

TUCKER 7201

PAUL SHOUP

**MERCHANTS AND MANUFACTURERS ASSOCIATION**

*For Better Employment Relations*

**725 SOUTH SPRING STREET, LOS ANGELES**

MM.3

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COPY WESTERN UNION NIGHT LETTER

NIGHT LETTER

FEB. 11, 1942

THE HONORABLE CLARENCE F. LEA      PERSONAL  
HOUSE OFFICE BUILDING  
WASHINGTON, D. C.

MM.1

SENDING YOU AIRMAIL TODAY COPIES RESOLUTION REPRESENTING  
VIEWS LOS ANGELES COUNTY DEFENSE COUNCIL ADOPTED FOLLOWING  
MANY DISCUSSIONS BY COMMITTEE HAVING POWER ACT AT MEETING  
THIS MORNING FOR CONSIDERATION BEFORE FINAL ACTION TAKEN BY  
CONGRESSIONAL DELEGATION PACIFIC COAST THURSDAY. RECOMMENDA-  
TION STRATEGIC AREAS ENCOMPASSING CALIFORNIA, OREGON, WASHINGTON  
AND ALASKA BE EVACUATED BY ALL PERSONS THEY BEING ALLOWED  
RETURN OR IN SUBSTANCE REMAIN ONLY UNDER SPECIAL LICENSE,  
SHOULD BE REVIEWED TO ASCERTAIN IF OBJECTIVE CANNOT BE  
ACCOMPLISHED IN MUCH SIMPLER FORM, SINCE SUCH EVACUATION  
PROGRAM WILL BE MISUNDERSTOOD BY OUR PEOPLE, INVOLVE TREMENDOUS  
AMOUNT OF WORK, EXPENSE AND PERSONAL INCONVENIENCE. OBJECTIVE  
OF COURSE IS TO ELIMINATE ALL ELEMENTS OF DANGER TO OUR  
NATIONAL DEFENSE ON COAST BUT PRIMARILY TO AVOID COMING IN  
CONFLICT WITH CONSTITUTIONAL RIGHTS OF MEMBERS OF JAPANESE  
RACE WHO THROUGH BIRTH ARE CITIZENS UNITED STATES. IT IS  
EVIDENT THAT REGISTRATION OF PEOPLE OF CALIFORNIA WHO WOULD  
BE PERMITTED TO REMAIN WOULD NOT IN ITSELF DISCLOSE ANY  
EVIDENCE OF SUBVERSIVE ACTIVITIES. SUCH REGISTRATION WOULD  
BE USED BY EXCLUSION OF CITIZENS ENEMY COUNTRIES AND NATIVE

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BORN JAPANESE TO PREVENT SABOTAGE OR INTERFERENCE WITH OUR WAR PROGRAM. THERE IS NO QUESTION ABOUT LEGALITY OF INTERNMENT CITIZENS OF ENEMY COUNTRIES. QUESTION IS IF IT BE CONSTITUTIONAL TO REMOVE FROM CALIFORNIA JAPANESE CITIZENS OUR COUNTRY THROUGH REFUSING THEM LICENSES, IS IT NOT LIKEWISE CONSTITUTIONAL UNDER LIMITED MARTIAL LAW TO PROHIBIT THEIR PRESENCE IN STRATEGIC AREAS ON BASIS OF CONCLUSION THEY WOULD BE REFUSED LICENSES TO REMAIN ANYWAY IF PROGRAM RECOMMENDED BY MEMBERS OF CONGRESS FROM THE PACIFIC COAST WERE ADOPTED? WOULD NOT CONSTITUTIONAL QUESTION INVOLVED UNDER FOURTEENTH AMENDMENT PARAGRAPH ONE AND HABEAS CORPUS PARAGRAPH TWO OF SECTION NINE OF CONSTITUTION AS WELL AS PREAMBLE OF CONSTITUTION HAVE SAME BEARING IN THE ONE CASE AS IN THE OTHER? HOPE WE HAVE FOUND WAY OF MEETING SITUATION WITHOUT INVOLVING TOTAL EVACUATION. AM ADDRESSING YOU AS UNDERSTOOD FROM PRESS REPORTS YOU ARE CHAIRMAN OF CONGRESSIONAL COMMITTEE THIS SUBJECT. SENDING COPIES THIS MESSAGE AND RESOLUTION MEMBERS CALIFORNIA DELEGATION TONIGHT. THIS INFORMAL AS CHAIRMAN MCDONOUGH OF OUR SPECIAL COMMITTEE WILL SEND YOU AND OTHERS INTERESTED COPIES OFFICIALLY.

