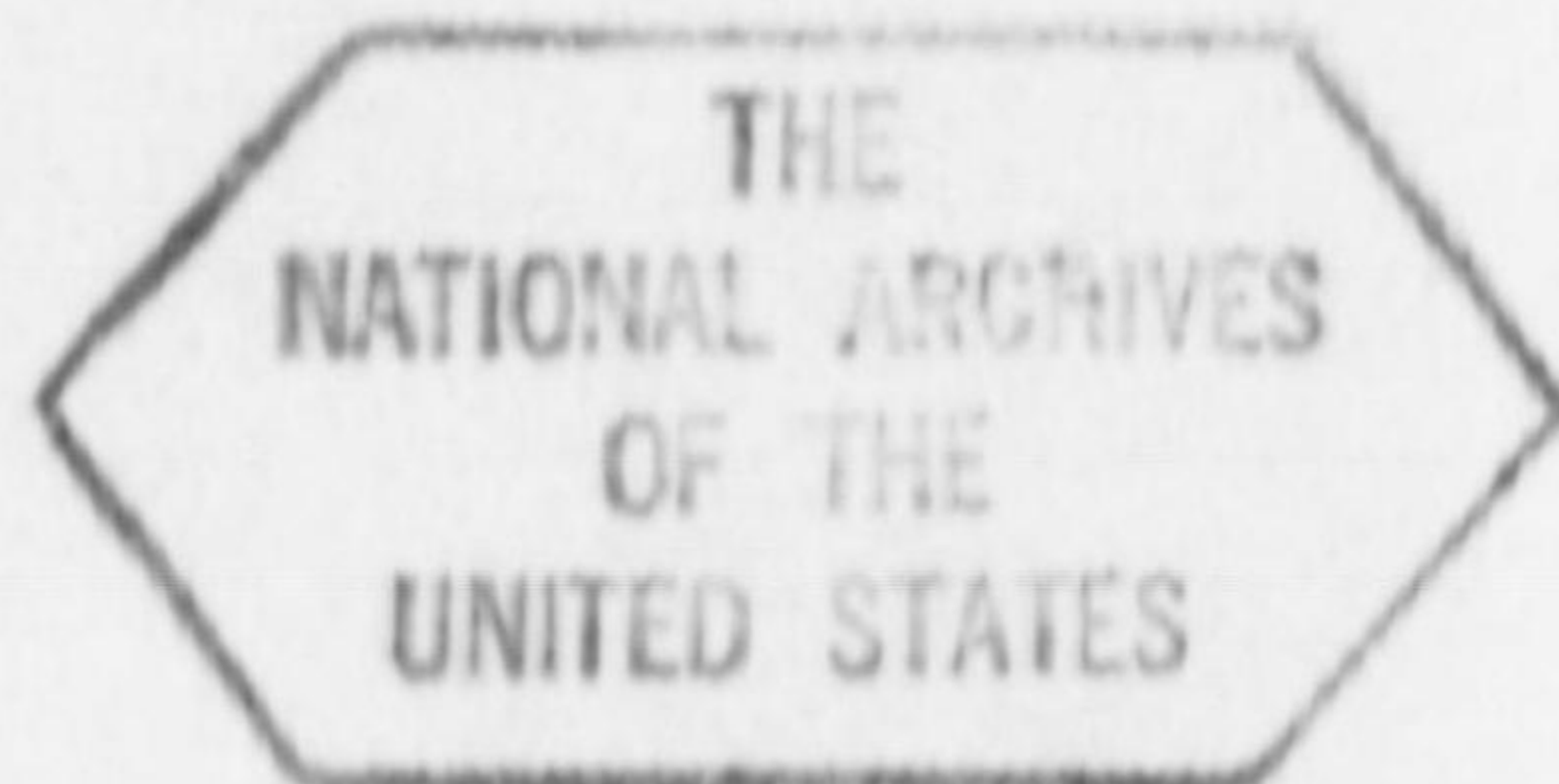


GHQ/SCAP Records(RG 331)
Description of contents



- (1) Box no. 2285
- (2) Folder title/number: (12)
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- (3) Date: Jan. 1951 - Feb. 1951

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File 36

HEADQUARTERS
TOKAI-HOKURIKU CIVIL AFFAIRS REGION
APO 710

29 January 1951

SUBJECT: Comments on Aid from GHQ and Problems of Civil Affairs
(Legal-Government Section)

Memorandum for: Lieutenant Colonel Price

I. How GHQ Can Assist Legal-Government Work of Civil Affairs

1. It is respectfully stressed that Civil Affairs Section in cooperation with Government Section and Civil Information and Education Section should have a powerful program of political education to assure intelligent and effective operation of the new form of government in Japan in order that democracy will be firmly established and infiltration of communism defeated. Exposure of modus operandi and dangers of communism is vitally needed.

2. It is considered that the Legal Section, GHQ, could render great aid in reduction of court back-logs by more frequent trips in the field in order to explain in detail "short-cuts" in American court procedure. Judges, procurators, and defense counsels need coaching as to their rights, and as to elimination of non-essential details.

3. In view of disproportionate cost and relative low efficiency of Autonomous Police to small communities, it is respectfully recommended that GHQ assure the Diet it is absolutely free to pass legislation enabling municipalities, under a certain population, to change from the Autonomous Police system to the National Rural Police or to an associated police force of several neighboring municipalities.

II. Problems of Legal-Government Section

1. The democratization of Japan was the basic occupation duty immediately after World War II. The duty is even more vital today. Even if it is conceded that Asiatics are more concerned with food and national freedom than with civil rights, it is Civil Affairs' problem to prove that democracy is by far more able to provide all three factors than communism.

Memo for Lt.Col. Price dtd 29 Jan 51, Subj: Comments on Aid
from GHQ and Problems of Civil Affairs (Legal-Government Section)

2. The Legal-Government Section's primary specific problem remains, as heretofore, in effecting de-centralization of government. The Legal-Government Section continues to stress that democracy in Japan is largely dependent upon an understanding of and putting into practice of the Local Autonomy Law, promulgated April 1947. In this connection, chief executives and assemblymen now know the letter of the law, but certain officials still are missing the spirit of the law due to lack of initiative, courage and public-mindedness. It is a Legal-Government problem to develop in the public independence of opinion and responsibility of people to participate in responsible government. In many small communities too many elections occur without balloting. A single-entry candidate only appears in order that "the unity of the community may be preserved". Thus, the Legal-Government Section encourages frank and spirited election campaigns.

