Dent Mr Smi - Can yet hold of half dagen of stield appeared I saw which your for our purpose. I can use them I saw hear have here is an expension of the was tied.

Nelm 7 1944 . Seep me factor on developments. Will you the up with to members afford my continuance as Chairman suggest is as represented. Would reput at the service and an extension of the service of the service and the service of the service of

Received Those two cofie. I floo letter of the seem to Take I day a to reach here. Itill think muil opened.

Jour letter has placed me at each. all you say is well done. The sence in being two forward and it is a aire move. Employ that two but do not five two much rope.

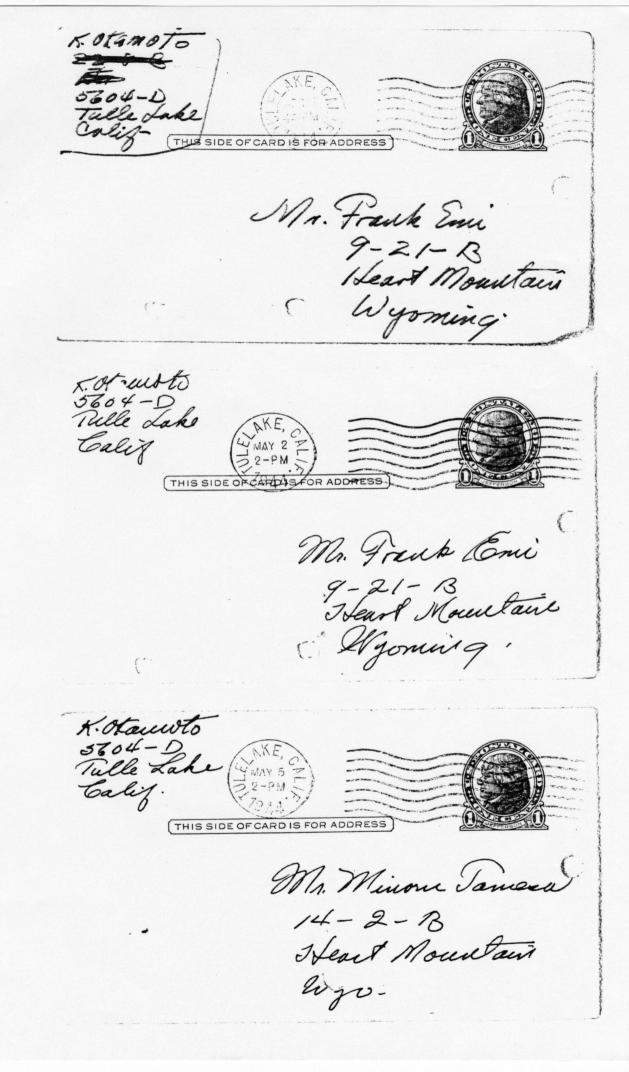
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I read about about the the Life sovero.

I know many back-clid?—Two. In me know who. Plad batch. Sentine! betting shirts will let you know at must do something. Will let you know at mit it and another matter. They some sein right, you do some class. To mother noise, now needed. I all oto

MM 3, 1944

Mear Friends; Dorry last the Clipping but an item appeared in to Difference have to the expect "The L. Board have rebelled against to Relection Lewice and are re-classifying all fathers over The age 3 to the State may follow duit they are mailing out re-classification intices to that expect "says may may and to that expect "says may may and to that expect granding it. Their are mailing also Bused granding it. Their are have also bused granding it.



Samuel D. Menin
counselor at law
ernest & cranmer building
Denver, Colorado
keystone 7509
zpne 2

March 14, 1944

Mr. Kiyoshi Okamoto 22-8-B Heart Mountian, Wyoming

Dear Sir:

This will acknowledge your letter of March 10, wherein you inquire regarding the letters I have sent to the Department of Justice and the War Department relative to the status of Americans of Japanese descent.

I am enclosing copies of letters received, and you will note in the letter from the War Department, the writer in great detail explains the reason for the War Department requiring Japanese Americans to be put in specific units. That letter is self-explanatory. The letter from the Dept. of Justice, in my judgment, to some extent evades the entire i issue. However, it states that the government's position is expresse in a brief filed with the 9th Circuit Court of Appeals in San Francisco, and I am accordingly requesting that they send me a copy of said brief.

I note in your letter that several members of your organization have violated the law by refusing to comply with the orders of the local draft board. This conduct in my judgement is most reprehensible in view of the fact that I very carefully explained to you that I was only representing your group because I felt that possibly some injustice might have been done them, but I emphasized most strongly that I expected all of you to comply with the law in all respects. This you have not done, and I am unable at this time to continue to advise you regarding any further activities of your group, as I do not intend to be a party to advising those who violate the law.

Sincerely yours,

Samuel D. Menin

Diyohi Hamoto 5604-1) Tulle Jake Bules Dear Mr. Emi Harif 11-1944 Sout the following contents to Mr. Mennen in expectations that Scontact is already established. The issue challered by the tweene men assured pounding to Selection Service That is - " Was the Trong the right of in ductions before a clarificate of their right and status, since enchangement a clarificate over and free dense over and form futherity have presedence over civil Power "(See Justice Donylus. March 27-4.5.05 A. G. Company for and form of come after military have a case in Soanur lease falk it over and, take it up with months. with M. of advisable. Do not concern yourselves with us now. get the 12. men straightened gut first. Gurs can come after. He Verglenill have greater Considence. Forth acke, It is but, as a Ken with a Extent my regards and best wish Lam writing but, it is slow. The answers yet They may set in fonch with you first. Facilities are not ford Incomely Anychi Clausto

Paul Naito 144 - D. Fulle Lake. Calif. Mrs. Luma Takemoto 22-7-F Deart Mountain Camp Wyoming

