

A15.03

67/14
C

Maps referred to herein acknowledged 3-6-42 SH:ES

PERCY C. HECKENDORF
DISTRICT ATTORNEY

HENRY T. BAILEY
CHIEF DEPUTY DISTRICT ATTORNEY

RIGMOR O. CARLSEN
DEPUTY DISTRICT ATTORNEY

LAWRENCE M. PARMA
DEPUTY DISTRICT ATTORNEY

THOMAS P. WELDON
DEPUTY DISTRICT ATTORNEY
SANTA MARIA

DAVID S. LICKER
DEPUTY DISTRICT ATTORNEY

C. KELLEY HARDENBROOK
DEPUTY DISTRICT ATTORNEY
LOMPOC



OFFICE OF
THE DISTRICT ATTORNEY
SANTA BARBARA COUNTY

9150 FEB 9 42

SANTA BARBARA COUNTY
SANTA BARBARA, CALIFORNIA

EARL WARREN ATTORNEY GENERAL
SAN FRANCISCO OFFICE
ASSIGNED TO:

February 7th, 1942.

Clay H. Albin

*Footnote for -
local govt. chapter*

Honorable Earl Warren
Attorney General
State Building
San Francisco, California

Dear Earl:

I am writing this letter to advise you that pursuant to your letter of February 3rd, I have received the maps you sent me covering Santa Barbara County, and I have had superimposed thereon all of the parcels of land owned, controlled or occupied by Japanese either as aliens or native born. I have likewise had superimposed on said maps all of the various industries and vital utility services as indicated by the legend attached to said maps.

The information contained on these maps is exactly the same as the information contained on the large map of Santa Barbara County which I left with you following your conference on Monday, February 2nd, with the District Attorneys and Sheriffs of California.

On the portion of the map covering the northern part of Santa Barbara County, I have attached two city maps: one indicating the City of Santa Maria, and the other, the City of Lompoc. Each of these maps indicates the vital utility services which are surrounded by lands held by Japanese, the same as is indicated on the original map which I left with you.

On the portion of the map covering the southern part of the County, I have attached two maps: one indicating the City of Santa Barbara, and the other the Montecito-Summerland area to the east of Santa Barbara, the latter indicating that the town of Summerland is completely flanked by Japanese occupation, and the former along its Mesa coastline is

dominated for a great distance surrounding the lighthouse by Japanese occupation.

The sheriff and I are continuing our investigation of the Japanese problem in this county, and pursuant to the plans laid down at your conference, it is our purpose to vigorously prosecute each and every violation of the Anti-Alien Land Act.

As I indicated in my telephone conversation with you, Walter Lippmann and I were guests at dinner at the home of Mr. and Mrs. Robert Woods Bliss in Montecito, at which time I was asked by Mr. Lippmann to discuss with him my views on the Japanese question in California. I explained to him that under your leadership the District Attorneys and Sheriffs of the State were making a thorough investigation of the Japanese problem with respect to possible violations of the Anti-Alien Land law of this State, and that we were compiling the information in such form that it could be presented in map form. After expressing my view of the general situation in California, I explained to him how serious our local problem was, and that we had presented the same in detail to the Federal authorities, with the view of having the danger removed by those Federal authorities.

I went into detail to explain to him that even though there were many violations of the California Anti-Alien Land law, the remedies afforded by that Act were wholly insufficient to rectify the existing danger in time to avert serious acts of sabotage. I further stated that I was convinced that it would be no solution of the problem for the Federal authorities to merely remove the Alien Japanese from the coastal areas of our State, but that the only solution which would carry any degree of safety with it and likewise satisfy public opinion would be also to remove Japanese who were born as citizens in the United States, from those coastal areas.

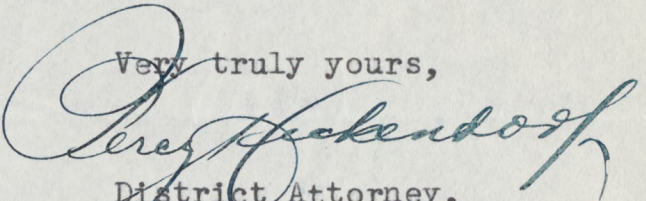
I expressed it as my firm conviction that the matter of the removal of the alien as well as the native-born Japanese from the coastal areas of California should be handled by the military authorities of the Federal government, and by no other branch of that government for the reason that any such order of removal by such military authorities would be completely divorced from any possible attack to the effect that the same was made for political purposes. The military authorities would be acting solely for the safety and protection of the coastal areas involved as well as that of the Japanese removed therefrom. Unless such action is taken in this manner, it may become impossible to control the actions of our people toward native-born Japanese who are left within our coastal areas, and I so stated to Mr. Lippmann.

