

# PACIFIC CITIZEN



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## Government Approval Given JACL Project to Honor Feat Of 442nd Infantry Regiment

WASHINGTON—Governmental approval of the dedication of a plaque honoring the 442nd Regimental Combat Team of the U. S. Army—a Japanese American unit—for its rescue of the "lost battalion" in the Vosges mountains of France was received this week by the Japanese American Citizens League.

The JACL, whose national headquarters are in Salt Lake City and whose Washington address is 501 B street, N. E., was informed that the project had been approved at a meeting on Oct. 21 in the Pentagon building.

A member of the JACL is in Paris at present making arrangements for the dedication ceremony which is planned for Bruyere, France, late this month. It was in the Vosges mountains, a few miles east of Bruyere, that the 442nd broke through the German defenses on Oct. 30, 1944 to rescue the 1st Battalion, 141st Infantry, 36th Division.

The battalion had overreached its supply lines and had been cut off by the Germans for five days. In effecting the rescue two infantry battalions of the 442nd mounted a frontal attack almost constantly for two days. The climax was an uphill assault which routed the strongly entrenched defenders. For this rescue the two battalions, the 100th and the 3rd, received the Distinguished Unit Citation.

## Acheson Challenges Validity Of California Alien Land Act

### Wirin Argues Law Is Race Legislation in Oyama Case Argument in Supreme Court

WASHINGTON—Arguing on behalf of the citizen rights of Americans of Japanese ancestry, Dean Acheson, former under-secretary of state, challenged the constitutionality of California's Alien Land laws of 1913 and 1920 on Oct. 22 in the Supreme court's hearing on the Oyama test case.

Mr. Acheson declared that the law deprived "a small segment" of the American population of equal protection of the laws.

The Oyama case involves the California state seizure of two small tracts of agricultural land in San Diego county which had been purchased by Kajiro Oyama, a native of Japan, in the name of his American-born son, Fred, in 1916.

Mr. Acheson, who shared the oral arguments before the Supreme court with A. L. Wirin, special counsel for the National JACL and the American Civil Liberties Union of Southern California, declared that the California law, which prohibits ownership of land by aliens who are ineligible to citizenship, discriminates against the American citizens of Japanese ancestry.

In the Oyama case the state of California filed an escheat action against the Oyama property, charging that the alien parent had an interest in the land in contravention to the provisions of the Alien Land law. The state's charges were upheld in the Superior court and the lower court's action was upheld by the California State Supreme court. The case then was appealed by attorneys for the Oyama family to the Supreme court.

Mr. Acheson pointed out that the California Alien Land law sets up a father-son relationship between a Japanese father and his American-born son which differs from the relationship between citizen fathers and their sons.

Everett W. Mattoon, deputy attorney general of California, represented the state of California in the case and contended that the purchase of the property by Kajiro Oyama in his son's name was a violation of the law because it was a "subterfuge" and an attempt to acquire the land for his own use.

Mike M. Masaoka, national legislative director of the JACL Anti-Discrimination Committee and JACL representative in Washington, said that "unusual significance" was attached to Mr. Acheson's appearance in the Oyama case because it constituted his first court appearance since his resignation from his post in the State department last July 31. Mr. Masaoka noted that Mr. Acheson was recognized as one of the ablest advocates of constitutional issues in the United States before he went into government service at the request of the late President Roosevelt.

Charles A. Horsky, a member of Dean Acheson's law firm, who was originally scheduled to share the oral arguments with A. L. Wirin and who assisted in the preparation of the major brief in the case, participated in the Supreme court

hearings as special assistant to his senior partner.

In his argument before the Supreme court Mr. Wirin traced the history of race prejudice against persons of Japanese ancestry in California and stressed his point that the law was "race legislation" and was in contradiction to the guarantees in the Fourteenth Amendment.

The two and half hour session of oral argument was punctuated by questions from the Supreme Court justices regarding California's interpretation of the land law.

Members of the high tribunal appeared greatly concerned over the rights of Fred Oyama under the land law. Justices Wiley Rutledge and Hugo Black quizzed Deputy Attorney General Mattoon of California regarding the fact that a citizen child may receive a legal gift of land from his father.

Mattoon and Duane J. Carnes, deputy district attorney of San Diego County, declared that the classification of "aliens ineligible to citizenship" was not exclusively racial, in answering the argument put forth by attorneys for Oyama that the Alien Land law is race legislation aimed at persons of Japanese ancestry.

Mattoon denied that conditions had changed and declared his belief that a reversal of the 1923 Supreme Court decision was not necessary.

After emphasizing his belief that the Alien Land law is race legislation, Mr. Wirin further declared that the law has no reasonable basis, adding that the former decisions of the Supreme Court, now almost 25 years old, are not controlling because they are either inapplicable because of changing conditions or were erroneously decided.

Wirin said that the reasoning of the decisions is based on the promise that the California land act applies only to farm land but the California Supreme Court, in the Oyama case, had decided that all land is encompassed.

### Veteran of Japan Occupation Dies In Denver Hospital

DENVER—Michi Matoba, son of Mr. and Mrs. Harry Matoba of Denver, died on Oct. 13 at Fitzsimons army hospital of an illness contracted while he was serving in Japan with the United States occupation army in 1945.

He is survived by his parents, two brothers and two younger sisters.

### British Columbia Jails Otsuji on Illegal Arms Charge

VANCOUVER, B. C. — Akihide Otsuji, 19, and a white Canadian companion were sentenced to one year in prison at hard labor last week on the charge of having firearms illegally in their possession.

Otsuji also was fined \$500 for being in the coastal area of British Columbia from which persons of Japanese ancestry still are excluded. In default of payment of the fine, Otsuji will have to serve an additional year in prison.

## California Civic Unity Group Outlines Five-Point Campaign Against Race Discrimination

ASILOMAR, Calif.—The California State Council for Civic Unity reorganized this week under its new name, California Federation for Civic Unity, and adopted a five-point program to fight discrimination against minority groups.

Approximately 125 delegates from 46 interracial, civic unity and other community groups attended the second annual meeting held Oct. 18 and 19 at Asilomar.

The delegates voted to send out field workers to fight discriminatory practices throughout the state.

The restrictive covenant was a major target of attack by representatives at the meeting, who voted to create a statewide committee to fight use of this restrictive pact by property owners.

Discrimination in California was practiced in the following ways, delegates and speakers reported:

1. Through employment. The unemployment rate among Negroes in major industrial areas was reported three times the unemployed rate among whites.
2. Through segregation. Interracial problems were said to be intensified by the general housing shortage, the expected disposition of federal temporary housing and by restrictive land movements.
3. Through apportioning medical and hospital care. Minority groups were reported in some instances to have been denied hospital and medical privileges.
4. Through injustice by police departments. Instances of minority group treatment were cited as malfeasance of local police departments.

The new council's five-point program against discrimination was adopted as follows:

1. Creation of a committee to fight restrictive covenants.
2. An educational program.
3. Discussion of police brutality by local organizations with their local police departments.
4. Study of new real estate development programs, with a view to preventing establishment of new patterns of segregation and discrimination.
5. Use of field workers to aid smaller communities in fighting discrimination.

The reorganization of the council followed withdrawal of financial support by the American Council on Race Relations of Chicago, which formerly maintained a west coast office.

Mrs. Ruth Kingman will continue as president of the organization, pending a new election of officers by 50 directors, of whom 31 are yet to be named.

Board members chosen to date are Dr. Galen M. Fisher, Berkeley; Dr. J. E. Geiger, San Francisco director of public health; Walter A. Gordon, Berkeley, chairman of the State Adult Authority; Mrs. Kingman, Berkeley; Richard R. Perkins, San Francisco; Harry S. Scott, San Francisco; Jesse Steinhart, San Francisco; Dr. Howard Thurman, pastor of the Fellowship church, San Francisco, and August Vollmer, former police chief, Berkeley.

## Review Denied Madokoro by High Tribunal

Circuit Court Holds  
Trip to Mexico  
Constitutes New Entry

WASHINGTON, D. C.—The U. S. Supreme court last week refused to hear a petition for a writ of certiorari in behalf of Sannosuke Madokoro, whose deportation to Japan had been ordered because of illegal entry to this country.

In his petition Madokoro requested the high court to reverse a decision by the San Francisco Circuit court in which it was held that a trip by Madokoro across the border from Mexico to the United States in 1926 violated the immigration law because he is not a person eligible for citizenship.

Madokoro held that his entry was legal and valid under a provision of immigration rules allowing aliens to return from an area adjacent to this country.

Madokoro came to the United States in 1915 and had been a resident of Guadalupe for more than seven years.

His petition was presented by A. L. Wirin and Fred Okrand of Los Angeles.

## Japanese Canadians Support Campaign for Fair Employment

TORONTO, Ont.—The newly-organized Japanese Canadian Citizens' Association is supporting the Canadian Jewish Congress in promoting fair employment practices legislation in Canada, it was announced this week.

A resolution against discrimination in employment which was passed at the September meeting of the NJCCA has been submitted to the Canadian Jewish Congress.

## Nisei Girl Reigns As Homecoming Queen in Iowa

MT. VERNON, Ia. — Pretty Molly Nishiyama of Azusa, Calif., reigned as queen of Homecoming Day festivities at Cornell College on Oct. 18.

Miss Nishiyama, escorted by Lowell Lange, national collegiate and national AAU wrestling champion, took part in the halftime ceremonies at the Cornell-Coe game Saturday along with her attendants, Eleanor Mair, Palatine, Ill.; Mary Eberling, Postville, Ia., and Arlene Swift, Gilman, Ia.

The Nisei girl student later presided at the annual homecoming ball.

The undefeated Cornell College team defeated Coe College, 19 to 6, in the homecoming game.

## Council Fights Move to Bar Non-Caucasians

San Francisco Group  
Asks Homeowners Not  
To Sign Petitions

SAN FRANCISCO—The Council for Civic Unity of San Francisco last week called upon 250 homeowners in the Lakeview residential district to refuse to support a proposal to exclude Negroes, Oriental Americans and other non-Caucasians from the area.

Edward Howden, executive director of the council, wrote each property owner in the district, which lies roughly just west of San Jose avenue and south of Ocean avenue.

Howden said a door-to-door campaign has been under way in the district for some weeks to persuade property owners to agree not to sell their homes to non-Caucasians.

He said the campaign was precipitated by reports a Negro war veteran had bought a partially completed home at 415 Mount Vernon avenue and planned to live in it.

Howden addressed a meeting on Oct. 17 of about 50 residents in the basement of one of their homes.

He declared that racially restrictive covenants are unconstitutional and irreligious and that they do not "protect" property values.

Howden's letter advised each homeowner not to sign restrictive covenants without first consulting an attorney.

"Most people who join in such movements don't realize the implications of what they are doing," he declared.

## Large Crowd Welcomes Noted Political Exile in Yokohama

YOKOHAMA—After 15 years of political exile in the United States, Ikuro Oyama, Japan's most noted repatriate, returned home on Oct. 24.

