

He spoke a few words to the NCO's and he said he wanted to say goodnight so I brought him inside. He stayed 10 or 15 Minutes. Outside the compound he was drunk. I told him that he had to go in for bed check. When he was in the Orderly Room he was swaying around there and he finally did sit down on the cot. He swore and his tongue was tied and slow but it was understandable. His alcoholic breath was almost enough to knock me down.

CROSS EXAMINATION

When I found him in the park, it was before bed check and that is before 2400. I have a record of what to do on my duty. I put in a report of unusual incidents. It read no unusual incidents.

The Defense stated that the witness had made an entry in the CQ Log of no unusual incidents or actions during his tour of duty. Yet on the morning of the 11th, before the investigating officer, he made a sworn statement that reveals quite a lot of incidents that took place on the evening of the 10th of June. I wish to enter the extract of the CQ log book of the Fukuoka Military Government Team Compound as Defense Exhibit "A".

The extract was admitted as evidence by the court.

DIRECT EXAMINATION

When I made the report for CQ, I did not swear to the report the following day. I made a bed check around 1220 and I proceeded to go to bed and I don't know the exact time, but I think it was between 0200 and 0300. A guard came and woke me up and said Sgt Powers was outside and fooling around, so I got out of bed. I found Sgt Powers sitting in the guard box. The guards were jabbering in Japanese. I do not understand Japanese but I came to the conclusion that Sgt Powers was bothering them a great deal. I told him that if he didn't go to bed I would have him arrested. So he went back.

QUESTION BY THE COURT

He was inside the compound in the guard box when I saw him the second time. Only a Japanese guard was there with him.

CROSS EXAMINATION

I do not understand Japanese but I could understand from the motions he made by pulling my shirt and pants and explaining that Sgt Powers was in the guard house. When I first picked up Sgt Powers there was no indecent exposure. Sgt Powers was drunk in the park. He acted like a drunken man. His breath was about to knock me down. His clothes were disorderly and his front was unbuttoned. I had to assist him back because if I left him alone he would fall.

Sgt Larry H. Garner, Sgt 101, RA 34024813, Fukuoka Military Government Team, was called as a witness for the prosecution, sworn, and testified in substance as follows:

My name is Larry H. Garner, Sgt 101 RA 34024813, Fukuoka Military Government Team. I know the accused. On the evening of Saturday 11 June, I was on CQ. I noticed Sgt Powers in the mess hall. I left the mess hall while he was still there. The next time I noticed him was while I was checking in the club to see that it was orderly in the bar. I understood that he had been kicked out of the club. When I went to the Orderly Room, I noticed him near the front gate and when I noticed him the next time, he was in the park. To my observation, he was very much under the influence of alcohol, so I left the CQ room and went out to the park and he was doing a lot of cursing and he was chasing children around the park. I told him to go back to the compound which he did. About 1520 I found him in the compound area laying out on the ground. His clothes were soiled and looked like he urinated in the front of his pants. At that time I told him you had better go to bed. That was around 1925, when the people were leaving the movies. I did not see Sgt Powers again until about 2120 when he came into the Orderly Room. His pants were unbuttoned, and his private parts were protruding out and I told him that there would be people going out from the show. I straightened his clothes up. This was about the time that people normally leave the theater, and the public is permitted to attend the theater. The words he used in cursing the children outside the compound was "Son of a Betch" and "Bastard".

CROSS EXAMINATION

In my CQ report I just listed that Cpl Simon did not report out and that was the only report. I hesitated about including the matter in the log because everybody would look at the log book and because this was supposed to be a confidential matter for a special report.

DIRECT EXAMINATION

When the private organs were exposed, there was a capability of the public seeing him. People were leaving the show and they could have seen him because they come to get transportation in that room. The CQ Jeep dispatcher is there.

QUESTION BY THE COURT

I saw his private organs actually exposed about 2130 in the Orderly Room. At 1915 or 1920 I saw him outside using obscene language and chasing children in the park.

The Prosecution rested.

The Defense stated that the rights of the accused had been explained under Articles of War 24, and that he desired to remain

silent. The Defense asked to have the Japanese National guard Otake recalled.

The guard was reminded that he was still under oath.

DIRECT EXAMINATION

I carried Sgt Powers from the outside to the gate where I met another Sgt coming to get him. This was about 1100. I carried him all by myself because another guard had to be on duty. During the evening I was encircling the compound. During that time, as to anyone else assisting Powers into the compound, I know by hearsay.

The Prosecution and the Defense stated that there was no further testimony to offer.

Oral arguments were then made by the Prosecution and by the Defense.

The President instructed the court concerning presumption of innocence, degree of guilt, and burden of proof as required by AW 31.

Neither the prosecution nor the Defense having anything further to offer, the court was closed, and upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring in each finding of guilty, finds the accused:

Of specification 1 of the charge: Guilty

Of specification 2 of the charge: Guilty

Of the charge: Guilty

The court was opened and the Trial Judge Advocate, in the presence of the accused and his counsel, stated that there was no evidence of previous convictions.

The Trial Judge Advocate read the data as to age, pay and service as shown on the charge sheet.

The accused stated that he had no objection to offer concerning the data as to age, pay, and service.

The court was closed and upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring, sentenced the accused to confinement to hard labor for 6 months at such place as the reviewing authority may direct; and to forfeit \$60.00 per month for a like period.

The court was opened and the president announced the findings and the sentence.

The court then at 1230 on 28 June 1949, adjourned to meet at the call of the president.

Van R. Vestal
VAN R. VESTAL
Major, FA
President

Jerome P. Knight
JEROME P. KNIGHT
Major, INF
Trial Judge Advocate

I have examined the record before it was authenticated.

JOHN R. STUTTS
Captain, FA
Defense Counsel

CHARGE SHEET

LOCATION Fukuoka, Kyushu, Japan		DATE 15 June 1949
ACCUSED (Last Name—First Name—Middle Name) (List aliases when material.) Powers, Fleming A.		ARMY SERIAL NUMBER RA 6 391 900
		GRADE M/Sgt
ORGANIZATION (If the accused is not a member of the Army, state other appropriate description showing that he is subject to military law.) Kyushu Military Government Region, Headquarters & Headquarters Detachment		
PRESENT AGE 35 9/12	PAY PER MONTH (Base pay plus longevity) \$198.00	GOVERNMENT INSURANCE DEDUCTIONS PER MONTH \$7.08
ALLOTMENTS TO DEPENDENTS PER MONTH		
CLASS F None	CLASS E \$110.26	

RECORD OF SERVICE

INITIAL DATE AND TERM OF CURRENT SERVICE
Enlisted in Regular Army 11 August 1948 for six (6) years at Fort Jackson, South Carolina

PRIOR SERVICE (As to each terminated enlistment, give inclusive dates of service and organization in which serving at termination. Give similar data as to service not under an enlistment.)
**12 years - 9 months - 12 days prior service at time of discharge.
 Discharged per ETS from Company "A", 10th Infantry Regiment 5th Infantry Division,
 as Master Sergeant for last period of service 2 November 1945 to 10 August 1948.**

DATA AS TO WITNESSES

NAME OF WITNESS	ADDRESS OF WITNESS	WITNESSES FOR	
		PROSECUTION	ACCUSED
Cpl John L. Simon	Fukuoka, Kyushu, Japan	X	
Sgt 1 Cl Philip M. Orr	" " "	X	
DS/Kyushu Military Government Region Hq & Hq Det			
1st Lt Wacław A. Tomaszewski, Inf	" " "	X	
M/Sgt Elvin D. Kendrick	" " "	X	
Cpl William J. Quinn, Jr.	" " "	X	
Cpl Wilbert H. Cartwright	" " "	X	
Sgt Larry H. Garner	" " "	X	
Sgt 1 Cl Kenneth F. Rieder	" " "	X	
Fukuoka Military Government Team			

DOCUMENTARY EVIDENCE

LIST AND NOTE WHERE EACH ITEM MAY BE FOUND

None

DATA AS TO RESTRAINT

NATURE OF ANY RESTRAINT OF ACCUSED Confined in Fukuoka area stockade	DATE 14 June 1949	LOCATION Fukuoka, Kyushu, Japan
--	-----------------------------	---

CHARGES (Continued)

(ADDITIONAL SHEETS, IF NECESSARY, FOR CHARGES AND SPECIFICATIONS WILL BE ATTACHED HERE)

SIGNATURE OF ACCUSER

Ernest R. Knirsch
ERNEST R. KNIRSCH

GRADE AND ORGANIZATION

1st Lt, Fukuoka Military Government Team

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 16th day of June, 19 49, and made oath that he is a person subject to military law and that he personally signed the foregoing charges and specifications, and further that he either has personal knowledge of or has investigated the matters set forth in the specifications and that the same are true in fact, to the best of his knowledge and belief.