EW:3.

I told Mr. Lippmann that I felt he was in a position to help us convince the Federal Government that this Japanese problem should be handled by the military authorities rather than by any other branch of the Federal Government, and that your office could be depended upon to cooperate and render the greatest possible assistance to the military authorities in the solution of this problem.

With very best personal wishes, I am

Very truly yours,



Percy Fickendorf

District Attorney.

PCH:c

STATE OF CALIFORNIA
LEGAL DEPARTMENT

San Francisco, February 17, 1942

Honorable Dwight W. Stephenson
Director, Department of Professional
and Vocational Standards
Business and Professions Building
Sacramento, California

Dear Sir:

I have your communication reading in part as follows:

"It appears that some question has arisen with reference to that Federal statute known as 'Trading with the Enemy Act' and its application to the issuance of licenses to nationals of countries now at war with the United States.

As you perhaps know, licensure in agencies of this department is not restricted to citizens of this country, but citizens of all countries are permitted to acquire licenses if they meet the other qualifications of the respective statutes.

We desire to know whether or not any of the provisions of the above-mentioned act have any direct bearing upon the activities of this department.

1. Would we be in order to withhold the issuance of a license to an individual who had the other qualifications but who is a citizen of an enemy country?

2. Would we be required under the law to issue a renewal of a license to a citizen of an enemy country who had heretofore acquired his original license under the provisions of our law?

If either of the above would be considered as 'Trading with the Enemy', will you please advise us the proper procedure to be followed in handling such matters."

1-NS4108

Section 3(a) of the Trading with the Enemy Act
(Chapter 106, 40 Stats. 411, as amended to December 18, 1941)
prohibits trading with the enemy or ally of enemy of the
United States, except under license, and reads as follows:

"Section 3. That it shall be unlawful

(a) For any person in the United States, except with a license of the President, granted to such person, or to the enemy, or ally of enemy, as provided in this Act, to trade, or attempt to trade, either directly or indirectly, with, to, or from, or for, or on account of, or on behalf of, or for the benefit of, any other person, with knowledge or reasonable cause to believe that such other person is an enemy or ally of enemy, or is conducting or taking part in such trade, directly or indirectly, for, or on account of, or on behalf of, or for the benefit of, an enemy or ally of enemy."

Section 2 of said Act defines "enemy" to include three groups. The first group includes persons and corporations resident within the territory of any nation with which the United States is at war, or resident outside the United States and doing business within such territory; the second group includes enemy nations or any political or municipal subdivision thereof, or any officer, official, agent or agency thereof; and the third group includes

"Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation with which the United States is at war, other than citizens of the United States, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require, may, by proclamation, include within the term 'enemy.'"

The term "ally of enemy" is similarly defined in section 2 of said Act.

The words "to trade" as used in the Act shall be deemed to mean

"(a) Pay, satisfy, compromise, or give security for the payment or satisfaction of any debt or obligation.

(b) Draw, accept, pay, present for acceptance or payment, or indorse any negotiable instrument or chose in action.

(c) Enter into, carry on, complete, or perform any contract, agreement, or obligation.

(d) Buy or sell, loan or extend credit, trade in, deal with, exchange, transmit, transfer, assign, or otherwise dispose of, or receive any form of property.

(e) To have any form of business or commercial communication or intercourse with."

It thus appears that individuals who are natives, citizens or subjects of any nation with which the United States is at war or which is an ally of such nation, residing in the United States, are "enemies" or "allies of enemies" only when the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require, shall by proclamation include such persons within the term "enemy" or "ally of enemy".

Our search does not disclose any such presidential proclamation to date.

Under the authority vested in him by section 21 of

Title 50 of the United States Code, pertaining to alien enemies, but dealing with a subject-matter entirely different from that of the Trading with the Enemy Act, the President, on December 7 and 8, 1941, promulgated Proclamations Nos. 2525, 2526 and 2527, prescribing the conduct to be observed by and toward natives, citizens, denizens or subjects of Japan, Germany and Italy, respectively, being of the age of fourteen years and upward, who shall be within the United States or within any territory in any way subject to the jurisdiction of the United States and not actually naturalized.