Oyama, former leader of a farmer-labor movement in Japan, was given a tumultuous reception when he and his wife landed at Yokohama on the Marine Swallow.

A crowd of students, former associates, newsmen and cameramen were on hand to greet him.

Oyama was forced to leave Japan in 1932 when threats of assassination were made against him by militaristic extremists. He went to the United States and was attached to the faculty of North-

western University at Evanston, Ill., for part of his exile.

He declared on his arrival that he had returned "to help mould Japan's destiny, nationally and internationally."

The 67-year old left wing leader and his wife were reunited with their son whom they had been forced to leave in Japan 15 years ago.

Oyama praised most of General MacArthur's occupation reforms and expressed satisfaction with Japan's new constitution which renounces war.

He said that he was pleased that Emperor Hirohito had been shorn of many of his powers, particularly control over the police.



## Twelve AFL Locals Charged With Discrimination Against Japanese American Workers

Joe Masaoka Lists AFL Groups Denying Membership to Nisei in Answer to Letter From William Green at Recent Convention

SAN FRANCISCO—Twelve locals of the American Federation of Labor this week were charged with discriminatory practices by Joe Grant Masaoka, regional ADC director, in a letter to William Green, president of the AF of L.

Masaoka's letter was in reply to a note from Green, in which the labor president stated that his union was opposed to racial discrimination "of any kind whatsoever." Green, who was in San Francisco for a convention of the AF of L, added that earlier

## Rep. Douglas Backs Citizen Rights for Issei

Delegation Visits Congresswoman in Los Angeles Office

LOS ANGELES — Support of legislation to grant naturalization rights to resident aliens of Japanese ancestry was promised by Rep. Helen Gahagan Douglas, D., Calif., last week.

Mrs. Douglas told a delegation of alien Japanese residents of Los Angeles, all of whom have filed first papers for citizenship, that she believed that alien Japanese who have been loyal to the United States are entitled to citizenship.

She told the Rev. John M. Yamasaki, Gongozo Nakamura, Katsuma Mukaeda and H. T. Komai that she personally will fight for a bill to give naturalization rights to Japanese aliens who contributed toward American victory in World War II when the 80th Congress reconvenes in January.

## Mayeda Elected Head of Chicago Resettlers Group

CHICAGO. — Harry K. Mayeda was named president of the Chicago Resettlers committee at the group's annual membership meeting Oct. 10 at the Olivet Institute.

Thomas Masuda and Taihei Matsunaga were named vice presidents.

Other officials will be Mrs. Koki Kumamoto, secretary; Dr. Matsusaburo Kuki, treasurer; Kohachiro Sugimoto, auditor; and Jiro Yamaguchi, auditor.

Members of the 1947-48 executive board were named as follows: Ryoichi Robert Fujii, Frank Jisei Fukuda, Noboru Honda, the Rev. Joseph Kitagawa, the Rev. Andrew Cyama, the Rev. Sumio Koga, Joe Teiji Koide, Masamori Kojima, Ichikuro Kondo, the Rev. Gyodo Kono, the Rev. Gyomay Kubose, Mrs. Koki Kumamoto, Thomas Masuda, Koichi Masunaka, Taihei Matsunaga, Dr. Matsusaburo Kuki, Harry K. Mayeda, Mrs. Ken Nishi, Shozo Sekiguchi, Harry K. Shigeta, the Rev. Howard Spragg, Kohachiro Sugimoto, Taisuke Takahashi, the Rev. Mokuryu Tsuda and Jiro Yamaguchi.

## Young Mother Cites Prejudice As Reason for Suicide Attempt

Japanese-Caucasian Girl Says She "Felt Like Freak"

SEATTLE, Wash. — A young mother who said society has made her "feel like a freak" all of her life because of her Japanese-Caucasian parentage was recovering this week in Harborview county hospital after an attempt to take her life, according to a report in the Seattle Times.

Fear and despondency drove 25-year-old Mrs. Robert Russell to slash her left wrist at her home at 4143 Sears drive on Oct. 16.

This week, however, she was buoyed by the hope that she will live to give her 17-month-old son, Don, all the things every mother longs to give her child.

"It's no fun to feel like a freak," she said, explaining that her mother was English and her father Japanese. "I've been made to feel like a freak all of my life."

"You walk down the street and

people laugh at you. It was like beating your head against a stone wall."

Discrimination against persons of Japanese ancestry did not stop with the end of the shooting war, it still goes on, she said.

"I was ashamed of my ancestry in grade school," she said. "I really was. But after I got to know my father, and what a wonderful person he was, I got over it and even began to feel proud of it."

Now divorced, Mrs. Russell was married five years. Her husband was drafted into the army three weeks after their wedding.

"We didn't really have a chance," she said. "I tried hard to make a go of it." She added that her husband was "really a very nice person."

Mrs. Russell said she had had a succession of jobs in recent months but had been unable to keep any of them, due to her lack of self-confidence.

"I start analyzing people, and then I just want to go someplace and hide," she said.

## Mary Ban Wins Third Place in Story Contest

NAMPA, Ida.—A story written by Mrs. Mary Ban of Nampa received third place in the adult story division of the Idaho writer's league's 10th annual contest.

The 4,000 word story, "Prelude to October," was judged by Dr. Robert D. Hern, English professor at the University of Washington, who commented, "This story has some really sturdy qualities . . . producing a situation that calls for deeper psychological probing, a fuller knowledge of people."

"A Boost in Time," which Mrs. Ban entered in the juvenile story division, received first honorable mention.

Mrs. Ban is principal and teacher at Sunny Ridge school in Nampa.

## Stranded Nisei Processed for Jobs in Japan

Now Being Employed On Occupation Duties By Eighth Army

YOKOHAMA — One hundred American-born citizens of Japanese ancestry are among 1200 foreign nationals who are being reprocessed by the United States Eighth Army headquarters for reemployment on occupation jobs.

Fifty-nine Canadian-born persons of Japanese ancestry also are being reprocessed.

The occupation personnel are employed as typists, stenographers, labor foremen and telephone operators. In addition, several are employed in highly technical jobs.

The American Nisei being reprocessed are those who were stranded in Japan by the outbreak of war.

Civilian occupation personnel also include many Japanese Americans who came here from the United States as civil service employees and GIs who took their discharges in Japan and remained to take civilian employment with United States forces.

## Oriental Americans Will Present Talent Revue in Chicago

CHICAGO—A Japanese parasol dance, a jiu jitsu exhibition, Korean songs and "Filipiana," a series of sketches incorporating music, songs and folk dances to portray the history of the Filipinos, are but samples of what promises to be a colorful and entertaining evening when the Chicago Oriental Council presents its Far Eastern Revue on Saturday, November 8th at the Central Masonic temple, 912 N. La Salle street at 8:00 p.m.

Jue Fong, a popular tenor and "Chinese ambassador of good-will" will be the program's M. C.

Admission will be \$1.20 including tax.

## Dr. Rachel Sady Joins ADC Staff

WASHINGTON — Dr. Rachel Sady, formerly of the WRA analysis staff and lately of the President's Committee on Civil Rights, has been retained by the JACL Anti-Discrimination Committee as a research worker on naturalization problems, Mike Masaoka, national legislative director of the ADC, announced today. Her appointment was seen as presaging increased activity in the JACL-ADC drive for Issei naturalization.

Dr. Sady received her Ph. D. degree in social anthropology from the University of Chicago. Familiar with the problems of persons of Japanese ancestry in the United States on account of her work with the WRA, she has been chosen to edit the major research material for a pamphlet of facts on the historical and legal phases of the Japanese naturalization question.

## Stowaway Deported

SEATTLE—Yoshio Kosuge, 23, a native of Japan who stowed away aboard the freighter Edward A. Feline in an attempt to get into the United States, was deported to Japan last week.

It was reported that after an investigation by the FBI, it was decided not to prosecute the stowaway.

# MINORITY WEEK

## This Week's Quote

"No one condones murder or any act of violence. I hope the day shall come soon when humanity can resolve not only its racial problems but all problems, coolly and rationally; when emotional acts of violence—be they individual or national—can be eliminated forever. So long, however, as there exists anywhere on earth one minority that is treated with contempt, that is herded into black alum areas, that is abused and insulted, so long will we have violence, hate, brutality, savagery. So long as there exists a Jewish problem, a Negro problem or a Mexican problem—or a problem of any minority—so long will one form of violence beget others."

"I am proud to be one of the humble gladiators in this struggle against narrow prejudice and stupidity."—Tallulah Bankhead.

## No Success at Lake Success

U. S. Negroes who sought to bring their case before the United Nations were turned down this week on grounds the United Nations has no power to interfere with the internal affairs of any nation and because it was too late anyway to be included on this year's agenda.

The case of the American Negro will not go completely unheeded, however, for already ten nations have asked for copies of the document—prepared by the National Association for the Advancement of Colored People—for further perusal.

Called "An Appeal for Redress," the 154-page document declares that while this country is concerned about the rights of minorities in the Balkans and other areas, it denies the rights of minorities in its own country.

In sections of the country where many Negroes live, the document says, there is a premium on the disenfranchisement of the voters, and that only a small percentage of voters in these areas send men to public office.

The statement was prepared by Earl B. Dickerson, former member of the federal FEPC; Milton R. Konvitz, Cornell university's School of Industrial and Labor Relations; William R. Ming Jr., University of Chicago Legal Institute; Leslie Perry, legislative representative for the NAACP in Washington; Rayford W. Logan, professor of history, Howard university; and Dr. W. E. B. DuBois, director of special research for the NAACP, under whose direction the book was drafted.

## Labels for Discrimination

"There are first-hand reports of homeless orphans in Europe, freezing to death as they lay huddled together at some deserted doorway, or unwashed youth roving the streets at night from one garbage can to another like a pack of hungry wolves because they do not want their legs to shrivel up or bellies to become bloated like so many other starving children . . .

"Perhaps with herculean effort we might be able to save 20 percent of these war victims—victims of our bombs (though not our hate?), victims of our soldier's fury (though not our scorn?)"

"Perhaps with a good system of distribution or a faster method of accumulation, food can be sent to feed hungry mouths now."

"But always questions are asked: 'Are they white?' 'Are they black?' 'Are they Jew?' 'Are they Protestant?' 'Are they Catholic?'"

"Questions, questions . . . all delaying the much needed essentials for very needy people. As if God's gifts had labels for discrimination."—The Rev. George Nishimoto in "Your Visiting Pastor," autumn issue.

## Credit Ledger

The south's unwritten law against Negro athletes in regular competition was defied twice recently, both times by football players. In Charlottesville, Va., Harvard's Chester Pierce, tackle played against Virginia and won a roar of applause when he left the game in the third quarter. In Charlotte, North Carolina, Bud Williams starred for the Staten Island Stapletons, who gave way to the Charlotte Clippers 36 to 12 . . . The Episcopal diocese of Georgia has unanimously voted full Negro representation to the annual diocesan convention. Gone by the boards is the old ruling, which set up the Council of Colored Churchmen . . . The Jewish War Veterans of America have suggested a new way to fight racial and religious discrimination in colleges and universities. The veterans, meeting in St. Paul last week, adopted a resolution asking for legislation to require that the Veterans administration deny the privileges of participation in the GI Bill of Rights to any educational or training institution which discriminates on the grounds of race, creed or national origin.

