_\_\_

13. Have you an account in your Bank at the present time \_\_\_\_\_

DATED this \_\_\_\_\_ day of February, 1942

Subscribed and Sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 1942

\_\_\_\_\_  
\_\_\_\_\_

Exhibit "B"

QUESTIONNAIRE CONCERNING AGRICULTURAL  
OPERATIONS OF NATIVE BORN JAPANESE

\_\_\_\_\_, being first duly sworn to  
tell the truth, the whole truth and nothing but the truth, made answers  
to the following questions as hereinafter indicated:

1. What is your full name and your address \_\_\_\_\_  
\_\_\_\_\_
2. How old are you \_\_\_\_\_
3. When and where were you born \_\_\_\_\_  
(Obtain name of City, County and  
State or territory)
4. What is your father's full name and address \_\_\_\_\_  
\_\_\_\_\_
5. What is your mother's full name and address \_\_\_\_\_  
\_\_\_\_\_
6. Where was your father born \_\_\_\_\_  
(Obtain name of the City and Province  
in Japan, if possible)
7. How many years have you resided in the United States \_\_\_\_\_
8. How many years have you resided in the State of California \_\_\_\_\_
9. How many years have you resided in the County of Imperial \_\_\_\_\_
10. Are you married? If so, give name and address of wife and state  
whether or not she is an alien Japanese \_\_\_\_\_  
\_\_\_\_\_
11. How many children do you have \_\_\_\_\_  
Give names and dates of birth of each child
  
12. What is your occupation \_\_\_\_\_

IF THE CITIZEN JAPANESE STATES HE IS ENGAGED IN FARMING AND AGRICULTURAL WORK, OBTAIN HIS ANSWERS TO THE FOLLOWING QUESTIONS:

1. What is the legal description of the land which you are farming

2. Are you the owner of the land, or are you a lessee \_\_\_\_\_

3. If citizen Japanese states he is leasing the land, then ask him the following question:

Who is the owner of the land, and where does he live \_\_\_\_\_

IF CITIZEN JAPANESE STATES HE IS THE OWNER OF THE LAND, THEN OBTAIN ANSWERS TO THE FOLLOWING QUESTIONS:

1. Do you actually own the land in your own name, or is it in the name of a guardian \_\_\_\_\_

2. If land is held in the name of guardian, state the guardian's name and address \_\_\_\_\_

3. If the guardian is the alien father of the citizen Japanese, ask the following questions:

When and where was your alien father born \_\_\_\_\_

4. What is the description of the real property and gate number of water delivery

5. Who does the actual farming on the land held in guardianship, you or your father \_\_\_\_\_

6. Who supplies the money for the operation of said farm \_\_\_\_\_

7. How many other children are there in your family \_\_\_\_\_  
(Give names and addresses)

8. Give the Superior Court number of the guardian case \_\_\_\_\_
9. If citizen Japanese states he is the actual owner of the land and that same is not held in guardianship, then ask the following questions:
- (a) Give the description of the land  
\_\_\_\_\_
  - (b) Are you actually farming the land yourself \_\_\_\_\_
  - (c) From whom did you purchase the land; give name and address  
\_\_\_\_\_  
\_\_\_\_\_
  - (d) Is there any other person interested in the farming of this land other than yourself \_\_\_\_\_  
\_\_\_\_\_
  - (e) Are your alien father and mother living on the land with you?  
(State their names) \_\_\_\_\_  
\_\_\_\_\_
  - (f) Are your alien father and mother interested in any manner whatsoever in the operation and farming of said land \_\_\_\_\_  
\_\_\_\_\_
  - (g) Are you the only person actually interested in the farming of said land \_\_\_\_\_
  - (h) Are you actually conducting farming operations on said land  
\_\_\_\_\_
  - (i) If not, who does? (Give his name and address) \_\_\_\_\_  
\_\_\_\_\_
  - (j) If alien Japanese is doing actual farming, get all the facts