These proclamations charged the Attorney General of the United States with the duty of executing all of the regulations issued thereunder, prohibited possession of specified articles, prohibited travel by air, and generally prescribed the conduct to be observed by said alien enemies.

In my opinion, however, these proclamations are not, nor do they purport to be, an exercise of the power granted to the President by section 2 of the Trading with the Enemy Act in defining the terms "enemy" and "ally of enemy".

While there has been a difference of opinion on this subject by certain of the local Federal authorities, we have just received a statement of the United States Attorney General wherein he advises that no presidential proclamation has been issued to date under section 2 of the Trading with the Enemy Act. In referring to the proclamations of December 7 and 8,

1941, above mentioned, he states:

"These proclamations were issued under the authority granted by section 21 Title 50, U. S. C., and careful note should be taken of the fact that they are not in any way an exercise of the power vested in the President by the above mentioned section 2(c) of the Trading with the Enemy Act."

On September 1, 1920, the Acting Attorney General of the United States rendered an opinion (Vol. 32, Op. Atty. Gen., p. 289) to the effect that enemy nationals residing in the United States are not "enemies" within the meaning of the Trading with the Enemy Act unless and until they have been designated as such by presidential proclamation.

I conclude, therefore, that natives, citizens or subjects of any nation with which the United States is at war or of any nation which is an ally of such nation, residing in the United States, have not to date been proclaimed either enemies or allies of enemies, and that trading with such persons does not fall within the inhibitions of section 3(a) of the Trading with the Enemy Act.

I have also considered the provisions of section 5(b) of said Act, and Executive Order No. 8389, issued pursuant thereto on April 10, 1940, by the President, the effect of which is to prohibit certain transactions by or on behalf of or pursuant to the direction of a "national" of a foreign country or involving property in which such "national" has any interest, unless specifically authorized by the Secretary of the Treasury. Among the transactions prohibited are:

"All transfers, withdrawals, or exportations of, or dealings in, any evidences of indebtedness or evidences of ownership of property by any person within the United States." (Sec.1E, Ex.Or.No. 8389.)

Section 5E of said Executive Order No. 8389, as amended, defines the term "national" to include

"Any person who has been domiciled in, or a subject, citizen or resident of a foreign country at any time on or since the effective date of this Order."

If the activities permitted by the license which is sought are prohibited by section 5(b) of said Act and said Executive Order No. 8389, a license from the State could serve no useful purpose and would only purport to authorize activities of the licensee which violate the laws of the United States. Under such circumstances the licensing agency should deny an application for such a license or for a renewal of any such existing license.

Whether the conduct of the particular business or profession proposed to be engaged in by a "national" applying for a license from your department may involve transactions within the meaning of section 5(b) of the Trading with the Enemy Act or said Executive Order No. 8389, is a question of fact which of necessity must be resolved in connection with each type of license applied for, and such determination should be made by the United States Treasury Department or its agency, the Federal Reserve Bank.

It would appear that in the practice of a profession

or vocation where only the element of personal service is present, your licensee would not be engaged in carrying on transactions within the meaning of section 5(b). On the other hand, if your licensee proposes to engage in business transactions of a commercial nature, such activities might well come within the purview of said section.

It is therefore my opinion that the issuance by the various boards within the Department of Professional and Vocational Standards of licenses to nationals of enemy countries residing within the United States is permitted, provided that the particular business or profession proposed to be engaged in by such applicant for license is not prohibited by the Federal authorities, and provided further, that as a condition precedent to the issuance of such license, the applicant proves to your satisfaction that he has complied with any applicable licensing requirements of the United States Treasury Department or other Federal agency concerned.

This conclusion is likewise applicable to the renewal of licenses to such persons.

In this connection I call to your attention the provisions of the various licensing statutes of the State which require proof of the good moral character, honesty and integrity of applicants, or a finding that the issuance of a certain license is in the public interest. Loyalty to this country in time of war is implicit in any such finding, and a failure to

properly weigh and determine any such factors in the issuance of licenses could result in serious consequences to our state and nation.