Ligahi Otawor Stor- D Newell-Tulle fake Center Galig: 18-1944 Klew Imi and others interested. you letter of 4/14/44 red. Sam saw it. We are och. Glad you not among populatie. Sent you registered latter last week. Sure not had return receipt. Bear ohis in mind. Dent telegram this morning 9 an Next another letter by air maif addressed & your wife, Wending this one under different condition. This and seem att. but Robertson is Restate. Will you make it fait y the business of keeping about on the dates of you lette to me or, receipt your lette. Neepales the envelopes. The P. I. alate may ame hand a societies should secretion call. If mail is important, addieso it & Vaul Naito -14-14-II or Miss Sadako Okada - 12-02 - e. I letter does not warrant will elininate suspense - and possible mistakes. Reserved letters from the Two in Denver. They are interesting and ancomy de es from her suggest por heep a duplante of aughting gow sen M. I worked like a transampt of your Hearing. Understand of is coming to Olif. Iso, probably internatione. Will let you know if it happens also informed janother outfit interested in the TP. e. you have Jurned them down Languarily. This is of allaborate with me on this matter. Am contacting others also. No answers yet. you may defend on me & continue the work Confine your work on the Boys for a while until the Sisterie is clear. Danis froitis may be conered by That of Endo's. I want time & establish mine Would like & coordinate the three cases intone and blast the whole WRIT, with one shot. Maintain and consolidate the F.P.C. Suggest that you yield some to the two in Denne. They should from one frint of the triangle. Low is this morale? Cong buck sliders? This I angle is might at Do not make immediate decisions at any one meeting if avoidable I give at least a right's thought between the sutwith me. I shink telegram will reach me but the reverse may

not be certain. It gots through Military sensor. Chy way a forward between & thought an action will ofter alaring the situation & better advantage. Also, I may have a better perspective from a distance I was Jold I am under execut observation. I question whether the Famper with my mail of this end. Consider the Following (1) Menin is a fout. Do is Biddle, the same troes true for the whole Administration, They are in former We have & deal with their. also Think Mis in contact with Vitto Marcantonio as attorneys should go through the S. Court and Tongress - This would be a valuable aid. Vitto is an able lawyer and a ricing politicias and name influences in Congress according & Jangers Margins. I de is Congressions. from tower New Jork City. a jew is a port liar and quithler when are in fit same bout with no as a Minority correct should be beaters. On M. and fitto may work the heads of the us. This is for the find being and it should suffice. These are arguments in his favor now. Meeting him may introduce alley factor That may warrant a change. Teep your efforts ofen on this place of our situation. get him to work on a contingent basis. This means payment on I depend upon win or love If he love, he is entitled to the town or (2) person involved. Traveling and other or some come ont of the 500. That's the retaining fee. To down day ment for things he cannot guarantee. The must work I earn his wages. The may want a Colorado tamyer since he has no liscense (3) to practice in That State allow up to \$500.00 for this. Hat more. an silent associate or figure hear - unless he contribute valuable suggestions or ideas. The Boys were arrested because of Dineiple - clarification. Insist the whole be tried as One. (4)

No not commit yourself with contrast is agreement beyond the first trial Dituations may alter that necessitate change. He may be an able langer or, maybe not. He may be sincepe and a had fighter Maybe not. So, do not full only being tragged or exclusiveness & represent & F.P.Z. It is & handle the invitial case only. Will arrange according & developments.

Be small on the cisenes involved. They are

(a) Has the Domy the right of arbitrary interpretations when he is a little of the company of the company interpretations of the company of the company of the company interpretations of the company of the com (6) (6) also to distractation have sixedense our Constitution Bill of Right (c) Não she trong she right à inductión hope a clarification à laght tata This demand for a clarification is alread, on record in the U.S. Attorney's Office. of the another & Bill of Right Land her infringed upon For our Justel a pronouncement by the tower Court are in-sufficient Thrust he judged by the Supreme Court and enunciated by Hat of Congress. Other wise, the shiret (7) John pransição would be defented. Phisothis on my. and ask him & conduct the case with such in view. is on trial I have other jobs in view. It is his The (8) are others available non Kiyshi Claudo P.S. Just asserved a letter of invitation & tell my story from n- Norther Caling. Civil Libertie Attelle fate Carification ask africe of - Sylvia Toskiyaki-1742 Lawrence St. give all menting the addition.

Jane 22 Singali Odanoto Navell - Tulle Jake Cam Calif 18th 1944 allew Imi. dook at the Sicture their -Mannin is a few. So is Biddle. The same hold true in the I think M. has a tie-up with Vito Marcantonio, the Representative in Congress from New york City as Lellow attorn for the Worker's Policial - a Communication of anization . Villor is frethy strong in Congress today and, according Dan article I Halfers Majazine he is and able lawyer and politician Thole no brief for Communion or few but, under the circumstances I think - "in you goat a bull by it fair it is safer & have out that tail until the bull lie dow. does not like it - there are other sources now available (1) This means that he must be satisfied with the fine hundre he already have required . To & the balance, it will depend upon whether he win it love. If he lad, nothing more. If he win, figure \$ 25.00 bongs for each severthe herical this or algerty Paid, Phat is for himself. It gray he necessary for him Its have a hypoming famyer. South to \$500.00 lights fedow ingist to will be a figure head so no bonus is needed for him. The whole bunch is standing on the same Drinciple (2) regressent all. Do, burnet the once into a whole and have M handle it as such. The above \$ 55.00 is based on this condition. Have a definite understanding with him of anyone else That the above amount course of handling of the present isc. ment of grounds for appeal is the dieseros a adverse. the tigher court will be made resentate. It fill & who ability and generity is on trust in this first (4)

or more or, & his demands! what he will do. Bles money sown and what he will do and what he will do! Bles money sown and what you i you h gine or not & give in event y love or win. Rights or Status from to lower courts mely It must be clarified by the Supreme Court or by Congressional Ifet. Havise 18 7 this determinative and & thus act otherwise the objection of CHPC, will be defeated. on this someetros ask him & stress on clarification of Status & Righto before right of formy & indust, this & & heetit the inform servent on A Constitution and the Bill of Right absorpts absence of a due process of faw" in the Tracultions applications and detention. The gets for high hated, drugs him there are other contacts. I think he will some & carth you are firm. The ain other of hard other were if he when reversableness, whilety and emeenty. The game is his. are still not a compety, keep the morale of the Company steady. this is important. I am bloing what I can. Was told that I would be under expain observation. you may trust that I am not ifle. contact me. Will let you know. Dain's saining in wichom bu We are for repervisor other side & form. Selen Hamoto

Selen Ota noto 5604-D Newell, Calif. Mrs. F. Emi 9-21-13 Heart Mountain Camp. Olyoming.

Frank Emi 9 - 21 - B Heart Mt., Wyo.

April 21, 1944

Dear Okamoto,

Recieved your letter of the 18th thru Kuma today. Also received your telegram yesterday April 20th. Received your regeistered letter of April 11 on April 15th. Have also received two post cards from you to date. I'm glad you and SAM are okay. Tell Sam of this letter. Also that I may not be able to write to him as much as I would like as I am pretty busy corresponding with others.