PAUL SHOUP, PRESIDENT  
MERCHANTS & MANUFACTURERS ASSOCIATION

RESOLUTION AUTHORIZED BY LOS ANGELES COUNTY DEFENSE COUNCIL  
THROUGH ACTION BY SPECIAL COMMITTEE  
GORDON L. McDONOUGH, CHAIRMAN  
February 11, 1942

MM.1

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WHEREAS, the Executive Committee of the Los Angeles Civilian Defense Council, following numerous conferences, has concluded that the restrictions imposed upon enemy aliens and Japanese American born citizens in A and B restricted zones, as presently established, are not adequate for the vigorous prosecution of the war or the defense of our coastline against invasion or the protection of the civilian population; and

WHEREAS, the Pacific Coast of the United States is at the frontier of active war and because of natural resources, food products, and manufacturing products, its protection from disloyalty is of vital importance. Citizens of enemy powers in California alone number

Italian	100,910
German	71,727
Japanese	33,569

Our water, power, transportation, heating and light, communication facilities are vulnerable. Our shore lines are sparsely inhabited with many easy landing places.

The hazards arising from these conditions must be guarded against to the utmost. The question of individual loyalty is not raised, but as our young men must face the fire of the enemy it is not too much to require that war burdens be borne as necessary by those remaining at home. The rigors of war should not be imposed unnecessarily upon women, children, or aged men, regardless of nativity or citizenship - but all must do their part actively as well as negatively in support of the war.

WHEREAS, because ~~of~~ the treacherous attack on Pearl Harbor and the evident Fifth Column activities which were at work to accomplish the enemy's object may be duplicated in Los Angeles County or on the Pacific Coast if immediate action is not taken; and

WHEREAS, approximately 40% of the Japanese population of California reside in Los Angeles County -- specifically, according to the latest figures, the 1940 census -- 36,866, of whom 13,391 are alien Japanese, 23,475 are Japanese American born citizens; and

WHEREAS, immediate action is required in order that interference with the production of "must crops" designated by the Department of Agriculture shall be reduced to a minimum, because at this time Japanese farmers are in a state of inaction resulting from uncertainty as to their future, and whether such spring "must crops" are to be produced by them or by American farmers as their successors, should be determined now; and

WHEREAS, the added restrictions recommended by this Committee are for the protection of the civilian population of Los Angeles County, war industries, public

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utilities, forest resources, military installations, etc. as well as the protection from intolerant acts and acts of violence which might be directed against persons of the Japanese race;

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THEREFORE, BE IT RESOLVED THAT:

(1) We urgently recommend that the Army and the Navy be immediately empowered to determine who shall enter and who shall remain in any war industry plant, any property of government ownership or operation, any approaches created for the purpose of interchanging commerce between land and waters, public land areas, including agricultural domain and national parks, national and private forests, all installations such as reservoirs, aqueduct lines, pipe lines, and other public utilities, and the production, storage, manufacture, and transportation by pipe line of the oil industry; all necessary guards to enforce this control should be provided at the expense of the national government or in cooperation with the State and its political subdivisions, or private owners of industry. As an initial measure the Army and the Navy shall be requested to prohibit the presence of all citizens of enemy powers from the places designated; in addition to prohibit the presence of all Japanese aliens and Japanese-American citizens because of the proximity of California to the Japanese fighting zone.