## Accolade

The late great George Washington Carver, the scientist who parlayed the peanut into a dozen great industries for the south, will soon be honored with the highest kind of U.S. recognition—his face on a postage stamp. He will be the second Negro to be so honored, the first having been Booker T. Washington. Both men were born in slavery. The Carver stamp will be a three-center destined for a January debut.

## Discouraged

"I'm discouraged about that because the Negroes don't need the message as much as white people."—The Rev. Kenneth L. Patton, who told his congregation last month that he would henceforth be "colored," on revealing that he had received six requests to make public addresses, only one of which was from a non-Negro group.

## Oh, Give Me a Home

The city of South Pasadena has very definite ideas about who should and who should not live in the city.

So assert Ernest R. Chamberlain, a Negro, and his wife, Ethel, who filed suit this week against city officials. The Chamberlains, who purchased tax-delinquent property recently in South Pasadena from the city, state that the city inserted a restrictive covenant prohibiting the use or occupancy of the property by "any person whose blood is not entirely of white or Caucasian race." The usual "except servants" clause was not forgotten.

Counsel for the Chamberlains include Wirin, Kido, Okrand and Chuman for the AOU, Loren Miller of the NAACP and William Strong for the Commission on Social Action of the American Jewish Congress.

Dr. D. A. Buckingham, a Negro doctor who served as a captain in the U.S. army, this week was given an injunction to vacate his home in the exclusive Claremont district in Berkeley. Sixteen residents of the Claremont district filed suit against the Buckinghams on grounds that covenants on property in the area prohibit Negro occupancy. The injunction order was granted by Alameda County Superior Judge Leon H. Gray.

A thirty-year-old restrictive covenant has caused Yoshio Shigaki of Gardena to vacate his recently-purchased home on Halldale avenue. Shigaki was confronted by a group of "neighbors" when he moved into his new home and told that the house was covered by a restrictive covenant.

The covenant dated back to the days when the area was mostly alfalfa, he found out, but it still held good.



## ADC Official in Twin Cities



Mike M. Masaoka, national legislative director of the JACL's Anti-Discrimination Committee, is shown conferring with Twin Cities leaders regarding support for the ADC's legislative program during his recent visit to Minneapolis and St. Paul. Masaoka is shown with (left to right) Mrs. Ruth Abernathy, executive secretary of the St. Paul Human Relations Council; Sol Hertz, legislative committee chairman of the St. Paul American Veterans Committee, and Dick Kleeman, Minneapolis Tribune staff writer and co-editor of the Northwest Nisei. Mr. Kleeman, a JACL member, presided over the United Citizens League meeting at which Mr. Masaoka spoke.—Photo by Paul Iida

## Masaoka Promised Support For ADC Legislative Program

CHICAGO, Ill.—Personal assurances of support and sympathy for the general ADC program was promised Mike Masaoka, national legislative director of the JACL Anti-Discrimination Committee, by the chairman of the powerful and influential Republican and Democratic Central Committees of Cook County, the pivotal Illinois district that includes the city of Chicago. While in Chicago last week to attend the Midwest District Council Workshop and to report to the members and friends of the JACL chapter and ADC, Masaoka, accompanied by Tats Kushida, Midwest Representative, called on John Leonard East, chairman of the Cook County Republican Central Committee, and Colonel J. M. Arvey, chairman of the Democratic Party of Cook County.

Both party leaders expressed their interest in both the naturalization and evacuation claims bills introduced by Masaoka and declared that they would use their good offices to aid in their passage during the next session. In commenting on these expressions of support, the ADC director pointed out that Illinois was a strategic state in the projected legislative program. On the Republican side, Congressman Leo E. Elmer is chairman of the House Judiciary Committee and Senator C. Ray and Brooks is chairman of the Senate Judiciary Committee, the committees that determine in their respective chambers whether any bill will be considered by their members or not. On the Democratic side, Congressman Adolph Sabath is the ranking minority member of the House Rules Committee and the dean of the entire Congress, now serving his 41st consecutive year in the House of Representatives, and Senator Scott Lucas is an administration stalwart.

If all 29 members of Illinois' congressional and senatorial delegation will support actively our legislative program, it will be most helpful," Masaoka said.

Among others contacted by the ADC director and Kushida were Louis Wirth, president, and E. Hosch, executive assistant of the American Council on Japanese Relations, and Mrs. Ethel Zeff, program director of the Midwest District of the National Conference of Christians and Jews and solicited their support for the ADC program. He received their enthusiastic support.

Before enplaning for Washington to cooperate in the preparation for the Oyama case before the United States Supreme Court, Masaoka participated in a 30-minute radio broadcast over station WAFB. He spoke on the "American Brotherhood Program," regarding the problems of persons of Japanese ancestry in the United States with the larger problem of Japanese-Americans. Mrs. Getzoff acted as moderator.

# U. S. Supreme Court Asked To Rule on Fishing Ban

## Four Los Angeles Cafe Men Sue on Tainted Sauce

LOS ANGELES — Four Japanese American cafe operators on Oct. 22 sought \$25,000 damages from the A. E. Staley Manufacturing Company, food distributors, claiming it sold arsenic-poisoned soya bean sauce.

The four men, proprietors of the Mitsuba Sushi restaurant, said they used the sauce on their own and customers' food for a month and suffered nausea, swelling, insomnia, skin eruptions, numbness and fatigue.

The case is one of a series of suits being filed against the Staley company by consumers of the tainted sauce.

## Nisei Forced Out of Home By Covenant

### Neighbors Demand Family Move Out of House in Gardena

GARDENA, Calif.—A Japanese American businessman who recently purchased a home on Halldale Ave. has been forced to move out of his new home because of a restrictive covenant on the property which restricts occupancy to persons of the white race.

Yoshio Shigaki, proprietor of a cleaning shop here, moved in at the Halldale Ave. house on Oct. 5. The following day he was confronted by a delegation of neighbors who told him to move out of the house because of the restrictions on the property.

Delving into old Gardena land records, Shigaki discovered that the property had been covenanted against non-Caucasians almost 30 years ago when the land was used for growing alfalfa. The covenant had not been revoked.

Shigaki and his family returned to their former residence.

## San Mateo Groups To Hold Barn Dance On Hallowe'en Night

SAN MATEO, Calif. — Young people of San Mateo county have been invited to a Hallowe'en social featuring an old-fashioned barn dance and games on Oct. 31 at the Sequoia nursery, 1401 Valota road, Redwood City.

A jeans and slacks affair, the barn dance will be sponsored jointly by the San Mateo county JACL, the Sturge Fellowship and Pathfinder and the San Mateo YBA.

Shig Takahashi will be in charge of the program, which will begin at 8 p.m. There will be a slight charge at the door to defray expenses.

## Ishikawa Will Speak To Brethren Church's World Service Group

WASHINGTON—Sam Ishikawa, newly appointed Eastern JACL-ADC representative, will speak at a conference of the Brethren Church World Service Committee at New Windsor, Maryland, on November 9. Fifteen nationalities will be represented at the conference, which will be devoted to a discussion of furthering harmonious relations among the different nations of the world.

Ishikawa will speak on the topic "What Price Peace" from the Nisei standpoint, delineating the sacrifices made by the Nisei to achieve world peace and their future efforts to help maintain it.

Among the groups to be represented at the conference are: American Indian, Polish, Norwegian, Russian, Chinese, Italian, Swiss, Greek, Turk, Finnish, Negro, Unitarians and the Friends Meeting Houses.

## Naomi Nakano Heads Program Group at Philadelphia YWCA

PHILADELPHIA — Naomi Nakano now is program director of the Business and Professional Women's group at the Central YWCA in Philadelphia.

Miss Nakano, a native of Ridley Park, Pa., returned recently from an international youth conference held this summer at Oslo, Norway.

## State of Utah Wins Praise For Treatment of Evacuees

Although the state of Utah is not entirely free of discrimination against persons of Japanese ancestry, it can be proud of its particularly low rate of prejudice against this minority group, according to Elmer R. Smith, assistant professor of anthropology at the University of Utah.

Smith, who is now engaged in a historical and ethnological study of the Japanese in Utah, declared that the reason for the low rate of discrimination was twofold: religious and economic.

Many of the Japanese Americans in Utah belong to the dominant church, he said, and economically they do not compete seriously with non-Japanese group in the state.

The professor of anthropology pointed out that the University of Utah was the first in the nation to permit the registration of Nisei after Pearl Harbor.

In the matter of discrimination stated that there are some restrictions in housing, in organizations, and in hotel accommodations.

His survey on Japanese in Utah is being financed by the Viking foundation in cooperation with the Utah Humanities Review. The study was brought about by the relocation of Nisei and Issei in Utah and their subsequent return to their former homes.

The study will discover primarily how Issei and Nisei have adjusted to conditions and to other groups in the state, he said.

The survey was begun in the spring and will be concluded about the latter part of November. It will cover a 39-year period.

Professor Smith was a community analyst with the War Relocation Authority, serving at Minidoka, Idaho, for 18 months. He later conducted a survey of Japanese Americans in Seattle for the YMCA. In 1946 he served as interracial advisor for the National Conference of Christians and Jews and also aided in the WRA's adjustment study of Japanese Americans.

## California High Court Upholds Restrictions Against Japanese Alien Group in Split Decision

WASHINGTON—A review by the United States Supreme court of the California Supreme court's 4 to 3 decision last week denying commercial fishing privileges to Japanese aliens is sought in a petition for writ of certiorari which was filed this week by A. L. Wirin for the Southern California Japanese Fishermen's Association.

It was indicated that both the JACL and the American Civil Liberties Union will enter the Takahashi case as "friends of court" if the Supreme court decides to review the decision.

In the event the Supreme court decides to hear the Takahashi case, it was believed that the date for argument would be set for December or January.

Dean Acheson, former undersecretary of state, is expected to appear on behalf of the Japanese fishermen's group who contend that the California Anti-Alien Fishing law is discriminatory and unconstitutional.

It was believed that there was a good chance that the Supreme court would accept the case for review in view of the split decision of the California Supreme court in the case.

The Southern California Fishermen's association is being represented by the Los Angeles firm of Wirin, Kido, Okrand and Chuman.

SAN FRANCISCO—The California State Supreme court, by a 4 to 3 decision, last week upheld a wartime law which denies aliens of Japanese ancestry the right to obtain commercial fishing licenses.

The split decision, in which Chief Justice Phil Gibson took the minority view, upheld the State Fish and Game Commission's denial of a commercial fishing license to Torao Takahashi of Los Angeles.