About your telegram, it came a day late. We had already discussed the matter of conding the decorate and decorate

discussed the matter of sending the \$600 fees and \$250 for expenses at a steering committee meeting and had wired M. the money the day before your wire arrived. The majority of the members thought that we had best send him half of his fees (600) because he too may not know just how we stand financially and may be slightly worried about whether we had the necessary money to pay him or not. This should whether we had the necessary money to pay him or not. This now eliminate that doubt in Menin's mind if there was such. requested that he come down to Heart Mt. to have a thorough discussion and understanding about everything connected with the case. We should hear from him in a few days as to his coming and the day that he expedts to arrive.

About the morale of the fellows in jail. letters, it seems very good. We have held one meeting since you and Sam were pulled away. At that meeting we assured the members and others that the FPC was going right ahead in its fight for justice and fair play and that there was no need of people getting the idea Into their heads that were were going to disband just because two leaders were removed. The night of the same day you fellows got taken away and Min and I were in the guardhouse, the FPC had a meeting and everyone got quite excited so I heard. Paul especially got "cold feet" and told everyone that the FPC was going to break up and started burning the list of names and some other papers right at the meeting. Kubota got quite excited too. Also Mrs Ishikawa and some others. They got quite h, sterical and started to bawl. Well, right after we got out of the guardhouse, we held an open meeting at the block 22 messhall and reassured the public that there wasn't any intention of breaking up or anything. I don't believe it is necessary to hold too many meetings at present as the main thing is the matter of contact with M. and others. Of course we must have an open meeting everyso often to keep the members informed of our progress. Also such things as money matters and fees etc. Any news or items which is better kept just to ourselves for the time being we naturally don't mention at those open meetings. Most of the work is being carried on by the steering committee. We are ignoring Paul quite obviousely and he does not seem to like it any too much but to us he is more a liability than an asset at present. Also, he had a hearing with Robertson a few days after you and sam got pulled and it seems like he did a lot of talking about the FPC. Kay and I bluntly accused him of "squelching" on us and trying to save his own neck. He just kind of squirmed and evaded the questions. We made it very clear to him that he was not to write anything, nor to say mything about the FPC without express approval from the steering committee. He is really a SAD man now. He tried to go out to Denver on indefinite.
His wife has a tready gone. The only reason he is still he re is because he is still on the stop list. Make no mistake about it Okie.
Paul was x "secred" and shitting green apples the night we were all pulled in. (I think most everyone knows his true colors by now.

the past couple of weeks but they have started again with twenty five scheduled to go this coming sunday, April 23. Will let you know how

many is delinque ht.

The slast week there was a movement probably initiated by the Sentinel ditor Kawai thru Wan suggestion whereby the Community Council, the various church organization, the block managers, and the Sentinel was a sentinel was a sentinel to the sentinel was a sentinel was the Sentinel would send one or two representatives to the boys in the various joils to try and make them reconsider and take their properties. When the council-men brought that suggestion to the looks, there was quite a row about it by the block residents some at the moment there is no thing definite about this latest heir-branined idea. Nevertheless, I don't think that there is nothing to worry about from that angle as those who are in jail are quite determined and are sincere about their stand.

I have sent both of my hearings (copies) to Mennin and to the ACLU. I will send you copies under separate cover. Menin's thought about that hearing was that he thought Robertson was very highlanded.

Did you receive the batch of Heart Mt. Sentinel's I sent to you about a week ago? You've probably read the article about the ACLU's answer to you. They sure are propagandizing on that. I wonder if the ACLU authorized them to publish it. Maybe you can check up on that.

Regarding your continued chairmanship of the FPC, the members of the steering committee unanimously agreed to it. Since some times it is necessary to state in what capacity we are writing to some persons, Min Tamesa has been more or less in the capacity of acting chairman at present. So far, the only occasion in which we had to correspond with Min in that capacity was when we sent a resolution to James Omura of the Rocky Shimpo absolving him of any blame, or responsibility in connection with the actions of the FPC or any of its members in regards to the Selective, Service law or any other law or laws of the United States. He, James Omura, specifically requested such an resolution as pressure was being brought the him and such organizations as the Jack was accusing him of sedition and he also stated that he was quite certain that the FBI was watching his movements. In his latest letter to me (April 17) he stated that posserved symptoms that lead him to believe that some action was being contemplated against him. And today April 22 the Heart Mt. Sentinel carried a news item stating that James Omura was discharged from the Rocky Shimpo. So there gods another champion of the niseis fight for their rights. It is too bad that it had to happen. I can't help but feel that his strong fearless support of the FPC was the main reason of his ousting. Nevertheless, this should make everyone who has any sincerity and courage in this fight for justice more determined than ever to see this battle to the flight for justice more determined than ever to see this battle to the flight for justice more determined than ever to see this battle to the flights. The steering committee with the exception of Paul is unified.

All correspondence with Monin and the ACDU has been carried on in Min's name. He and I usually draft all the letters of communications except when something important is at hand, then we get the steering committee together and draft it. We have been pursueing a policy of letting the members who have leave clearance and are in no immediate danger of being shipped off to Tule stand in front and take charge of open meetings and other matters where the public eye may be one them. As you know I haven't had leave clearance for over one year now and I still don't have it so we thought the wisest course would be to stay behind the scenes as much as possible and do the work. Don't get me wrong. I am not afraid of being taken in but I fear what the consequences would be if we all got taken away and guys like Paul or some others of his color should dominate the committee. Although the fellows who are in the steering committee at present are all quite straight and sincere and I believe they have the courage. Paul, I have always felt, is not at all sincere. We keep the steering committee at about twelve members.

By the way, does the Rocky Shimpo go to Tule Lake? If it does, try and get shold of them and there may be some news in it about the FPC which may be of use to you. I don't know just what colicy they are going to take now that James Omura is out. I doubt whether they will support our stand. What do you suggest in this matter? For the time being I'll send in an article or two and feel them out.

Gordon Hirabayashi was in camp for about a week. Three

other boys and I had a long talk with him. He is a consciencious objector. Also he stated that he is not even going to the C.O. work came. He said he will probably be picked up soon as a draft delipquent and treated as such. He understands our position and respects the fellows in it who are sincere about all this. He told us about his case and that he thought that unless the attorner can find some legal lookhole, that at least in thelower court we probably did not have very such chance of winning. His idea was that whether we won the legal ease or not, if the boys go thru with it to the last, it would do much for the niseis cause. He felt that the legal end was not everything. All in all, he was very fair minded about all this and one thing, he deplored the manner in which the JACL and the Sentinel was denouncing topic boys in jail and the FPC for their stand.