(2) All male citizens of enemy countries to be placed under government control immediately, they subsequently to be located on working internment areas, where in agricultural and such other industries as the government may direct, they may be self-supporting under comfortable living conditions.. They shall be at liberty to invite all dependent members of their families to join them and the latter shall thereupon be considered as being interned.

(3) All native born<sup>male</sup> citizens of Japanese descent not selected for Army service, shall likewise, with their dependents, be invited to take residence and occupation in such internment areas and shall thereafter be considered as being interned for the period of the war.

(4) Alternate to the foregoing provisions, citizens of enemy countries and Japanese-American citizens with dependent members of their families, may remove to any section of the United States east of the six most western states and Alaska, where no objection is offered by such state, and if necessary the expense of such removal will be borne by the National government. (Acceptance of this alternate provision shall be subject to the condition that return to the excluded area during the period of the war will make the violator subject to fine and imprisonment and internment during the war period.

(5) All citizens of enemy countries and all members of the Japanese race who shall remain in the six western states and Alaska, will be subject to "curfew" regulations imposed by the government, such as remaining at all times within five miles of home; to be at home every night from 9:00 P.M. to 6:00 A.M.; cease support

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or attendance upon schools using languages of enemy countries; cease support or use of any printed matter in languages of such countries; shall not gather in groups greater than twenty-five without government authorization; shall surrender for safe-keeping all radios, weapons of every kind and ammunition therefor; use telephones and automotive equipment only within areas and limitations prescribed by government. They shall be free from internment only if they -

- (a) Take the oath of loyalty to the United States;
- (b) Prove they have employment or income which will make them self-supporting;
- (c) Produce certificate from their employers as to their good character or from well-known citizens, if not employed;

all such evidence to be satisfactory to the national government. These provisions shall control irrespective of age or sex.

(6) As far as may be found practical, the above provisions will be enforced with due regard for necessity and equity involved in crops now being grown by the classes concerned. Wherever practicable, in the judgment of the Army and Navy, if such crops can be grown and harvested by those now in control, under the equivalent of internment provisions as prescribed by the government, such provisions may be made.

(7) Wherever it is necessary to invoke restricted martial law to assure protection in the Pacific Coast area, as circumstances make necessary, it shall be immediately undertaken and all people be evacuated from such area except as they are given license to remain.

(8) All expenses involved under the foregoing, including losses for which in equity reimbursement should be made, shall be borne by the national government as an incident to national war.

We recommend the foregoing with especial reference to Los Angeles County, which we represent and for such general application on the Pacific Coast as the other sections involved in their judgment may deem wise.

MERCHANTS & MANUFACTURERS ASSOCIATION

DAY LETTER

FEBRUARY 13, 1942

THE HONORABLE HIRAM W. JOHNSON  
SENATE OFFICE BUILDING  
WASHINGTON, D.C.

CONCERNING REMOVAL CITIZENS ENEMY COUNTRIES AND JAPANESE BORN AMERICANS, SENDING YOU AIRMAIL COPY ANALYSIS RESOLUTION ALREADY SENT YOU LOS ANGELES COUNTY DEFENSE COUNCIL, IN BRIEF AS FOLLOWS:

(1) NOT NECESSARY DECLARE MARTIAL LAW AND TECHNICALLY EVACUATE ALL PLOPLE FROM CALIFORNIA OR LESSEE AREAS THEREIN, BUT TO EXTENT MARTIAL LAW NECESSARY IF AT ALL DANGEROUS CLASSES CAN BE REMOVED BY NAMING THEM AS SUCH, SAVING OTHER RESIDENTS AND TRAVELERS INCONVENIENCE.

(2) PLAN OUTLINED OUR RESOLUTION WOULD RESULT IN MARTIAL LAW BEING NECESSARY IN ONLY VERY SMALL AREAS IF ANY.

(3) GOVERNMENT HAS POWER AND SHOULD IMMEDIATELY PROHIBIT PRESENCE OF DANGEROUS CLASSES IN ALL AREAS UNDER FEDERAL CONTROL, INCLUDING FORESTS, PARKS, WATERFRONTS, INDUSTRIES MANUFACTURING WAR NEEDS. THIS PROHIBITION WOULD COVER MORE THAN TWO FIFTHS OF STATE'S AREA.