(Signature) *R. B. Rasner*
R. B. RASNER
Capt., Fukuoka Military Government Team
(Grade and organization)
Summary Court
(Official character, as adjutant, summary court, notary public, etc.)

If the oath is administered by a civil officer having a seal, his official seal should be affixed.

1ST INDORSEMENT:

Headquarters KYUSHU CIVIL AFFAIRS REGION KYUSHU, 6 July 1949, 19
(Place) (Date)
Referred for trial to Major Jerome P. Knight Trial Judge Advocate
(Grade, name, and organization of summary court, or trial judge advocate)
SPECIAL court martial appointed by paragraph 1
(Trial judge advocate of special or general)
Special Orders No. 51, Headquarters Kyushu Civil Affairs Region, 19 49
By Order of Colonel S. C. Hilton
(Command or order) (Grade and name of commanding officer)
Henry E. Rainbolt, Jr. Adjutant.
Henry E. Rainbolt, Jr., 1st Lt., FA

I have served a copy hereof on each of the above-named accused, this 22 day of JUNE, 19 49

SIGNATURE (Trial Judge Advocate)

Jerome P. Knight

GRADE AND ORGANIZATION

Major FCAT APO 24-5

Relative to proper instructions which may be included in the indorsement of reference for trial, see 34 g. h.

RECORD OF TRIAL BY SUMMARY COURT MARTIAL	CASE NUMBER
---	-------------

SPECIFICATIONS AND CHARGES	PLEAS	FINDINGS	SENTENCE OR ACQUITTAL AND REMARKS

TO BE FILLED IN BY THE ACCUSED IF HE IS A NONCOMMISSIONED OFFICER

1 (Check one) <input type="checkbox"/> CONSENT <input type="checkbox"/> OBJECT TO TRIAL BY SUMMARY COURT MARTIAL.	SIGNATURE OF ACCUSED
---	----------------------

TO BE FILLED IN BY SUMMARY COURT IF APPLICABLE

1. THE ACCUSED A NONCOMMISSIONED OFFICER OF THE FIRST TWO GRADES, REFUSED TO CONSENT IN WRITING TO TRIAL BY SUMMARY COURT MARTIAL. THE CHARGES ARE HEREBY RETURNED TO THE APPOINTING AUTHORITY.

TYPED NAME, GRADE, AND ORGANIZATION	SIGNATURE OF SUMMARY COURT OFFICER
-------------------------------------	------------------------------------

2. IF THE ACCUSED, A NONCOMMISSIONED OFFICER OF THE THIRD OR A LOWER GRADE, OBJECTED TO TRIAL BY SUMMARY COURT MARTIAL, WAS SUCH TRIAL THEREAFTER DIRECTED BY THE OFFICER EXERCISING SPECIAL COURT-MARTIAL JURISDICTION OVER THE COMMAND? YES NO

3. WAS THE MEANING AND EFFECT OF A PLEA OF GUILTY EXPLAINED TO THE ACCUSED? YES NO

TO BE FILLED IN BY SUMMARY COURT

NUMBER OF PRIOR CONVICTIONS CONSIDERED	PLACE	DATE (Day, month, and year)
--	-------	-----------------------------

TYPED NAME, GRADE, AND ORGANIZATION	SIGNATURE OF SUMMARY COURT OFFICER ¹
-------------------------------------	---

¹ If appropriate, check the following statement ONLY OFFICER PRESENT WITH COMMAND

HEADQUARTERS (Organization and place)	DATE (Day, month, and year)
---------------------------------------	-----------------------------

ACTION OF REVIEWING AUTHORITY

TYPED NAME, GRADE, AND ORGANIZATION	SIGNATURE OF COMMANDING OFFICER
-------------------------------------	---------------------------------

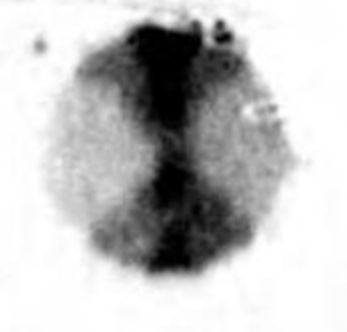
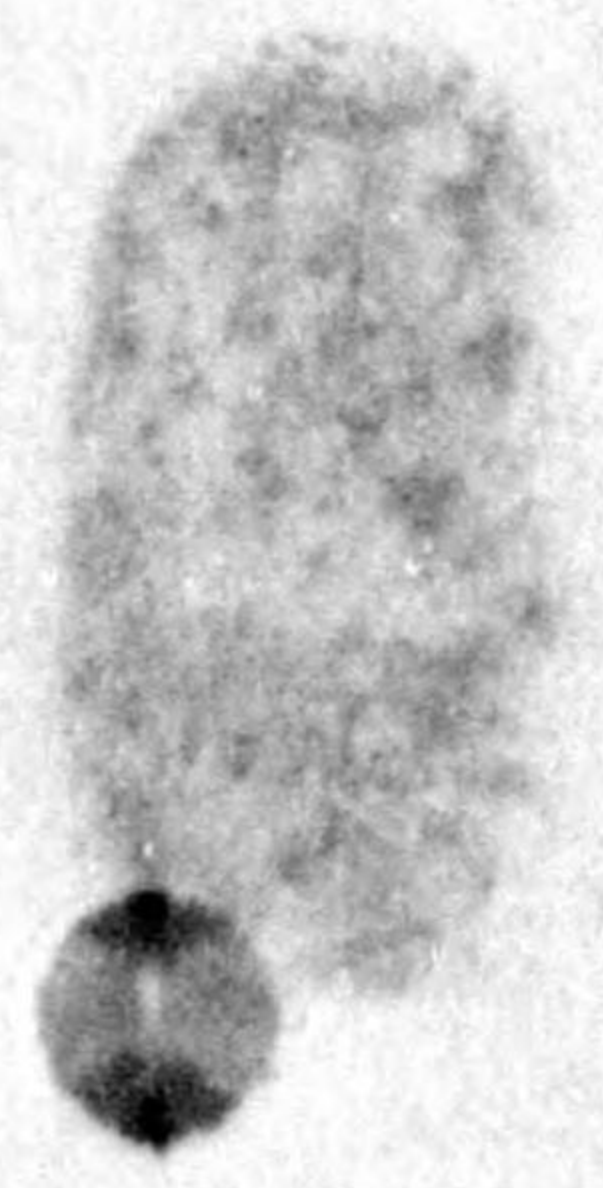
INITIALS OF PERSONNEL ADJUTANT MAKING ENTRY ON SERVICE RECORD IN CASE OF CONVICTION

直折言書

良心ニ從ヒ眞實ヲ述ベ何ヲ
ヲモ黙秘セズ又何ヲヲモ附加
セザルヲ折言フ

證人

大竹又一



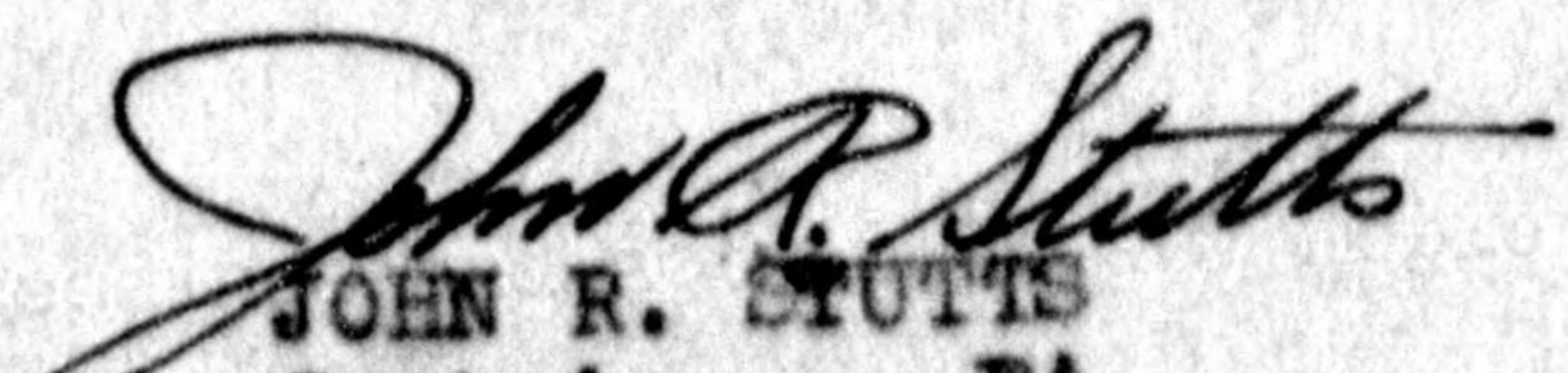
12009 SECTION 9 102/MSB

EXTRACT COPY OF CHARGE OF QUARTERS
LOG BOOK FUKUOKA CIVIL AFFAIRS TEAM
FOR PERIOD 10 - 11 JUNE 1949

1. Duty Officer - Lt Tomaszewski
Charge of Quarters - Cpl Simon
2. CQ reported for duty at 1900, 10 June 1949.
3. 2230 - Bar closed.
4. Area checked at 2200, 2450, and 0130.
5. 0100 - Bed check. All present or accounted for.
6. 0600 - First Call.
0605 - Flag raised.
7. No unusual incidents.
8. Relieved by First Sergeant at 0800.