Well, that's all for now. I'll write again. Oh Yes, I just received the airmail letter addressed to my wife today. I have them 11 now. I hope this will get to you. I'll sent it, to Paul Naito.

By the time this reaches you, the position of the Boys shall have been decided. I hope you will not lose courage even though the judge should make an adverse decision. The fight is only beginning. Appeal and go as far as the Supreme Court. That is where ginning. Appeal and go as far as the Supreme Court. That is where the ultimate answer will come from. They dare not break the Constitution into scraps of paper there. The Fair Play Committee was organized to vindicate the justice of our position in accordance with the ideals and principles of the Constitution. We are bound to win out. The American Public will support and justify our stand when our position becomes better acquainted. You are representing . the good element of the Nisseis...honest, straightforward and loyal to the basic principles that motivated the Constitution, the Bill of Rights, the Revolutionary War, the Proclamation for the emancipation of slavery and, the ideals that built this Country into a great democratic Nation. Your stand is a fight to prevent this Country from falling into a Bureaucratic Dictatorship. The majority cannot see this for they are blinded by propaganda. But, the eyes of the Public are begining to open. (See Gerenral MacArthurs letter.)

The Boys that are in jail ... I hope they will understand and cooperate. Also, I hope the members of their families will understand too. Now is not the time to think of luxuries and personal advantages. We are fighting for a BIG PRINCIPLE. Because of that, I ask you to remember "ONE FOR ALL AND ALL FOR ONE". Remind he net the service of the property of the service of the property of the service of the transfer of the service me. He used the expression ... "You fellows have a strong moral case". Do not forget this. It means deeper than what the Sentinel tried to tell you. In interpreting it, rember that ideals and principles are built on morals. That is how the Constitution and the Bill of Rights came into being. Moral adeals and principles have built Civilization progressively. We may lose today but, morality and justice will always win out. Sanity will re-enter the minds of America, Then, they will realize their mistakes and injustices of their hysteria.

> The following is important. You know that Jimmy Omura has lost his job. You also may know the reason. I feel greatly responsible for his position and, would like to help out. He wants to clear his name aganst the various charges brought aganst him by the Sentinel and the Pacific Citizen. Also, he may want to try court proceedings. For these reasons, I ask you to memm (a) ... ask the family members of those in jails to write to them not to be afraid to sign the affidavit that Jimmy's lawyers or friend may ask them to sigm, This affidavit will say that the signees absolve J.M. Omura from any and all responsibilities and blame for going to jail. Neither is jimmy a member or high shot etc. The affidagit will be prepared by his friends or lawyers.to that effect.

(b)... As you know, Jimmy was not earning very much. His job was his means of a livlihood. I do not think he has much money and Denver is an expensive place to live in without a job. Because of this, I am wondering if you will not help him out by paying his innitial expense of any court trial he may enter. I think he wants to sue the JACL etc. The amount will not be so much...about two or three hundred.

I wrote him that you probably will be glad to do so provided he got his lawyers to agree on a contingent basis. It is the filing fees that Jimmy may not have. and, the lawyers may want it first instead of digging out of their own pockets. Jimmy would not have for his job he actual like to bentined and to JACA,

As above said...his career is busted and, I am afraid he is not trained for other jobs. On the other hand, I think we need outside contact to help us. Our job will grow and, we must have someone we could place confidence and trust. By his actions so far, I hope you know how far you could rely upon him. Do you think it advisable to ask him to represent us in other contacts?

Please consider the foregoing and advise me.

As to M....ask him to appeal if necessary. Also, ask him if it is possible to sue for an INJUNCTION aganst Stimson etc until after the clarification or settlement of the Boys case. This could be for the members only but, leave this open to all who choose.

I understand other groups are interested. If convicient, refer them to me. The reason... I think it advisable to have too many conflicting ppinions. They should centralize and incorporate with your group. Sometimes, mistakes are made from a difference of interpretation of little thoughts, ideals or principles.

Also, in important matters, have M consult me for final decision.

Sam and I have been busy with the FBI the past few days. I was not able to give full information since I am not well acquainted but, Sam told him what he wanted to know. Looks as if Robertson is trying to pin subversive activities and sedition aganst us.

I am in touch with the San Francisco branch of the ACLU. Be good idea for you to have his address....Mr. Ernest Besig:Director Northern Calif. A.C.I.U.: 216 Pine Street: San Francisco, Calif. They are meeting on the IIth to consider the merits of my case. Will let you know of the outcome. In any event, do not worry over us yet. Want to see you folks settled first.

PS. I new are bad, do not be Swiph (Keaus Mo afraid the telf me. This is more important oshi Okamoto them to good new & me i am & his afraid the

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net to I Dear Okenoto,

The state of

Am taking this opportunity of sending you this letter thru a . It friend of kine who is going to Tule Lake. Have received all of yours and Sams letters so far. Don't believe all that the FBI sa ys. They questioned me and Min and Ben and Paul last month and they try to bluff us by saying things that aren't so and acting like they know all about it. Such as, they tried to , a tell me that they knew that I Vice President of the PRC etc. So don't let them hook you and San by such methods. They are all (FBI) trying to find out like hell who wrote those bulletins and who printed them etc. We all told then that we don't know. We said that it was the whole members who made up what goes into the bulletins so that there wasn't any one or few persons who is responsible for ther. They tried to pin those things on you too but we just said that we didn't think you had anything to do with them. There is NOTHING, THAT ANY OF US HAVE SAID THAT IN THE AMY WAY THAT INCRIMINATES YOU REGARDLESS OF WHAT THE FBI TRIES To TELL YOU be so keep that in mind if you have any future questionings. The only thing is what Paul said to there. To don't know what he said but he sure was seared out after his hearing and A line has been trying to do is to get out of the store and relocate, but he is still on the stop list so he is The rejust shit out of luck we Nowadays, he tells anyone who copes to against him for any information about what is going on about the lawyer -vacand other things related to the FPC onhe tells everybody that is . he has nothing to do with the EPC anyrore The don't care about and that part just so slong as he don't try to sequeal to get leave clearance. But, just in case he may get such das, we had a talk with him and told him in effect that at we were all in this togather so lifthe was going to the jany funny stunts. He was in it a little despen than the rest of us so bear that in his mind. for the bysatic anity anything discount that the band and of he is as you may know by now, elever more guys got taken in by . the marshal and included in that bunch was Min and Ben . There

you may it is of . Ligit edit ni work and sactification of it is of . The sacration of the