(4) ABSURD MOVE THESE DANGEROUS CLASSES OUT OF LARGE CRITICAL AREAS ACROSS PAPER BOUNDARIES WITHOUT FUTURE CONTROL OF MEANS OF SUPPORT. SABOTAGE MIGHT BE INCITED AND RETURN FOR THAT PURPOSE EASY. THEREFORE NECESSARY CONTROL THESE PEOPLE UNDER INTERNMENT

RULES WHERE THEY CAN WORK PREFERABLY IN AGRICULTURE. LOCATION NOT SO IMPORTANT AS ABSOLUTE CONTROL AND PRODUCTIVE WORK.

(5) ABOUT FORTY PERCENT ADULT JAPANESE ARE AMERICAN CITIZENS BY BIRTH. IF THESE DECLINE VOLUNTARILY ACCEPT INTERNMENT AND WORK OFFERED, THEY WOULD THEN IMMEDIATELY BECOME SUBJECT REGULATIONS UNDER SECTION FIVE OUR RESOLUTION, STRICT LIMITATION ON ACTION, CURFEW PROVISIONS, CHARACTER CERTIFICATES, AND CONTINUANCE OF EMPLOYMENT, WHICH FROM BRIEF INTERVIEWS WE ARE CONVINCED WOULD RESULT IN NEARLY ALL MOVING VOLUNTARILY TO WORKING INTERNMENT AREAS PROVIDED BY GOVERNMENT. IN THE FEW LOCALITIES WHERE MIGHT BE ANY REAL DIFFICULTY, MARTIAL LAW CAN THEN BE IMPOSED.

(6) PUBLIC FEELING HERE VERY STRONG. WISHES HAVE ALIENS ESPECIALLY JAPANESE INCLUDING AMERICAN BORN JAPANESE ENTIRELY OUT THIS TERRITORY SO RESOLUTION PROVIDES ALTERNATELY FOR THEIR REMOVAL TO POINTS EAST OF SIX WESTERN STATES AND ALASKA, PROVIDED SUCH STATES WILLING HAVE THEM, EITHER UNDER GOVERNMENT CONTROL OR WITH COMPLETE FREEDOM, BUT WITH PROVISION THEY MUST NOT RETURN TO WEST DURING WAR PERIOD.

(7) WE DO NOT RECOMMEND RIGORS OF WAR BE IMPOSED UNNECESSARILY ON AGED, INFIRM, WOMEN OR CHILDREN, THEREFORE OUR RESOLUTION NOT DIRECTED AGAINST THEM. BUT FOR MOST PART WE BELIEVE FAMILIES WOULD WISH REMAIN TOGETHER THEREFORE WOULD FOLLOW MALE MEMBERS OF FAMILIES INTERNED.

WHOLE PURPOSE OUR RESOLUTION IS FIRST, TO SECURE SAFETY BY USING EXISTING POWERS OF GOVERNMENT WITHOUT MARTIAL LAW; SECOND,

FOLLOW THROUGH BY CONTROLLING AND CARING FOR CLASSES EVACUATED  
WHOSE PRESENCE IMPLIES DANGER; THIRD, PROTECT GROWING CROPS  
AS NATIONAL NECESSITY BY SAFEGUARDING ACTION; FOURTH, THROUGH  
THESE STEPS REDUCE APPLICATION MARTIAL LAW TO MINIMUM.

SENDING YOU FOREGOING AS MEMBER COUNTY COMMITTEE OF WHICH  
SUPERVISOR GORDON L. MCDONOUGH IS CHAIRMAN. AS YOU KNOW  
SHERIFF EUGENE BISCAILUZ IS CHAIRMAN COUNTY DEFENSE COUNCIL.

PAUL SHOUP

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MM.9  
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MERCHANTS & MANUFACTURERS ASSN.