Very truly yours,

EARL WARREN

Attorney General

8-NS4108

MS 4108

*Army didn't
see maps
to long after
Rec - but have
at OAC
Final
Report!*

7101

March 4, 1942

MEMORANDUM FOR THE FILE

Re: Alien Land Law - Maps

Telephoned Mr. Pieper of the F.B.I., and informed him that we were in possession of maps recently prepared showing the location of Japanese-owned and controlled lands throughout the State and that they indicated Japanese in the vicinity of a large number of strategic points but that in some localities the location of these Japanese lands seemed to be according to plan and could hardly be explained by coincidence and I urged him to have somebody examine the maps. Mr. Pieper stated that one of their men would make such an examination tomorrow.

W.O.

WO:T

March 4, 1942

MEMORANDUM FOR THE FILE

RE: ALIEN LAND LAW - MAPS

Telephoned to Colonel Stroh of the Army Intelligence at the Presidio and informed him that we now had maps showing the location of practically all lands in the State owned, controlled or occupied by Japanese, including Japanese aliens as well as American citizens of Japanese extraction. I informed him that these maps showed Japanese lands adjacent to or in the immediate vicinity of a very large number of strategic points, including military establishments as well as important defense industries, utilities and the like. Told Colonel Stroh that we would be very happy to give any and all information in our possession, including these maps, to anyone in the Army who could use them or cared to see them. Colonel Stroh stated that he was being transferred and would be succeeded by Colonel Harrington, and that Colonel McGill of the Provost General's Office would also take an interest in the matter. That he would see that my message was communicated to them, and that they would no doubt get in touch with me on the matter.

W. O.

WO:T

Map making
Started
Feb 3 -

MAPS TO BE SECURED FOR FOLLOWING COUNTIES:

✓ DEL NORTE ✓
✓ HUMBOLDT ✓
✓ MENDOCINO ✓
✓ MARIN ✓
✓ SONOMA ✓
✓ SOLANO ✓
✓ CONTRA COSTA ✓
✓ ALAMEDA ✓
✓ SAN FRANCISCO ✓
✓ SAN MATEO ✓
✓ SANTA CLARA ✓
✓ MONTEREY ✓
✓ SAN BENITO ✓
✓ SAN LUIS OBISPO ✓
✓ SANTA BARBARA ✓
✓ VENTURA ✓
✓ LOS ANGELES ✓
✓ ORANGE ✓
✓ SAN DIEGO ✓

✓ KERN ✓
✓ KINGS ✓
- ○ TULARE ✓
✓ FRESNO ✓
✓ MADERA ✓
- ○ MERCED ✓
✓ STANISLAUS ✓
✓ SAN JOAQUIN ✓
✓ SACRAMENTO ✓
✓ YOLO ✓
✓ NAPA ✓
✓ COLUSA ✓
✓ SUTTER ✓
✓ GLENN ✓
✓ BUTTE ✓
✓ TEHAMA ✓
✓ SHASTA ✓
✓ SISKIYOU ✓
✓ SANTA CRUZ ✓
✓ YUBA ✓

✓ El Dorado ✓
- ○ Placer ✓
✓ Plumas ✓
✓ Nevada ✓
✓ Sierra ✓

Feb 21 2
28 2
6 3
13

San Francisco, March 12, 1942

General J. L. De Witt
Headquarters, Western Defense
Command and Fourth Army
Presidio of San Francisco, Calif.

Dear Sir:

Enclosed is a compilation of particular strategic points in California which have Japanese either adjacent to or in their immediate vicinity as shown by maps of the Counties of California.

Several weeks ago, I advised Colonel Strohe, of your staff, that we had in our possession maps of some thirty-five counties of the State showing the location of all lands owned, operated or controlled by Japanese, but, as no one from the Army has as yet seen them, I thought that the enclosed compilation of information shown by them might be of value. This compilation is being submitted as an exhibit to the extension of testimony of Attorney General Earl Warren before the Tolson Committee on National Defense Migration.