Menin's been asking for more money, fighats about all he systic talks about Me've already paid him \$500 retainer fee, plus e 7 4600 advance on his fees for defending them and \$250 for expense so money. That was for the first twelve boy see But we made him misumo come down to Heart kountain to darnage for the defense of all shir mithe 63 boys. His original to grangement was to defend the first best twelve boys at a \$100 apiece which was too much a ayways, he to defend the mother \$1000 dollars to defend the whole bunch That size a will make the total fees not including the retainer fee, \$1600 to defend the whole bunch of Also, he has to get an attorney from Cheyenne to animal work with him which will cost another minimum fee of \$250 and \$50 dollars a day after the first five days of the trial. The trial will be on June 12 and it will . beca direct trial and not a jury trial. The whole bunch will so be tried togather. A joint triel . Hennin says that if he feels an appeal is justified, he will make an appeal. We told him is that we want to appeal regardless, but he sounds like if there is no grounds for appeal, sthat it won't be possible to Everybody is sure disgusted with Menin but what the hell can we do. He's got us by the nuts and he knows it. Therefore, we cannot chane him now so we are negotiating with him to make the best deal possible for us and go ahead with the trial. What do you

suggest as to the appeal. We are keeping the ACLU informed of all developments including our negotiations with Menin. Forster has written us twice saying that Menin was not justified in asking so darm much for the cases and that \$4000 should cover the cost of the case clear up to the Suprae Court very easily. This way, it will cost almost \$3000 to finish this first trial alone. We want Menin to file the notices of appeals after this first trial and them ask the ACLU to take over the appeal case or if they will not do that, to have then recommend one of their attorneys to handle the case and we will pay his fees. Menin has assured us that we are bucking a stone wall as far as our winning this case goes. Menin dees not like the ACLU. In fact, because he was asking too darn much, we showed him the letters from ACLU saying that he was asking too darn much. That kind of toned him down a little.

Well, I must stop how Okie. Twe got to work as

Well, I must stop now Okie. Tive got to go to work as I am an hour late already and yesterday I had gight with the goddam foreman and told him to go to hell. Mayb I'll be /1/ looking for another job. Right now there ain't a helluva lot of guys left in the steering, but we are adding to it the best in connection with our negotiations with the attorney and other we can, but only after each ember is found reliable. A lso, related natters, we have asked four or five sensible parents of the boys in fail to sit in with us and we discuss the patters with them. They are all very level headed and are not exitab excitable like s me so they are very valuable in talking things over with. Also, the ACLU, after reading copies of my leave clearance hearings and the other hearing of my gar te crash, they asked me if I wanted them to take out a writuofhabeas corpus a if so, to send them some information about my wast and about what I was doing and my background. I sent it to ther, but also explained that as much as I would like to have them take out a writ for a spresent we must direct all our efforts for the boys who are walting trial iso I would prefer if they would do it a t some later date or in cased should be shipped to Tule Lake against my will ad Do you think that it was ekay. As you know it is of theutrost importance to help the boys who are in maxage fail nowpi ero rel caixas need chained consecutive in the consecutive also enclosed a popular a letter George Ishikawa

sent me from his jail at Casper. 39 It was so good of a letter as it expressed the feelings of the boys in jail that I hade copies of it and sent it to the Denver Post, The Rocky Mountain News, The Rocky Shimps and to the Pacific Citizen. All in the letters to the editor column . So far none has published it and I doubt that they will because It will bring out the truth of the situation to the public. But in case someone of them should publish 15, I will let you know locur along all brales of

I must go now, so as soon as you get this letter, please let me know. Also, as to what you thing about the whole thing! So far I am still sa fe although T have been warned by the guys in jail that the FBI are asking a let of questions about me. They can aske till hell freezes over for all I give a dann as

I know I am in the right. I want to Sam and tell him that I am goddam-busy that I cannot write to him as aften as I would lik

Kiyoshi Okamoto 5604-D Tulle Lake, Calif.

May 29th, I944

Mr. Henry Higashi 30-24-E Heart Mountain, Myo.

Dear Mr. Higashi,

I have not been to the address you kindly sent me...yet.

The reason...my mind is not settled. Most of the time miss it is wandering back and forth between Heart Mountain, Cody, Cheyenne, Caspar and Tulle Lake. So, though my body is here, often times I do not realize that I am here in Tulle. Besides, have been occupied with building up contact for future reference...to be ready for what may come. I thank you for your thoughtfulness however. Will try to visit them soon.

I have noticed in the Sentinel of ten secret indictments. Well, it is OK I think.

I think I will need some money soon. Will you ask the boys if they can spare a hundred dollars? I will not keep any record. They will have to trust me.

Isamu Horino and I have been visited by the FBI three times. It is not so bad. Some one is trying to cook up a stew. Looks like Robertson is trying to save his face and his job.

The both of us are well in body. Also in the mind too. So, nothing to worry. Horino is wondering when he will go back to Heart Mountain. In have told him might as well to make un his mind to stay for the duration. Only luck will take us back. We feel lonely sometimes though. Tell Kubota san to keep healthy.

This is not a bad place. I sleep well and eat better. Again...thank you

Sincerely

S. Claudo Fiyoshi Ckamo

Dobu Nochi 5604-D. Newel, Calif.





Strant to me

Mr. Chusaburo Shiono 22-8-13. Neart Mountain Wyoming. Dear Fair Play Jommittee

I read the transcriptions with interest. Also, the notations. I believe things are not so bad even if we should be called. Sam is the only one that has admitted. Perhaps Paul too. But Sams part is not dangerous since he has shouldered the responsibilities in all what he has said. As far as I am con cerned, I do not know or remember. The accusations made by the Hobu, Pobertson's messenger boy and Yonemura to the FBI are all bunk so I can easily tear them apart. Yes, I know you folks do not remember or know anything. It is OK. Give my regards to all.

cerned towards Menin... I am afraid they are influenced by external appearances. They have not gone into the fundamentals to analyze his arguments. You know theatricalism in criminal cases will influence juries and judges at times. But, in such cases as yours, reason and logic is mandatory. Especially so because you are taking a Constitutional stand. Bickering and small tactics in your trial is ant to alienate the Judge...no matter how hard he fights. Mennin may be sincere and fighting hard but...you want to consider the other factors. These are his financial attitude: his personality in the Court room: his reasoning and logic: the breadth and scope of the issues he envisions etc.

As I mentioned before, he is a Jew. As such he would be useful in conjunction with Representative from New York... Marantonio in presenting the case before a Jewish Judge. But, I think the present Presidential election is going to take a different turn. If so, Jews will be be anothered to the Public. and you do not want to prejudice the Public against you.