The case affects the occupational futures of more than 500 aliens of Japanese ancestry who made their living as commercial fishermen in Monterey, Terminal Island and San Diego harbors before the war.

In 1943 the California Legislature passed a law which prohibited the issuance of commercial fishing licenses to Japanese aliens. In 1945 this law was amended to exclude "aliens ineligible to citizenship" from commercial fishing.

Justices Douglas Edmonds, John W. Shenk, Homer Spence and B. Ray Schauer upheld the majority view that the restriction against the Japanese resident fishermen was legal.

Justice Jesse W. Carter wrote the dissenting opinion and was joined in his dissent by Chief Justice Gibson and Justice Roger Traynor.

Judge Edmonds' majority opinion held that the commission was correct in its contention that fish are property of the state and that the commission has wide powers in conservation matters.

He wrote that while it is unlawful to discriminate on the basis of race, other reasonable classification is proper.

Justice Edmonds said that the question hinges on the validity of the 1945 amendment to the Fish and Game code that an alien "ineligible to citizenship" may not be granted a license to hunt or fish either for pleasure or profit.

"The Legislature may make a reasonable classification of persons or businesses and pass special legislation applying to certain classes," Justice Edmonds wrote.

"The right of the state to confer exclusive rights of hunting and fishing within its borders upon its own citizens is beyond question.

"If the Legislature determines that some reduction in the number of persons eligible to hunt or fish is desirable, it is logical and fair that aliens ineligible to citizenship shall be the first group to be denied the privilege of doing so."

Justice Carter's dissenting opinion declared:

"I can see no logic in depriving resident aliens of the means of making a livelihood.

"The several states have no power to exclude aliens as such from their borders. Being required to accept them as inhabitants, it (the state) must accord them the securities afforded others.

"The denial to resident aliens of equal protection of the laws guaranteed other residents of the state has been accomplished by piecemeal methods. They have been denied the right to engage first in one occupation and then another.

"It cannot be doubted that a sweeping provision prohibiting them from engaging in any occupation whatsoever would be held invalid. The onslaught of the 'one at a time' method is fast achieving the same sweeping result."

It was pointed out in argument before the court that Takahashi had fished Southern California

waters from 1915 until the outbreak of war. Returning to the Pacific coast after the evacuation, he obtained a writ of mandate in 1945 from the Los Angeles Superior court, compelling the Fish and Game commission to issue him a license.

The Superior court decision noted that the legislature's action in 1945, amending the 1943 law which specifically excluded Japanese, was a "thin veil" to cover the race prejudice inherent in the anti-Japanese fishing law.

The State Supreme court's ruling sends the writ of mandate back to the Superior court with instruction to reverse itself.

Attorneys for Takahashi stressed that the legislation was aimed directly at persons of Japanese ancestry and was designed to prevent returning evacuees from re-entering the commercial fishing industry. It also was pointed out that there had been previous attempts during which a law barring aliens of Japanese ancestry was sought but that the legislature had defeated the moves until World War II.

## Buddhists To Call Fall Conference On November 9

FRESNO, Calif.—The fall conference of the Central California Young Buddhists association will be held Nov. 9 in Fresno under the co-chairmanship of Fred Nishida of Reedley and Willy Suda of Fresno.

A record crowd is expected for the conference, which will be held in the Fresno Memorial auditorium.

The Kingsburg YBA will be in charge of registration with Kinoshi Hirata as chairman. The Hanford YBA, with Yento Tsuji as chairman, will be in charge of the opening and closing services. The Clovis YBA will be in charge of the discussion group. Manabu Fukuda has been named chairman.

Other committees will be as follows: banquet, Del Rey YBA, Yoshito Fujimoto, chairman; program, Sanger YBA, Y. Okamoto, chairman; dance, Fresno YBA, Kazuo Tachino, chairman.

Delegates must register in advance, according to Kiyoshi Hirata, registration chairman. Out of town delegates are requested to write Hirata at Route 1, Box 96, Kingsburg. CCYBA members may notify their local chapter presidents. Registration fee will be \$2.50.

## Win Council Posts

Esther Aoki, daughter of Mr. and Mrs. Taeshae Aoki, 1979 West North Temple, and Lily Nakai, daughter of Mr. and Mrs. K. Nakai, 816 West 5th South, were named to the West High school associated girls council in elections held last week.

Lily Kumagai, WAG president, was elected last spring.



# PACIFIC CITIZEN

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LARRY TAJIRI EDITOR

## EDITORIALS:

### Oyama Test Case

The Oyama case which was argued before the United States Supreme Court this week will test the constitutionality of the California law which has been used as an economic and social weapon against persons of Japanese ancestry in the state. The Alien Land law, enforced only against persons of Japanese descent, has been a device used to seek the elimination of members of the group from the agricultural industry. Continuous political campaigns for the law and for amendments to strengthen its provisions have been carried on in California since 1910 and have provided an excuse for the dissemination of racist propaganda against the resident Japanese and their American-born children.

The Alien Land law was originally passed by the California legislature in 1913 and was superseded by an initiative measure which was passed in 1920. The 1913 Webb-Heney bill was opposed by President Wilson who sent William Jennings Bryan to Sacramento to plead with the legislature and with Governor Hiram Johnson against passage of the measure. Previous instances of presidential intervention in California against anti-Japanese legislation had succeeded in the Theodore Roosevelt and Taft administrations but the political situation in 1913 found a Democratic Federal administration pleading with a Republican state administration and Governor Johnson, as Carey McWilliams points out, had presidential aspirations. The Alien Land law which was passed, Mr. McWilliams notes, "represented the first official act of discrimination aimed at the Japanese." Its objective was the total exclusion of persons of Japanese ancestry from the state.

Because legislation specifically aimed at a racial group is considered unconstitutional, the framers of the Webb-Heney bill hid behind the cloak and classification of "aliens ineligible to citizenship." The law thus also affected Chinese, Koreans, Hindus and other "aliens ineligible to citizenship" who were farming in the state but the record of the Alien Land law shows that it was enforced almost solely against the Japanese. Campaigns for the passage of the 1913 law and for later legislation to amend and strengthen it were compounded largely of direct racist attacks on persons of Japanese ancestry, leaving little doubt as to the purpose of the law itself.

At the time of the passage of the Webb-Heney bill and of the 1920 initiative measure little thought was given as to the effect of the bill upon American citizens of Japanese ancestry. But that issue is today perhaps the most fundamental one involving the Alien Land law as the former Undersecretary of State, Dean Acheson, pointed out to the Supreme Court this week. Mr. Acheson, a foremost constitutional authority, and Attorney A. L. Wirin presented the arguments against the validity of the Alien Land law of California.

Mr. Acheson placed full emphasis on the restriction which the Alien Land law has placed on the right of Fred Oyama, a citizen and native of California, to accept a gift of land from his father, a Japanese alien who is "ineligible to citizenship." As Mr. Acheson pointed out, no other group of citizens in California is prohibited from accepting such gifts of property.

Citing the Yano case decision by the Supreme Court, Mr. Acheson noted that no implication of the trust arises upon the purchase of property by a parent in the name of a child.

The issue in the Oyama case is that Fred Oyama's father, Kajiro Oyama, purchased

agricultural property in San Diego County and deeded it to his son, then seven years of age. Charging that such transfers of property constituted presumptive evidence of an attempt to evade the Alien Land law, the State of California filed suit against the Oyamas and sought escheat of the farm property to the state. The state's view was upheld by the Superior Court of San Diego County and the property was ordered escheated. The California Supreme Court upheld the lower court.

Mr. Acheson argued that it was the duty of the courts to protect the properties of its citizens.

"Fred Oyama over thirteen years ago acquired a vested interest in some land which neither his father or anyone else could successfully attach. So, far from attaching it, the law and the courts were supposed to protect his interests even against himself until he became of age.

"Now let us see what the courts below have done to that interest. They have forfeited it and for reasons which can apply to no other child in California receiving a gift from its parents, except a child of Japanese parents. As to another other boy the conveyance would have been conclusive.

"Why is it different for Fred Oyama?"

He pointed out that the California courts acted solely because of "inferences" in the law which made it virtually impossible for Citizen Fred Oyama to defend his gift from the state's charge and presumption that his acceptance constituted an attempt to evade the Alien Land law.

Mr. Acheson emphasized that the courts had inferred that the transaction was colorable from the fact that the property was conveyed to the son by an "ineligible alien." He added that it was impossible for Fred Oyama ever to receive a gift of land from his parents under the terms of the law, since every act of the father to effectuate a proper transfer would be considered evidence of improper transfer. Under the California law mere proof that a father had paid for the law and that the citizen child was the transferee presumes the guilt of the parties involved of the crime of evasion of the Alien Land law.

"This presumption is such that it establishes a substantial rule that a Japanese alien cannot make a bonafide gift of land to his son," Dean Acheson concluded. "As such it is unconstitutional. No son of American, British, German or Chinese parents would have his land forfeited. The law protected him fully and amply.

"Only Fred Oyama, because his parents were Japanese, lost his land because they paid for it 13 years ago. As to every other body, the exact opposite presumption applied—and under these circumstances is conclusive. We submit that this is not the equal protection of the law."

The Alien Land law is legislation which was written in deceit and exploited for hate and plunder. It is to be hoped that the Supreme Court will be able to pierce the thin veneer of legality which hides the nefarious purpose of the law.

### For Civic Unity

The California Federation for Civic Unity, meeting last weekend at Asilomar, did more than just repeat the old bromides about racial equality and race discrimination. That alone would have merited newspaper space and headlines.

But delegates to the civic unity organization's second annual meeting dug into California's habits and patterns of prejudice and came up with a sound program to replace these with new patterns of equality.

The federation opened discussion upon two lesser-known phases of discriminatory treatment—in the apportioning of hospital and medical care and in local instances of police brutality.

The existence of the Federation for Civic Unity is a tribute to the desires of a large group of California citizens for the extension of democratic rights and privileges to all of the state's ten million residents. These citizens, now organized in a state body, were the community leaders in the fight against the various anti-evacuee groups which had exploited wartime prejudices against persons of Japanese ancestry. Their efforts were responsible, in great measure, for the betterment of community attitudes toward returning Japanese Americans. Many of the organizations which were most active on behalf of the Japanese American evacuee group now are to be found in the Federation for Civic Unity.

# Nisei USA

## A Nisei Goes to West Point

Some high brass in the War Department is reported to have been somewhat unhappy over the action of Utah's Senator Elbert Thomas in appointing a Nisei veteran, George Shibata of Garland, Utah, to the U. S. Military Academy at West Point. The War Department official did not oppose the appointment of a Nisei but apparently felt that he should have been given advance notice that a Nisei was to be appointed. Instead, Sen. Thomas, a thorough-going democrat, treated Shibata's appointment as that of any other candidate, without reference to race or ancestry.