3. What this Section considers a major obstacle to successful democratic government in Japan, although it is not recognized by Japanese officials themselves, is the prevalence of graft and corruption--especially embezzlement. A definite need is seen for Japanese officials and the public to follow the American practice, namely, that one of the harshest rules laid down by courts in America is regarding the liability of a public officer in safeguarding and accounting for public funds.

4. A recurrent problem is "massed negotiations" (instigated by leftist elements) forced upon public officials by Koreans, Free Laborers, and tax complainants. The Legal-Government Section directs officials attention to their rights and duties under articles 95, 106, and 130 of the Criminal Code which provisions are concerned with intimidation of members of public services and the matter of remaining on premises without proper authority.

5. As mentioned in this headquarters report dated 28 July 1950, subject "Recall Provisions of the Local Autonomy Law", the Legal-Government Section studies means to prevent a tendency to misuse the recall system. An attempt is made to instruct the Japanese citizenry that the spirit of the law is to recall only dishonest or grossly incompetent officials. The less drastic means of influencing political policies are explained.

6. Since political parties are not active below the prefectural level (and sometimes not present at that echelon), the Legal-Government Section explains the advantages of the best features of the American political party system. In time

Memo for Lt.Col. Price dtd 29 Jan 51, Subj: Comments on Aid
from GHQ and Problems of Civil Affairs (Legal-Government Section)

shrewd political manipulators will be likely to unify local, pre-
fectural and national politics in efficient political units,
but thus far no substantial efforts have been made.

7. The police problem is a study apart and at the
same time an integral factor of the democratization of Japan.
Safeguards exist in the present Constitution and new Code of
Criminal Procedure to prevent resumption of totalitarian police
powers. The public is generally aware of the new concept that
a police force main function is to serve the people and that
public safety is accomplished with minimum restriction on per-
sonal liberty. A main problem, therefore, is to revise the
Police Law in interests of efficiency and economy--see paragraph
I3. Aside from revision of the Public Law, major needs of the
police are material ones such as increased mechanization, more
vehicles and better communication facilities. More ammunition
for pistol practice is also a problem.

8. Since Japanese judges and procurators maintain a
higher standard of integrity and intelligence, in this Section's
opinion, than Japanese officials in political life, the main
problem in the judicial field is to remove certain horse-and-
buggy trial procedures, both civil and criminal. As far as it
is able, this Section describes American procedures--but, as
mentioned in paragraph I,2, the aid of field representatives
of the Legal Section of GHQ, SCAP, would be useful and welcomed
by all Japanese.

ARNOLD VAN BENSCHOTEN
Chief, Legal-Government Section

HEADQUARTERS
TOKAI-HOKURIKU CIVIL AFFAIRS REGION
APO 710

File 36

16 February 1951

4574
SUBJECT: Merger of Wago Village, Gifu, to Ogaki City.

TO: SUPREME COMMANDER FOR THE ALLIED POWERS
Attention: Chief, Civil Affairs Section (Legal-Government)
APO 500

1. Reference is made to the problem of the possible merger of Wago village to Ogaki city in Gifu, mentioned in this headquarters' January 1951 Monthly Activities Report, Annex A, paragraph 1d.

2. This headquarters has been following this question with considerable attention since it is possible that the will of the majority of the population of the village is being disregarded by the village assembly and mayor. The assemblies of both Wago and Ogaki have passed bills favoring merger of Wago into the city. The matter is now before the Gifu prefectural assembly which will probably pass a bill permitting the merger.

3. The question was concretely put before this headquarters when on 9 February 1951 two men and two women from Wago appeared at the Tokai-Hokuriku Civil Affairs Region Headquarters to protest the action of the village assembly in merging with Ogaki. They presented a lengthy document in Japanese which, they stated, contained the true signatures of 50% of the electorate of Wago. They asserted they could obtain 80% of the electorate signatures if they pursued the matter further.

4. The villagers complain specifically at the secretive manner in which the mayor and Wago assembly discussed the merger with Ogaki and the precipitate vote taken in the Wago assembly on the question. For example, they stated that on 29 December the mayor talked with the assemblymen regarding the merger with Ogaki but it was a private "study meeting" held in a restaurant. On 9 January the villagers were told at a public meeting that the merger was contemplated and several officials explained its advantages, but the citizens were not given a chance to ask questions. On the 15th of January the assembly voted unanimously to merge with Ogaki.

5. The delegation admitted that the procedure of the Wago assembly was legal, but complained of its unfairness and the disregard of public opinion exhibited.

HQ, THCAR, ltr dtd 16 Feb 1951 to SCAP, Attn: Chief, Civil Affairs Section
(Legal-Government), Subj: Merger of Wago Village, Gifu, to Ogaki City.

6. On 15 November 1950 the Wago village assembly passed a budget containing a large item to promote the merger. The previous fiscal year's budget amounted to only 2.3 million yen, while the 1950-1951 fiscal year budget was over 7 million yen--a very high budget for a community of 1,772 persons. The delegation implied that the Wago assemblymen may have voted for the merger on the basis of a personal reward from Ogaki. The protesting group asserted that the majority of the inhabitants of Wago desired to merge with the neighboring village of Miki. They stated that Ogaki is 97 million yen in the red while Miki's financial condition is very good. A school teacher named Mrs. Shimizu, who did most of the talking for the group, stated that she knew that the Miki assembly desired to merge with Wago, although the Miki assembly had not yet voted on the issue.

7. To ascertain the veracity of Mrs. Shimizu's statements, the Legal-Government officer on 12 February conferred with the mayor and the chairman of the Miki village assembly. Miki, with a population of approximately 5,000, has 16 assemblymen. The mayor and the chairman stated that probably 13 assemblymen favored merging with Wago, while the 3 others might be induced to change their minds. They stated that the two villages had long been on friendly terms and use a joint junior high school and elementary school. A part of Ogaki city has an unfit water supply, while Wago and Miki have no water problem.

8. On 14 February Mrs. Shimizu and a Mrs. Hosono again visited this headquarters. Again they protested that Wago village was being dragged into the merger with Ogaki against the will of the majority. When questioned regarding the advantages of a merger with Ogaki, they stated that Ogaki city has promised to furnish Wago with one public hall, one fire engine, and certain road improvements. Mrs. Shimizu stated that the oppositionists had discussed the issue with Mr. Endo, chairman of the Gifu prefectural assembly, who stated he would study the matter carefully before an assembly vote was taken.