DAY LETTER

FEBRUARY 13, 1942

THE HONORABLE HIRAM W. JOHNSON  
SENATE OFFICE BUILDING  
WASHINGTON, D.C.

REFERRING PREVIOUS MESSAGE TODAY SENT YOU AS CHAIRMAN PUBLIC INFORMATION COMMITTEE ON BEHALF LOS ANGELES COUNTY DEFENSE COUNCIL SUGGESTION HAS BEEN MADE AND WILL BE CONSIDERED BY COUNCIL OF SUPPLEMENTING AND AMENDING RESOLUTION BY HAVING GOVERNMENT IMMEDIATELY CALL INTO MILITARY SERVICE ALL AMERICAN CITIZENS WHO ARE OF JAPANESE RACE, PLACING THEM UNDER MILITARY CONTROL AND USING THEM IN SAME WORKING INTERNMENT AGRICULTURAL AREAS WHERE JAPANESE ALIENS ARE PLACED. THIS WOULD APPLY ONLY TO MALE CITIZENS OF ADULT AGE BUT WOULD BE SUFFICIENT TAKE CARE ANY MENACE THUS AVOIDING MARTIAL LAW. HAVE IN MIND FRENCH USED THIS ACTION FEW YEARS AGO THOUGH FOR ENTIRELY DIFFERENT PURPOSE. MAY NOT BE USEFUL IN THIS SITUATION BUT LOOKS PROMISING.

PAUL SHOUP

MERCHANTS AND MANUFACTURERS ASSOCIATION  
*For Better Employment Relations*

SECOND FLOOR · 725 SOUTH SPRING STREET  
LOS ANGELES

February 13, 1942

The question of the removal of aliens who are citizens of enemy countries and in addition of Japanese who by birth are American citizens, has resulted in presentation of many plans. With respect to the Japanese of American birth, questions arise as to constitutional rights of citizens. It is stated by our counsel that under martial law these constitutional rights, including writ of habeas corpus under Section 9, Article I, and other rights named under Article XIV of the Constitution, can be suspended under present conditions, since American territories along many shores in the Pacific have been invaded.

The resolution enclosed adopted February 11th, by the Los Angeles County Civilian Defense Council, through its committee - Gordon L. McDonough, Chairman - which was given necessary power - deals with the practical problems presented to the committee and is of some length accordingly.

With the counsel of District Attorney Dockweiler and Deputy District Attorney Shoemaker, members of the committee reviewed carefully a plan for complete evacuation - technically - from strategic areas, licensing those who might be permitted to remain or subsequently enter such areas, but in the course of that examination certain problems arose, as follows:

- (a) Interference with work of residents, traffic through such areas, advice in time to strangers, possible interruptions to defense industry, cost and annoyance to the individuals involved, expense to the government in continual enforcement of the order necessary.
- (b) Impracticability of protecting the paper boundaries of such strategic areas, where at all extensive, as against the return of anyone bent on sabotage or espionage.
- (c) Attempting protection by such arbitrary boundaries and at the same time allowing the banned classes to be at entire freedom immediately outside thereof, without making any provisions either for their control or subsistence.
- (d) No provision to take care of crops which the Department of Agriculture had declared to be "must" crops, under Japanese operation.

The meeting after two hours discussion adjourned until Tuesday, 10:00 A.M., when the resolution enclosed was unanimously adopted. It was formulated as solutions were suggested for the specific problems put in the form of questions. They are as follows:

(1) Would it be necessary to declare martial law and technically evacuate all people, as from the critical area to which martial law was applied, licensing those who were permitted to remain in the area or re-enter that area, in order to keep out American citizens of Japanese descent?

Conclusion was that if through martial law we had the Constitutional power to keep out these Japanese through evacuation of the entire population and licensing those returning, then the government likewise would have the power through martial law to remove these Japanese and any others that it might wish to remove - since the end attained would be exactly the same without disturbing others. (Of course, there is no question about the Constitutional power of the government to intern all aliens who are citizens of enemy countries.)