IF CITIZEN JAPANESE STATES HE IS  
THE LESSEE OF AGRICULTURAL LANDS,  
THEN ASCERTAIN ANSWERS TO THE  
FOLLOWING QUESTIONS:

1. Give the legal description and gate number of water delivery \_\_\_\_\_  
\_\_\_\_\_
2. State the name of the owner of said land and his address \_\_\_\_\_  
\_\_\_\_\_
3. Are you actually farming the land as lessee and tenant, or is  
said land being farmed by some other person \_\_\_\_\_
4. If the land is being farmed by another person, what is his name  
and address \_\_\_\_\_  
\_\_\_\_\_
5. Is the person actually farming the land an alien Japanese? If  
so, state when and where he was born \_\_\_\_\_  
\_\_\_\_\_
6. When did this alien Japanese come to the United States, and how  
long has he been living in Imperial County \_\_\_\_\_  
\_\_\_\_\_
7. Do you have anything whatever to do with the actual farming  
operations on said land \_\_\_\_\_  
\_\_\_\_\_
8. Does the alien Japanese above-mentioned carry on the actual farm-  
ing operations of said land \_\_\_\_\_
9. Who pays the rent on said land to the landlord \_\_\_\_\_  
\_\_\_\_\_
10. How much is the rent, and how and when is it paid \_\_\_\_\_  
\_\_\_\_\_
11. Do you have any interest in the crop, or do you receive any part  
or portion of said crop or the proceeds received from the sale  
thereof \_\_\_\_\_  
\_\_\_\_\_
12. Do you own any of the farming equipment such as tools, tractors,  
implements and other equipment necessary to conduct farming opera-  
tions? If not, who owns same \_\_\_\_\_  
\_\_\_\_\_
13. Do you have any financial investment in the farming operations?  
If so, how much \_\_\_\_\_  
\_\_\_\_\_
15. How much money have you paid into the farming operations on  
said land \_\_\_\_\_

16. Have you performed any labor or services in connection with the farming of said land \_\_\_\_\_  
\_\_\_\_\_
17. State fully your reasons for holding the lease on the above-described land and why same is being farmed by an alien Japanese

IF CITIZEN JAPANESE STATES HE IS NOT ACTUALLY FARMING LAND, BUT IS ACTING AS A COMMISSION MERCHANT, PRODUCE BUYER OR IN ANY OTHER CAPACITY, THEN ASK HIM THE FOLLOWING QUESTIONS:

1. What is your name and address \_\_\_\_\_  
\_\_\_\_\_
2. Where were you born (Give name of City, County and State) \_\_\_\_\_  
\_\_\_\_\_
3. Are you married? If so, give name of your wife \_\_\_\_\_  
\_\_\_\_\_
4. State the exact nature of your business \_\_\_\_\_  
\_\_\_\_\_
5. What is your business address \_\_\_\_\_
6. Do you operate your business in your own name? If not, what is the name of your business \_\_\_\_\_  
\_\_\_\_\_
7. Have you any partners or associates in your business? If so, give their names and addresses \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. In connection with your business do you lease or control any agricultural lands used for farming purposes \_\_\_\_\_
9. Give full details concerning all leases and operations of farming lands

10. Do you have land leased which is being actually farmed by alien Japanese \_\_\_\_\_
11. If you do have an alien Japanese farming agricultural lands, give the description of said agricultural lands and the names of the alien Japanese working on said land

(Note: Obtain full particulars under this question)

12. Do you hold any lease agreements on agricultural lands? If so, produce the original lease \_\_\_\_\_
13. Are you advancing money for the growing of agricultural crops on farm lands in the County of Imperial? If so, how much and to whom are you advancing this money \_\_\_\_\_
14. Give the names and addresses of all alien Japanese, or other persons, to whom you are now advancing money or have advanced money in the past for the farming of agricultural lands in the County of Imperial.  
(Get all facts)

DATED this \_\_\_\_\_ day of February, 1942

Subscribed and Sworn to before me  
this \_\_\_\_\_ day of February, 1942

\_\_\_\_\_  
\_\_\_\_\_



IF IT APPEARS FROM THE FOREGOING QUESTIONS  
THAT THE PERSON ACTUALLY FARMING THE LAND  
IS AN ALIEN JAPANESE THEN ASK THE FOLLOWING  
QUESTIONS.

