

Taipei Desp. No. 15
to Embassy dated April
5, 1948

SECRET

- 2 -

self-consciously off.

It would be of assistance if this office could obtain from Tokyo intelligence sources any information available as to what Taiwanese in Japan are doing and with what Japanese they are connected, as well as any information on Japanese repatriates from Taiwan. This office has a comprehensive card file on nearly all Japanese of any importance who were here.

If the Embassy considers that the Political Advisor in Tokyo may properly be requested to furnish such data I would appreciate a request being made. An extra copy of this despatch is enclosed.

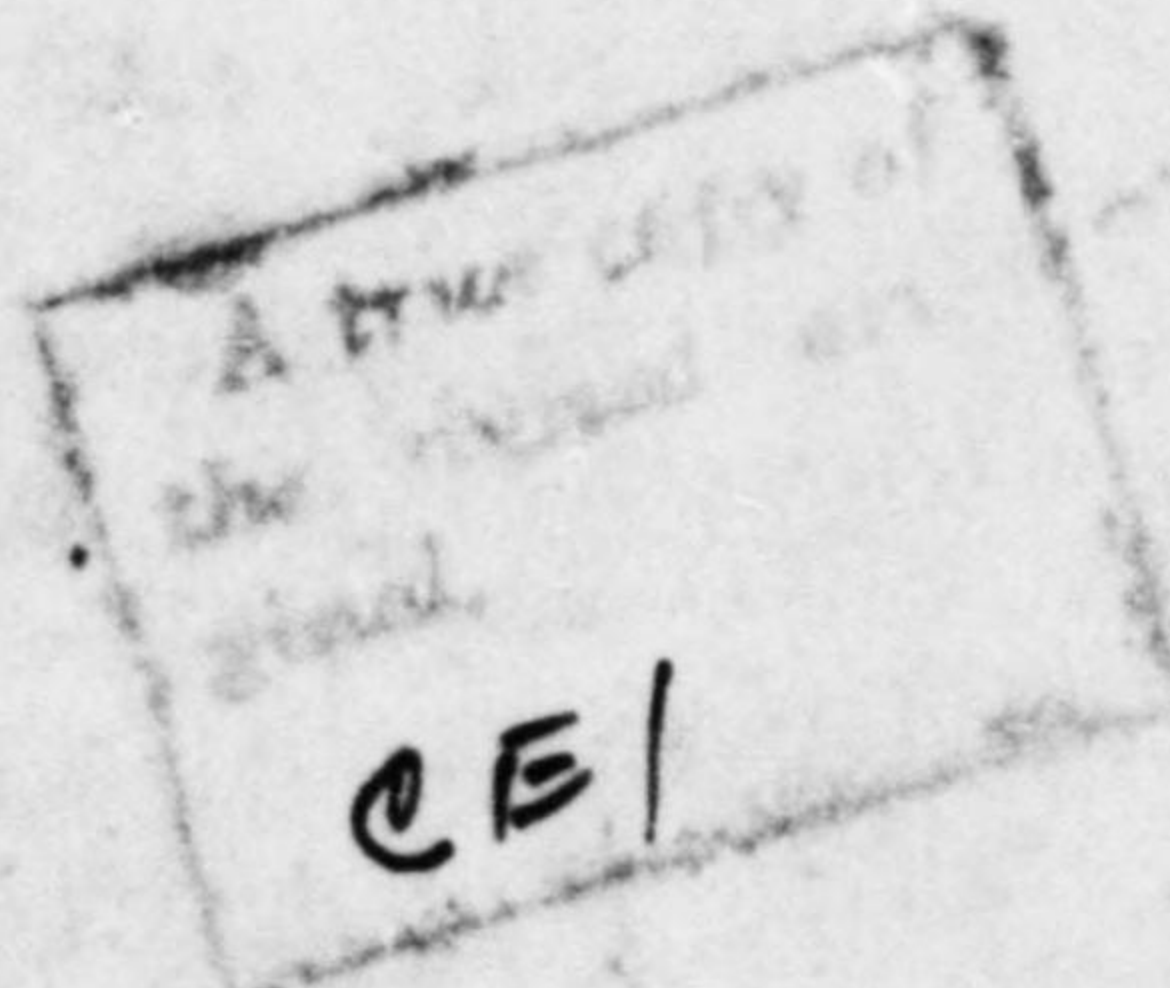
Respectfully yours,

Kenneth C. Krentz
American Consul General

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Original and two copies to Embassy
Copy (ozalid) to Department.