The maps from which this information was compiled were prepared at the request of the Attorney General by the District Attorneys of the several counties of the State, with the assistance of their Sheriffs, county agricultural commissioners and county and city tax officers. These maps were prepared during February, 1942, and were requested for all counties having a Japanese population. We have now received completed maps from each of the following counties of the State:

Alameda	Kings	Placer	San Mateo	Stanislaus
Butte	Madera	Plumas	Santa Barbara	Sutter
Colusa	Marin	Sacramento	Santa Clara	Tehama
Contra Costa	Mendocino	San Diego	Santa Cruz	Tulare
Fresno	Merced	San Francisco	Shasta	Ventura
Glenn	Monterey	San Joaquin	Solano	Yolo
Humboldt	Napa	San Luis Obispo	Sonoma	Yuba

#2 March 12, 1942
General J. L. De Witt

We should like to call attention to what seems to us to be a serious and threatening situation, disclosed by an inspection of these maps. The maps show that along the Coast from Marin County to the Mexican border virtually every important strategic location and installation has one or more Japanese in its immediate vicinity. The same situation exists in those counties of the Sacramento and San Joaquin valleys that have any considerable Japanese population and in the San Bernardino, Riverside and Imperial Counties.

The list of such points included herewith by no means includes all such points shown on the maps. The list is intended merely to be illustrative and not exhaustive. In addition, it should be understood that the maps do not show any coastal defenses and only a very few war industries.

Notwithstanding these omissions, it is still plain from the maps that in our coastal counties, from Point Reyes south, virtually every feasible landing beach, air field, railroad, highway, power house, power line, gas storage tank, gas pipe line, oil field, water reservoir or pumping plant, water conduit, telephone transmission line, radio station, and other points of strategic importance, have several - and usually a considerable number - of Japanese in their immediate vicinity. The same situation prevails in all of the interior counties that have any considerable Japanese population.

While the presence of many of these persons in their present locations is, undoubtedly, mere coincidence, it seems to us equally beyond doubt that the presence of others is not coincidence. While all, or practically all, of these Japanese are ostensibly engaged in agricultural pursuits, there are a number of large agricultural areas having a few strategic points in them and the maps disclose that, in such areas, the Japanese are congregated at the strategic points and at those points alone. A good example is the coastal plain of Santa Barbara County, from Point Conception south to Ventura. This plain, though long, is quite narrow and lies between the Santa Barbara Mountains and the sea. Throughout its length, it is subject to intensive cultivation and all parts are equally open to cultiva-

#3 March 12, 1942
General J. L. De Witt

tion and agricultural pursuits. The particular points on the plain which might be regarded of strategic importance are the El Capitan Oilfield, Elwood Oilfield, Summerland Oilfield, Santa Barbara Airport and Santa Barbara Light-house and harbor entrance. The maps of Santa Barbara County disclose that every one of these points is surrounded by Japanese and that there are no Japanese on the equally attractive agricultural areas between these points. The number of places where similar phenomena can be observed on the maps is sufficient to cause us to believe that it evidences a definite pattern and plan in the distribution of Japanese in spots of strategic importance, and it was for this reason that we have called the existence of these maps to the attention of your staff.

We expect to receive in the very near future the additional maps for counties not yet covered. Of course, all of these maps, as well as any other information we have on the subject, are open and available to any Army representatives at any time.

We assure you of our desire to be of assistance.

Very truly yours,

W.O.

Assistant Attorney General

WO:ES

Encl.

① Name (in full).

② Code Number. ^{County.}

③ Locality Farm location.

4. In "immediate vicinity of which point of strategic importance?"

⑤ Number of years farming same locality.

⑥ Which crops grown?

7. Is there a residential restriction in force?

A/5.03

I = each separate holding.

Unfilled questionnaires III 1 = 6.

II Each person by longest period of tenure.

Unfilled questionnaire III = 4

Unfilled questionnaires IIII = 4
Unfilled questionnaires
IIII 1
6

	0	1	2	3 ^{yr.}	4	5	6
<u>I</u>	 (12)			 			
<u>II</u>	 — 1			 			
	(6)	(3)	(3)	(6)	(0)	(1)	(1)
<u>III</u>				 			
	(3)	(2)	(3)	(6)	(10)	(1)	(1)

	7	8	9	10	11	12	Total
<u>I</u>			 (1)	 (1)		 (2)	(36)
<u>II</u>			 (1)	 (1)		 (2)	(24)
<u>III</u>			 (1)	 (1)		 (2)	(19)

33 1/3% of I have been less than 1 year in the locality.

25% of II

16% of III

I = each separate holding

II = each person (including corporations) by longest period of tenure.

III = Landholders excluding corporations, and those persons who are presumed to have been in the locality before becoming landholders, and those in the U.S. Army and Navy.

Santa Barbara and environs.

Santa Barbara County Sheet 4.