9. To learn both sides of the question, the Legal-Government officer conferred on 15 February with the mayor and three assemblymen from Wago village. They contended that 75% of the population favored the merger with Ogaki, although the public had not been polled on the issue. The mayor pointed out that on 5 July 1949 Ogaki had proposed the merger and again on 23 January 1950. On both occasions Wago had refused due to its combination school system with Miki. On 6 October 1950, certain Miki assemblymen came to discuss the merger of the two villages, but the Wago government did not agree to the plan because they considered that both communities would eventually join Ogaki. As to the advantages of joining Ogaki, the Wago mayor pointed out that they could enjoy the advantages of a new high school

Hq, THCAR, ltr dtd 16 Feb 1951 to SCAP, Attn: Chief, Civil Affairs Section (Legal-Government), Subj: Merger of Wago Village, Gifu, to Ogaki City.

(to build a similar structure would cost Wago 10 million yen), no increase in taxes, and avoidance of confusion caused by merging with Miki with consequent later amalgamation with Ogaki. The mayor said that Wago gained more from the merger than Ogaki.

10. On 14 January 1951, the day before the Wago assembly voted to join Ogaki, a conference of 5 Wago assemblymen and 8 persons residing in Shimokaihatsu was held to study complaints from the Shimokaihatsu area of Wago concerning the merger with Ogaki. The Shimokaihatsu area, which comprises 1/4 to 1/3 of the total population of the village, is the core of the resistance to the merger. The representatives from this area in this 14 January conference requested as conditions prerequisite for the merger: (a) a grain warehouse for Shimokaihatsu, (b) improvement of their rice land, and (c) improvement of the irrigation system in that area. After a discussion until morning, the assemblymen agreed to build the warehouse at Shimokaihatsu, but stated that the budget would have to be checked regarding the other two items. The conference did not suit the majority of people residing in Shimokaihatsu. Unfortunately this area now has only one assemblyman to represent them. It is not known why the one Shimokaihatsu assemblyman voted for this merger, or why the meeting was not a public one instead of merely with the representatives of this district.

11. The Gifu prefectural government is very desirous that no hitch shall occur in the amalgamation with Ogaki; specifically, that the merger occur before the April elections. The prefectural government contends that only a 20 to 30% minority in Wago opposes the movement. On what they base this figure is not stated. While they admit certain serious, respectable citizens of Wago may contest the merger, they maintain it is because the advantages of the soon-to-be-realized merger are not generally realized. The ken government states if the school problem can be solved satisfaction with the merger is insured. The Gifu ken government considers that if Miki will agree with Ogaki to a combined school system for a temporary period, that in the near future all disadvantages to the merger of Wago with Ogaki will be removed. Furthermore, the prefectural government intimates that one of the leaders of the opposition, a Mr. H. Takahashi, a national government railway employee, is a Communist sympathizer.

12. This headquarters has no means of determining the will of the majority of Wago citizens. The principle involved in this issue reflects the need for local governments to take steps to enlighten the citizenry on the main projects contemplated.

Hq. THCAR, ltr dtd 16 February 1951 to SCAP, Attn: Chief, Civil Affairs
Section (Legal-Government), Subj: Merger of Wago Village, Gifu, to Ogaki
City.

13. This headquarters will advise the chairman of the Gifu prefec-
tural assembly on the necessity for patient consideration of the problem
of the proposed merger.

Carleton Coulter, Jr.
CARLETON COULTER, JR.
Colonel, Infantry
Chief

HEADQUARTERS
TOKAI-HOKURIKU CIVIL AFFAIRS REGION
APO 710

16 February 1951

SUBJECT: Merger of Wago Village, Gifu, to Ogaki City.

TO: SUPREME COMMANDER FOR THE ALLIED POWERS
Attention: Chief, Civil Affairs Section (Legal-Government)
APO 500

1. Reference is made to the problem of the possible merger of Wago village to Ogaki city in Gifu, mentioned in this headquarters' January 1951 Monthly Activities Report, Annex A, paragraph 1d.
2. This headquarters has been following this question with considerable attention since it is possible that the will of the majority of the population of the village is being disregarded by the village assembly and mayor. The assemblies of both Wago and Ogaki have passed bills favoring merger of Wago into the city. The matter is now before the Gifu prefectural assembly which will probably pass a bill permitting the merger.
3. The question was concretely put before this headquarters when on 9 February 1951 two men and two women from Wago appeared at the Tokai-Hokuriku Civil Affairs Region Headquarters to protest the action of the village assembly in merging with Ogaki. They presented a lengthy document in Japanese which, they stated, contained the true signatures of 50% of the electorate of Wago. They asserted they could obtain 80% of the electorate signatures if they pursued the matter further.
4. The villagers complain specifically at the secretive manner in which the mayor and Wago assembly discussed the merger with Ogaki and the precipitate vote taken in the Wago assembly on the question. For example, they stated that on 29 December the mayor talked with the assemblymen regarding the merger with Ogaki but it was a private "study meeting" held in a restaurant. On 9 January the villagers were told at a public meeting that the merger was contemplated and several officials explained its advantages, but the citizens were not given a chance to ask questions. On the 15th of January the assembly voted unanimously to merge with Ogaki.
5. The delegation admitted that the procedure of the Wago assembly was legal, but complained of its unfairness and the disregard of public opinion exhibited.

HQ, THCAR, ltr dtd 16 Feb 1951 to SCAP, Attn: Chief, Civil Affairs Section
(Legal-Government), Subj: Merger of Wago Village, Gifu, to Ogaki City.

6. On 15 November 1950 the Wago village assembly passed a budget containing a large item to promote the merger. The previous fiscal year's budget amounted to only 2.3 million yen, while the 1950-1951 fiscal year budget was over 7 million yen--a very high budget for a community of 1,772 persons. The delegation implied that the Wago assemblymen may have voted for the merger on the basis of a personal reward from Ogaki. The protesting group asserted that the majority of the inhabitants of Wago desired to merge with the neighboring village of Miki. They stated that Ogaki is 97 million yen in the red while Miki's financial condition is very good. A school teacher named Mrs. Shimizu, who did most of the talking for the group, stated that she knew that the Miki assembly desired to merge with Wago, although the Miki assembly had not yet voted on the issue.