Reading the transcripts... I do not see any point or issue raised by M unless it be the classification. It is a good point but it does not seem to me as of Constitutional magnitude. It will serve for an appeal but, I think you will have a better chance by asking for a DECLARATIVE VERDICT. I explained to you in a previous letter. I hope you got it. I will repeat here anyway... "Ask the Court if the issue involved did not FIRST CONSTITUTE A CONSTITUTIONAL ISSUE."

(I would not intimate this to Mennin for the idea belongs to another set of lawyers. It would not be ethical. Besides, it would place me in bad.)

Thes roint seem to me as a real issue. You must give credit to the brains that thought of it. That is the kind of brains you folks should hire...big brains and deep.

as to the Civil Liberties...I believe they will not be interested as long as M handles it. his boint is not big enough and, as you should know, they do not tackle anything unless they be of Constitutional magnitude.

However, if you take the attitude of a Constitutional issue then, they will cooperate at least if not handle it themselves.

I am quite sure they are observing the trend. Another thing...they may not participate right now but I am sure they will be interested by the time it reach the Supreme Court. My past observations of their methods inclines me so.

Yes, ask the parents and wives to forget Mennins good looks, his wild utterances, and Court room theatricals and, consider whether he brought our any vital issues. If so, good and well. As already said, there are some lawyers that depend on confusing the issues or rather...detracting attention from the issues to external mannerisms. This inclines the Public into a belief he is a fighting lawyer.

But no matter how fighting a lawyer is...it is useless unless there is some brains behind it. Juries are influenced by this tactics. But all judges cannot be fooled. Especiall as you go to the higher Courts. That is why the judges in the higher courts are there...because they are not influenced by loud arguments and small bickering but are cool and delve into the reasons and the logics of the presentations.

Yes, I agree that the immediate relatives should be responsible for the finances. The Public will get tired unless those concerned immediately make a last ditch fight. As it is... the members paid only two dollars to save their necks...worth the price of a chicken's neck only. I am sure they will be glad to help if they see you have come to the last resources or extremeties. It is good strategy.

By the foregoing, I do not wish to influence either way. It is their interests that is concerned. I am submiting it because at this distance i seem to think I can see much more clearly than those nearer at home. ... nerspective. You have to adjust the lens into focus.

Good luck.

OKAMOTO

9-21-B Heart Mountain

July 9, 1944

Dear Friend, (OKAMOTO)

I received your letter okay. Regarding the appeal of the sixty three boys, Menin is handling it for us. At present he is trying to see if he can get the Circuit Court judges to okay consoldating the sixtry three boys into one appeal case. That way, the appeal filing fee will cost fifty dollars for the whole bunch. If the Circuit Court will not permit the whole bunch to be consolidated into one case, but would want each person's case filed separately, then it would cost fifty dollars apiece for each of the sixty three boys or a total of \$3150 for the bunch just ofr the filing fees alone besides the fees to the attorneys and the expenses. The fees that Menin wants for himself and for his associate is 3500 dollars includind expenses and everything except the filing fee. The parents are willing to dish out the extra fifty apiece, but some of us feel that it is foolish to appeal the whole bunch. The boys who are in jail themselves say that it is okay by them just to appeal two or three cases and let the others ride. Whatever the decision of the appeals court, that decision will NOT apply to the rest of them, but would apply to any cases arising since the time of the decision. The boys all understand that part also. Still, they feel that they will be elgible for parole in about a year therefore they would just as soon stay in the jug for a year or more because if they should be given a lighter sentence by the Appeals Court, then they would be subject to the draft again after they serve their time. On the other hand if they are sentenced for the three years and are paroled in one year, then they will not be subject to the draft for another two years. What is your opinion on this matter? The boys were separated into two groups. Thirty went to the Leavenworth penitnetiary and thirty three went to McNeil Island penitentiary. How do you like that? Even in punishment they are discriminated by being sent to places where the ordinary white draft evaders do not go. Helluva justice ain't it. I thought they were fighting this war for democracy, justide and human rights. B Bullshit.

Menin told us that a Life magazine reporter came to see him regarding the trial held at Cheyenne of the sixty three boys from Heart Mt.. He said that Life was going to carry a story on it in one of their coming issues. Be sure to get ahold of it when it does. Maybe we'll get more publicity out of the trial then we had hoped for.

By the way, did you receive the copies of the Wyoming Eagle newspapers which I sent you via a third person?

I have also enclosed copies of a letter received from the ACLU of New York and an item regarding the Fujii sedition case of Poston. I also received a letter from the ACLU, by Mr. Baldwin (Mr. Clifford Forster is on his vacation) which copy I have also enclosed. They seem quite interested in the sedition case. Much more so than the draft evading cases. What do you think of the FBI? Do you think they will be foolish enough to press sedition charges against us. Actually there is nothing which points to sedition in anything we have done or said anyway.

5 B. T.

Mrs Sylvia T. wrote to me reggrding another attorney, a Mr. Taul Watanbe of Denver whom she recommends very highly. Do you know him? Also what do you think of the next groups who will be pulled in for failing to report for their physicals. There is another fifteen or more guys who bucked it and are waiting to be put on the "honor roll". Is is advisable to retain an attorner for them. Of course it depends on them whether they want one or not, but seeing that theirs is the same case as the sixty three, it seems that it wouldn't make a hell of a lot of difference whether they had a private attorney to defend them or not. Especially since the former boys got three years anyway. Did you know that the boys who bucked at the Amache center (Denver) said that they wanted to expatriate and to hell with this country etc. at their thrial, yet the judge only gave those guys from 10 monthes to 18 monthes. What a difference from the sentence the Heart Mt. boys got. Menin defended the Amache boys also. Sure seems screwy. I guess Judge Kennedy of Cheyenne is one of those Jap-haters.

8 Well, until next time so long. Give my regards to Sam and tell him to take it easy.

Frank

Mr. Frank Emi

Mr. Clifford Forster of the New Yokk A.C.L.U. has asked me if you are denied leave clearance. Will you write the answer to him. This question is the result of your transcript which I sent him.

They are interested in finding a tmmm subject qualifie to test WRA methods of interpreting loyalty etc.

Have heard from both the New York and San Francisco ACLU. They are not certain about Horino and I as qualified to stand a test trial. They are investigating.

How did the Cheyenne case develope? Understand something about grand jury. What is it about? How far has things developed? What is M's present attitude. Anything developing?