1. State the full name and address of the person who is farming this land or who is conducting the farming operations thereon \_\_\_\_\_  
\_\_\_\_\_
2. Do you know whether or not this person is an alien Japanese or a citizen Japanese \_\_\_\_\_  
Note: (If it is stated that he is a citizen Japanese then ascertain how they know the person to be a citizen Japanese)
3. What kind of an agreement do you have with the person who is conducting farming operations on this land?  
Note: Get full particulars under this question)
4. Do you have a lease agreement, if so, with whom is the lease drawn \_\_\_\_\_  
\_\_\_\_\_
5. Have you a copy of this lease agreement, if so, kindly produce same.
6. If you do not have a straight lease agreement what kind of an agreement do you have? (Give full particulars)
7. How long has this person been farming or operating your land  
\_\_\_\_\_
8. What rental or compensation do you receive from the use of this land \_\_\_\_\_  
\_\_\_\_\_
9. How is the rental or compensation paid-in cash or by share crop \_\_\_\_\_  
\_\_\_\_\_
10. When and at what time is rental paid \_\_\_\_\_  
\_\_\_\_\_

IS IT INTENDED THAT THE PERSONS WHO ARE TO  
RENT THE LAND SHALL BE LIMITED TO THE LAND  
OWNERS AND THEIR RELATIVES AND THE PERSONS  
WHOSE NAMES ARE LISTED BELOW?

1. State the full name and address of the person who is  
renting this land or who is conducting the farming  
operations thereon.

2. Do you know whether or not this person is an alien Japanese  
or a citizen Japanese?

3. If it is stated that he is a citizen Japanese then  
ascertain how they know the person to be a citizen  
(Japanese).

4. What kind of an agreement do you have with the person who  
is conducting farming operations on this land?  
None. (Get full description under this question)

5. Do you have a lease agreement, if so, with whom is the  
land given?

6. Have you a copy of this lease agreement, if so, kindly  
produce same.

7. If you do not have a written lease agreement what kind of  
an agreement do you have? (Give full particulars)

8. How long has this person been renting or operating your land?

9. What rental or compensation do you receive from the use of  
this land?

10. How is the rental or compensation paid in case of any work?

11. How do you estimate the value of the land?

9968 FEB 21 42  
EARL WARREN ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
ASSIGNED TO:

IF THE OWNER OF THE LAND STATES THAT HE HAS  
MERELY EMPLOYED THE JAPANESE ALIEN OR JAPANESE  
CITIZEN AS A FOREMAN ON HIS RANCH THEN OBTAIN  
THE ANSWERS TO THE FOLLOWING QUESTIONS.

1. State the name of this Japanese \_\_\_\_\_
2. Give his address \_\_\_\_\_
3. How long has this Japanese been farming and operating this land \_\_\_\_\_
4. Do you know whether or not this Japanese is an alien or citizen \_\_\_\_\_
5. How much do you pay this Japanese \_\_\_\_\_  
\_\_\_\_\_
6. How do you pay him, in cash or by share of the crop \_\_\_\_\_
7. At what stated intervals or at what times is he paid  
\_\_\_\_\_
8. How many other Japanese are there on this piece of land, who are obtaining their support and living from the land  
\_\_\_\_\_
9. Does the Japanese live on the land \_\_\_\_\_
10. How many children does this Japanese have \_\_\_\_\_
11. Do you pay a bonus? If so how much \_\_\_\_\_  
\_\_\_\_\_
12. Is the bonus a cash payment or a share of the crop \_\_\_\_\_  
\_\_\_\_\_
13. Does all the compensation which you pay to this Japanese who is farming and operating this land come out of the proceeds of the crops grown and produced on the land \_\_\_\_\_  
\_\_\_\_\_
14. Has this Japanese been back to Japan during the time he has been working for you? If so, state when he left and when he returned \_\_\_\_\_  
\_\_\_\_\_
15. Did you pay him any compensation for the time during which he was going to Japan and returning and while he was in Japan? If so state how much \_\_\_\_\_  
\_\_\_\_\_