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MAY 19 1948

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No. 90

To the

Officer in Charge of the American Mission,
Nanking.

The Secretary of State refers to despatch No. 15 dated April 5, 1948, from the American Consulate General at Taipei to the Embassy, in regard to possible subversive activity being carried on in Taiwan by Japanese who have escaped repatriation or have been smuggled back to Taiwan from Japan and the desire of the Consulate General to obtain certain information on such Japanese from the appropriate American sources in Tokyo.

Since it appears that the Consulate General has a comprehensive card file of all Japanese of any importance who have at one time or another resided in Taiwan, the Department feels that considerable useful information might be obtained by checking against that file information supplied from Tokyo on Japanese who have returned to Taiwan. With regard to subversive activities the Department feels that the Consulate General's investigation thereof would be facilitated on the basis of information supplied from Tokyo as to the activities of Taiwanese residing in Japan and their connections there, and information revealing the activities, business connections, exchange of information, et cetera, of Japanese repatriates from Taiwan.

The Department therefore considers that the Embassy may properly request the Political Advisor in Tokyo to furnish the information desired by the Consulate General. Copies of this instruction are being sent to Tokyo and Taipei.

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A true copy of the signed original.

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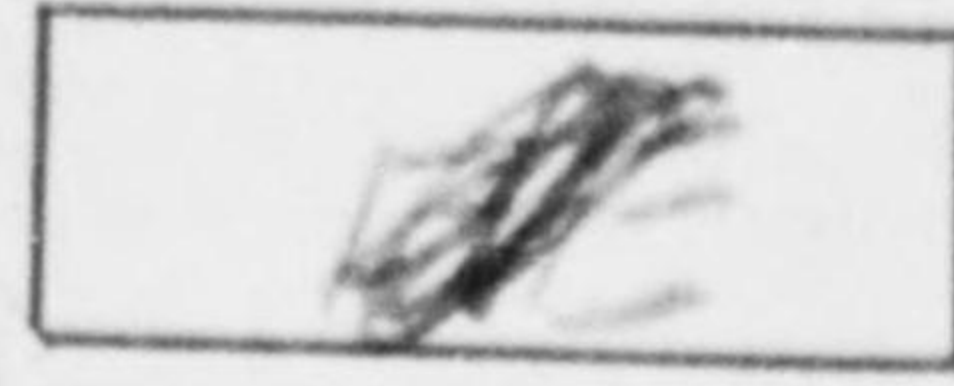
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THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

UNITED STATES POLITICAL ADVISER
FOR JAPAN

ACTION
is assigned to



No. 682

Tokyo, October 19, 1948.

UNCLASSIFIED

DIVISION OF
NORTHEAST ASIAN AFFAIRS

NOV - 2 1948

Subject: Provost Courts Authorized to Impose ~~Department of State~~ **DEPARTMENT OF STATE**.

The Acting Political Adviser has the honor to enclose five copies of a directive issued by General Headquarters, Supreme Commander for the Allied Powers, to the Japanese Government (SCAPIN 1937, October 9, 1948) notifying the latter that Provost Courts of the United States Army are now authorized to impose inter alia penalties of confinement up to ten years and fines not to exceed 5,000 United States dollars or the equivalent thereof determined at the prevailing rate of exchange or military conversion rate. (The present military conversion rate is 270 yen to one dollar.) Previously Provost courts could impose penalties of confinement up to five years and fines not to exceed 75,000 yen.

Officials of this Headquarters who are concerned with this problem state that it has proved desirable for administrative reasons that as many cases as possible be tried by Provost courts rather than by military commissions and that the large amounts of money involved in many of the cases tried before Provost courts have necessitated an increase in their power to impose fines.