7. To ascertain the veracity of Mrs. Shimizu's statements, the Legal-Government officer on 12 February conferred with the mayor and the chairman of the Miki village assembly. Miki, with a population of approximately 5,000, has 16 assemblymen. The mayor and the chairman stated that probably 13 assemblymen favored merging with Wago, while the 3 others might be induced to change their minds. They stated that the two villages had long been on friendly terms and use a joint junior high school and elementary school. A part of Ogaki city has an unfit water supply, while Wago and Miki have no water problem.

8. On 14 February Mrs. Shimizu and a Mrs. Hosono again visited this headquarters. Again they protested that Wago village was being dragged into the merger with Ogaki against the will of the majority. When questioned regarding the advantages of a merger with Ogaki, they stated that Ogaki city has promised to furnish Wago with one public hall, one fire engine, and certain road improvements. Mrs. Shimizu stated that the oppositionists had discussed the issue with Mr. Endo, chairman of the Gifu prefectural assembly, who stated he would study the matter carefully before an assembly vote was taken.

9. To learn both sides of the question, the Legal-Government officer conferred on 15 February with the mayor and three assemblymen from Wago village. They contended that 75% of the population favored the merger with Ogaki, although the public had not been polled on the issue. The mayor pointed out that on 5 July 1949 Ogaki had proposed the merger and again on 23 January 1950. On both occasions Wago had refused due to its combination school system with Miki. On 6 October 1950, certain Miki assemblymen came to discuss the merger of the two villages, but the Wago government did not agree to the plan because they considered that both communities would eventually join Ogaki. As to the advantages of joining Ogaki, the Wago mayor pointed out that they could enjoy the advantages of a new high school

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11. The Gifu prefectural government is very desirous that no hitch shall occur in the amalgamation with Ogaki; specifically, that the merger occur before the April elections. The prefectural government contends that only a 20 to 30% minority in Wago opposes the movement. On what they base this figure is not stated. While they admit certain serious, respectable citizens of Wago may contest the merger, they maintain it is because the advantages of the soon-to-be-realized merger are not generally realized. The ken government states if the school problem can be solved satisfaction with the merger is insured. The Gifu ken government considers that if Miki will agree with Ogaki to a combined school system for a temporary period, that in the near future all disadvantages to the merger of Wago with Ogaki will be removed. Furthermore, the prefectural government intimates that one of the leaders of the opposition, a Mr. H. Takahashi, a national government railway employee, is a Communist sympathizer.

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GARLETON COULTER, JR.
Colonel, Infantry
Chief

HEADQUARTERS
TOKAI-HOKURIKU CIVIL AFFAIRS REGION
APO 710

16 February 1951

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APO 500

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Hq. THCAR, ltr dtd 16 February 1951 to SCAP, Attn: Chief, Civil Affairs
Section (Legal-Government), Subj: Merger of Wago Villages, Gifu, to Ogaki
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tural assembly on the necessity for patient consideration of the problem
of the proposed merger.

CARLETON COULTER, JR.
Colonel, Infantry
Chief

File 36

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 091 (26 May 50)DS
SCAPIN 2142

13 February 1951

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Authorization for Direct Communication Between the
Japanese Government and Foreign Diplomatic Representatives
Accredited to the Supreme Commander for the Allied Powers

1. References:

a. Memorandum for Japanese Government, file AG 091.1 (4 Nov 45)GS,
SCAPIN 237, subject: Official Relations Between Japanese Government and
Representatives of Neutral Nations, 4 November 1945.

b. Memorandum for Japanese Government, file AG 091 (29 Jan 46)GS,
SCAPIN 677, subject: Governmental and Administrative Separation of Certain
Outlying Areas from Japan, 29 January 1946.

c. Memorandum for Japanese Government, file AG 091.112 (2 Dec 46)GB,
SCAPIN 1372, subject: Contact with Japanese Officials, 2 December 1946.

d. Memorandum for Japanese Government, file AG 091 (28 May 48)ESS/EX,
SCAPIN 1901, subject: Authorization for Direct Communication between Japanese
Government Board of Trade and Firms, Persons, and Foreign Missions on Commercial
Matters, 28 May 1948.

2. The Japanese Government is hereby authorized direct communication
with the diplomatic representatives of foreign governments accredited to
the Supreme Commander for the Allied Powers, subject to the provisions
listed below, the restrictions embodied in referenced memoranda being re-
laxed only to the extent of permitting such limited contact.

3. The Japanese Government may receive from and dispatch to the dip-
lomatic representatives referred to above, written communications on the
following subjects. Oral consultation is permissible only on matters on
which written communication has been made.

a. Exit and reentry matters involving foreign nationals, except
occupation force personnel, in Japan, as provided in Circular 3, General
Headquarters, Supreme Commander for the Allied Powers, 1950, and SCAPIN
2082, 20 February 1950.

b. Logistic facilities such as housing, office space, and supplies
and services for foreign missions such as are not furnished by this head-
quarters.

AG 091 (26 May 50)DS
SCAPIN 2142

c. Matters involved in protection of Japanese nationals and their interests abroad such as are handled by neutral foreign diplomatic missions on behalf of the Japanese Government.

d. Whereabouts and welfare cases; arrests and trials; financial and property matters (except war claims); rations; registration of nationality, births, marriages; deaths and estates; repatriation and deportation; and other routine individual personal status problems involving respective individual foreign nationals in Japan and individual Japanese nationals abroad.

e. Copyright, trade mark, and patent matters involving solely transmittal of correspondence and publications relating to procedural and administrative matters connected with copyright and industrial property registrations, laws and regulations, and excluding correspondence having to do with specific copyrights or copyrighted materials, trade marks, or patent matters or transactions relating thereto.

f. Routine correspondence of an administrative, including fiscal, nature regarding transportation and communication facilities already authorized between Japan and foreign countries, such as authorized for telecommunications in SCAPIN 2085, 24 February 1950.

g. Routine correspondence of an administrative, including fiscal, nature between the Japanese Government and international organizations in which Japan maintains membership or has affiliations, or with which such correspondence is necessary.

h. Details concerning establishment of Japanese representation abroad, after agreement regarding such establishment has been approved by the Supreme Commander for the Allied Powers.

i. Details regarding Japanese representation at and participation in international conferences, after attendance has been approved by the Supreme Commander for the Allied Powers.

j. Routine correspondence concerning the execution of bilateral or international treaties or agreements, after their conclusion has been approved by the Supreme Commander for the Allied Powers.

k. Requests for official publications normally exchanged between governments; arrangements for exchange of scientific, educational, and cultural publications prepared by semiofficial and educational institutions.

l. Trade matters such as authorized by SCAPIN 1901 of 28 May 1948.