Japanese. No. of years (any one locality).

14	2
13 (Lanahide = 14)	1
15	3
16	27 (near broadcast sta.!!)
17	1
18	7.
19	10
20	5
3	6
5	5
4	5
7	5
8	1
11	?
2	2
1	8
9	3
6	3
10	?
21	27
22	0
23	3
24	3
25	5
26	8
27 (has moved home? since each was acquired?)	10

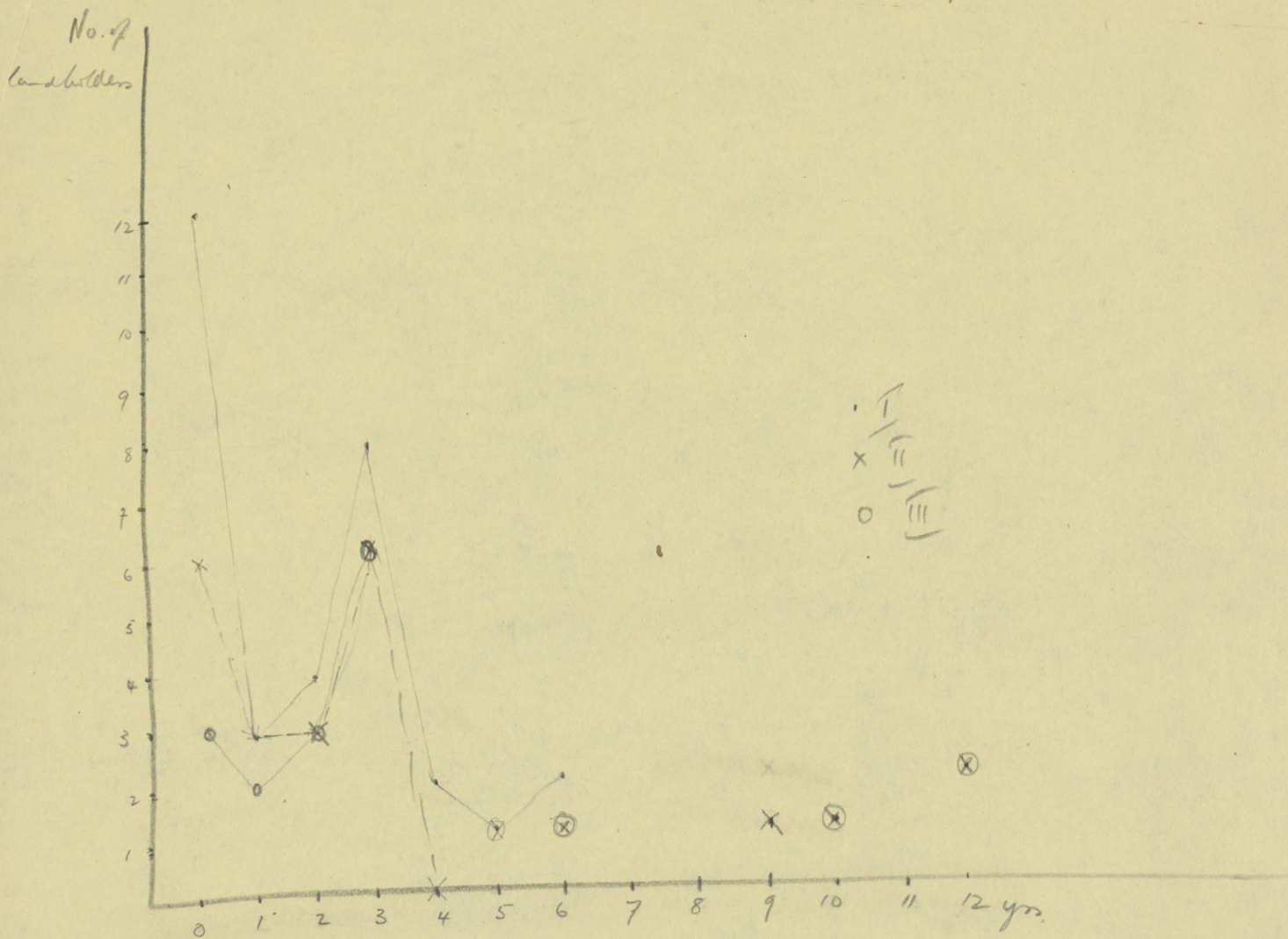
Yrs.									
0	1	2	3	4	5	6	7	8	
1	11	11	11	11	11	1	1	11	

9. 10 --- 27 Yrs.
11

2 unfilled questionnaires

	0	1	2	3	4+	years
Japanese.	1	3	2	5	13	

Camp Cooke. Santa Barbara County.