IT IS THE ORDER OF THE BOARD OF INVESTIGATION THAT THE  
AFFIDAVIT BEING FILED IN THIS CASE BE RECORDED IN THE  
OFFICE OF THE BOARD OF INVESTIGATION AND THAT THE  
AFFIDAVIT BE MADE A PART OF THE RECORDS OF THE BOARD.

1. State the name of this business
2. Give his address
3. How long has this business been operating and operating with
4. Do you know whether or not this business is an alien corporation
5. How did you get this business
6. How do you pay this, in relation to share of the crop
7. Do you state whether or not this business is an alien
8. How and when did you get this business and in what place of land, and the distance to the nearest city or town
9. What are the names of the owners
10. How many children does this business have
11. Do you pay a salary to any one
12. In the business is each party of an equal share of the crop
13. List all the connections with you by this business who is farming and working this land, and of the proceeds of the crop, and retained on the land
14. Has this business been paid for any services or other things
15. Did you get this business in any way other than by purchase or by gift, and if so, from whom and when

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16. If you did not pay for this time the Japanese was in Japan did you deduct that amount from his compensation

\_\_\_\_\_

17. Who operated ranch during time Japanese was in Japan

\_\_\_\_\_

IF THE OWNER OF THE LAND STATES THAT  
HE HAS LEASED HIS LAND TO A NATIVE  
BORN JAPANESE CITIZEN THEN OBTAIN  
THE ANSWERS TO THE FOLLOWING QUESTIONS

1. State the name and address of Japanese citizen lessee

\_\_\_\_\_

\_\_\_\_\_

2. Give the legal description of the land which this Japanese citizen is farming

3. Give the gate number and canal where water is delivered to the above described land \_\_\_\_\_

\_\_\_\_\_

4. Whose name appears on the water card at the Imperial Irrigation District \_\_\_\_\_

5. Does this native born citizen Japanese lessee actually live on the land \_\_\_\_\_

6. How long have you been leasing this land to this native born Japanese citizen \_\_\_\_\_

7. What is the rental which he pays--how much per acre or how much per year \_\_\_\_\_

1. Do you recall the date when you first saw the defendant in the city of San Francisco?

\_\_\_\_\_

2. How long did you know the defendant in the city of San Francisco?

\_\_\_\_\_

IN THE CITY OF SAN FRANCISCO, CALIFORNIA, I, \_\_\_\_\_, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the \_\_\_\_\_.

3. Where did you first see the defendant in the city of San Francisco?

\_\_\_\_\_

4. How long did you know the defendant in the city of San Francisco?

\_\_\_\_\_

5. How long did you know the defendant in the city of San Francisco?

\_\_\_\_\_

6. How long did you know the defendant in the city of San Francisco?

\_\_\_\_\_

7. How long did you know the defendant in the city of San Francisco?

\_\_\_\_\_

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8. Do you receive a share crop rental? If so, state the share of the crop \_\_\_\_\_  
\_\_\_\_\_
9. How do you know this Japanese is a native born citizen? Produce proof \_\_\_\_\_  
\_\_\_\_\_
10. What are the terms of your lease agreement or other agreement \_\_\_\_\_  
\_\_\_\_\_
11. Are there any alien Japanese living upon and farming the above described land? If so, state their names  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. Do you know whether or not this Japanese citizen lessee is actually conducting and carrying on the farming operations on this land \_\_\_\_\_
13. When was the last time you were on the land and talked to this Japanese citizen tenant \_\_\_\_\_
14. Do you know if this Japanese citizen tenant has ever been back to Japan and if so state when he left and when he returned to the United States \_\_\_\_\_  
\_\_\_\_\_
15. During the time that this Japanese citizen tenant was in Japan who operated and looked after your ranch and farm property \_\_\_\_\_  
\_\_\_\_\_

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IF IT APPEARS THAT THE JAPANESE  
CITIZEN TENANT DOES NOT ACTUALLY  
LIVE ON THE LAND THEN ASCERTAIN  
ANSWERS TO THE FOLLOWING QUESTIONS.