AG 091 (26 May 50)DS
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4. It is understood that communications on all other subjects, including those mentioned above when they involve interpretation of or deviation from standing policies, will continue to be submitted to the Supreme Commander for the Allied Powers.

5. The present authorization for direct written communication is a specific delegation of responsibility to the Japanese Government which will, therefore, submit to Diplomatic Section, General Headquarters, Supreme Commander for the Allied Powers, copies of all communications it receives or dispatches under the provisions of this memorandum. The Japanese Government is instructed to use the English language, with such Japanese or Chinese characters as may be required to facilitate the reading of romanized names, in all communications authorized by this memorandum.

6. The accreditation of foreign diplomatic representatives in Japan remains unchanged, being solely to the Supreme Commander for the Allied Powers.

7. This direct channel of written communication does not in any way deprive the foreign diplomatic representatives of their right to continue transmitting communications authorized in paragraph 3, through this headquarters if they so desire. Both the accredited foreign diplomatic representatives and the Japanese Government may, when either deems it advisable in any particular case and without direct reply on their part, refer any communication received which may be considered controversial, or as involving policy to the Supreme Commander for the Allied Powers for the latter's consideration, clarification, or reply.

8. The foreign diplomatic representatives accredited to the Supreme Commander for the Allied Powers with which the Japanese Government may communicate directly under the provisions of this memorandum, unless this list is modified by subsequent memoranda, are:

- a. The Australian Mission in Japan
- b. The Belgian Mission in Japan
- c. The Brazilian Diplomatic Mission in Japan
- d. The Canadian Liaison Mission in Japan
- e. The Chinese Mission in Japan
- f. The Danish Diplomatic Mission in Japan
- g. The French Mission in Japan
- h. The Indian Liaison Mission in Japan

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- i. The Italian Diplomatic Mission in Japan
- j. The Korean Diplomatic Mission in Japan
- k. The Netherlands Mission in Japan
- l. The Norwegian Diplomatic Mission in Japan
- m. The Philippine Mission in Japan
- n. The Portuguese Diplomatic Agency in Japan
- o. The Spanish Diplomatic Mission in Japan
- p. The Swedish Diplomatic Mission in Japan
- q. The Swiss Diplomatic Mission in Japan
- r. The Thai Diplomatic Mission in Japan
- s. The United Kingdom Liaison Mission in Japan
- t. The Uruguayan Diplomatic Agency in Japan.

9. In the absence of contrary indications from the Japanese Government, it will be understood that the channel of all correspondence between the Japanese Government and the foreign missions on the subjects specified will be the Japanese Ministry of Foreign Affairs, except that correspondence on international trade operations may pass directly between the missions and the Ministry of International Trade and Industry.

10. The provisions of this memorandum will become effective thirty (30) days after its publication.

FOR THE SUPREME COMMANDER:

K B Bush
K. B. BUSH *+*
Brigadier General, USA
Adjutant General

Copy
Pres
Tobler file

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
APO 500

312.1 ()CAS-L
SUBJECT: Legal and Government Division Conference

PORTER/rd

WPS

TO: Chief
Tokai-Hokuriku Civil Affairs Region
APO 710
ATTN: Legal and Government Officer

The inclosed program for the conference of Legal and Government officers to be held at this headquarters on the 8-9-10 March is forwarded for your information.

FOR THE CHIEF, CIVIL AFFAIRS SECTION:

1 Incl
2 copies

J. A. O'BRIEN
CWO USA
Adm Off

LEG. & GOV'T FILE

31 Jan 51
File 36

2. Cases having hampered the democratization in Ishikawa Prefecture in 1950.

As to the above item, questionnaires ranging Paragraph A to E inclusive below were asked of the Sections concerned of this Prefectural Government, Prefectural Board of Education, Kanazawa District Public Procurators' Office, Kanazawa District Branch of Attorney General's Office, Kanazawa City Government, and Ishikawa-ken Hqs., National Rural Police, and the pertinent informations obtained therefrom are stated as follows:

A. Cases in which the proper administration of the Local Autonomy Law was hampered by the influences exercised by bossy hands.

Reference be made to Annex A and B.

B. Cases in which a certain political party, taking advantage of its legitimacy, exercised anti-democratic movements.

- (1) Four (4) cases in violation of the Imperial Ordinance No. 311 were detected and transmitted to Kanazawa District Public Procurators' Office. Each of the above four cases involved the malignant and false criticism against the Occupation policy, and the suspects in each were Communist Party members and their collaborators. (According to the report from Ishikawa-ken Hqs., N.R.P.)
- (2) Issuance of nineteen (19) Communist organizational papers was ordered suspended as anti-democratic newspapers. (According to the report from the competent Section of the Prefectural Government)
- (3) Since the red purge executed in newspaper and broadcasting corporations in July 1950, fifty-two (52) Communists and nineteen (19) collaborators (with another team of six collaborators ejected by voluntary decision of the labor union to which they had belonged) have been ousted from 16 enterprises of 11 industries in Ishikawa Prefecture. (According to the report from the competent Section of the Prefectural Government)

C. Cases in which violent organizations attempted to trespass by force the personal freedom and rights.

On 20 June, the Utatsu Group was ordered dissolved as a feudalistic and violent organization. (According to the report from the competent Section of the Prefectural Government)

D. Cases of infringement upon personal rights (white slavery transactions).

Eight (8) cases in violation of the Imperial Ordinance No. 9 were detected and transmitted to Kanazawa District Public Procurators' Office. Each of them involved the acts that (1) a restaurant operator employed a woman or women as "Geisha-girl" under the contract that the former would lend some amount of money to the latter, and in return for that the latter would practise prostitution, and (2) that the former thus made the latter do practise prostitution. (According to Ishikawa-ken Hqs., N.R.P.)

E. Others.

None.

Case of conducting false polling at Wajima-machi

- (1) At the election of Sotoura District Fisheries Adjustment Commission members carried out Aug. 15, 1950, a fraudulent voting case to use a dummy at Wajima-machi, Fugeshi-gun under jurisdiction of this office. The fact is as follows.
- (2) Summary of this case.

