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424 Wheeler Hall

20 June 1949

Mr. Lowell Mundorff, Clerk
U.S. District Court
Portland, Oregon

Dear Mr. Mundorff:

I find that the Grand Jury for Oregon passed a resolution on February 25, 1942, calling for the removal and internment of "any persons of questionable loyalty."

I would like to know if the Grand Jury passed any other resolutions similar in intent to this in the months after Pearl Harbor, that is, in December, 1941, or January or February, 1942.

Were any resolutions passed advocating evacuation, for instance, of the Japanese population?

If any such resolutions were passed, in addition to the one of February 25, I would like copies of them or know where I might find them.

Sincerely

Edward N. Barnhart
Assistant professor

424 Wheeler Hall
20 June 1949

Mr. Calbreath, Clerk
U.S. District Court, Northern California
7th and Mission Streets
San Francisco, California

Dear Mr. Calbreath:

I would like to know if the Grand Jury for the Northern California District Court passed any resolutions calling for or favoring the evacuation or detention of enemy aliens in the months following Pearl Harbor, that is, in December 1941, or January or February, 1942.

I find that the Grand Jury for Oregon passed a resolution resolving that "any person of questionable loyalty...be removed and interned."

I would like to know if the Grand Jury for the Northern California District passed a resolution similar in intent to this.

If so, may I have a copy of the resolution? Or, if this is not convenient, may I know where I can find it.

Sincerely

Edward N. Barnhart
Assistant professor

424 Wheeler Hall

20 June 1949

Mr. Edmund L. Smith, Clerk
Southern District, U.S. District Court
Los Angeles, California

Dear Mr. Smith:

I would like to know if the Grand Jury for the Southern District U.S. Court passed any resolutions calling for or favoring the evacuation or detention of enemy aliens in the months following Pearl Harbor, that is, in December, 1941, or January or February, 1942.

I find that the Grand Jury for Oregon passed a resolution resolving that "any person of questionable loyalty ...be removed and interned."

I would like to know if the Grand Jury for the Northern California District passed a resolution similar in intent to this.

If so, may I have a copy of the resolution?
Or, if this is not convenient, may I know where I can find it.

Sincerely

Edward N. Barnhart
Assistant professor

424 Wheeler Hall
20 June 1949

Mr. A.A. LaFramboise, Clerk
U.S. District Court
Spokane, Washington

Dear Mr. LaFramboise:

I would like to know if the Grand Jury for the Eastern District of Washington, U.S. District Court, passed any resolutions calling for or favoring the evacuation or detention of enemy aliens in the months following Pearl Harbor, that is, in December, 1941 or January or February, 1942.

I find that the Grand Jury for Oregon passed a resolution resolving that "any person of questionable loyalty... be removed and interned."

I would like to know if the Grand Jury for Eastern Washington passed a resolution similar in intent to this. If so, may I have a copy or be told where I might find it in print.

Sincerely

Edward N. Barnhart
Assistant professor

424 Wheeler Hall
20 June 1949

Mr. Millard P. Thomas, Clerk
U.S. District Court
Seattle, Washington

Dear Mr. Thomas:

I would like to know if the Grand Jury for the Western District of Washington, U.S. District Court, passed any resolutions calling for or favoring the evacuation or detention of enemy aliens in the months following Pearl Harbor, that is, in December, 1941, or January or February, 1942.

I find that the Grand Jury for Oregon passed a resolution resolving that "any person of questionable loyalty... be removed and interned."

I would like to know if the Grand Jury for Eastern Washington passed a resolution similar in intent to this. If so may I have a copy of it?

Sincerely

Edward N. Barnhart
Assistant professor

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK

WESTERN DISTRICT OF WASHINGTON

P. O. BOX 1866
308 U. S. Court House
SEATTLE 1, WASH.

June 23, 1949

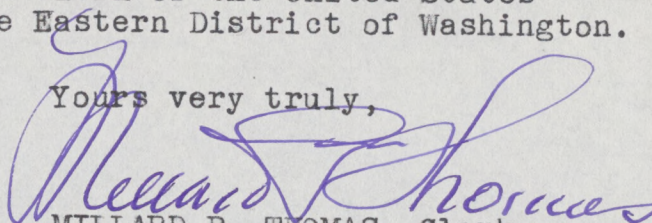
Mr. Edward N. Barnhart
Assistant Professor
424 Wheeler Hall
University of California Campus
Berkeley 4, California

Dear Sir:

Answering your communication of June 20, 1949, I beg to advise that no resolutions of any kind were passed by the Grand Jury for the United States District Court for the Western District of Washington within the past ten years.