The test case they have in mind will bear significance to the extent of placing a curb on WRA carelessness in indicting free opinion and activities.

Am very much interested to know of any disatisfaction, complaints etc about the progress of what you have been doingthe FPC. to date. That would give me an indication of where to put the fingers if I am to be of any help. Nothing can be done if all are satisfied....leave sleeping dogs alone.

How much of the papers did Paul destroy ? I hope not my notes and letters.

Sending you a few pages of random passages I have picked up. They may be of help to indicate direction.

Have been asked by the New York Office to join the Organization as a member. San Francisco will also do the same I guess. Do you think the organization can stand it? Personally, I think it would be wise to maintain contact that way.

Understand F.B. L. or some one in proceeding them or did this search I foo did the search warrant article did it species when placed what was wanted and when placed wanted article did it

Florage read and study carefully the OPEN FORUM OF April 29th, 1944.

(1) under onid conscientious objectors etc. apress the following.

The united states Stelective Service Act of 1940 'Sec. 50) resugnized the right of elternative corvice of " Tedical imporatance under divition direction for non-continually expected to war service.

In this connection...do not forget to remind the next lawyer that the set was already in force before the evacuation. Therefore Congress would not have viscolized the Tvaduation and the suspension of Citizenshi rights and status. For this rescon, it is important that Congress clarify this ormission...does it apply to Citizens whose rights and status have been suspended? This is a different thought from the above so...do not let it switch your thoughts.

(2) Valer Couchois sedition care

The lower Court abridged the defendent's right to Counsel by forcing trial within a few hours of the appointment of a lawyer etc.

The protection granted by the Sixth Ammendment.etc.

The Court acknowleded the Appelant rersonally had written to him and the District attorney to aid appelant inoctairing witnesses etc.

- (3) Under Conscientious objectors and page.

 We will then be subject to prosecution by the Givil authorities a and may after arrest test by habous corpur etc.
- there same as shows.

 Lich persons, if unwilling to accept dervice in the army or two will be percised to work in unbits service camps, or picture, bestitche and other institutions.

The filly can who wont got off prison are those who simply refuse to do anything.

Extracts from booklet

Conscience and the War published by the ACLU

pertaining Civilian Public service... a civilian agency in the hands
of religious organization to care for conscientious objectors. Possibly,
the 51 Boys will be given a shoice to bjoin this group.

All work of national importance under civilian direction provided of for conscientious objectors up to July 1943 has been organized through the civilian public service camps directed by the top officials of Selective Service under arrangement with the National Service Board.

On May 15th, 1943 there were 38 work camps with a poculation of 4.612 men...all objectors on conscientious scruples.

Pays what he can if unable to pay the stipulated amount. Those unable to pay anything are supported by the religious agency belove namened) sponsoring these famps. No compensation is poid higher than \$2.50 per month for work performed.

To show the stringency under which these man suffer. . . Lieut-Col.

Franklin McLean said...

From the time an assignee reports to camp until he is finally released, he is under control of the director of Selective Service.

He ceasest to be a free agent and is accountable for all his time

..in camp and cut...24 hours a day. his movements, conduct and actions are subject to control and regulation...(just like in a penitentiary.)

He ceases to have certain rights and, is granted privilledes instead.

These privilleges can be restricted or withdrawn without his approval or consent as punishment during emergencies or, as a matter of policy.

(such seem to hold true in WPA carps also.) he can be told when to work what to wear and where to a skeep. He can be required to submit to medical examination and treatment and to practice rules of sanitation and health. He may be moved from place to place and from job to job, even to foreign countries for the convicnience of the government regardless of his feelings or desires.... (just like slavery or chattle, cows and pigs.) The government cannot sell him is the only difference.)

These conscientious objectors may sent out to work on detached service"... such as to farms and hospitals. They are not cermitted to retain the wages earned. They receive only a small each allowance... up to \$15 per month. They receive maintenance and do not

pay \$ 50-35

per menth for sustenance...for the privillege of working for nothing.

(Detached service cover projects to which men may be assigned from CPS...Civilian Public service camps) Most projects are mental hospitals; some are farm labor; others may be pioneering experiments as guinea pigs. Danmachumomum phumbum The later are subject to doctors to experiment upon as they do rabbits and guinea pigs for any sort of deseases...undergoing untellable tortures.

Draft Boards make errors. The ACLU have challenged many. They have done this by (I) filing injunctions to restrain Boards from inordering induction. (2) what is known as a writ of certiorari to review decisions of boards. (3) habeas corpus proceedings to release men from the army on the grounds of improper induction and: (4) habeas
corpus before induction. An attempt has been made to set up errors in
classifying a man in IA as a defense against prosecutions for refusing

1

ACLU take different stand. The later won in the Circuit Court of Appeal in New York in 1943. The Court claimed..."the hearing officer of the Department of Justice had errd in interpreting his beliefs by identifying him... (the defendant Randelph Phillips... with a non-pacifist character in a play which he had written. He was released from the army. Selection S. Dultunity Take addition had no Court y except after measure.

Judge Yankwich of L.A. hold that a conscientious objector need not sacrifice his principles and enter the army before seeking a writ of habeaus corpus or other remedial measures. This was his excussion reason...If it was otherwise, we would have an instance of finality of administrative action, which might leave a person at the mercy or caprice of a lay beard, without the power to review its arbitrariness abuses of authority, or, even lack of jurisdiction. Such a situation would be inconsistent with the doctrine of limited Soverignity, which is at the basis of our Constitutional structure, and which postulates the existence in the individual of certain rights which he can assert against the soverign Power itself. And perhaps the most fundamental of reights these rights is the right of freedom of person, of which the individual cannot be deprived even in time of war, except through mee his nery which guarantees the fundamentals of the due process of law. (This also may be interpreted as applying to our condition in the camps ...deprivation of rights, freedom and privilleges without due process.)

Next to Jehovah's Witnesses who have been pulled into jails for refusal to go to the induction is a group composed of Negro Moslems ... Mohamedan converts. They claim their religion forbid participation in international wars. Most of them have refused to register even and are thereby, prosecuted for non-registration. There are about I50 of them

Next comes another group of conscientious objectors. Their member ship is growing fast. There about two hundred of them. They do not claim on religious grounds or, do not claim opposition to war to slove Words problems or are not opposed to war in any form. Some are in prison due to errors of the draft board

Others are those that have been prosecuted for refusing to work in CPS camps or, for welking out of these camps because of objections to "made to work", military control, religious auspices, lack of pay or requirement for self support...such as to pay 30-35 dollars to work for the government for nothing.