Kakuma Tosen and Ida Eizo, Amamachi, Wajima-machi, Fugeshi-gun, Ishikawa-ken ran for the candidates of Ishikawa-ken Sotoura District Fisheries Adjustment Commissioner to be elected on Aug. 15, 1950. Michishita Suekichi was Chairman of Amamachi Fisheries Cooperative Union, Aisaka Kakuji the Head of Western Block of Amamachi and Yamashita Yujiro the Head of Northern Block of the same. While, the above Kakuma and Ida stood as election aspirants to aim chiefly at the ballots of about 900 voters of Amamachi which were considered to decide the candidates succeed or fail to attain the end with the voting more or less.

On Aug. 12, 1950, when Kakuma, Ida, Aisaka, Yamashita, Michishita and others gathered together at Aisaka's residence, they consulted to let the absent voters going out on business to Hekurajima and other places make false polling as if they would conduct absentee polling because Kakuma and Ida would have failed in the election if the greater part of 500 voters of Amamachi outgoing to Hekurajima under jurisdiction of Wajima-machi would have canceled polling as they might do in other elections. As the result, Kakuma Toshiko, wife of Kakuma Tosen and Soryo Mito, unregistered wife of Ida Eizo besides 8 voters of the town were urged to take procedures of illegal absentee polling on behalf of 176 voters including Yamashita Eimatsu upstairs at Wajima Town Office where the absentee polling place for the election of District Fisheries Adjustment Commissioners was provided.

- (3) Motive of the violation.

Amamachi, Wajima-machi, Fugeshi-gun where this case took place is a block of Wajima-machi with 1,717 population (surveyed as of Mar. 1950), of whom 975 voters were included and a greater part of the residents are fishers going out for coastal fishing from June to October every year excepting a part of them who remain in the town in connection with the island, besides going to an 13 Ri-off isolated island Hekurajima (under jurisdiction of Wajima-machi) to collect sea-weeds and catch fishes as their occupation. The island was treated as uninhabited island (means island without inhabitants with permanent domicile) and not furnished with any polling place by the law, further not approved of absentee polling because of being under the same jurisdiction of Wajima-machi, thereby a lot of abstention by many hundreds from voting was seen due to the bad weather of the election day and the deteriorated idea relating to election.

While, in this election, Asahioka Takejiro stood as a candidate supported by Wajima-machi Fisheries Cooperative Union members, Asano Kichinosuke on the other side backed up Wajimasaki Fisheries Cooperative Union members in opposition to Kakuma and Ida, who had no other places to be deep-rooted. Then, both men were obliged to depend upon the means to get the ballots of those voters outgoing for fishing. It was considered a sorely-pressed measure taken to make them successful, forced by the fore-said Michishita, Aisaka, Yamashita and others, absolutely influential in this town, anticipating the abstention from voting by the majority, even if the convenience of ferry-boat service would be offered on the very election-day. Besides, no polling place in the island, absentee voting impossible, low-toned consciousness of voters for the election etc were the causes of this case.

(According to the report from Kanazawa District Public Procurators' Office).

Ballot forgery in Kanazu-mura

(1) In the election of the House of Councillors members 4 June 1950, the election administration committee member of Kanazu-mura, Kahoku-gun, being engrossed in avoiding abstention of people from voting, exercised the absentees' right by forging the ballots in conspiracy with the witnesses of the election. Gist of the case is referred to in the following (2).

(2) Gist of the case.

Ichitaro Yoshida living in Yokoyama, Kanazu-mura, Kahoku-gun, Ishikawa-ken was the administrator of voting of the Kanazu-mura 1st Voting Place instituted in Jogyoji Buddhist Temple located in Yokoyama, Kanazu-mura, Kahoku-gun when the election of the House of Councillors members held 4 June 1950. All of Teichi Higashinaka, Keiichi Shindo and Toshimasa Sakurai were the witnesses of the above voting place, and Risaku Koikeda, being an official of the Kanazu-mura village office, was discharging his duty by taking charge of the job to check voters names with the book. All of the men referred to hereinbefore, knowing that voting should be exercised by the voters themselves coming to the voting place, took procedures as if Kiku Yamamoto and 6 others who did not come to the voting place due to some reasons had come, and, entering a certain candidate's name into the ballots, forged ballots.

(3) Motive of the case.

This violation of law was carried out in order to prevent falling of voting percentage.

(According to the report from Kanazawa District Public Procurators' Office).

3. The most important by-laws decided by Prefectural and Municipal Assemblies during the year of 1950.

A. By Ishikawa Prefectural Assembly.

(1) Name of by-law:

Ishikawa Prefectural Taxes Regulation.

(2) Contents:

Amendment of the former regulation concerning prefectural by-law concerning the same subject.

(3) Date on which decided:

20 August 1950.

B. Komatsu Municipal Assembly.

(1) Name of by-law:

Komatsu municipal by-law regulating a fund campaign.

(2) Substance of by-law:

The object of this by-law is to make reasonable a campaign conducted for the collection of donations from the people of Komatsu-shi, and provides that the mayor be asked for permission for, or informed of, the launching of a fund campaign prior to the scheduled campaign date. In collecting donations, it requires not to persistently demand donations, not to make exaggerated or false advertisements, and not to use deceptive language, and in case of any violation of the abovementioned nature or any other unjust and inappropriate action, the mayor may prohibit or suspend the campaign. The penal clause thereof stipulates either a fine of up to ¥ 50,000 or detention.

This by-law is designed to impose restrictions on the collection of donations to insure that it may be carried out properly, when such fund collection campaigns have recently been severely criticized by the public, with no nationwide law in force to regulate the collection of donations. In this legislation is to be seen an increasingly independent power exercised in local administration.

4. A statistics of those chiefs of local governments and members of local assemblies who resigned from their posts, as classified by the reason, year in which they resigned and name of each respective local government concerned.

(1) Ishikawa Prefectural Assembly.

<u>Nomenclature</u>	<u>Number of persons</u>	<u>Date resigned</u>	<u>Reason for resignation</u>
Ishikawa Prefectural Assembly Member	3	1949	1 - dead 1 - owing to his own matters. 1 - owing to his standing as his a candidate of a member of the Diet.

(2) Reasons of resignation as city, town, village mayors and assemblymen.

(a) Reasons of resignation as city, town, and village mayors.