1. State the name of this Japanese citizen tenant and his present address \_\_\_\_\_  
\_\_\_\_\_
2. Why do you have the lease in the name of a native born Japanese and an alien Japanese actually doing the farming on your land \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. What is the name of the Japanese who is actually farming this land \_\_\_\_\_
4. What is the character and nature of the arrangement and agreement between this citizen Japanese tenant and the alien Japanese actually farming the land \_\_\_\_\_  
\_\_\_\_\_
5. Have you a copy of this lease agreement with you? If so, kindly produce same.  
  
\_\_\_\_\_

Subscribed and sworn to before me  
This \_\_\_\_\_ day of February, 1942.

\_\_\_\_\_  
\_\_\_\_\_

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 Kunishima, Raymond Takeo, M-23-E  
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 Nagamoto, Martha, M-1-E  
 Nagamoto, Tomoichi, M-1-E  
 Nagata, Masayuki, M-1-E  
 Naiki, Nio, M-1-E  
 Nakashima, Mrs. Betsy, M-12-E  
 Nakashima, Geo Masao, M-17-E  
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 Nakasone, Jerry Kosuke, M-1-E  
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 Nishimoto, Lily Yuriko, M-29-E  
 Nishimoto, Tom Tomuja, M-29-E  
 Nishimura, Kay Kazuo, M-9-E  
 Oh, Dorothy Etsuko, M-8-E  
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 Okubo, Mrs. Shizuye, Rosie, M-1-E  
 Okubo, Suiji, M-1-E M-13-3  
 Osako, Masami Tom, M-1-E  
~~Miyakichi~~,  
 Ota, Miyakichi, M-1-E  
 Ozaki, Matsutaru, M-1-E

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Saki, Noratsugi,  
Soyuiji, George,  
Shimashita, James Mamoku,  
Shigenura, Tom H.,  
Suginara, Tetsunasuke,  
Swashashi, Kojiro,  
Takahashi, Amy,  
Takahashi, Fusa,  
Tanaka, Harvey M..  
Toyonari, Isao,  
Watamura, Hideo,  
Watamura, Masui,  
Yamanoka, Jiro,  
Yanaka, Tan,  
Yoshida, Chiyoko,  
Yoshida, Masami,  
Yoshida, Naka,  
Zenihiro, Gunichi,  
**FUJITA, JAMES,**

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M-16-E  
M-1-E  
M-4-E  
M-1-E  
M-1-E  
M-6-E  
M-6-E  
M-16-E  
M-1-E  
M-22-E  
M-14-E  
M-15-E  
M-1-E  
M-24-E  
M-11-E  
M-1-E  
M-10-E  
**M-13-E**

CITY OF ~~EL CENTRO~~ HOLTVILLE

Kawashima, Suezo,  
Miyahara, Shokichi,  
Yamato, Kenneth I.,

M-3-H  
M-1-H  
M-2-H

CITY OF CALEXICO

Hayashi, Mary Hirako,  
Kamio, Kaoru,  
Kitow, Edwin,  
Kita, Masajiro,  
Kokubun, Jingoro,  
Yamashita, Hiroshi,

M-5-C  
M-1-C  
M-3-C  
M-4-C  
M-2-C  
M-3-C

CITY OF WESTMORELAND

Yonemura, Eddie Masato

*city of Niland*

*Ase, Seikiehi*

*(School Teacher)*

\* \* \* \* \*

CITY OF BRAWLEY

Nayamoto, Thomas Tamotsu  
Miyagi, Yuhacu  
Miyagi, Sonoho

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CITY OF EL CENTRO

Yano, Nigiluh  
Kubow, Henry Hideruaro

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