Your inquiry with reference to the Eastern District of Washington should be addressed to Mr. Aram A. La Framboise, U. S. Court House, Spokane, Washington, who is the clerk of the United States District Court for the Eastern District of Washington.

Yours very truly,


MILLARD P. THOMAS, Clerk

MPT:p

TERMS OF COURT

SPOKANE—
FIRST TUESDAY APRIL AND SEPTEMBER
YAKIMA—
THIRD TUESDAY MAY AND SECOND
TUESDAY NOVEMBER
WALLA WALLA—
FIRST TUESDAY JUNE AND DECEMBER

United States District Court
Eastern District of Washington
OFFICE OF THE CLERK

P. O. Box 1493, Spokane 7
June 23, 1949

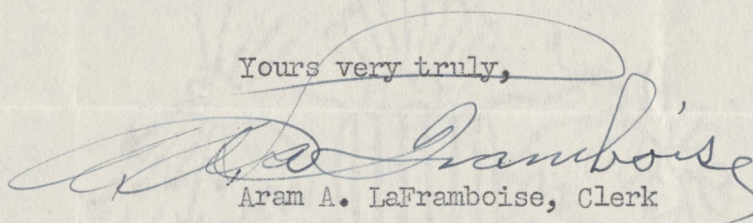
Mr. Edward N. Barnhart
Assistant Professor
424 Wheeler Hall
Berkeley 4, California

Dear Sir:

Receipt of your letter of the 20th of June, in reference to possible resolutions by the Grand Jury for this District, in reference to removal or internment of enemy aliens, is hereby acknowledged.

No such resolutions were passed by Grand Juries in this District.

Yours very truly,



Aram A. LaFramboise, Clerk

AAL:EC

UNITED STATES DISTRICT COURT

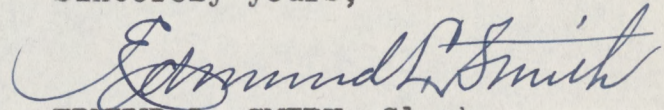
OFFICE OF THE CLERK
SOUTHERN DISTRICT OF CALIFORNIA
Los Angeles, California,
June 24, 1949.

Prof. Edward N. Barnhart,
424 Wheeler Hall,
University of California,
Berkeley, 4, Calif.

Dear Sir:

In reply to your letter of June 20, 1949,
inquiring if the Grand Jury of this Court passed any
resolutions calling for or favoring the evacuation
or detention of enemy aliens in the months following
Pearl Harbor, that is, during the months of December
1941, and January to February 1942, I wish to state
that the Grand Jury passed no such resolution in this
District.

Sincerely yours,


EDMUND L. SMITH, Clerk.

ELS/c.

42

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO 1

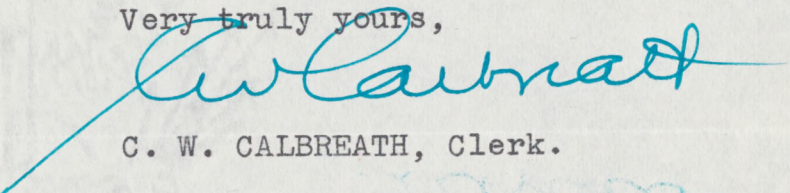
June 27, 1949

Mr. Edward N. Barnhart
Assistant Professor, Department of Speech
424 Wheeler Hall
Berkeley 4, California

Dear Sir:

In answer to your letter of June 20,
1949, you are advised that no resolution was
passed by the Grand Jury of this District follow-
ing Pearl Harbor in which recommendation was made
for the evacuation or detention of enemy aliens.

Very truly yours,


C. W. CALBREATH, Clerk.

CWC:LJ

424 Wheeler Hall
27 June 1949

Mr. Mason Dillard, Asst. U.S. Attorney
U.S. District Court
Portland, Oregon

Dear Sir:

A colleague and I are engaged in writing a history of the events on the coast in the months after Pearl Harbor. One matter of interest to us is the evacuation of the Japanese and the various considerations that lead groups, both public and private, to press for this internment.