/s/ John L. Simon
/t/ JOHN L. SIMON
Cpl, RA33587723
Kyushu MG Region

CERTIFIED TRUE COPY:


JOHN R. STUTTS
Captain, FA
0346386

Defense Exhibit "A"

FILE

KYUSHU CIVIL AFFAIRS REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan

APC 24 Unit 5
7 July 1949

250.4

SPECIAL ORDER)
NUMBER 56)

1. Before a special court martial which convened at Fukuoka, Kyushu, Japan pursuant to paragraph 1, Special Order No. 51, this headquarters, 17 June 1949, was arraigned and tried:

Master Sergeant Fleming A. Powers, RA6391900
Kyushu Civil Affairs Region, APC 24 Unit 5

Charge: Violation of the 96th Article of War

Specification I: In that M/Sgt Fleming A. Powers, Kyushu Civil Affairs Region was, at Fukuoka Civil Affairs Team Compound, Fukuoka, Kyushu, Japan on or about 11 June 1949, drunk and disorderly in uniform in a public place to wit: public street and park adjacent thereto.

Specification II: In that M/Sgt Fleming A. Powers, Kyushu Civil Affairs Region did, at Enlisted Men's Quarters, Fukuoka Civil Affairs Team Compound, Fukuoka, Kyushu, Japan, and on public street and park adjacent thereto, on or about 11 June 1949, wrongfully and willfully expose in an indecent manner to public view his private organs.

Pleas

To the Specification I : "Not Guilty"
To the Specification II: "Not Guilty"
To the Charge : "Not Guilty"

Findings

Of the Specification I : "Guilty"
Of the Specification II: "Guilty"
Of the Charge : "Guilty"

SENTENCE

To be confined at hard labor, at such place as the reviewing authority may direct for 6 months, and to forfeit \$60.00 per month for a like period.

The sentence was adjudged on 28 June 1949.

The above sentence is approved and will be duly executed, but the execution of that portion thereof adjudging "6 months confinement at hard labor" is remitted.

BY ORDER OF COLONEL HILTON:

OFFICIAL:

HENRY E. RAINBOLT, JR.
1st Lt, PA
Ass't Adjutant

Henry E. Rainbolt, Jr.
HENRY E. RAINBOLT, JR.
1st Lt, PA
Ass't Adjutant

DISTRIBUTION:

As per Appendix 25
Tech Manual 27-255, Page 271

FILE

HEADQUARTERS
FUKUOKA MILITARY GOVERNMENT TEAM
Fukuoka, Kyushu

250.4
250

APO 24 Unit 5
5 May 1949

SUBJECT: Transmittal of Record of Trial

TO : Commanding Officer, Kyushu Military Government Region,
Headquarters and Headquarters Detachment, APO 24-5

File

Transmitted herewith are records of trial by Special Court Martial
of M/Sgt Claude H. Beck, RA 18004138.

JEROME P. KNIGHT
Major, INF
Trial Judge Advocate

9 Incls

1. SO 27, KSMG 22 Apr 49
2. Ltr, Requesting Enl Members of Court
3. 1st & 2nd Ind. fr 24th Inf Div, dtd 19 Apr 49
4. Report of Delinquency
5. Ltr of Transmittal Special CM Charges
6. Charge Sheet
7. Photographs (4) of Ford Automobile
8. Report of Investigating Officer
9. Added - Record of Trial (2)

1st Ind

JPS/ncl

KYUSHU MIL GOVT REGION, HQ & HQ DET, APO 24 Unit 5, 13 May 1949

TO: Commanding General, 24th Inf Div, APO 24
Attn: Judge Advocate Section

Approved.

S. C. HILTON
Col FA
Commanding

9 Incls
n/c

**KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan**

CFL/ky

APC 24 Unit 5
23 April 1949

SUBJECT: Transmittal of Charges

TO : Major Jerome P. Knight, Fukuoka Mil Govt Team, APC 24 Unit 5

1. Transmitted herewith are Charge Sheets and Allied papers pertaining to the matter of M/Sgt Claude H. Beck, RA18004138 incident to trial by Special Court Martial.

2. Acknowledge receipt.

BY ORDER OF COLONEL HILTON:

CHARLES F. LAWSON
Captain, TC
Acting Adjutant

8 Incls

- 1. SO 27, KSMG 22 Apr 49
- 2. Ltr requesting Mem Members of Court
- 3. 1st & 2nd Ind. fr 24th Inf Div, dtd 19 Apr 49
- 4. Report of Delinquency
- 5. Ltr of Transmittal Special CM Charges
- 6. Charge Sheet
- 7. Photograph (4) of Ford Automobile
- 8. Report of Investigating Officer

1st Ind

HEADQUARTERS, FUKUOKA MIL GOVT TEAM, APC 24 Unit 5, 23 April 49

TO: Commanding Officer, Kyushu Mil Govt Region, APC 24 Unit 5

Receipt acknowledged.

JEROME P. KNIGHT
Major INF
Trial Judge Advocate

Incl 12

FUKUOKA, KYUSHU, JAPAN
APO 24 Unit 5

22 April 1949

SUBJECT: Request for Enlisted Members to Sit on Special Court

THRU : Commanding Officer, Fukuoka Military Government Team
APO 24-5

TO : Commanding Officer, Kyushu Military Government Region,
Headquarters and Headquarters Detachment, APO 24-5

1. Pursuant to provisions of Article of War 4, Manual Courts-Martial, 1949 it is requested that enlisted men sit on the Special Courts-Martial appointed to try me.

2. My date of rank is 16 July 1945.

Claude H Beck
CLAUDE H. BECK, RA 18 004 138
M/Sgt Fukuoka Mil Govt Team

201 - Beck, Claude H. (Enl) 1st Ind KLS/bmh

HQ FUKUOKA MILITARY GOVERNMENT TEAM, APO 24 Unit 5, 22 April 1949

TO: Commanding Officer, Kyushu Mil Govt Region, Hq & Hq Det., APO 24-5
ATTN: President of the Court

Forwarded pursuant to the AW 4, MCM 1949, par 4c, App. 5 p. 566.

KARL L. SPRINGER
Lt Col., USAF
Commanding

Incl 2^r

BASIC: Ltr, Fuk, Mil Govt Team, APO 24 Unit 5 dtd 9 April 1949, Subj:
"Special Courts-Martial. (M/Sgt C. H. Beck)

1st Ind .

WWJ/nm

HEADQUARTERS 24TH INFANTRY DIVISION ARTILLERY, APO 24-4, Camp Hakata,
Kyushu, 12 April 1949

TO: Commanding General, 24th Infantry Division, APO 24

REP

3 Incls:
n/c

AG 250.413-J Beck, Claude H. (Enl) 2nd Ind

HRS/jw

HEADQUARTERS 24th INFANTRY DIVISION, Kokura, Kyushu, Japan, APO 24

TO: Commanding Officer, Kyushu Military Government Region, APO 24

For trial by Special Court-Martial to be appointed by your Head-
quarters.

FOR THE COMMANDING GENERAL:

s/T. Theo F. Presley
Major • AGD
Asst Adj Gen

3 Incls
n/c

Incl 3

KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan

APO 24 Unit 5
22 April 1949

SPECIAL ORDER)
NUMBER 27)

1. A special Court-Martial is appointed to meet at the call of the President for the trial of such persons as may be properly brought before it.

Detail for the Court

- Major Van R. Vestal, O-14224, FA, Kyushu Mil Govt Region
- Capt Rex B. Rasmus, O-301770, AGD, Fukuoka Mil Govt Team
- Capt Herbert V. Kerker, O-1170499, FA, Fukuoka Mil Govt Team
- M/Sgt Samuel A. Rankin, RA20500079, MD, 118th Med Sta Hosp, APO 24-5 (With concurrence of Commanding Officer of 118th Medical Station Hospital, APO 24-5)
- M/Sgt Edwin C. Pipes, RA6277174, CE, 1st Eng Const Group, APO 929 (With concurrence of Commanding Officer of 1st Engr Const Group, APO 929)
- Major Jerome P. Knight, O-287480, Inf, Fukuoka Mil Govt Team Trial Judge Advocate
- Capt John R. Stutts, O-346386, FA, Kyushu Mil Govt Region Defense Council

BY ORDER OF COLONEL HILTON:

OFFICIAL:

CHARLES F. LAWSON
Captain TC
Acting Adjutant

Charles F. Lawson
CHARLES F. LAWSON
Captain TC
Acting Adjutant

DISTRIBUTION:

- 3 - Fa Indiv Conc
- 1 - Personnel
- 1 - S/M
- 1 - SC Clerk
- 1 - File
- 1 - Fa Orgns Conc

DECLASSIFIED E.O. 12958 SECTION 5.402/ARMS

KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan

APO 24 Unit 5
22 April 1949

SPECIAL ORDER)

NUMBER 27)

1. A special Court-Martial is appointed to meet at the call of the President for the trial of such persons as may be properly brought before it.