Reason	Year			
	1947	1948	1949	1950
Death	2	4	2	2
Illness	3	4	1	1
Opposition in assembly	2	3	2	2
Purge from public office	2			
6-3 schooling problem		1	1	1
Other financial issues		2	1	
Crime	1		1	
Prohibition to hold any additional post			1	
Personal reasons		2	3	3
Total	10	16	12	9

Classified by year

(1947)

City & County	Death	Illness	Opposition in assembly	Purge from public office	6-3 schooling problem	Financial issues	Crime	Prohibition to hold any additional post	Personal reasons
Enuma-gun	1		1						
Nomi-gun				1					
Ishikawa-gun							1		
Kahoku-gun				1					
Hakui-gun			1						
Keshima-gun	1	1							
Fugeshi-gun		2							
Total	2	3	2	2			1		

(1948)

Enuma-gun						1			
Nomi-gun		1							
Ishikawa-gun			1						
Kahoku-gun	2								
Hakui-gun		1	1			1			1
Keshima-gun	1	1	1						1
Fugeshi-gun	1	1			1				
Total	4	4	3		1	2			2

Classified by year

(1949)

City & County	Death	Illness	Opposition in assembly	Purge from public office	6-3 schooling problem	Financial issues	Crime	Prohibition to hold any additional post	Personal reasons
Enuma-gun			1						
Ishikawa-gun	2		1				1		
Kahoku-gun						1			
Hakui-gun								1	1
Kashima-gun		1							1
Fugeshi-gun					1				
Suzu-gun									1
Total	2	1	2		1	1	1	1	3

(1950)

Nomi-gun			1						
Ishikawa-gun	1				1				
Hakui-gun									2
Kashima-gun									1
Fugeshi-gun		1	1						
Suzu-gun	1								
Total	2	1	2		1				3

(b) Reasons of resignation as city, town, and village assemblymen.

Reason \ Year	1947	1948	1949	1950
Dissolved			22	16
Death	7	15	23	15
Purge from public office	2			
Resignation of the body		12		
Crime (Election, criminal case)	2		3	1
Prohibition to hold any additional post		1	37	2
Change of dwelling place		2	3	8
Illness		5	4	1
Assumption of another public	7	8	12	3
Personal reasons	3	6	17	6
Total	21	49	121	52

Classified by year

(1947)

City & County	Dis-solved	Death	Purge from Public office	Resi-gnation of the body	Crime	Prohi-bition to hold any ad-dition-al post	Change of dwell-ing place	Ill-ness	Assump-tion of ano-ther public	Per-sonal rea-sons
Enuma-gun		2							2	
Nomi-gun									1	
Ishikawa-gun			1							
Kahoku-gun										1
Kashima-gun		3	1		1				2	1
Fugeshi-gun		1			1					1
Suzu-gun									1	
Kanazawa-shi		1								
Nanao-shi									1	
Total		7	2		2				7	3

Classified by year

(1948)

City & County	Dis-solved	Death	Purge from public office	Resi-gnation of the body	Crime	Prohi-bition to hold any ad-dition-as post	Change of dwell-ing place	Ill-ness	Assump-tion of ano-ther public	Personal reasons
Enuma-gun	5	5		12						1
Nomi-gun		2					1		1	
Ishikawa-gun		1								5
Kahoku-gun		1					1		1	
Hakui-gun		3							3	
Kashima-gun		1				1		1	3	
Fugeshi-gun		2								
Suzu-gun								4		
Total		15		12		1	2	5	8	6

(1949)

Enuma-gun		2			1	6		2		2
Nomi-gun		3				2	1		1	
Ishikawa-gun		5			1		1		7	10
Kahoku-gun		2				1			1	
Hakui-gun		2				7			2	1
Kashima-gun		5				5			1	2
Fugeshi-gun	22	4				12	1			1
Suzu-gun						2		2		
Kanazawa-shi					1					
Nanao-shi						2				
Komatsu-shi										1
Total	22	23			3	37	3	4	12	17

Classified by year(1950)

City & County	Dis-solved	Death	Purge from public office	Resi-gnation of the body	Crime	Prohi-bition to hold any ad-dition-al post	Change of dwell-ing place	Ill-ness	Assump-tion of ano-ther public	Per-sonal rea-sons
Enuma-gun		4				1	1			2
Nomi-gun							2			1
Kahoku-gun	16	3				1	5		1	1
Kashima-gun		3						1	2	1
Fugeshi-gun		3			1					1
Suzu-gun		1								
Kanazawa-shi		1								
Total	16	15			1	2	8	1	3	6

5. Reasons of recall in 1950.

No demands for recall occurred in 1950, but those which occurred previously and are still pending are as follows:

(1) Demand for dissolution of Yamashiro-machi Assembly.

Votes were cast on 7 July 1948 as to whether the town assembly be dissolved. The balloting results were in favor of dissolution. But immediately after the decision to dissolve the assembly, a protest was made over the validity of the votes cast, followed by a lawsuit. The issue is still pending at the Supreme Court. Consequently, the validity of assembly dissolution has not been determined yet. The voting results follow:

Voting rate: 61 %

Valid votes cast: 2,081 in favor of dissolution and
88 against it.

Invalid votes cast: 22

(2) Demand for recall of Kurikara-mura Mayor.

A signature collection drive was launched on 18 February 1949, and upon completion of collection of the signatures of over one-third of the eligible voters on 18 March, the same year, an appeal was presented to the election administration committee of that village for appropriate action. But investigations have not yet been completed, and accordingly no voting has been carried out to settle the recall of the mayor.

(3) Demand for recall of Shio-machi Mayor.

A signature collection drive started on 30 October 1949 and upon completion of collection of over one-third signatures of the eligible voters, the election administration committee of that village was asked to make necessary investigations. But as in the case mentioned above, it has not yet finished investigations.

(4) Demand for recall of Anamizu-machi Mayor.

Votes were cast on 15 January 1950 as to whether the town mayor be recalled. The balloting results were in favor of his recall, but immediately afterwards a protest was made over the validity of the votes cast, followed by a lawsuit. The issue is still pending at Nagoya Higher Court. Although a court decision is expected to be handed down on 10 February this year, the likelihood is that the case will be brought up to the Supreme Court. So it will be difficult to expect to see the issue settled prior to the expiration of the legally decided term of office as town mayor. The voting results follow:

Voting rate: 60 %

Valid votes cast: 1,378 for and 1,190 against.