I
II
III

	0	1	2	3	4+ years.
I	12	3	4	8	9
II	6	3	3	6	6
III	3	2	3	6	5

Japanese land holders

Name.

(define!)

2. In ^{immediately} vicinity "strategic area"? If so, state which.

3. Number of years farming same locality.

4. Crops grown. ? - It may be necessary to find out when certain crops were introduced. eg. sugar beets wd. expand when a sugar co. set up a plant.

5. Citizen or alien? — not significant because miners often hold land for their parents.

6. Occupation. ?

7. (In cities). Is there a residential restriction?

Strategic areas (given on maps).

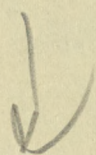
These do not include coast defenses and show very few of the war industries.

1. Are there Japanese landholders in the vicinity?

2. Date of construction.

Santa Maria and environs.

Lafamea		No. of years living in same locality.
107	(Sta. Maria Prod. Co.)	9
105	"	6
103	"	3
98	Sen. Farming Co.)	12
108	(Sta. M. Prod. Co.)	1
106	"	7
cf. Camp Corder → 116	Val. Farm. Inc.)	5
88	(Sen. F.C.)	12
109	S.M.P.C.	3 wks.
92	(S.F.C.)	12.
90	"	12.
87	"	12
83		2
79 (= 83)		8
111		?
84	(G.F.C.)	12
85	"	12
110 (= 111)		5
95	(G.F.C.)	12.
136		6
120		8
80		13
100	G.F.C.	12
86	(")	12
81 (= 83)		2
94	G.F.C.	12
89	"	12
78		3
137		1
82.		1



Questions on questions relevant to inquiry.

No. 7 years farming same locality.

Camp Cooke : Santa Barbara County.

Japanese in vicinity. I No. yrs. (Army same locality) II. No. yrs. (Army same locality)

Check on date of Union

Supp Co.

Corp. 134 = Vegetable

Farm Inc.

holds a good deal of land from Union Supp Co.

* 28 occurs twice on the map.

28 + 29 are the same person

29 having been in the locality 10 yrs.

114 also holds other land over 2 yrs.

works for 44, brother ← 46

son of 41 (- Army!) ← 42

* 28 3-4 mo.

129 (Corp. 134) 9 yrs.

133 (Corp. 134) over 3 yrs.

53 12 yrs.

52 2 yrs.

132 (Corp. 134) over 4 yrs.

54 1 yr.

51 first year.

131 (Corp. 134) + 4 yrs.

55 3 yrs.

48 3 yrs.

50 3 yrs.

49 since Dec. 29, 1941

45 6 yrs.

115 since Oct. 1941.

47 since July 1941.

2 yrs.

44 12 yrs.

114 (115) Since Nov. 1, 1941

41 3 yrs.

37 First year.

40 (= 37) First year.

130 (Corp. 134) + 6 yrs.

1 yr.

34 None.

33 None.

38 (= 37) 5 yrs.

? ~~37 (= 38) First year.~~

36 (= 34) 1 yr.

35 (= 34) none

32 3 yrs.

31 (= 32) 3 yrs.

43 { Searchholder Since Jan. 1942 in army. 2 yrs.

30 2 yrs.

* 28 0 yrs. Since Oct. 1941.

24 3 yrs.