Detail for the Court

Major Van R. Vestal, O-14224, FA, Kyushu Mil Govt Region
Capt Rex B. Rasmus, O-301770, AGD, Fukuoka Mil Govt Team
Capt Herbert V. Kerker, O-1170499, FA, Fukuoka Mil Govt Team
M/Sgt Samuel A. Rankin, RA20500079, MD, 118th Med Sta Hosp,
APO 24-5 (With concurrence of Commanding Officer of 118th
Medical Station Hospital, APO 24-5)
M/Sgt Edwin C. Pipes, RA6277174, CE, 1st Engr Const Group, APO
929 (With concurrence of Commanding Officer of 1st Engr Const
Group, APO 929)
Major Jerome P. Knight, O-287480, Inf, Fukuoka Mil Govt Team
Trial Judge Advocate
Capt John R. Stutts, O-346386, FA, Kyushu Mil Govt Region
Defense Council

BY ORDER OF COLONEL HILTON:

OFFICIAL:

CHARLES F. LAWSON
Captain TC
Acting Adjutant

Charles F. Lawson
CHARLES F. LAWSON
Captain TC
Acting Adjutant

DISTRIBUTION:

3 - Fa Indiv Conc
1 - Personnel
1 - S/M
1 - SC Clerk
1 - File
1 - Fa Orgns Conc

KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan

APO 24 Unit 5
26 April 1949

SPECIAL ORDER)
NUMBER 28)

1. So much of Special Order 27, this Hqs, dated 22 April 1949 as pertains to Capt Herbert V. Kerker, O-1170497, FA, Fukuoka Mil Govt Team, is amended to read, "Capt Delbert W. Smith, O-1297440, Inf., Kyushu Mil Govt Region, in lieu of Capt Herbert V. Kerker".

BY ORDER OF COLONEL HILTON:

OFFICIAL:

CHARLES L. BACHTEL
1st Lt SIG C
Adjutant

Charles L. Bachtel

CHARLES L. BACHTEL
1st Lt SIG C
Adjutant

DISTRIBUTION:

- 2 - Capt Kerker
- 2 - Capt Smith
- 1 - Fukuoka MGT
- 1 - Personnel
- 1 - SO Clerk
- 1 - File

KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan

APO 24 Unit 5
26 April 1949

SPECIAL ORDER)
NUMBER 28)

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BY ORDER OF COLONEL HILTON:

OFFICIAL:

CHARLES L. BACHTEL
1st Lt SIG C
Adjutant

Charles L. Bachtel

CHARLES L. BACHTEL
1st Lt SIG C
Adjutant

DISTRIBUTION:

- 2 - Capt Kerker
- 2 - Capt Smith
- 1 - Fukuoka MGT
- 1 - Personnel
- 1 - SO Clerk
- 1 - File

HEADQUARTERS 24TH INFANTRY DIVISION ARTILLERY
OFFICE OF THE PROVOST MARSHAL
APO 24. (FUKUOKA, KYUSHU)

Case No. 368

Date 7 April 1949
Suspense Date _____

SUBJECT: Report of Delinquency

TO: Commanding Officer, Fukuoka Military Government Team.

1. Beck, Claude , RA 18 004 138 , M/Sgt
(Name) (ASN) (Grade)
Fukuoka Military Government Team. APO 929
(Organisation) (Post, camp or station)

committed an offense which came to the notice of the military police;
pertinent data concerning the same is given below:

19:05 hours , 6 April 1949 , Fukuoka city, Main street (approx 75 yds west
(Time) (Date) (Place of offense) (Address of offense) of Central Cabaret).
Violation of Memo #7 Hq 24th Infantry Division.
Violation of Cir #57 Hq 5th Army dtd 15 Aug 1948.. (Violation)
(Offense)

Circumstances surrounding the offense: Subject was apprehended for
operating motor vehicle while under influence of alcohol, no pass and
no civilian driver's licence.
Vehicle type: Ford coupe, lic. #Mich. CL 6076, 1947.
(One full 5 gal. GI can of gasoline was found in vehicle).

Witnesses: Capt. Lamar Hamlett Ass't Provost Marshal.
(Name) (Organization or address)

Arrested by: M/Sgt. N.W. Campbell. 622 MP Co.
(Name) (ASN) (Organization)

Disposition of offender: Held in detention. Vehicle impounded in 622nd
MP Co. Motor-pool.

~~XXXX Paragraph 611A P.M.G. Reg. #10-5XXXXX that the existing regulations have been completed and returned to the office within 5 days.~~

BY COMMAND OF BRIGADIER GENERAL MEYER:

LAMAR HAMLETT
Capt CMP
Ass't Provost Marshal.

~~ERNEST R. KNIRSCH~~
Captain AF
~~Adjutant General~~

1st Ind.

HEADQUARTERS FUKUOKA MILITARY GOVERNMENT TEAM APO 24-5 Date 8 April 1949

TO: THE PROVOST MARSHAL, HEADQUARTERS 24TH INFANTRY DIVISION ARTILLERY,
APO 24

1. Receipt acknowledged.
2. Specific punishment was imposed as follows: Refer to Special Courts
Martial 24th Infantry Division, Artillery, 9 April 1949.

A CERTIFIED TRUE COPY:

Raymond L. Schultz
RAYMOND L. SCHULTZ
1st Lt.

Investigating Officer

/s/ Ernest R. Knirsch
/t/ ERNEST R. KNIRSCH, 1st Lt., FA
Adjutant General

Level 4

LETTER OF TRANSMITTAL. COURT-MARTIAL CHARGES

Fukuoka Military Government Team

Fukuoka, Kyushu, Japan
APO 24 Unit 5
9 April 1949

250.45

SUBJECT: Special Court-Martial Charges

TO : Commanding General, Headquarters 24th Infantry Division Artillery
APO 24-4

1. In compliance with Manual Courts-Martial 1949, there are forwarded herewith court-martial charges against:

Beck	Claude H.	RA 18 004 138	M/Sgt	KSMG atchd unsgd Fukuoka MG Team
(last name of accused)	(First name and middle initial)	(ASN)	(Grade)	(Organization)

2. Summaries of expected testimony upon which the charges are based are attached.

3. The following documentary evidence and exhibits upon which the charges are based are attached:

a. Report of Delinquency Case #368 24th Infantry Division Artillery, Office of Provost Marshal, APO 24, Fukuoka, Kyushu dated 7 April 1949.

b. Four (4) photographs of accused's automobile.

4. There are no previous convictions by courts-martial of the accused during current enlistment.

5. Time lost under AW 107 during current enlistment: 15 days.

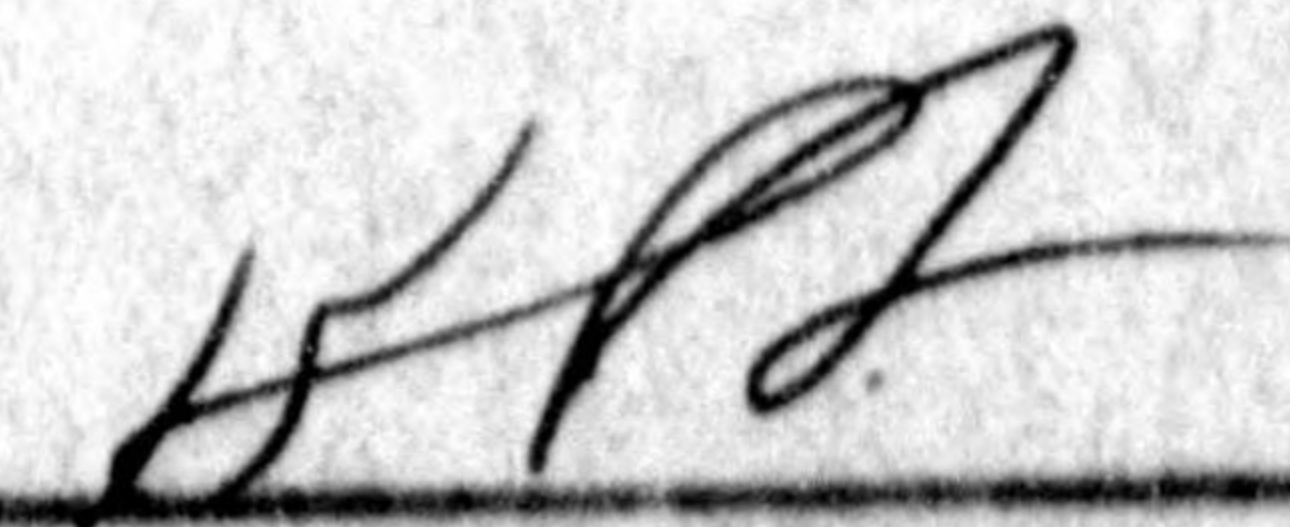
6. Civilian offenses, Character, occupation, and other information of the accused before entrance into the Army: Unknown

7. Character of military service of accused prior to offenses here charged: Satisfactory.

8. In my opinion he should not be eliminated from the service.

9. I recommend trial by Special Court-Martial.

- 3 Incls:
1. Charge Sheet (3)
 2. Summaries of expected testimony (3)
 3. Documents listed in par 3.