Shibata, however, is not the first person of Japanese ancestry to be appointed to West Point. Back in 1858 Hikizo Hamada, later to be known by his Anglicized name of Joseph Heco, was appointed to West Point by President Pierce through the efforts of Hamada's sponsor, Senator Gwin of California. Hamada, who had no ambitions for a military career, turned down the appointment and enrolled instead at Catholic University in Maryland. Hamada is the first person of Japanese descent to become an American citizen. He was naturalized in 1858 at the age of 17, after being brought to the United States as a child castaway, the survivor of a Pacific shipwreck.

At the time of Hamada's naturalization aliens of the Japanese race were not considered ineligible to American citizenship and he was one of several Japanese who were naturalized. Judicial determination of racial ineligibility to citizenship was set in decisions delivered after the Civil War when the rights of Negroes to American citizenship was specifically guaranteed through a constitutional amendment. Later courts interpreted the Constitution to mean that naturalization was the right of white persons and persons native to the western hemisphere and to those to whom the Constitution or Congress specifically granted the right. Under this interpretation Asiatics were excluded.

### First Immigrants

It probably will surprise most Americans to learn that the first Japanese immigrants to North America landed at the port of Acapulco, Mexico, seven years before the Mayflower sighted Plymouth Rock. In 1613 a group of Japanese Catholics made the long journey across the Pacific to Mexico City for confirmation. Some members of the group proceeded to Spain where they were presented at court, but a dozen or so remained in Mexico and settled there. Ruth E. McKee commented in "Impounded People:"

"No more is known of them, a fact that suggests their successful assimilation into the life and culture of Mexico with consequent loss of racial identity."

Miss McKee notes that two voyages were made by Japanese ships, bearing merchants, diplomatic representatives and religious travelers, across the Pacific to the Pacific coast of North America in 1610 and 1613. Japan apparently was aware of the existence of what is today the western United States for a century and a half before the first Spanish mission was established in 1769 in California. Explorers of other nationalities had not reached the West Coast in this 150-year period. Instead of pursuing a policy of territorial expansion, however, Japan in 1638 instituted a strict isolationist policy, forbidding emigration and contact with the western world until the black ships of Commodore Perry were to appear off the coast of Honshu more than two hundred years later.

More than two and a half centuries elapsed between the time of the arrival of the Japanese Catholics in Mexico and the establishment of the first colony of immigrant Japanese in California at Gold Hill in the Placer country outside of Sacramento. These first Japanese immigrants in California were smuggled out of Japan by a Dutch adventurer who had been naturalized as a Japanese citizen and had married a Japanese woman. These colonists arrived in California shortly after the end of the Civil War and bought land at Gold Hill for an agricultural project with the intention of specializing in tea and silk culture. The project

did not fare well and the Dutch leader returned to Japan for more supplies and funds. He never returned, Miss McKee records, and a report later was received that he had been executed for having broken the law which prohibits the emigration of Japanese from Japan.

The men who were left at Gold Hill abandoned their agricultural plans and took jobs in the mines. Others found domestic work. Many of the men who went into the mines died of illnesses contracted as a result of a type of work in which they were not accustomed. The story of Gold Hill probably inspired Idwal Jones' story "Mori" which appeared in the American Mercury some years ago.

Rose McKee tells in "Impounded People" of one other colony of Japanese who settled in California in the late 1860's. This second colony was composed of a small group of intellectuals and liberals who had left Japan in protest against the feudal government. Members of this group reportedly included diplomatic officials who had traveled widely in the western world and one of the men was a former governor of what is now known as Tokyo. The San Francisco Chronicle later described them as "gentlemen of refinement and influence in their own country from which they were compelled to flee, almost destitute, because their travel in civilized countries had made them too liberal in their ideas to suit the Mikado." These colonists established a farm project in Alameda county. Not being agriculturists, they hired white farmers to teach them to farm.

It is interesting to note that the first Japanese colonists were well received by the native Americans who commented favorably upon their industriousness and sober behavior. It was not until later that hate and prejudice were manufactured against them.

### Nisei and Statehood

One of the forthcoming films in RKO's "This Is America" series is "The 49th State," a picture of Hawaii. This film is indicative of the change in approach which the salesmen for Hawaiian statehood are taking in contrast to the technique used before World War II. Before the war Hawaiian proponents of statehood pictured Hawaii as a vacation paradise with special stress on hula girls, surfboard riders, palm trees and pineapples. In the film on Hawaii shown at the New York and San Francisco world's fairs there was not a single mention of persons of Japanese ancestry.

(Continued on page 5)

## Vagaries

### Movies . . .

Resident aliens of Japanese ancestry in the United States and Hawaii will see some new Japanese language films soon for the first time since 1941. Contracts were scheduled to have been signed last week in Tokyo for the first export of Japanese films since the outbreak of the war . . . Frank Havenner, Democratic congressman, and Judge Elmer Robinson, two of the three candidates for mayor in San Francisco's red-hot mayoralty campaign, have bid for Nisei support. Rep. Havenner points to his progressive congressional record while Judge Robinson declares that he has pursued a no-discrimination policy on the bench. Rep. Havenner, back in 1938, declared that he would support legislation to grant citizenship to Issei.

### Jobs . . .

Goldblatt's, one of Chicago's largest department stores, called the Midwest JACL office last week seeking Nisei to work as sales clerks. Although there are Nisei sales clerks in smaller Chicago stores, Goldblatt's will be the first of the big stores to employ Japanese Americans in sales positions . . . Meanwhile, the Midwest JACL office is working with the Chicago Council Against Race and Religious Discrimination in their campaign to sponsor fair employment practices in State stores.



# Supreme Court Sidelights: Wirin, Acheson Hold Anti--Alien and Law Restricts Citizen Rights of Japanese Americans

By the WASHINGTON JACL-ADC STAFF

Washington, D. C. The most important court case for persons of Japanese ancestry since the United States Supreme court decided the wartime cases was argued Wednesday afternoon, October 22, when the highest tribunal heard oral arguments on the validity of the California alien land law.

Deputy State Attorney General Everett W. Mattoon and Deputy District Attorney Duane J. Carne of San Diego county represented the state of California and Dean Acheson of Washington, and A. L. Wirin of Los Angeles represented the National Japanese American Citizens League, JACL Legal Defense Fund of California, and the Civil Liberties Defense Union of Northern California, sponsors of the Oyama case.

The appearance of Dean Acheson, recently the undersecretary of state, in his first case since his resignation from the State department emphasized to the court the importance of the alien land law to persons of Japanese ancestry. He is the most distinguished lawyer ever to plead the cause of Japanese.

Before the full bench of nine justices and a crowded courtroom which included many Nisei, Wirin presented the oral arguments by outlining the pertinent facts in the case. He then launched into an attack on the constitutionality of the alien land law, declaring that it was a race legislation directed only against those of Japanese descent.

He pointed out that the legislative history of the alien land law as passed by its administration since 1942 proved his contention. Wirin went on to demonstrate the factual situation that existed in 1923 when the United States Supreme court held that a Washington state alien land law was unconstitutional had changed materially. He showed that while 24 years ago the alien Japanese was controlled today the American citizen of Japanese ancestry is in full ownership and control of the lands now in his possession. He demonstrated that the passage of the Oriental Land Act of 1924 no Japanese were permitted to enter the United States, that therefore the rights of certain western interests in the Japanese would overrun California were unfounded. He documented his arguments that at no time did the Japanese own more than one per cent of the agricultural land in California, or any of the western states.

Challenging the right of California to discriminate against persons ineligible to citizenship as being unreasonable even though the Congress itself had classified aliens into two categories, the Los Angeles attorney charged that such discrimination violated the 14th amendment to the United States Constitution.

Justices Felix Frankfurter, Wiley Rutledge and Robert H. Jackson questioned Wirin regarding the racial nature of the law and its application as well as his theory that the law itself was unconstitutional. Dean Acheson followed Wirin because of his tremendous prestige and the recently resigned undersecretary of State who helped chart the present foreign policy, the courtesy and respect which the justices paid him was noticeable. Disregarding in appearance, Acheson, speaking in a dignified, well-modulated voice, concentrated his arguments on the fact that the rights of citizen Fred Oyama had been violated simply because his father was a Japanese national who was ineligible to citizenship. He ably demonstrated that had Fred Oyama's father been any other nationality than Japanese the state could not have escheated this property.

The former undersecretary alleged that the inferences and pre-emptions of the California law were such that it was practically impossible for a citizen Nisei to receive property as a gift from his parents, thereby placing the Nisei citizen child in a peculiar and unfair position.

Deputy Attorney General Mattoon began his arguments on behalf of the state of California by referring to a group of maps prepared in 1920 that purported to show the distribution of Japanese land holdings. This argument collapsed when Justice Rutledge questioned Mattoon as to the breakdown of the figures into citizens and aliens and to Japanese and other Orientals. Mattoon confessed that since no

such breakdown existed that perhaps the value of the maps was overestimated.

As he attempted to build up the state's case that the law was not racist in nature and that it was as constitutional today as when the Supreme court first declared that it was valid, most of the justices, including Chief Justice Fred M. Vinson, pointedly asked searching questions as to the rights of citizen Fred Oyama.

At one point, Justice Jackson asked if Fred Oyama's father, assuming that he were eligible for citizenship, could recover this land which he, as the father, had once given as a gift to his citizen child. The deputy attorney general had to concede that he probably could not.

"Then," questioned Justice Jackson, "how can the state do something that an ordinary person can't do?"

At another point, Justice Black wanted to know whether a child could receive a gift. Informed that a child could, Justice Black then wanted to know how such a gift could be taken away by the state. Mattoon replied that this could only happen when the gift was bona-fide.

Questioned as to what constituted a bona-fide gift, Mattoon retreated to the position that if it were given by an alien ineligible to citizenship, it was probably not valid. When queried as to whether this distinction was fair or not, he was at a loss to reply.

Justice Stanley Reed went to considerable lengths to develop his thesis that it was a natural and normal procedure for parents to provide for their children's future, even though the parents themselves might appear to receive some benefits from such practices.

Toward the close of his argument, Mattoon insisted that while the alien Japanese might not be able to own land he could lease it and work it. To several of the justices, this point was a strange one for in their views, if the reason for the alien land law was to protect the lands from use by the Japanese, they should also have been prohibited from being able to use land even on a lease basis.

Justice Rutledge asked Mattoon that if the state felt that it could prevent the ownership of land by certain aliens, did the state also feel that it could prevent these certain aliens from earning a living. The state evaded this issue by moving.

(Continued on page 6)

## NISEI U.S.A. 49th State

(Continued from page 4)

of Japanese ancestry who constitute nearly one-third of the territorial population. Representatives of Hawaiian statehood drives in those days were embarrassed when the "Japanese question" was brought up by mainland audiences.

RKO's short subject, "The 49th State," filmed recently in Hawaii, shows no such reticence regarding Hawaii's multi-racial population. It devotes much of its footage to Hawaii's current problems in labor, industry and politics. There are shots of the campaign posters of Sen. Wilfred Tsukiyama and Honolulu Supervisor Richard Kageyama to show that Hawaii's AJAs, along with all of the territory's other racial groups, are taking an active part in democratic processes. One of the high points of the film, as far as Nisei are concerned, is a tribute to the 442nd Combat Team, half of whose personnel was composed of Japanese Americans from Hawaii.