(2) Even if martial law is the final answer, should we not take all steps that could be taken effectively and promptly, to avoid the extension of martial law over the entire state? -- even under our suggestion that the only people to be removed thereunder would be enemy aliens and American-born Japanese?

The answer is that it would be better, thus avoiding unnecessary interference with local governments and local courts - their powers being superseded by those of the federal government and its agencies; and further, that the expense involved in making effective the program of evacuation through state-wide martial law would be unnecessarily great. Therefore, our committee provided for the various steps which in our judgment would limit the application of martial law, as a last resort, to very small areas. Further we concluded that in connection with crop production now under way the creation of working internment areas where these classes could be put to work making them self-supporting and furnishing food for the country would be of real aid.

Limitation on unnecessary hardships, such as the movement of the aged, the infirm, women and children, except where they went as part of family units, would follow the plan we presented.

We have reason to believe such a plan as this would be more apt to meet with the approval of the national government than the wholesale evacuation of these classes under discussion, without provision for their future.

(3) What would be the first step in this plan and why would it be taken?

The first step is described in Section (1). Our committee feels there will be no difficulty under the law in enforcing this prohibition. It is already installed as far as defense industry, waters, docks, and the like, are concerned, where passes are required at the present time. In the very large areas of forest and parks, (two-fifths of state's area is under federal control), record is required of people entering, fees collected, camping sites designated, policing provided, and many other rules and regulations; so, it is not believed that there would be any trouble legally in enforcement there.

This step number one does not involve taking anybody away from his home but it does cover very largely the areas most in danger.

(4) What should be done with the citizens of enemy countries taken from homes?

Section (2) of the enclosure is our answer. They should be placed under government control - that is, in a practical way be subject to internment rules and regulations. To designate certain strategic areas from which to exclude them, taking them from their homes, and then letting them roam at will outside, would not solve the problem. With respect to large strategic areas the boundaries would be paper boundaries only; could not be satisfactorily patrolled; and any alien shut out bent on sabotage or espionage could return and engage in his work perhaps even more freely than if he were at home and had to account for his whereabouts. Therefore, if he is to be taken out of an area on the ground that he is under suspicion, he must be looked after in his new location. Hence the provision for working internment areas. To take an alien from home, take his job away from him, and then turn him loose fifteen, or even fifty, miles away, certainly will result in it being impossible for him to get work privately and perhaps make the wolf out of him that he would not otherwise be. Hence our conclusion very definitely that if dispossessed from their homes and their jobs these aliens must immediately be controlled, given subsistence and work. In some instances, meeting the desire of the Department of Agriculture to keep crops growing, these internment areas might be where the men are now employed.

(5) But, how under our Constitutional provisions are we going to get the native-born Japanese to leave their homes and work and subject themselves to internment under government rules?

The answer is that they constitute about forty percent of the adult Japanese population; are very much bewildered and distressed at this time; their inclination will be to follow their elderly parents (aliens) if still alive; that if they do not accept voluntarily the invitation to put themselves under complete government control through internment, whatever form it may take, they will then be subject to regulations provided in Section (5). If the employers do not accept full responsibility for their actions, they will be discharged and will have nowhere to go except to the government and its internment areas. Without visible means of support they are subject to public control. With respect to those who do not depend upon jobs for a living, they, for the most part, may have their bank accounts blocked; they too will have to have certificates of good character; will likely submit themselves to government direction.

If in any area there is such failure to comply on behalf of the Japanese American born citizens as to constitute a menace, that section, no matter how small, can be put under martial law and these removed. That is certainly much better than putting the whole state under martial law and having seven million people register.

(6) Why not send them east out of what is now a war zone on the Pacific Coast and where the greatest national danger lies?

Answer is in Section (4) with the provisions that the government will pay one way fares, they will stay out of the war zone during the period of the war, and the eastern states where they are to go will not object to receiving them - indeed, internment camps may be in those agricultural sections. This is in the alternative, but in one instance as illustration, a Kansas farmer is willing to take three or four Japanese of good character and put them to work. Further

this alternate plan will have the value of having people east of the Rockies share this war problem rather than just tell us what to do, if they are interested.