(Signature)

Ind 52

CHARGE SHEET

LOCATION Fukuoka, Kyushu, Japan		DATE 9 April 1949
ACCUSED (Last Name—First Name—Middle Name) (List aliases when material) BECK, Claude H.		ARMY SERIAL NUMBER RA 18 004 138
		GRADE M/Sgt
ORGANIZATION Fukuoka Military Government Team, APO 24-5		
PRESENT AGE 36 0/12	PAY PER MONTH (Base pay plus longevity) \$ 214.50	ALLOTMENTS TO DEPENDENTS PER MONTH CLASS F: \$ None CLASS E: \$ 67.85
		GOVERNMENT INSURANCE DEDUCTIONS PER MONTH \$ None

RECORD OF SERVICE

INITIAL DATE AND TERM OF CURRENT SERVICE
Enlisted at Oklahoma City 4 Feb 48 for three (3) years

PRIOR SERVICE (As to each terminated enlistment, give including dates of service and organization in which serving at termination. Give similar data as to service not under an enlistment)
Total Prior Service 7 yrs 5 mos 6 days - Last period of service 1 May 1946 to 3 Feb 1948; Grade at discharge M/Sgt; Reason for discharge - C of G AR 615-365

DATA AS TO WITNESSES

NAME OF WITNESS	ADDRESS OF WITNESS	WITNESSES FOR	
		PROSECUTION	ACCUSED
Capt Lamar Hamlet	622nd MP Co. Asst Area Provost Marshal, APO 24-4	X	
M/Sgt N. W. Campbell	622nd MP Co. APO 24-4	X	
Capt Morton Palken	118th Station Hospital APO 24-5	X	
Teruko Koike (Jap Nat'l)	Women's Dormitory, Fukuoka Hospital 4-chome, Daimyo-machi, Fukuoka City	X	
Reiko Ishiyama (Jap Nat'l)	Same as above	X	
Toyoko Tachibana (Jap Nat'l)	Same as above	X	
Saburo Fukushima (Jap Nat'l)	c/o Ichikawa #576 Hori-machi, Daikoku-Dori, Yoshizuka, Fukuoka City	X	

DOCUMENTARY EVIDENCE

LIST AND NOTE WHERE EACH ITEM MAY BE FOUND

For the Accused: None

Documentary Evidence and Exhibits:

Report of Delinquency Case #368 24th Infantry Division Artillery, Office of Provost Marshal, APO 24, Fukuoka, Kyushu dtd 7 April 1949

Four (4) photographs of accused's automobile

DATA AS TO RESTRAINT

NATURE OF ANY RESTRAINT OF ACCUSED	DATE	LOCATION
Confined	6 April 1949	Fukuoka Military Police Stockade
Released to Unit	7 April 1949	Fukuoka Military Government Compound
Arrest in Quarters	7 April 1949	Fukuoka Mil Govt Compound

Incl 6

CHARGE: VIOLATION OF THE 96th ARTICLE OF WAR.

SPECIFICATION 1: In that M/Sgt Claude H. Beck, Kyushu Military Government Region (attached to Fukuoka Military Government Team) did at Fukuoka, Kyushu, Japan on or about 6 April 1949 wrongfully and unlawfully operate a motor vehicle upon a public street while under the influence of liquor.

Specification 2: In that M/Sgt Claude H. Beck, Kyushu Military Government Region (attached to Fukuoka Military Government Team), being a driver of a vehicle at the time of an accident did at Fukuoka, Kyushu, Japan on or about 6 April 1949, wrongfully and unlawfully leave the scene of the accident without rendering assistance to Teruko Koike (Jap Nat'l), who had been struck and injured by the said vehicle.

... (faint, illegible text) ...

...	...	X
...	...	X
...	...	X
...	...	X
...	...	X
...	...	X
...	...	X
...	...	X

... (faint, illegible text) ...

CHARGES (Continued)

ADDITIONAL SHEETS, IF NECESSARY, FOR CHARGES AND SPECIFICATIONS WILL BE ATTACHED HERE

SIGNATURE OF ACCUSER
Karl Springer
KARL L. SPRINGER

GRADE AND ORGANIZATION
Lt Col., Fukuoka Mil Govt Team, APO 24-5

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 9th day of April, 1949, and made oath that he is a person subject to military law and that he personally signed the foregoing charges and specifications, and further that he ~~has personally signed the foregoing charges and specifications~~ ~~of the matters set forth in specifications~~; and I have investigated the matters set forth in specifications 1 and 2; and that the same are true in fact, to the best of his knowledge and belief.

(Signature) *Ernest R. Knirsch*
ERNEST R. KNIRSCH, 1st Lt., FA
Adjutant, Fukuoka Mil Govt Team, APO 24-5
(Grade and organization)

(Official character, as adjutant, summary court, notary public, etc.)

At I strike out words not applicable.
If the accuser has personal knowledge of the facts stated in one or more specifications or parts thereof, and his knowledge as to other specifications or parts thereof is derived from investigation of the facts, the form of the oath will be varied accordingly. In no case will he be permitted to state alternatively, as to any particular charge or specification, that he either has personal knowledge or has investigated.
If the oath is administered by a civil officer having a seal, his official seal should be affixed.

1ST ENDORSEMENT

Headquarters KYUSHU MIL GOVT REGION, APO 24 Unit 5, 23 April, 19 49
(Place) (Date)

Referred for trial to Major Jerome P. Knight, T. J. A.
(Grade, name, and organization of summary court, or trial judge advocate)

Special court-martial appointed by paragraph 1
(Summary) (Trial judge advocate of special or general)

Special Orders No. 27, Headquarters _____, 19 _____

By ORDER of COLONEL HILTON
(Command or order) (Grade and name of commanding officer)

Charles L. Bachtel
CHARLES L. BACHTEL, 1st Lt., SIG C, Adjutant.

I have served a copy hereof on/each of the above-named accused, this 25th day of APRIL, 19 49

SIGNATURE (Trial Judge Advocate)

GRADE AND ORGANIZATION

Jerome P. Knight

Major, Fukusoka U.S. Team

CASE NUMBER

SPACE BELOW FOR USE WHERE TRIAL IS BY SUMMARY COURT

SPECIFICATIONS AND CHARGES	PLEAS	FINDINGS	SENTENCE OR ACQUITTAL AND REMARKS
<i>[Faint handwritten notes]</i>			

LOCATION

DATE

SIGNATURE (Grade and organization)

Summary Court.

HEADQUARTERS (Name and location)

DATE

ACTION OF REVIEWING AUTHORITY

Commanding.

(Signature, grade and organization)

ENTERED ON SERVICE RECORD IN CASE OF CONVICTION (Initials of personnel adjutant)