Hawaiian residents of Japanese ancestry no longer are a stumbling block in the statehood drive. In fact, the war record of the Japanese American group has become a compelling factor in Hawaii's right to statehood.

# Bill Hosokawa: FROM THE FRYING PAN

## Japan Masses Like Americans

Denver, Colo. Americans in Japan are building up such a reservoir of good will (that was Wendell Willkie's phrase) that the Japanese masses hold the U. S. in greater affection than at any time since the 1923 earthquake. That in essence is the considered opinion of an observer just back from Nippon.

It's a strange state of affairs for a country whose warlords were promising a few years ago that the nation would resist to the last man, that war should continue for a hundred years, that there would be no peace for the American conqueror.

The high tide of Japanese-American good will was reached after the terrible 1923 earthquake when American medicine, clothing and food was poured into stricken areas. The Japanese were grateful as only the Japanese can be, and countless emotional sons of Nippon composed poems expressing that gratitude.

It took only a piece of legislation to smear that good will all over the landscape. The 1924 Japanese exclusion act was like a slap in the face of a little fellow who is pitifully anxious to make friends. Japanese-American relations, to coin a phrase, went from bad to worse after that.

There were a few latter-day efforts to get back on neighborly terms—like the time the U.S. shipped home the body of Ambassador Hiroshi Saito aboard a cruiser. Japanese gratitude over the gesture amounted almost to national hysteria.

But every time the little Japanese in the rice paddy was about to admit that Uncle Sam across the sea was a right guy after all, the warlords tossed bombs at the Panay or blew up the U. S. fleet in Pearl Harbor, just to keep the record straight.

The little fellow, who had been taught not to ask questions, had a hard time satisfying his natural inclination to like Uncle Sam.

## GIs Popular with Nipponese

The greatest single factor in winning popular Japanese affection for the United States are the G.I.s, this same observer contends. There has been some interracial unpleasantness, yes, but on the whole the G.I. is just a kid from Main street who'd rather be friends than pick a fight with you.

# The Housing Problem: THE LANDLORDS AND US

By KOJI ARIYOSHI New York City.

An Issei lady who lives in upper Manhattan was approached by her landlord's agent. He presented her with a lease that would hike her rent 15 percent. She asked for time to consider before signing it.

The lady who lives alone had no one to turn to. Then she remembered the Japanese American Committee on Rent and Housing that had sent her leaflets. She thought of phoning the committee for advice. But later that day a few of her Issei friends who called on her told her to sign the lease.

They said, "Because we are Japanese you should sign." The idea behind it was "not to make trouble."

After her friends had left the lady visited a Caucasian family in the next apartment. Here she was advised not to sign. The friendly couple suggested she get in touch with the Japanese-American Committee on Rent and Housing.

So she phoned the Committee which asked her to go and speak to her. This lady lived in a Caucasian community. She seemed so relieved when I arrived that she told me of her difficulties in a few breaths. I explained the housing and rent law to her. She nodded her head in understanding.

Finally, breaking out in a smile, she said, "Then I don't have to sign. I can't be evicted!"

"No," I said to her.

"But it might be difficult with me," she said, now again a bit concerned. "A Japanese is a Japanese, you know. And I am the only Japanese in this building."

"That is why you must not sign," I emphasized. "If you who are the only Japanese to sign, you will be ostracized by all the Caucasians in this building. That would be unpleasant. Eventually you might want to leave this apartment because of that."

She nodded her head softly and said, "That is right."

I told her if such a thing happened perhaps no other Japanese could get in that building. The Caucasians would hold contempt for us because we would not stick together with them.

As we talked her smiles began to show confidence. Now I knew she would not sign. Before I left she said she would call the Committee if her landlord coerced her. We have not heard from her since.

The Issei are not the only ones who say, "Because we are Japanese." Recently the Rent and Housing Committee sent out Nisei canvassers who rang door bells in the evenings in covering a great part of the Japanese community in Manhattan. The canvassers brought

The G.I. shares his candy ration with Japanese urchins, and if he doesn't go out of his way to be particularly nice to the old folks, at least he doesn't make it a practice of slapping them down when they get in his way. (We've seen Japanese soldiers deliberately mistreat Chinese civilians.)

Parties of G.I.s, our informant reports, spend their Sundays visiting Japanese veterans hospitals, taking sweets, cigarettes and other luxuries to their erstwhile foemen.

These are gestures which the Japanese can understand and appreciate. They tell him more than any number of proclamations that Americans are okay.

Japanese Americans who made the grim trip from west coast assembly centers to inland relocation camps can testify to the kindness of their G.I. guards.

Sure, there were some super-patriots who thought they were winning the war by getting tough with a scared, bewildered little evacuee. But on the whole the military police train guards were good joes doing a tough job, and they'd try to make it easier for their charges whenever they could. After all, they had folks of their own at home, too.

And somehow, it went against their grain to have to herd a bunch of kids and old folks and babies into desert camps just because they happened to be different.

## A Capacity for Winning Friends

Someone once observed that the Japanese civilian at home is likeable enough, but get him into a uniform and send him overseas and he becomes a ruthless automaton. There seems to be a measure of truth to the saying.

At least, many a G.I. has been so impressed by the Japanese people's homefront struggle for rehabilitation that he has come back to the U. S. filled with a desire to help them.

Of course, most of his friends cannot share his enthusiasm. In the end, many wind up by re-enlisting, or going back to Japan in a civilian capacity, filled with determination that borders on missionary zeal.

This capacity for winning friends will mean much for the Japanese people. Despite all their faults they have won much respect for their record as the only defeated people to pitch into the job of rebuilding with a vigor.

the first time the landlady had used this term. In fact, the landlady had said previously she liked the Japanese, but obviously as long as "they knew their place."

This Nisei resisted eviction and won; the other tenants in her building followed suit.

Her landlady next asked OPA for a 30 percent rent increase on the Nisei's apartment because the latter took the place while she was single, but now had a relative plus her husband living with her. The OPA sent the landlady's petition to the Nisei who appended her opinion to it and sent it back for review. The Nisei won again.

It seems the landlady has given up with a healthy respect for the expectant mother who was convinced she could not be thrown out on the streets. "Jap" baiting could not intimidate her at all.

Now take our landlady, for instance. As soon as the new OPA rent regulations came out she became extremely busy. Before we knew about it she had frightened and coerced two families into signing leases. These people were non-citizens with poor comprehension of English. They were easy victims.

When the landlady came around to us, she asked me to go down to her apartment. I told her I would not sign a 15 percent rent increase. She asked me whether landlords should not get more. I said, no.

"I would like you to know," she said, "that I come from an old-stock American family. We have never been treated like this before. We have lived in this country for many generations. We abide by the law. Now..."

I did not know what new twist she would give her "native-American" line. So I interrupted and reminded her that I too am an American.

Very rapidly I reviewed for her about the 100th Infantry Division, the 442nd Combat Team, and before I could say about the Nisei who served in the Pacific and Asia, she cut me off.

"But I didn't mean it that way," she said very convincingly.

"I know you didn't," I replied with equal seriousness. Both of us smiled uneasily.

Then she complained that ever since "THAT MAN" got into the White House in 1932, the landlords never had a fair break. She became bitter as she continued.

"I'm not going to buried in this country which has never looked out for us landlords. We are the only ones who lost money during the war. When I die, I'll die in Europe," she said.

"To get buried in the land of your ancestors?" I asked.

"Definitely," she said.



## Fresno Fellowship

FRESNO, Calif. — Ernie Shirakawa and Ruth Ogawa will be co-chairmen for the Fresno Christian Fellowship's Halloween party at the "E" street church Sunday, Oct. 26, at 7:45 p.m. Min Okubo will be in charge of refreshments.

## Professional Notices

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SPORTS

## Pro Cager

Wat Misaka, the first Nisei in pro basketball, is now in training with the New York Knickerbockers at Bear Mountain, a sylvan retreat up the Hudson River from New York City. The Knickerbockers play all their home games in Madison Square Garden, whose glass backboards are not unfamiliar to Misaka. The former Utah University star played many games at the Garden in 1944 and 1946 in Metropolitan invitational and NCAA tournaments.

## Sad Sam's Troubles

The misfortunes of Sad Sam (We Wuz Robbed) Ichinose the Honolulu fight manager, have now assumed heroic proportions. Sad Sam is blue enough under ordinary circumstances but the experiences of his recent junket to the British Isles and the European continent call for a closet full of crying towels.

Ichinose left Honolulu in April, taking along Dado Marino, Robert Takeshita, Baldwin Okamoto and Tommy Blondin. The destination of the Ichinose troupe was Scotland where Marino had been signed to fight Jackie Paterson, then king of the flyweights. The bout was scheduled in June and the Ichinose party dug in at a hotel outside of Glasgow and started training. Paterson came up with an attack of boils and the bout was postponed just when Ichinose had pronounced Marino sharp and ready. The Paterson bout was postponed two more times and although other excuses were given, the actual fact apparently was that Paterson had outgrown the 112-pound division and was unable to make the weight without seriously endangering his health.

When Paterson failed to show up for a date with Marino in late July, the British boxing board of control stripped him of his title and, along with the NBA in the United States, named Marino as the logical contender.

Meanwhile, Ichinose had matched his undefeated welterweight, rugged Robert Takeshita, the 1946 National AAU champion in the 147-pound class, against Jack Marshall, the British lightweight titlist. But the British boxing board stepped in and refused to permit Takeshita to perform on the ground that he did not have an international reputation. Takeshita returned by plane to Honolulu where he has fought three times since then, extending his string of victories to twenty.

Tsuneshi Maruo, 1946 National AAU champion in the bantamweight class, joined Ichinose's stable and arrived in Scotland to help Marino with his conditioning. Ichinose was able to schedule bouts for Maruo, a veteran of the 442nd Combat Team. Maruo lost a bout in Belfast in what Ichinose declared was a "hometown decision."

He also was booked against Stan Rowan, a good British bantam, on the recent Marino-Managhan card. When Paterson failed to show up for the Marino bout, Rinty Monaghan, an ex-riveter from Belfast, was signed as a substitute. Marino won the referee's decision in the ninth round when Monaghan was disqualified.

With Paterson's throne declared vacant, Marino was named as the logical contender by both the British board and the NBA and a bout with Monaghan was suggested to settle the issue, the winner to be recognized as world's champion by both groups.

Marino could have claimed the

## Bay Region Bussei Crown "Queens"



SAN FRANCISCO—Miss Ayako Inn and Miss Fumi Urishibata were crowned senior and junior YBA queens of the bay district in elaborate ceremonies at the YBA coronation ball at the Hotel Mark Hopkins atop Nob Hill.

The two queens were crowned by Yosh Isono, president of the BDYBA, who also presented them with beautiful gold trophies. The eight attendants, finalists in the senior and junior divisions, attended the queens and carried lovely colonial

bouquets.