I note that the Grand Jury of the District Court of Oregon passed a resolution on February 25, 1942 (Tolan Committee Hearings, Part 30, page 11388) calling for the internment of "persons of questionable loyalty" in the interests of public security, based in part on the Jury's "observations of events".

I would very much like to know what facts or deliberations lead the Jury to take this action. Did you present a report on the situation in Oregon, or did any other individual?

If such a report or findings was presented, would it be possible for me to see a copy of it?

Any information you can give me about the matters leading the Jury to this recommendation would be of value to us.

Incidentally, I note in a resolution of the Portland Legion Post No. 97 a mention of a "Pacific Coast Committee on Alien Enemies and Sabotage." Can you tell me if this was a public committee or was it a Legion committee? I find no references to it in other places.

Sincerely

Edward N. Barnhart
Assistant Professor

encl. 27 June 1949

Feb 25

Tolan
11388

Resolution of the U.S. Grand Jury for the District of Oregon

Submitted by Mason Dillard, Assistant U.S. Attorney, District of Oregon, Portland, Oregon

Whereas the United States grand jury for the district of Oregon, assembled pursuant to an order of the United States Court for the district of Oregon for the November term of said court, and now in session, has, in the pursuit of deliberations affecting the public interest, which considerations have been initiated by members of this body, entered upon a discussion of the safety of the people and public property in the existing wartime emergency, and

Whereas it is the consensus of the opinion of this grand jury that a grievous emergency and imminent danger exist by reason of the fact that there are residing in the Pacific coast area of the United States and within the district of Oregon numerous enemy aliens and citizens of questionable loyalty, and

Whereas the members of this grand jury, based upon their observations of events, believe that an opportune time for such conduct, both concerted and individual aid to the enemy will be attempted by said alien enemies and native-born or naturalized citizens residing in the United States; now, therefore, be it

Resolved, That it be declared to be the sentiment of this grand jury that any persons of questionable loyalty to the United States now residing in the strategic areas of the Pacific coast and near the forest areas of the Pacific coast, should be immediately removed from the coast and forest areas and from the areas of military and defense-production establishments in order that greater security to the public and public property, and the defense establishments of the United States be assured, and be it further

Resolved, That this grand jury make known its sentiment respecting the things herein mentioned to the proper officials of the United States Government, both military and civil.

Dated at Portland, Oregon, this 25th day of February, 1942

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
OFFICE OF THE CLERK
P. O. Box 1150
PORTLAND 7, OREGON.

June 28, 1949.

Mr. Edward N. Barnhart,
Assistant Professor, University of California,
Berkeley 4, California.

Dear Sir:

In reply to your letter of June 20th, you are advised that we have no record of any recommendations being made by the Grand Jury to which you refer, or resolutions passed by them. I am sorry I am unable to be of assistance to you. Might I suggest that you make inquiry of the State; possibly a grand jury for Multnomah County passed some resolutions in which you might be interested.

Yours very truly,

Lowell Mundorff, Clerk.

By

T. L. Duck
Chief Deputy.

424 Wheeler Hall
1 July 1949

Mr. Lowell Mundorff, Clerk
U.S. District Court
P.O. Box 1150, Portland, Oregon

Dear Mr. Mundorff:

Thank you for your letter of June 28, in answer to my inquiry of June 20. I am puzzled by your letter. The Resolution to which I referred is printed on Page 11388 so-called Tolam Committee Hearings (77th Congress, 2nd Session, House of Representatives Committee on National Defense Migration; Part 30). It is titled:

Resolution of the United States Grand Jury
for the District of Oregon

Submitted by Mason Dillard, Assistant United States Attorney, District of Oregon, Portland, Oregon.

The resolution is dated Portland, Oregon, "the 25th day of February, 1942" and begins

"Whereas the United States grand jury for the district of Oregon, assembled pursuant to an order of the United States court for the district of Oregon..."

From the wording it certainly does not seem to be a Multnomah County Grand Jury nor a State jury.

Could I trouble you to look through your records again? Where can I reach Mr. Dillard?

One possibility would be that the resolution was submitted in this form but not passed, and that its appearance in the Hearings is an error. Possibly Mr. Dillard could clear this up.