Invalid votes cast: 87

File ~~357~~
36
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HOKKOKU SHIMBUN, 22 January 1951

Non-Confidence in Mayor-Kanno of Nanao City Based Upon Suspicious Source of Expenses for the Trip to America

Concerning the non-confidence in Nanao Mayor Kanno, at the City Diet on Jan. 18th, Liberal Party members supporting Mayor all quit the place, and the session was adjourned, and on 19th, the opposition motion was carried, but regarding it was too dishonorable to discuss, many members quit and the bill was transferred to the next session, As the local election is coming, the progress of the issue is calling attention.

The non-confidence in Mayor Kanno Liberal is based upon the suspicion about expenses for his trip to America who participated last fall in the inspection tour on U.S. local administration of Governors, City, town, and village mayors and local assembly chairmen, selected from the whole country.

The members of the party were granted 10 dollars per day per capita during their stay in America. In addition to this, Nanao City authorities proposed to pay ¥ 700,000 from City Treasury as travel subsidy, which the City Diet cut down to ¥ 200,000 with the condition that no entertainment expenses of the city be diverted to the travel expenses.

Mayor Kanno, however, further worked out ¥ 150,000 from Mayor's entertainment expenses, as well as demanding Revenue Officer Mukaida to pay ¥ 172,000 from City Entertainment Expenses, submitting a "certificate" signed by Acting Secretary-General of National Mayors' Ass'n, which read, "Receipt for ¥ 100,000 as souvenir expense and ¥ 72,000 as reference expenses, the former delivered to the manager of the travel party, the latter to the mayor himself".

As the Revenue Officer regarded this to be unreasonable, and solicited Mayor to decline, and after all, Mayor Kanno went to America without this but taking ¥ 350,000 from City Treasury.

Later, Chairman Uesaka of the City Assembly, conferring with Vice Chairman Ishikura, had the Assembly Secretariat investigate the situation, which revealed that:

1. Members of the trip to America were prohibited to carry more than 200 dollars, ¥ 720,000 per capita.
2. Mayor Kanno sent a letter to cities and prefectures concerned with the trip before going to America, which read: "Nanao City pays ¥ 700,000 as traveling expenses subsidy".

Assembly man is a Liberal

3. The certificate concerning ¥ 172,000 was not known to the secretariate of the National Mayors Ass'n despite the signature.
4. The telegram nominally from the above secretariat office, that was posted at the City Assembly Hall when the original plan for ¥ 700,000 travel subsidy was deliberated, was not actually issued from the office.

For this reason, some members of the Assembly blamed Mayor Kanno's conduct as very vicious and illegal.

As soon as Mayor Kanno came back home, Chairman Uesaka explained this situation to Mr. Kiichiro Isogai, Chairman of City Public Safety Commission, and Mr. Shunshichi Mitsuda, President of Wako Pottery Co., who were intimate with Mayor, requesting for Mayor's resignation.

Although they met Mayor several times after his coming back home, there was no indication of the proper disposal, and the non-confidence bill came to be presented.

End.

Mr. Kawasaki says this was general, assemblymen are keeping quiet hoping they will have opportunity to get money in order to go to U.S. When it is discovered they cannot go, it all may come out in open. Yokohama assembly chairman reported to have taken ¥4000 with him

Hester

File 36

LG

HOKKOKU SHIMBUN, 22 January 1951

sk

KANNO

Non-Confidence in Mayor Kamio of Nanao City Based Upon Suspicious Source of Expenses for the Trip to America

Concerning the non-confidence in Nanao Mayor Kamino, at the City Diet on Jan. 18th, Liberal Party members supporting Mayor all quit the place, and the session was adjourned, and on 19th, the opposition motion was carried, but regarding it was too dishonorable to discuss, many members quit and the bill was transferred to the next session. As the local election is coming, the progress of the issue is calling attention.

KANNO

The non-confidence in Mayor Kamino Liberal is based upon the suspicion about expenses for his trip to America who participated last fall in the inspection tour on U.S. local administration of Governors, City, town, and village mayors and local assembly chairmen, selected from the whole country.

KANNO

The members of the party were granted 10 dollars per day per capita during their stay in America. In addition to this, Nanao City authorities proposed to pay ¥ 700,000 from City Treasury as travel subsidy, which the City Diet cut down to ¥ 200,000 with the condition that no entertainment expenses of the city be diverted to the travel expenses.

Mayor Kamino, however, further worked out ¥ 150,000 from Mayor's entertainment expenses, as well as demanding Revenue Officer Mukaida to pay ¥ 172,000 from City Entertainment Expenses, submitting a "certificate" signed by Acting Secretary-General of National Mayors' Ass'n, which read, "Receipt for ¥ 100,000 as souvenir expense and ¥ 72,000 as reference expenses, the former delivered to the manager of the travel party, the latter to the mayor himself".

KANNO

As the Revenue Officer regarded this to be unreasonable, and solicited Mayor to decline, and after all, Mayor Kamino went to America without this but taking ¥ 350,000 from City Treasury.

Later, Chairman Uesaka of the City Assembly, conferring with Vice Chairman Ishikura, had the Assembly Secretariat investigate the situation, which revealed that:

1. Members of the trip to America were prohibited to carry more than 200 dollars, ¥ 720,000 per capita.
2. Mayor Kamino sent a letter to cities and prefectures concerned with the trip before going to America, which read: "Nanao City pays ¥ 700,000 as traveling expenses subsidy".

KANNO

Assemblyman is a Democrat - 1 -

3. The certificate concerning ¥ 172,000 was not known to the secretariate of the National Mayors Ass'n despite the signature.
4. The telegram nominally from the above secretariat office, that was posted at the City Assembly Hall when the original plan for ¥ 700,000 travel subsidy was deliberated, was not actually issued from the office.

For this reason, some members of the Assembly blamed Mayor ^{KANNO} ~~Kamino~~'s conduct as very vicious and illegal.

As soon as Mayor ^{KANNO} ~~Kamino~~ came back home, Chairman Uesaka explained this situation to Mr. Kiichiro Isogai, Chairman of City Public Safety Commission, and Mr. Shunshichi Mitsuda, President of Wako Pottery Co., who were intimate with Mayor, requesting for Mayor's resignation.

Although they met Mayor several times after his coming back home, there was no indication of the proper disposal, and the non-confidence bill came to be presented.