Miss Inn and Miss Urishibata will now compete with other finalists for the title of "Miss Bussei of California."

Pictured above, left to right, are Pat Hoskins, Cookie Takano, Fudge Tsuji, Asako Kawano, junior attendants; Queen Fumi Urishibata, Ayako Inn, and June Nakayama, Violet Yamamura, Shinako Ninomiya and Michiko Asahara, senior attendants.—Photo by Bill Nakahara.

Noted Attorneys Sign ACLU's  
Brief in Alien Land Law Case

WASHINGTON, D. C.—One of the most impressive lists of leading attorneys ever to sign an amicus curiae brief have signed the "friend of the court" brief submitted by the American Civil Liberties Union in the Oyama case which was heard on October 22 by the Supreme Court of the United States.

title on Paterson's forfeit, but Ichinose agreed to the new arrangements. A bout with Monaghan was set for Oct. 20 in London under promotion of Jack Solomons. Meanwhile Ichinose matched his star, Marino, with Peter Kane, the British bantamweight champion and a former blacksmith. Kane, a rugged character, outweighed Marino and proved too much for the Hawaiian. The beating Marino took from Kane in the bout at Manchester did not help him in his boat with Monaghan last Monday.

While waiting for the title bout with Monaghan, Ichinose took his troupe on a visit to France. However, Le Bourget field was as far as Ichinose and his party got in France. It seems that Ichinose had not gone through the red tape of getting proper papers for the trip to Paris. So Ichinose and his fighters returned to England.

The Associated Press report on the Marino-Monaghan fight declares that Marino was forced to chase Monaghan all the way, the latter doing a Gene Tunney on the backpedal. Ichinose, who thought that his fighter had won the world's championship, called the verdict a "stinking decision" in a statement to the press.

All in all, Sad Sam will have many sad tales to relate.

## Leads Ogden League

OGDEN, Utah—The Ogden Nisei bowling league was opened on Oct. 14 with the New Sunrise Fish Market team hitting the night's high series of 2233.

Eleven distinguished legal authorities who are agreed that the California alien land law is unconstitutional because it discriminates on a racial basis against persons of Japanese ancestry and violates the treaty obligations assumed by this government under the United Nations Charter are signatories of the ACLU brief that has been filed with the United States Supreme court to support the contentions of the Legal Defense Fund of the National Japanese American Citizens League and the Civil Rights Defense Union of Northern California.

The oral arguments on the alien land law began on October 22.

The signers are: Prof. Zechariah Chafee, Jr., Harvard Law school, one of America's outstanding authorities on civil liberties; Prof. Edwin Borchard, Yale Law school, leading expert on international law; Prof. Walter Gellhorn, Columbia university law school, ranking authority in the field of administrative public law;

Benjamin Kiser, Spokane, Washington, former UNRRA administrator in China; Nels Peterson, Portland, Oregon, member of the Bill of Rights Committee of the Oregon bar association; Edward J. Ennis, New York City, former director of the alien enemy control unit of the Department of Justice;

Miss Nanette Dembitz, New York City, former counsel in the Department of Justice and grand niece of the late United States Supreme Court Justice Brandeis; Rubin Oppenheimer, Baltimore, Maryland, leading authority on immigration laws, Harold C. Evan, Philadelphia, Pennsylvania, counsel for the American Friends Service committee; and

Arthur Garfield Hays and Osmond Frankel, counsel for the ACLU and two of the foremost constitutional lawyers in the United States whose arguments before the highest tribunal have made civil liberties history during the past 30 years.

## Thanksgiving Dance

SALINAS, Calif. — The Salinas JACL will hold a Thanksgiving dance the evening of Nov. 27, it was decided here at the chapter's last meeting.

JACLers Are Wed  
In Reno Ceremony

Two prominent California JACLers, Miss Sue Asai, corresponding secretary of the San Mateo chapter, and Tom Hatakeda, president of the Eden Township JACL, were wed in Reno Sunday, Oct. 19.

Mr. and Mrs. Hatakeda, whose marriage was a surprise to all but their families, were honeymooning in Yellowstone, Idaho and Utah this week.

Aoki Produce Leads  
Women's Bowling

Aoki Produce, with 11 wins in five losses to date, was in the lead in the Salt Lake JACL women's bowling league this week, followed by Sage Farm and Dawn Noodle. Sage Farm, with the same number of wins as the Aoki team, was behind in total pins, 7580 to 7721 by Aoki Produce.

League games on Oct. 19 saw Dawn Noodle split 2-2 with Takeshima's. Pagoda and Pacific Citizen split 2-2, and Duplers and Aoki recorded another 2-2 series.

The Okada team provided the upset of the day by taking four games from Sage Farm. The Okada's bowled high team series with a 2166 scratch total.

Mieko Kusaba of Dawn rolled high game and high individual series with a 188 game and a total of 469 for her three games.

Supreme Court  
SIDELIGHTS

(Continued from page 5)

ing on to another point.

Deputy District Attorney Cameron who brought the original escheat action against Fred and Kaji Oyama in San Diego county where the property in question is located, closed the arguments for the state by insisting that California had the right to escheat this property because of the illegal action of the father. His point was substantiated that of the California Supreme court when it stated that since the alien Oyama had no right to make a gift of land to his citizen son to evade the alien land law, no gift was actually made and that therefore the state had every right to escheat the lands involved.

Saburo Kido, immediate past national JACL president and a member of the Los Angeles law firm of Wirin, Kido and Okrand, was an interested observer at the oral arguments. His comment after the arguments had been closed was "It's certainly more encouraging than after the Yasui-Hirabayashi cases." This feeling was corroborated in by attorney Wirin.

The consensus of the Nisei was that the questions of the justice and certainly the atmosphere of the court, were more friendly and sympathetic than at any previous hearing in which the Japanese were involved.

While the Supreme court will probably not announce its decision for a month or two, it was hoped that on the basis of the questions a favorable opinion would be forthcoming.

For, on the outcome of this case rests the future escheat proceedings that may be carried on in California and some 12 other western states. Millions in land holdings are involved.

But most important, the principle of whether just the Japanese can be singled out for legal discrimination by the legislature is also at stake.

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## Woodland Team

WOODLAND, Calif. — A 135-pound dynamite named Morita exploded against the high Tarzans on Oct. 18, underdog Woodland high a tie in a Sac-Joaquin league

carried the ball 19 times and gained for a total of 112 yards.

## Fellowship

WOODLAND, Calif. — The 20-40 club was scheduled to hold its monthly meeting Friday, Oct. 25, at the Memorial chapel with Rengo presiding.

Howell, Jr., attorney, was the speaker. Frank Sakohira and Tanaka were in charge of refreshments.

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## Speaks to JACL



Rod Holmgren, Chicago radio commentator, will discuss "The Freedom of the Press and Radio" at the general meeting of the Chicago JACL chapter on Oct. 30 at the International Relations Center. Until last September Mr. Holmgren was presenting a nightly program of "Labor Flashes" over WCFL. Along with several other commentators of liberal persuasion, Rod Holmgren was dropped by radio last month.

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## Vital Statistics

### BIRTHS

To Mr. and Mrs. Tom Matsumori, 2943 South 3rd East St., Murray, Utah, a boy, Douglas, on Oct. 22 in Salt Lake City.

To Mrs. and Mrs. Harry Oka, Alhambra, Calif., a girl on Oct. 12.

To Mr. and Mrs. Don Kamachi a boy on Oct. 12 in Los Angeles.

To Mrs. and Mrs. Masuo Nishikawa a girl on Oct. 13 in Los Angeles.

To Mr. and Mrs. Sam Masuda a boy on Oct. 13 in Los Angeles.

To Mr. and Mrs. Fred Hiraoka a girl on Oct. 13 in Los Angeles.

To Mr. and Mrs. George Handa a girl, Carolyn Patricia, in Chicago.

To Mr. and Mrs. Takashi Moriyuchi, Moorestown, N.J., a boy, Fred Tamotsu, on Sept. 14.

To Mr. and Mrs. George Kuboshige, Riverside, Calif., a boy on Oct. 7.

To Mr. and Mrs. Yasuaki G. Abe, Clarksburg, Calif., a boy on Oct. 4.

To Mr. and Mrs. Nisaburo Takeda a girl on Oct. 10 in San Francisco.

To Mr. and Mrs. Takashi George Kondo a boy on Sept. 24 in Fowler, Calif.

To Mr. and Mrs. Yoshio Takashiro, Lathrop, Calif., a girl on Sept. 26.

To Mr. and Mrs. H. Hori, Ryde, Calif., a girl on Sept. 15.

To Mr. and Mrs. Kay Kajitsu a boy on Oct. 20 in Seattle.

To Mr. and Mrs. Katsumi J. Takashima a boy on Oct. 16 in Los Angeles.

To Mr. and Mrs. George Kagawa a girl on Oct. 16 in Lodi, Calif.

To Mr. and Mrs. Shiro Kuniyama of Oakland a boy on Oct. 13 in St. Helena, Calif.

To Mr. and Mrs. Henry M. Karatsu a boy on Oct. 15 in Los Angeles.

To Mr. and Mrs. Hideshi Nakawata a boy on Oct. 16 in Los Angeles.

### DEATHS

Michiyasu Matoba on Oct. 13 at Fitzsimmons General hospital, Denver, Colo.

I. Shirakawa, 66, on Oct. 11 in Lodi, Calif.

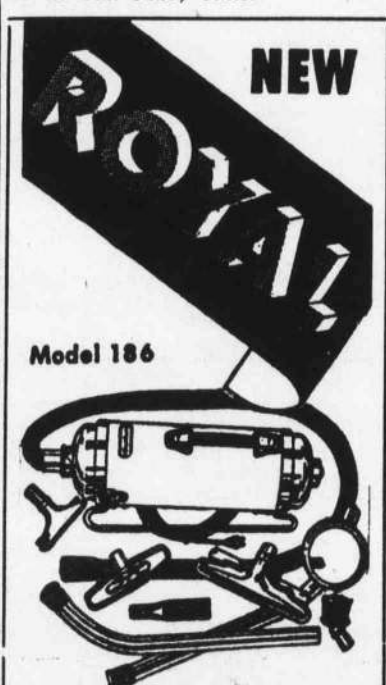
Kenzo Mikami on Oct. 16 in Arcadia, Calif.

Kango Tanagi, 72, on Oct. 14 in Layton, Utah.

Mrs. Nobu Nakamura, 52, on Oct. 14 in Seattle.

Ihei Jitodai, 58, on Sept. 22 in Seattle.

Kyuemon Shioyazono, 69, on Oct. 20 in San Jose, Calif.



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## Substitute Nisei Halfback Stars In Salt Lake Prep Contest

Tosh Miya, a substitute third-string halfback who had joined the varsity only the day before the game, almost singlehandedly lifted West high school from certain defeat in the closing minutes of its annual crosstown "classic" with East high school on Oct. 17, the Panthers winning 12 to 7.