A smaller number are in prison for refusal to register.

Some objectors are serving second sentences for refusal to comply with the law. Although other ex-convicts are classified ## 4F and are not liable for service, violators of the draft act are required to comply with the provisions of the law on pain of imprisonment. This is what the above group did. They prefered to go back to jails rather than go into the army or conform to the Selective Service law. These constitutms repeated imprisonment for the same offense. This is unconstitutional.

Those serving second terms have been sent to Fede ral prisons and serve with the other prisoners without distinction. (This should not be so because they are not felons.) Their sentences run from one year to the maximum of five years provided in the Act. Some judges release them one probation on the ground of essential occupation.farming could be one of them.

Many in prison refuse to work or cooperate with the prison officials. The administration have not when make when been stumped. They solved this problem of non-cooperation in the other War by giving them rations and, letting them look after themselves in idleness. (This is what the People in the Camps should have done in the beginning... let the WRA carry on it's obligations and responsibilities as a Social Agency.)

Conscientibus objectors are subject to paroles after serving one third time of their sentences.

Special pareles are also arranged for violators of the Selective S.Act It is intended to force the prisoner to change his mind and, agree to enter the army. They are generally for this purpose, quaranteed in isolation or other means for thirty days or so. By accepting this parole, it has gives an opening to the army to induct them right away without any other excuse.

A small number of objectors have entered the army from ignorance of the methods and proceedures. Also because of confusion as to the point to resist...refusal. Some have remorked gone to the physical and reported at induction Centers...thinking this was the place to resist or object. They were grabbed.

The following are provisions made by the Army...application may be made ongrounds of erroneous induction or, for reclassification Application is made to the commanding officer who refers it to the adjutant general who refers it to selective service headquarters. The later may then refer it to the local board. Only a few have succeeded in being discharged by this means.

A Negro refused to report for induction. Instead, he presented himself to the district attorney for prosecution. (Internees have no access to district attorneys. But, they have the Project Director or his project attorney.) This Negro did it in such wise... He addressed a communication to the district attorney in which he said....

"Instead of reporting linto the US army today (Aughust 29, 1942 as I have been instructed, I am reporting to your office.

I do so because I am refusing to serve in the army. I am not a Pacifist, nor a conscientious objector on any religious grounds. I am simply a colored American who insist on his constitutional rights to serve his country as a citizen unsegregated and unhumiliated by jim crow army. I cannot fight to save democracy and uphold the four freedoms in any army practicing the most undemocratic racial discrimination on the colored citizens oft this country.

I should love to fight the enemies of the four free oms, the Fascist-Nazi-Hirohito-Axis and their dupes throughout the Forld and

3 at home. But I can fight them best by doing what I can to protest the policies of race discrimination which beset me as a Citizen. I cannot fight Facism in an army where I am treated as an inferior Citizen. I cannot defend a Democracy which denied me the elementary right of fighting for it on the basis of equality with my fellow citizens. Amor memon We have the duty of making our own democracy in war time square with it's principle. I feel that to be my superior duty to the cause of democratic liberty ande equality.

I have arrived at my rosition not lightly. I am not a man whose temper leads him to public notice. I would refrain from resisting if I could. Yet, I cannot live with myself and yield one ground of principle on which I stand, and for which I am prepared to take whatever consequences come.

When a domestic law conflicts withran earlier treaty, the statute must be honored by the Courts. (This exposition hold true in our case. Justice, equity, civilized usage and Constitutional ideals grant that the problems of the evacuation, pauperization etc.s should be settled justly and equitably to matual satisfaction before proposing a new agreement. This new agreement is the induction. The excuse is to test leyalty. This is not the issue with us. We are fighting to test the consitutionality ofm the whole thing.)

Why may not the FPC file writ of injunction aganst the Selective Service Board aganst induction of Interned Nissei until after a clari-

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fication of their rights and statutes. Les & form with a makely new to class of the restation of the restation of the restation.

We are charged with disloyalty...trouble maker etc. westion..

what constitute disloyalty etc. ? Answer worth the must be remembered. we would like the prosecution to define the word. Is the asking of a rectification of cause and evils of the evacuation etc and, demand for a clarification of our rights ands status construed as disloyalty ? 28

Conscience may dictate the disavowal of certain types of war. Among these may be fratricide; war for monopolies; to fight for no proven war or demonstrable cause; war to intrench ambition; war to pull the chestnuts out of the fire for another nation; war enacted under false pretense such as to save democracy and freedom.

- Loyalty to the Constitution ins more binding than loyalty to 29 a President or to his policies. Such is the basic grounds from which sprung our Instruments of Government.
- These 53 men mm sacrificed themselves to test these basic 30
- Duty to a moral power is higher than duty to the State, This 3 I in turn is of greater importance than duty to a President who is supposed to represent the People. This duty, under our democratic form of government is acceptable provided the President

T.Uyemura
4403-E
Tulle Lake, Calif.





Very interesting

Mr. Henry Higashi 30-24-E

Heart Mountain

Wyoming.

found 2mi + Deal Fair Play Committee: -Sorte you received them. Presention: - Keep the whole bunch as quainter! with mames and addresses. Will let you know of results. The received from New gook. + L. A. Wait so, sieture will clarify. Told also that a Denne outfit is interested. Do not drop hem altogether. We may need them. Will everywhom with Nemmer a while. If you have not reid to other letters, let me hand and I write fine the reasons. Limit yourself to the fine hundred already advanced. Theo
confine his work & defend the "Boy" only. Forget me and Ram for a
while till further developments.

The may need extra fine hundred to obtain wyo. Lowyer. It is the
but jew him down is goverble. "low shored suffice. Roll the 53
Bays into one case. Tak M. & Randle it on a Contingency blasis - win or like. If he lose, nothing extron; if he win this allow \$ 25.00 bonus for each person. Frut is good money. If he is stubborn, advice me, gind him reason - I have older and ligger ideas with more cases if he prove himself satisfactory. The comes involved! _ The Boys kee on the same bringiple and the whole could be made into one. Insist on the & M. (1) was the Domy right, induction, arrest or, meddling with Civil affaire before clan frentist of Right & Status suspended Citizen. (Remembel that request is already filed with to attorner, General's office he find which & appear & Physical exemination, Priority takes precedence) This letter is in the nature of making some your received the preceding two of not received, notify immediately and Directly out details.

Sincerely

Anjohi Chamoto

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. WILLIAMS NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

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KIYOSHI OKAMOTO