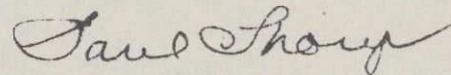
(7) How about the aged people, the infirm, the women and children, aliens and Japanese American born?

For the most part they will follow the younger men and the heads of families who are subjected to evacuation and internment; but if they do not choose to do so, there is no immediate reason why they should not remain where they are under the certificates with respect to character and employment for adults provided in Section (5). There appears no reason for imposing any greater hardships upon them than the "inconveniences" outlined in Section (5) at this time; plus the hardships incident to them through the able-bodied male members of their families being interned - or enrolled in our own Army, where they are American subjects.

These activities mean much expense. They all relate to successful prosecution of the war. They are therefore part of the national financial obligation.

The resolution was formulated to bring to light the problems involved and then by suggestions to promote discussions which would result in practical solutions giving us our objectives.

Yours truly,



PAUL SHOUP  
President

PS:MG  
Enclosure

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J. Ireland,  
President

C. H. Treber,  
Secretary

P. D. Mulligan  
Vice-President

TEXTILE WORKERS UNION, LOCAL NO. 128

Affiliated with Textile Workers Union of America  
Portland, Oregon

Ray W. Brown, Bus. Mgr.  
8933 N. Jersey St.  
UNiversity 1424

Resolution passed by the Executive Board meeting of  
Textile Workers, Local 128, on February 19, 1942

Whereas: The cowardly attack of the Japanese upon Pearl Harbor  
was assisted by 5th column activities of enemy aliens,

Whereas: On the Pacific coast there are thousands of enemy  
aliens, mostly Japanese, who have proved by raids of  
the F.B.I. to be in possession of contraband equipment.

Now therefore be it resolved, that, all enemy aliens,  
and all aliens carrying, dual citizenship of Japan  
be taken from the Pacific coast defense area.

Recording Secretary  
C. H. Treber

ss/ Clarence H. Treber

TWUA seal

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O  
P  
Y

ROBERT BOURNE, PRESIDENT  
1136 F STREET  
PHONE 2-0925

EDW. S. PALMATIER, VICE-PRESIDENT  
2013 TUOLUMNE ST.  
PHONE 3-5426

HAMBLETON F. LEAS, SECRETARY  
720 HELM BUILDING  
PHONE 2-3312

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# FRESNO REALTY BOARD

## DIRECTORS

GEORGE BROWN HAMMOND  
HARRY J. FINKENSTEIN  
C. K. WAKEFIELD



FRESNO, CALIFORNIA

March 14, 1942

Franklin D. Roosevelt  
President of the United States  
Washington, D. C.

Sir:

The following resolution was unanimously adopted by the members of the Fresno Realty Board at its regular meeting Thursday, March 12th 1942 and you are hereby respectfully advised thereof.

RESOLVED, that the FRESNO REALTY BOARD does hereby recommend to the United States Government and its duly designated authorities, that all aliens of enemy countries, and all Japanese, whether citizens or aliens, be immediately taken into the protective custody of the United States and all of the property of such persons be immediately placed under the protective custody of the United States Government for the duration of the war; and that Fresno County be immediately re-classified in the Prohibited Area instead of the Restricted Area.

AND IT IS FURTHER RESOLVED, that a copy of this resolution be forwarded without delay to the Senators and Congressmen of California, and to the President of the United States.

We have the honor to remain, sir,

FRESNO REALTY BOARD

*Speed B. Leas*  
By SPEED B. LEAS, Secty. Pro tem.

SBL:1c

JAPANESE SITUATION  
ASSOCIATIONS

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Retail Clerks Local No. 1364  
Redding, Calif.

Lumber and Sawmill Workers, L.U. 2715  
Medford, Ore.

Carpenters' Local Union No. 1599  
Redding, Calif.

Continental Lodge No. 280 U.A.W.-C.I.O.  
Detroit, Mich.

Lumber and Sawmill Workers Local Union 2828131  
Dorris, Calif.