West was trailing 6 to 7 with five minutes to play when Miya was sent into the game. Six plays later, figuring in five of them himself, Miya catapulted through center for the winning touchdown as 4,000 fans went wild.

West was on the midfield stripe when the Nisei sophomore entered the game. On the first play Miya faded back and passed but the

throw was incomplete. He passed again, this time hitting Don Bone for a first down on the East 36. He dropped back for another pass but after searching frantically for a receiver, and finding none, he streaked down to the East 22 for another first down.

On the next play Miya went over left tackle down to the one-yard line. After one try at center by LaVar Reuckert, Miya went over on the next play.

Miya started the season with the Panther neophytes and was moved up to the junior varsity recently. Last week he was promoted to the varsity but was ill and did not join the squad until the day before the game.

## CRDU Appeals Fugita Case Verdict to State High Court

SAN FRANCISCO — A Fresno County Superior court decision against June Tomoye Fugita and her parents, Sogataro and Kazuyue Fugita, for alleged violation of the California Alien Land Law is being appealed to the State Supreme Court, the Northern California Civil Rights Defense Union announced last week.

James C. Purcell and William T. Ferriter, counsel for the CRDU, have joined Miss Fugita's original counsel, G. L. Aynesworth and Ida M. Campbell, in filing the appeal.

## Ruriko Harada Wins DAR Scholarship

ST. PAUL, Minn.—Ruriko Harada, freshman in the University of Minnesota nursing school, was awarded a \$100 scholarship last Monday by the Minnesota society of the Daughters of the American Revolution.

Other winners were Carol Hocking, Evelyn Miller and Ann Elizabeth Jordan.

Mrs. Clyde Robbins of Tracy, Minn., made the presentation.

## Endo Hits 680 in San Jose League

SAN JOSE, Calif. — Gish Endo, star of the Junction Florists team of San Leandro, hit a 680 scratch series in the United Citizens (JACL) bowling league on Oct. 16. Endo tied Joe Takeda's 234 high game mark and also rolled games of 232 and 214.

### MARRIAGES

Masuko Hirozawa to Zenkuro Sumi on Oct. 12 in San Francisco. Dorothy Kawashima to James Hyodo on Oct. 11 in Chicago.

Sei Ikeda to Roy Fujiwara on Oct. 5 in Los Angeles.

Susan Tamaki of Tacoma to William Sasagawa, formerly of Palo Alto, Calif., on Sept. 7 in Philadelphia.

Yoshiye Yasunaga to Mikio Kawakami on Oct. 11 in Chicago. Shimako Saito to George Morita on Oct. 11 in San Diego.

Sadako Mukai to Mutsushi Sogioka of Baldwin Park on Oct. 18 in Los Angeles.

### WANT ADS

**WHEREABOUTS OF** Mrs. Aiko Yamamoto, formerly of 2500 Pasadena, Los Angeles, Calif., is being sought by Mr. Itsuzo Maeda. Send information to: 413 Beason Bldg., Salt Lake City, Utah.

**PHARMACIST** — Young man, permanent position. Vacation with pay. Sick leave. Apply Personnel Department, Stanford University Hospital, Clay and Webster Sts., San Francisco, California.

A reply brief is expected soon from the office of State Attorney General Fred N. Howser.

The Fresno court upheld the state's charge that Miss Fugita was not the actual owner of two pieces of farm property in Sanger, Calif., and that the lands were purchased by her parents. It was charged that one purchase was made in 1917 and was in violation of the 1913 Alien Land Act and that the second farm was brought in 1927 in violation of the 1920 Alien Land law.

Miss Fugita was a leading witness this spring against the Alien Land Act in hearings held by the California legislature at Sacramento.

During the war Miss Fugita was an employee of the United States government, serving as an OWI language specialist.

Counsel for Miss Fugita contend that she is the actual owner of the property and that there has been no violation of the Alien Land Act.

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## Pacific Southwest Council Of JACL Will Hold Meeting

### Thirteen Chapters Will Send Delegates to Los Angeles Parley

LOS ANGELES—Henry Sakemi, chairman, will call to order the first annual meeting of the Pacific Southwest JACL district council November 1 at 9 a. m. in Los Angeles.

Thirteen chapters in southern California and Arizona will send representatives.

Eiji Tanabe, regional JACL-ADC representative in Los Angeles, will give a report on the activities of his office. Mas Satow, national secretary, will report on the JACL chapters throughout the country.

Mike Masaoka, ADC director, will speak on the status of legislation presently sponsored or supported by the Anti-Discrimination committee.

A discussion of the JACL credit union will be given by Saburo Kido, legal counsel of the Pacific Southwest organization.

National JACL charters will be presented to new chapters during the dinner meeting on Saturday.

Chapters to be represented at the meetings and their presidents are as follows: San Luis Obispo, Pat Nagano; Santa Maria Valley, Harold Shimizu; Santa Barbara, Ken Dyo; Ventura County, Akira Kurihara; Los Angeles, Frank Chuman; Long Beach, Dr. Masao Take-shita; Gardena Valley, Paul Shinoda; Orange County, Frank Mizusawa; San Diego, Masami Honda; Venice, Jack Wakamatsu; San Fernando, Fred Muto; Coachella Valley, Henry Sakemi; and Arizona, Ken Yoshioka.

### Damage Suit Filed For Boy Hurt in Auto Accident

LOS ANGELES — A suit was filed in Superior court on Oct. 15 by Mrs. Chieko Mori for \$50,000 on behalf of her 10-year old son Dick Mori, who was seriously injured when hit by an automobile on Dec. 6, 1936.

Defendant in the suit is Richard E. Rose of Van Nuys, Calif., alleged driver of the automobile.

### Bruin Alumni Schedules Second Annual Reunion

LOS ANGELES. — The second annual Bruin reunion, to be held Nov. 1 at Scully's, 48th and Crenshaw boulevard, will have as its dinner speaker Frank Chuman, JACL president and Bruin alumnus.

Teizo Saito will be master of ceremonies.

Mrs. Akira Izumo, reception chairman, will be assisted by her committee, consisting of Mrs. George Nakaki, Mrs. Fred Ota, Mrs. Satsuki Shigekawa, Mary Nakahiro and Mary Oi.

Tosh Ihara and Mrs. George Shinno are co-chairmen of the social program to follow the dinner.

The dinner will begin at 7 p. m., and tickets are available at \$2.35 per person from Akira Izumo and his committee. Those unable to secure tickets may phone for reservations by calling Mrs. Miki Miyamoto, RE 2-2982.

### Sako-Hiraizumi Team Hits 1180 in Salt Lake Doubles

The team of Tadao Sako and Shozo Hiraizumi hit the season's high doubles total of 1180 in defeating Larry Tajiri and Hito Okada, 3 to 1, at Temple alleys on Oct. 23 in the Salt Lake men's doubles league.

Sako finished with an individual scratch series of 619 (212, 191, 216), while Hiraizumi had 561, including a 222 game.

The league-leading team of Maki Kaizumi and Dr. Jun Kurumada split, 2 to 2, with Bob Shiba and John Aoki. Team totals with 1163 for Kaizumi-Kurumada to 1103 for Shiba-Aoki. Maki Kaizumi's 597 (204, 211, 182) was the individual high for the match, while Dr. Kurumada had the high single game of 248. Aoki had a 580 series.

In other doubles matches Isamu Tanabe 571 and Sam Matsukawa 501 defeated Bill Honda and Choppy Umamoto, 3 to 1, while George Obayashi and George Sakashita split, 2 to 2, with George Kishida and Joe Sase.

### San Jose Asahis Lose to Sunnyvale

SAN JOSE, Calif.—The Asahis lost their second straight game in the new Winter League on Oct. 19, dropping a 3 to 11 decision to the Sunnyvale Merchants.

Johnny Horio hurled for the Asahis.

### Three-Way Tie In Bowling League

Okada Insurance, Hibbard Drug and Modern Garage were tied for first place in the Salt Lake City JACL winter bowling league after regular play Monday, Oct. 20.

Okada Insurance, led by Dr. Jun Kurumada's 532 series split 2-2 with Pacific Citizen, 2567 (46) to 2536 (168.) Elmer Smith, PC anchor, had a 552.

Hibbard Drug took three games from OK Cafe, with 2564 (78) over OK Cafe, 2498 (226). Modern Garage blanked U.S. Cafe 2594 (90) to 2425 (300), while Excellent Cleaners took four from Pagoda with a 2541 (213) to 2350 (158).

Terashima Studio took three from the Murray Cubs, when the Terashima boys hit a 2528 scratch series. Floyd Okubo (Murray) hit a 213 game. High series for the winners were 569 by Tom Matsu-mori and 568 by Shigeki Ushio. Dawn Noodle took three from Star Cafe, and Ma's Cafe also had a 3-1 victory over New Sunrise.

George Kishida of Hibbard Drug was in first place in the league with a 193 average, followed by Kurumada, Okada, 185, and John Aoki, Hibbard, 184. Kishida's 665 is still the highest series in the league. The 665 series was hit on Oct. 13 and included two 256 games.

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## Delgadillo Case May Affect Status of Japanese Aliens

WASHINGTON, D.C.—In a deportation case that may affect Japanese aliens, Fred Okrand, Los Angeles attorney and JACL member, urged the United States Supreme court to invalidate certain portions of the deportation code as interpreted by the immigration and naturalization service.

Presenting his arguments in the Delgadillo case which followed the Oyama alien land law case on the Court docket Wednesday afternoon, Okrand declared that once an alien makes an entry into the United States, subsequent "re-entries" into this country should not be construed to be original "entries," especially since the alien in question never intended to leave the United States for permanent residence elsewhere.

In the case at bar, Delgadillo, a Mexican alien, entered the United States while a child. He never became a naturalized citizen but he enlisted in the American merchant marine during the war. While shipping from San Pedro to New York, his ship stopped for a few hours at Panama City, in the Canal Zone. Off the Florida coast, his ship was torpedoed by a German submarine. Rescued by a United States coast guard vessel, he was taken to Havana, Cuba, where he remained for several days at the American consulate. He was later flown by an army air transport to

Florida. Delgadillo is subject to deportation because the immigration service contends that his turn to this country constituted entry into the United States. Okrand argued that it was even the Mexican Delgadillo who have visited Panama City on leave en route to New York.

The Washington office of JACL Anti-Discrimination committee this week indicated that case because it might affect panese aliens and pointed out many Japanese aliens on from Seattle, Washington, to canneries of Alaska, for example, on ships that stopped in Vancouver, British Columbia, for fueling purposes. Even if they never left ship, the Immigration Service has contended since these Japanese nationals "entered" a foreign country, "re-entry" into the United States whether at Seattle or Alaska constituted a violation of the migration laws since Japanese inadmissible into this country under the provisions of the Organic exclusion act of 1924. Japanese aliens who have, through no fault of their own, made such trips subject to deportation, and JACL ADC said.

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