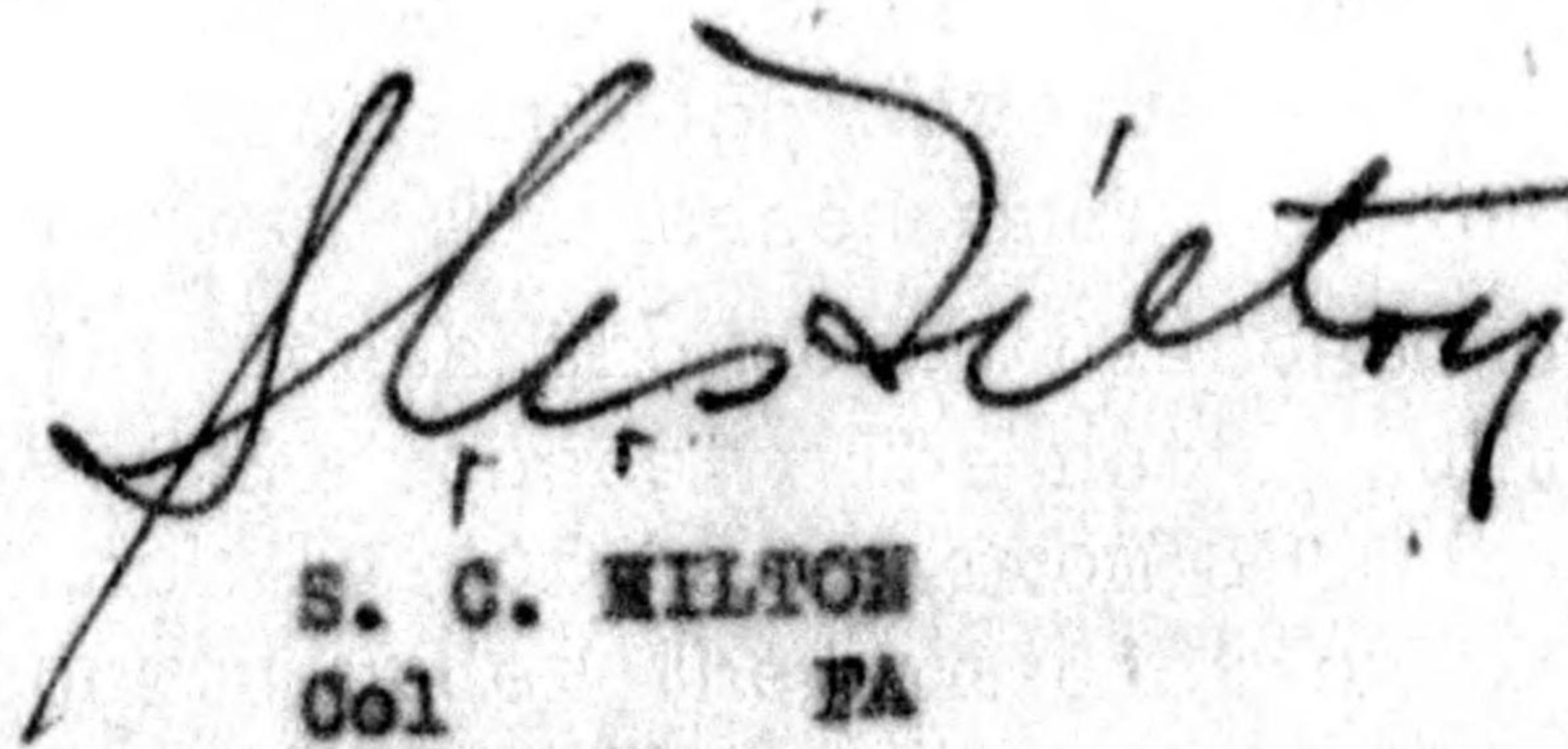
**KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan**

APO 24 Unit 5

29 April 1949

ACTION SHEET

In the foregoing case of Master Sergeant Claude H. Beck, RA 18004138
the sentence is approved.



**S. C. MILTON
Col PA
Commanding**

KYUSHU MILITARY GOVERNMENT REGION
HEADQUARTERS AND HEADQUARTERS DETACHMENT
Fukuoka, Kyushu, Japan

APC 24 Unit 5
29 April 1949

SPECIAL COURT-MARTIAL
ORDERS NO 1

Before a special courtmartial which convened at Fukuoka, Kyushu, Japan pursuant to paragraph 1, Special Orders No 27, this headquarters, 22 April 1949, as amended by paragraph 1 Special Orders 28, this Headquarters, 26 April 1949 was arraigned and tried:

Master Sergeant Claude H. Beck, RA 18004138, Fukuoka Mil Govt Team

Charge: Violation of the 96th article of War

Specification 1: In that M/Sgt Claude H. Beck, Kyushu Mil Govt Region (atchd unasgd to Fukuoka Mil Govt Team) did at Fukuoka, Kyushu, Japan on or about 6 April 1949 wrongfully and unlawfully operate a motor vehicle upon a public street while under the influence of liquor.

Specification 2: In that M/Sgt Claude H. Beck, Kyushu Mil Govt Region (atchd unasgd to Fukuoka Mil Govt Team), being a driver of a vehicle at the time of an accident did at Fukuoka, Kyushu, Japan on or about 6 April 1949, wrongfully and unlawfully leave the scene of the accident without rendering assistance to Teruko Koike (Jap Nat'l), who had been struck and injured by the said vehicle.

PLEAS

To the Specification 1: "Not guilty."
To the Specification 2: "Not guilty."
To the charge : "Not guilty."

FINDINGS

Of the Specification 1: "Guilty"
Of the Specification 2: "Not guilty"
Of the charge : "Guilty"

SENTENCE

To forfeit one hundred forty three dollars per month for three months.
The sentence was adjudged on 29 April 1949.
The sentence is approved and will be duly executed.

BY ORDER OF COLONEL HILTON:

OFFICIAL:
Charles L. Bachtel
CHARLES L. BACHTTEL
1st Lt Sig C
Adjutant

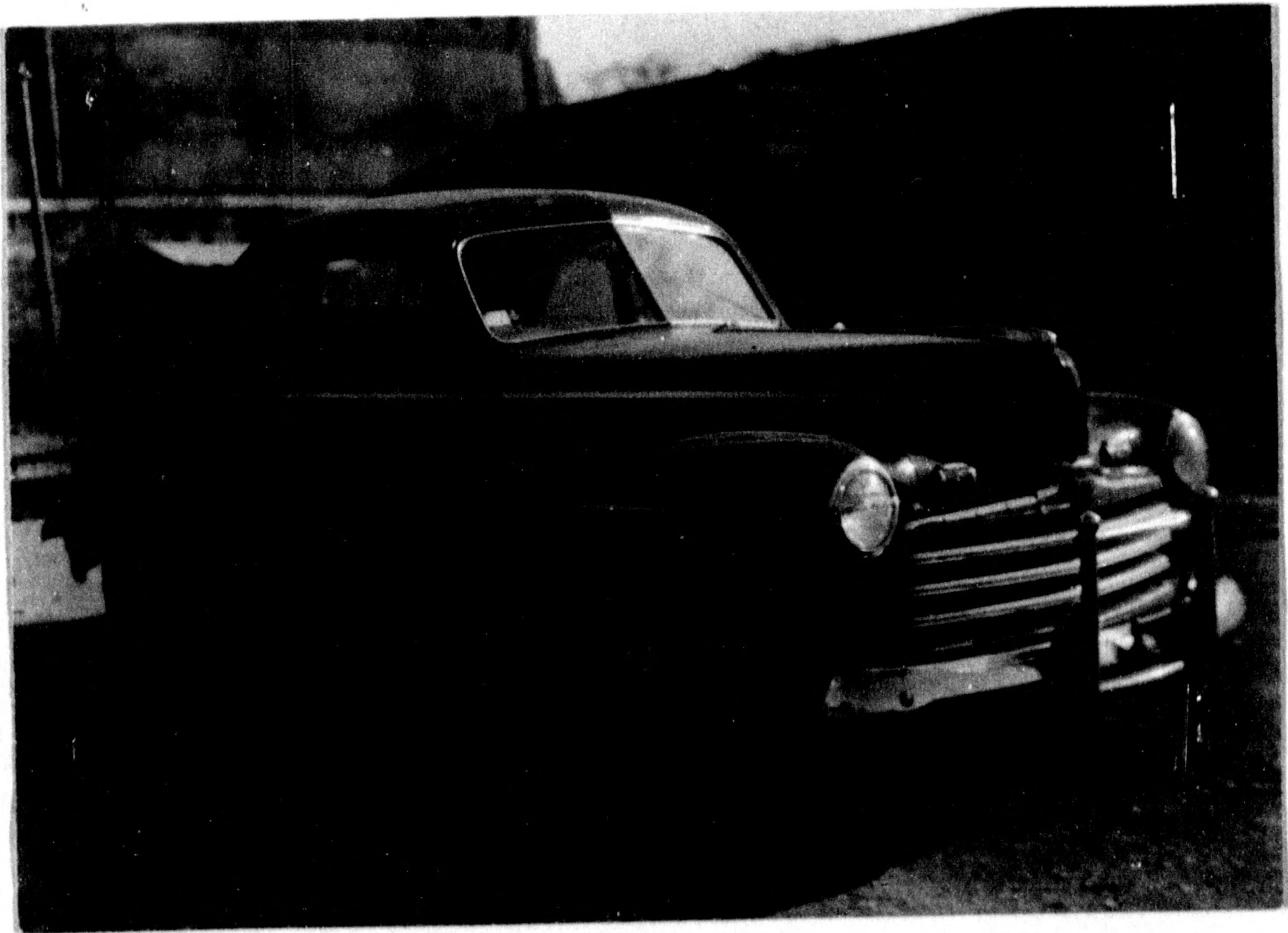
CHARLES L. BACHTTEL
1st Lt Sig C
Adjutant

DISTRIBUTION:
As per Appendix 25
Tech Manual 27-255, page 271



Encl 7'

