

WDOAS:JMcC

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21 September 1945

MEMORANDUM FOR THE RECORDS OF THE WAR DEPARTMENT:

SUBJECT: Pending Litigation in Western Defense Command (Alexander v. DeWitt et al, USDC, S.D. Calif.; Sup. Ct. LA and Wilcox v. DeWitt, USDC S.D. Calif.; Mun. Ct. City of San Diego, Calif.

This memorandum has been prepared by me and incorporated in the records of the War Department for future reference and use in connection with litigation above referred to in the event that any question as to the authority of Lieutenant General John L. DeWitt arises in connection with such litigation.

The action taken by General DeWitt, as Commanding General of the Western Defense Command and the Fourth Army, in carrying out his responsibilities under Executive Order No. 9066 against Kenneth Alexander and Homer Glen Wilcox was taken with the full knowledge, authority and direction of the War Department and with the particular approval of the Secretary of War and myself after discussion and consideration of the matter at a meeting of the War Council at which the Secretary of War and the Assistant Secretaries, the Chief of Staff, the Commanding General of the Air Forces, the Commanding General of the Ground Forces and the Commanding General of the Army Service Forces were present.

I have read General Marshall's first endorsement dated September 20, 1945 to the memorandum for the Chief of Staff dated September 18, 1945 from General DeWitt, and I concur with the statements therein contained.

ASW 014.311 WDC - Exclu. Orders
WILCOXASW 014.311 WDC Exclu. Orders
ALEXANDER
A - War Dept. Records

(Sed) J. J. McCloy

JOHN J. McCLOY
The Assistant Secretary of War

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