Points in the Attorney-General's argument

1. The maps show "all lands owned, occupied, or controlled by Japanese, including American-born Japanese as well as Japanese aliens."
They thus do not show all those Japanese ---- who do not own land. Do they show those who own property (e.g. buildings) but not the land on which it is built? How does this affect the argument? What % of Japanese "occupied population" hold land?
2. The Attorney-General's argument applies only to countries "that have any considerable Japanese population." Thus it would appear that there are no significant cases of isolated Japanese ^{land holders} near strategic areas in countries not having "any considerable Japanese population."
3. The maps "have omitted most coastal defenses and war industries." This seems to indicate that they are only partially relevant to the Attorney-General's argument. Are these Japanese ^{land holders} located near coast defenses and war industries? ^{more than normal distrib.}
4. By the Attorney-General's argument "points of strategic importance embrace such widely different things as "landing beach, air field, railroad, highway, powerhouse, power line, gas storage tank, gas pipe line, oil field, water reservoir or pumping plant, water conduit, telephone transmission line, radio station." How many of the non-Japanese landholders do not occupy ^{land} in the immediate vicinity "of one or more such points?" If the percentage of non-Japanese land-holders occupying land in the immediate vicinity of the above-mentioned strategic areas is roughly similar to that of the Japanese land-holders in a similar portion, then the maps prove nothing.
5. It is necessary to define "in the immediate vicinity."
6. The Attorney-General's argument based "on the time when the ownership was acquired" requires careful scrutiny. e.g. near Camp Cooke the same person held two plots of land, one for 3 months and the other for 10 years. Sometimes families may have been in the locality

for say 5 years and individual members may have lately acquired leases on ^{other} pieces of property.

7. The Attorney-General considered the fact that no sabotage had occurred since the beginning of the war "the most ominous sign in our whole situation." This is even worse than the *offonte argumentum ex silentio* which might be put forward.
8. The Attorney-General concludes "knowing what happened at Pearl Harbor and other places we believe that there is a pattern to their land ownerships in California and property interests in California." Were cases of Japanese sabotage at Pearl Harbor reported? (see hearings.)
9. Have purchases by --- native-born Japanese --- increased more than purchases by non-Japanese "in the surroundings close to --- aircraft factories"? Have the Japanese shown any special tendency to invest where land values were rising?
10. The maps do indicate all new "points of strategic importance" which have been added since the date on which the maps were made. [This might give a sample check on the 'time-of-acquiring' argument.] vide Letter from Warren to Dockweiler, D.A. Los Angeles County.
11. Isolated cases of Japanese undertaking farming operations in close proximity to certain Government air bases after these were established is not a sufficient argument for general evacuation.
12. Details on migration movements for the state as a whole would be a necessary control on Japanese migration movements.

National Defense Migration Hearings.

Testimony of Atty. Gen. Earl Warren.

10973. Maps prepared showing "all lands owned, occupied, or controlled by Japanese, including American-born Japanese as well as Japanese aliens."

These show "that along the coast from Marin County to the Mexican border virtually every important strategic location and installation has one or more Japanese in its immediate vicinity. The same situation exists in those counties of the Sacramento and San Joaquin Valleys that have any considerable Japanese population, and in San Bernardino, Riverside and Imperial Counties."

10974. --- "for obvious reasons, the maps do not show our coastal defense and very few of our war industries. That there are Japanese there in the immediate vicinity of many such establishments is unquestionably the fact." ---

"Notwithstanding the fact that the county maps showing the location of Japanese lands have omitted most coastal defenses and war industries, still it is plain for them that in our coastal counties from Point Reyes south, virtually every feasible landing beach, air field, railroad, highway, powerhouse, power line, gas storage tank, gas pipe line, oil field, water reservoir or pumping plant, water conduit, telephone transmission line, radio station, and other points of strategic importance have several - and usually a considerable number - of Japanese in their immediate vicinity. The same situation prevails in all of the interior counties that have any considerable Japanese population." ---

"Undoubtedly the presence of many of these persons is mere coincidence but it would seem equally beyond doubt that the presence of others is not a coincidence."

11011. The fact that sabotage or fifth column activities had occurred since the beginning of the war is "the most ominous sign in our whole situation." Saboteurs timed like France, Denmark, Norway etc.

11017. "These maps show" --- "that it is more than just accident, that many of those ownerships are located where they are. We base that assumption not only upon the fact that they are located in certain places, but also on the time when the ownership was acquired." --- "after certain Government air bases were established Japanese undertook farming operations in close proximity to them. You can hardly grow a jackrabbit in some of the places where they presume to be carrying on farming operations close to an Army bombing base."

11018. "knowing what happened at Pearl Harbor and other places we believe

that there is a pattern to these land ownerships in California and
possessory interests in California."

Agrees that "purchases by native-born Japanese [has] increased in
the surroundings close to these aircraft factories."

S.F. Examiner 2/7/42.

Warren on the State Personnel Board order apt. enemy alien:

"The order would vitally and adversely affect a tremendous number of
naturalized and native-born citizens whose loyalty no one has the right
to question without affirmative proof of disloyalty."