PROSECUTION EXHIBIT 5



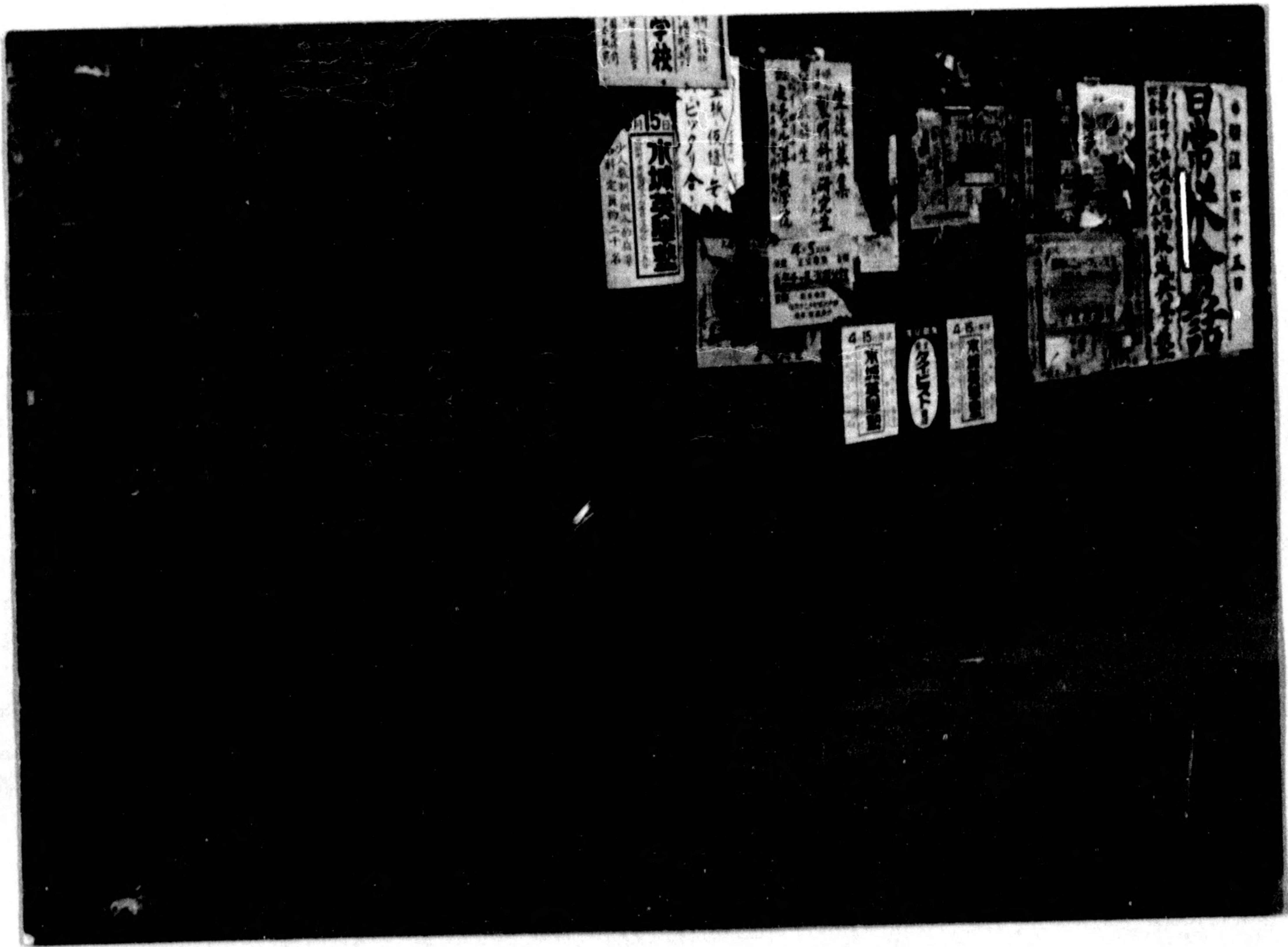
Incl 7th

PROSECUTION EXHIBIT 6



Incl 73

PROSECUTION EXHIBIT 7



Incl 74

PROSECUTION EXHIBIT... 8

8 April 1949

Accuser's Summary of Evidence in the Case of
 BECK, CLAUDE, RA18004138, M/SGT, KSMG attchd unasgd.

Koike, Teruko, Oita Ken, Nishi Kunisaki Gun, Takata machi, Tofuku, will testify that she was struck from behind by an unknown object and knocked down.

Ishiyama Reiko, Japanese, Female, Dormitory of Misses, Fukuoka Hospital, 4 chome, Daimyo machi, Fukuoka City, will testify that she and Koike were standing waiting for a street car when a vehicle came up at a high rate of speed and struck Koike.

Tachibana, Toyoko, Age 18, 220 4-chome, Daimyo machi, Fukuoka City will testify that she witnessed Koike being struck by a blue sedan vehicle which was travelling at a high rate of speed. The same vehicle failed to stop and render assistance after the accident.

Fukushima, Saburo, Age 29 Fukuoka City, Yoshizuka Daikoku Dori, Hon machi, #576 c/o Ichikawa, will testify that while he was in the Sumire Tailor Shop, he heard a noise and ran out to investigate. He found Koike lying in the street and saw a blue civilian sedan driving rapidly away.

Morton Palken, Capt., MC, Dispensary Officer, will testify that a blood alcoholic test was performed on M/Sgt Claude Beck and that the results of the test would indicate that Sgt. Beck was intoxicated.

Raymond L. Schultz
 RAYMOND L. SCHULTZ
 1st Lt Inf
 Investigating Officer

1 Incl
 Rpt of Delinquency

Incl 8v

R-E-C-O-R-D O-F T-R-I-A-L

By

SPECIAL COURT-MARTIAL

Master Sergeant Claude H. Beck, RA 18 004 138, Fukuoka
Military Government Team, APO 24, Unit 5.

Proceedings in the trial of Master Sergeant Claude H.
Beck, RA 18 004 138, Fukuoka Military Government Team by
the Special Court-Martial appointed by the orders and amending
orders of which copies are appended marked Prosecution Exhi-
bits 1 and 2.

Fukuoka, Kyushu, Japan
29 April, 1949

The court met pursuant to the orders appointing it at
0900. All of the officer and non-commissioned officers of
the court were present.

The accused and the regularly appointed defense counsel
were present.

The trial judge advocate stated that no member of the
prosecution had acted as a member, defense counsel, assistant
defense counsel, or investigating officer in the case.

The defense counsel stated that no member of the defense
had acted as member, investigating officer, or trial judge
advocate in the case.

Roland Nose was sworn as interpreter.

The trial judge advocate announced that the accused had
made a request in writing that the membership of the court
include enlisted personnel.

No members of the court were excused.

The accused, having been given full opportunity to exer-
cise his rights as to challenge, the members of the court
and the trial judge advocate were sworn.

The accused was then arraigned upon the charge and spe-
cifications appended and marked Prosecution Exhibit 3.

The accused then pleaded as follows:

To all specifications and the charge: Not Guilty.

Encl 92

The Trial Judge Advocate made no opening statement.

Captain Lamar Hamlett, Assistant Provost Marshal, Fukuoka, Japan, a witness for the prosecution was sworn and testified in substance as follows:

DIRECT EXAMINATION

I am Captain Lamar Hamlett, Assistant Provost Marshal, Fukuoka, Japan. I know the accused. He is Sergeant Beck, a member of the military service attached to Fukuoka Military Government Team. At about 1900, 6 April 1949, I was proceeding west on the main street of Fukuoka. Just before I came to the Area Club, I noticed a black Ford Coupe going east on the same street. There was a loud scraping noise coming from the Ford which drew my attention. The Ford was going about five miles an hour. The Ford stopped so I turned around to look into the case. When I reached the scene there were a lot of Japanese trying to lift the left front fender off the tire of the Ford. Sergeant Beck was standing near the door of the car. He appeared to be drunk and could not stand without leaning on the car. It appeared that he had been involved in an accident and I asked what had happened. He was in no condition to explain anything. I placed Sergeant Beck in my jeep and Sergeant Campbell, a member of the military police, drove Beck's car to the Provost Marshal's office. I did see Sergeant Beck driving the car in a drunken condition.

CROSS EXAMINATION

Sergeant Beck was not trying to pull the fender off the tire. He was standing near the door of his car. This happened in the vicinity of the Area Club. I know only through hearsay where the damage was done to the car.

Captain Morton Palken, MC, Dispensary Officer, 118th Station Hospital, a witness for the prosecution, was sworn and testified in substance as follows:

DIRECT EXAMINATION

I am Captain Morton Palken, a medical officer of the 118th Station Hospital, Fukuoka, Japan. The witness identified a document shown to him by the prosecution as a laboratory test report of the 118th Station Hospital concerning the blood alcohol content of Sergeant Beck taken on 6 April, 1949.