United Rubber Workers of America Local Union No. 131  
Los Angeles, Calif.

Building Contractors Association  
Los Angeles, Calif.

Los Angeles County Dental Association  
Los Angeles, Calif.

Southern California Retail Hardware Association  
Los Angeles, Calif.

United Brotherhood of Carpenters and Joiners.  
El Monte, Calif.

*Mr. Harvington*

MERCHANTS AND MANUFACTURERS ASSOCIATION  
*For Better Employment Relations*

SECOND FLOOR · 725 SOUTH SPRING STREET  
LOS ANGELES

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February 13, 1942

*This letter sent to  
J.D. in Los Angeles via  
Special messenger  
2/13/42*

The question of the removal of aliens who are citizens of enemy countries and in addition of Japanese who by birth are American citizens, has resulted in presentation of many plans. With respect to the Japanese of American birth, questions arise as to constitutional rights of citizens. It is stated by our counsel that under martial law these constitutional rights, including writ of habeas corpus under Section 9, Article I, and other rights named under Article XIV of the Constitution, can be suspended under present conditions, since American territories along many shores in the Pacific have been invaded.

The resolution enclosed adopted February 11th, by the Los Angeles County Civilian Defense Council, through its committee - Gordon L. McDonough, Chairman - which was given necessary power - deals with the practical problems presented to the committee and is of some length accordingly.

With the counsel of District Attorney Dockweiler and Deputy District Attorney Shoemaker, members of the committee reviewed carefully a plan for complete evacuation - technically - from strategic areas, licensing those who might be permitted to remain or subsequently enter such areas, but in the course of that examination certain problems arose, as follows:

- (a) Interference with work of residents, traffic through such areas, advice in time to strangers, possible interruptions to defense industry, cost and annoyance to the individuals involved, expense to the government in continual enforcement of the order necessary.
- (b) Impracticability of protecting the paper boundaries of such strategic areas, where at all extensive, as against the return of anyone bent on sabotage or espionage.
- (c) Attempting protection by such arbitrary boundaries and at the same time allowing the banned classes to be at entire freedom immediately outside thereof, without making any provisions either for their control or subsistence.
- (d) No provision to take care of crops which the Department of Agriculture had declared to be "must" crops, under Japanese operation.

*✓*  
146-13-7-2-0

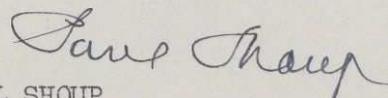
February 11, 1942

control, looking to their final location in working internment areas, or (alternately) removal from the Pacific Coast. This acceptance is of course involuntary on those who are not citizens. It is believed that voluntary acceptance on the part of Japanese-American citizens will be secured satisfactorily by the provisions under Section (5). Our investigation shows that the chief desire of this latter class is to know where they are to go and what they are to do, and they willingly accept such invitation - but if they do not, they have to take the oath of loyalty to the United States and under paragraphs (b) and (c) of Section (5) be assured of employment and have character endorsement. It is likely that wherever any doubt exists whatsoever they will be unable to comply with paragraphs (b) and (c). If they have no visible means of support they then become subject, as public charges, to such action as the government requires. We believe that this will be immediately productive of satisfactory results, but if not, and it is necessary to invoke Section (7) of the resolution and that is the only way out to avoid discrimination under the Constitution, it can be done.

As stated in the preamble, it is not intended to impose the hardships of war unnecessarily upon women, children, or aged men; therefore from all of these provisions it may be found desirable to exclude the infirm, the aged (say 70 years and above), and children (say under 18 years of age). The expression in such detail was not noted in the resolution. My understanding is that such exemptions, in the interest of humanitarian justice and without interfering with our war effort, would best follow a further examination of facts as they might be developed in any program undertaken by the government. Our recommendation is in a sense a review of the facts to be faced and a suggestion as to how to deal with them.

The committee, of course, appreciates the fact that the resolution, though following an exhaustive discussion, was of necessity quickly put together and has imperfections of form.

Yours truly,



PAUL SHOUP  
President

PS:MG  
Encl.