Thank you for your assistance.

Sincerely

Edward H. Barnhart
Assistant professor

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
OFFICE OF THE CLERK
P. O. Box 1150
PORTLAND 7, OREGON.

July 5, 1949.

Mr. Edward N. Barnhart,
Assistant Professor, University of California,
Berkeley 4, California.

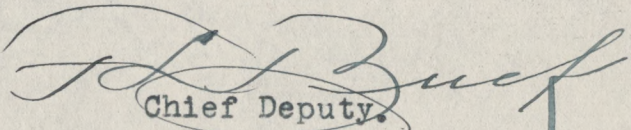
Dear Sir:

This is to acknowledge receipt of your letter of July 1. As stated in my letter of June 28, we have no record of any resolution of a grand jury in this court. The Grand Jury may have made a resolution or had one presented to it but not signed. A Mason Dillard used to be Assistant United States Attorney, but is now practicing law in St. Helens, Oregon. You could probably get in touch with him by letter at that point.

Yours very truly,

Lowell Mundorff, Clerk.

By


Chief Deputy.

424 Wheeler Hall

7 July 1949

Mr. Mason Dillard, Attorney
St. Helens, Oregon

Dear Mr. Dillard:

A colleague and I are engaged in writing a history of events on the Pacific Coast in the months after the attack on Pearl Harbor. We are particularly interested in the evacuation of the Japanese, at the moment. In reading the Tolson Committee Hearings (Page 11388; Part 30) I noted a "Resolution of the United States Grand Jury for the District of Oregon" calling for the removal from the coast of "persons of questionable loyalty."

I wrote to the Clerk of the District Court inquiring about this Resolution and in particular if there was any record of the discussion or of any reports to the Jury, and I am informed that the Resolution was apparently not signed or approved by the Jury. The Clerk, Mr. Lowell Mundorff, writes that he has "no record of any resolution of a grand jury in this court."

He suggested that I write to you for details. I would be interested in hearing from you about the Resolution and its fate. Was it not approved? I would be more interested in learning if there was any report given the jury which would indicate the nature of the sentiment in Oregon toward the Japanese at that time. Was there a wide-spread fear of sabotage and attack?

Any information you could give me in this regard would be of interest and value.

Sincerely

Edward M. Barnhart
Asst. professor

MASON DILLARD
ATTORNEY AT LAW
ST. HELENS, OREGON

July 13, 1949

Mr. Edward N. Barnhart, Assistant Professor
Department of Speech
University of California
Berkeley 4, California

Dear Sir:

I acknowledge your letter of July 7, 1949, pertaining to the resolution of the United States Grand Jury for the District of Oregon concerning the evacuation of Japanese from the coast area at the attack on Pearl Harbor. I am no longer connected with the United States Attorney's office and will have to write entirely from memory.

You seem to have some misinformation. Federal Grand Jury proceedings are secret until the result of their proceedings becomes a public record by the return of an indictment or other record. Ordinarily no record is kept of Grand Jury discussions. A Grand Jury can act upon reports or upon information of its individual members. It is my recollection that a written resolution of the Grand Jury was handed up to the committee which was then in session in Portland. No one could have any basis for saying that it was not approved by the Grand Jury. The Grand Jury itself was made up of an intelligent group of citizens from all walks of life.

You ask whether there was wide spread fear of sabotage and attack. I would say that there was intelligent awareness of the imminent danger of attack by a treacherous and ruthless enemy and a wide spread desire that neither state nor local government take any chances whatever with the treachery of such an enemy, whether it be through sabotage or military and naval action.

Yours very truly,

Marion Dillard

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MD:M

D.

Congress

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S

What was Johnson Bill to do?
[meant by Pailey, are
recorder (p 5 anti)].

U.S. Dist. Court

✓ Northern Calif.

C. W. Calbreath Clerk S.F.

✓ South. Dist.

Edmund C. Smith Clerk L.A.

✓ Oregon

Lowell Munderoff Clerk Portland

Wash. Eastern D. —

A. A. LaFramboise Clerk Spokane

West. D. —
Melvin P. Thomas Clerk Seattle

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(d.) Congress

mail -

- What did Congressmen
think and do?

- West Coast deleg. &
council?

what
notes on it?

(c.) Press -

- short treatment.

- time sequence of sentiment