The prosecution offered in evidence the document. The document was received in evidence and marked prosecution exhibit 4.

This paper shows that Sergeant Beek as of 6 April 1949 had a blood alcohol content of 4.0 milligrams percent. Medical authorities state that an individual with an alcoholic content of 3.0 milligrams percent is intoxicated.

The defense declined to cross examine the witness.

Koike, Teruko, a witness for the prosecution, was sworn and testified in substance as follows:

DIRECT EXAMINATION

I am Koike, Teruko, a Japanese National of Fukuoka-ken, Fukuoka-shi, Daimyo-machi, Kokuritsu Byoin Nai. At about 1800 on the 6th of April, 1949, near the Shimonohashi street car stop I was hit by a car. I do not recall what happened after that. I am not exactly sure of the time.

QUESTION BY THE COURT

I did not see the car before it hit me.

CROSS EXAMINATION

I was not standing on the safety island but in the street near it.

Corporal Earl R. Grice, Military Police, Fukuoka, a witness for the prosecution was sworn and testified in substance as follows:

DIRECT EXAMINATION

I am Corporal Earl R. Grice, Military Police, Fukuoka, Japan.

The witness identified three documents shown to him by the prosecution as photographs of the car driven by Sergeant Beek on 6 April, 1949 which were a part of an official investigation by the Provost Marshal's office.

The prosecution offered the photographs in evidence. The documents were received in evidence and marked prosecution exhibits 5, 6, and 7.

These photographs were taken by a Japanese photographer who works for the Provost Marshal. I was present when they were taken. They are photographs which are a part of the Provost Marshal's investigation concerning the alleged driving while drunk on the part of Sergeant Beek at 1900, 6 April, 1949. These pictures are of the car then driven by Sergeant Beek.

CROSS EXAMINATION

I am an investigator of the Provost Marshal's Office.

Tachibana, Toyoko, a witness for the prosecution, was sworn and testified in substance as follows:

I am Tachibana, Toyoko, a Japanese National. I reside at Fukuoka-Ken, Fukuoka-Shi, Daimyo-Machi, 4 Chome, Number 220. Shimonohashi street car stop is right near my house. At about 1830, 6 April 1949 there was an accident in which a car hit a nurse. Her name is Koike. I saw a car coming from west park at high speed. The driver swirved the car and Koike was hit by the rear fender. The car stopped and the driver looked back, then drove off. He did not come back to give assistance to the injured person. I reported the incident to the nearest police box.

The prosecution showed her the photographs which were admitted as prosecution exhibits 5, 6, and 7.

These pictures are of the car which hit Koike.

CROSS EXAMINATION

I cannot say at what speed the car was actually going. I was about four yards from the accident. I did not see any marks on the car. I was in my house looking out at the time of the accident. My house is on the same side of the street as the place of the accident. I just had a glimpse of the driver of the car. I think he was wearing a uniform. I saw Koike right after she was hit. The car did swerve in trying to avoid hitting her. She was hit by the right rear end of the car. I believe that this is a common accident. I cannot identify anyone present in court as the driver of the car.

Corporal Earl R. Grise was recalled to the stand and reminded that he was still under oath. He testified in substance as follows:

The witness identified a document as a photograph of a telephone pole in which a piece of the body of a car was imbedded; this photograph being a part of an official investigation report of the Provost Marshal's Office, Fukuoka, Japan.

The prosecution offered the photograph in evidence. The document was received in evidence and marked Prosecution Exhibit 8.

The prosecution brought this witness to offset the apparent doubt in Tachibana's mind concerning the presence of holes in the car she saw involved in the accident in which Koike was hit.

This photograph shows a telephone pole located on main street near the entrance to the Military Police Compound. It is between Shimonohashi car stop and the Area Club where the Provost Marshal apprehended Sergeant Beck. The photograph shows a piece of chrome imbedded in it. A piece of chrome of similar size and shape is missing from the left front fender of the car driven by Sergeant Beck.

QUESTIONS BY THE COURT

The telephone pole shown in the photograph is one street car stop east of the Shimonohashi street car stop.

CROSS EXAMINATION

The pole shown in the photograph is between the point at which the girl Koike is alleged to have been hit and the point at which the Provost Marshal apprehended Sergeant Beck.

The prosecution rested.

Lieutenant Colonel Karl L. Springer, Fukuoka Military Government Team, APO 24, Unit 5 was called as a witness for the defense, was sworn and testified in substance as follows:

DIRECT EXAMINATION

I am Lieutenant Colonel Karl L. Springer, commanding Fukuoka Military Government Team, APO 24, Unit 5. The accused is under my command now and was under my command at a previous station. The accused is a capable soldier who served under me at Okayama Military Government Team, Okayama, Honshu, Japan. The accused requested to be transferred to my present command and I approved. Regardless of the outcome of this trial I would desire the accused in my command.

The prosecution declined to cross examine the witness.

The defense rested.

The prosecution and the defense stated that there was no further testimony to offer.

Oral arguments were then made by the Prosecution and by the defense.

The president instructed the court concerning presumption of innocence, degree of guilt, and burden of proof as required by AW 31.

Neither the prosecution nor the defense having anything further to offer, the court was closed, and upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring in each finding of guilty, finds the accused:

Of specification 1 of the charge: Guilty

Of specification 2 of the charge: Not Guilty

Of the charge: Guilty

The court was opened and the Trial Judge Advocate, in the presence of the accused and his counsel, stated that there was no evidence of previous convictions.

The Trial Judge Advocate read the data as to age, pay, and service as shown on the charge sheet, Prosecution Exhibit 2.

The accused stated that he had no objection to offer concerning the data as to age, pay, and service.

The Court was closed and upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring, sentences the accused to forfeit one hundred forty three dollars per month for three months.

The court was opened and the president announced the findings and sentence.

The court then at 1110 on 29 April, 1949, adjourned to meet at the call of the president.

Van R. Vestal
VAN R. VESTAL
Major, FA
President

Jerome P. Knight
JEROME P. KNIGHT
Major, Infantry
Trial Judge Advocate

I have examined the record before it was authenticated.

John R. Stutts
JOHN R. STUTTS
Captain, FA
Defense Counsel

OATH FOR JAPANESE WITNESS

日本人證人ノ宣誓

I vow that I will make a full disclosure of all the facts known to me, obeying the dictates of my conscience, telling the truth and adding nothing to the truth.

私ハ自己ノ良心ノ命ニ從ヒ. 眞實ヲ語リ眞實ニ何物
ヲモ附加スルコトナク. 私ノ知ル限リノ事柄ヲ全テ明
カスコトヲ誓フ.

立花豊子

Signature

署名

OATH FOR JAPANESE WITNESS

日本人 証人ノ宣誓

I vow that I will make a full disclosure of all the facts known to me, obeying the dictates of my conscience, telling the truth and adding nothing to the truth.

私ハ自己ノ良心ノ命ニ從ヒ. 眞実ヲ語り眞實ニ何物
ヲモ附加スルコトナク. 私ノ知ル限リノ事柄ヲ全テ明
カスコトヲ誓フ。

小池 三子

Signature

署名

OATH FOR JAPANESE WITNESS

日本人證人ノ宣誓

I vow that I will make a full disclosure of all the facts known to me, obeying the dictates of my conscience, telling the truth and adding nothing to the truth.

私ハ自己ノ良心ノ命ニ從ヒ眞實ヲ語リ眞實ニ何物
ヲモ附加スルコトナク。私ノ知ル限リノ事柄ヲ全テ明
カスコトヲ誓フ。

立花豊子

Signature

署名

OATH FOR JAPANESE WITNESS

日本人證人ノ宣誓

I vow that I will make a full disclosure of all the facts known to me, obeying the dictates of my conscience, telling the truth and adding nothing to the truth.

私ハ自己ノ良心ノ命ニ從ヒ、眞實ヲ語り眞實ニ何物
ヲモ附加スルコトナク、私ノ知ル限リノ事柄ヲ全テ明
カスコトヲ誓フ。

小池テル子

Signature

署名

Name Paul, Claude Serial No. 18004398 Rank E-4/sgt.
 Station 110th Station Hospital Ward Disp.
 Examination requested by Capt. Falken M.C.
 Specimen _____ Source _____
 Type of examination _____

Report: **Blood Alcohol: 4.0 mg/cc.** **EX 1**

A True COPY:
Harold T. Ward
Harold T. Ward,
Capt. MSC.
 HAROLD T. WARD
 Captain Sn.C.

Lab. 1930

W. D., A. G. O. Form 8-51
 5 August 1944
 (Old W. D., M. D. Form 55L-15, 9 June 1942, which may be used until existing stocks are exhausted.)
 signed: Norton Falken Capt. M.C.
 MISCELLANEOUS) Date 4-6-49
 3592-FEC Printing Plant-12/48-230M

PROSECUTION EXHIBIT 4