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Enclosure:

Five copies SCAPIN 1937,
9 October 1948, GHQ, SCAP.

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Enclosure to Despatch No. 682 dated October
19, 1948 from USFOLAD, Tokyo.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 015 (19 Feb 46)LS-L
SCAPIN 1937

9 October 1948

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Amendment to Exercise of Criminal Jurisdiction

1. Reference is made to:

a. Memorandum for the Japanese Government, dated 19 February 1946, File AG 015 (19 Feb 46)LS-L, Subject: Establishment of Military Occupation Courts, SCAPIN 756 as amended by,

b. Memorandum for the Japanese Government, dated 19 September 1946, File AG 015 (19 Sep 46)LS-L, Subject: Amendments to Exercise of Civil and Criminal Jurisdiction, SCAPIN 1218, and

c. Memorandum for the Japanese Government, dated 27 June 1947, File AG 015 (27 Jun 47)LS-L, Subject: Amendment to Exercise of Criminal Jurisdiction, SCAPIN 1740.

2. Delete paragraph 5b of reference 1a above, as amended, and substitute therefor the following:

"Provost courts shall have power to adjudge confinement at hard labor, not in excess of ten (10) years; fines, not in excess of five thousand U. S. dollars (\$5,000), or its equivalent, determined at the prevailing rate of exchange or military conversion rate at the time of the imposition of the fine, or specified alternative confinement at hard labor in lieu of payment of fine; expulsion; padlocking of property, irrespective of value; and, in cases only of illegal use or possession of property in violation of the Japanese law, confiscation, without limit of value, of property so used or held;

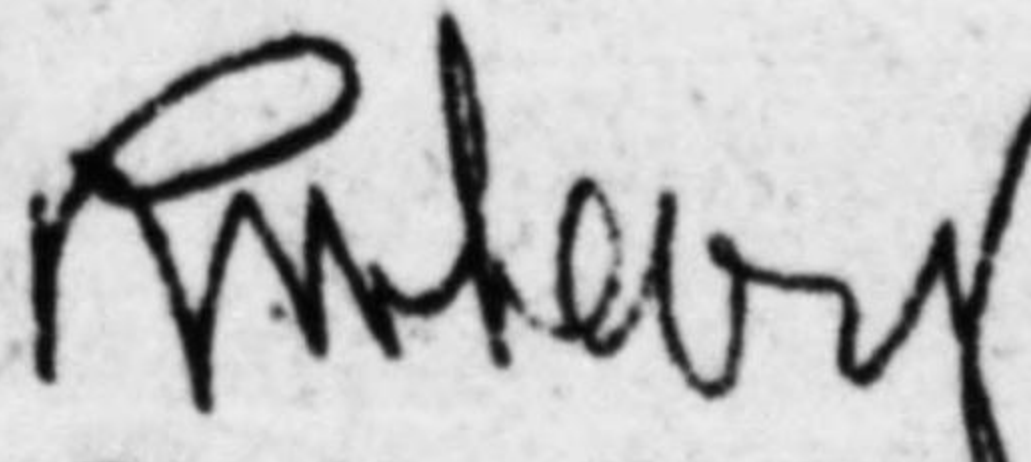
"PROVIDED, That no sentence of imprisonment at hard labor exceeding one year, or of a fine exceeding one thousand five hundred U. S. dollars (\$1,500), or its equivalent, shall be imposed by a provost court consisting of less than three (3) members:

AG 015 (19 Feb 46)LS-L
SCAPIN 1937

"PROVIDED FURTHER, That no sentence to confinement plus alternative confinement in lieu of payment of fine shall total more than ten years, and no such sentence shall total more than one year if imposed by a court consisting of less than three members."

2. Except as otherwise provided herein, the provisions of the Memorandum cited in paragraph 1a above, as amended, shall continue in full force and effect.

FOR THE SUPREME COMMANDER:


R. M. LEVY,
Colonel, AGD,
Adjutant General.