

GHQ/SCAP Records (RG 331, National Archives and Records Service)

Description of contents

(1) Box no. **3143**

(2) Folder title/number: **(25)**
153: Claims Procedure

(3) Date: **Jan. 1949 - June 1949**

(4) Subject:	Classification	Type of record
	9032.3	3e

(5) Item description and comment:
Kyushu

(6) Reproduction: Yes No

(7) Film no. _____ Sheet no. _____

(Compiled by *National Diet Library*)

Region

HEADQUARTERS
NAGASAKI MILITARY GOVERNMENT TEAM
Nagasaki, Kyushu, Japan

153

APO 24-5
9 June 1949

SUBJECT: Baggage Claims

TO : Commanding General, Hq. Eighth Army APO 343
(Attn: Repatriation Branch)

1. Ref ltr 17 February 1949 AIMO 524.2 Hdq Ryukyu Command, APO 331, enclosing certified true copies of unaccompanied baggage applications for Tamae, Shigeru
Takushi, Seitoku
Miyagi, Kijo
Sunakawa, Keiichi

the Ken Repatriation Section sent a representative to visit the designated agents of the above-named.

2. Attached is application of Tamae, Shigeru, Oki (16). The agent has removed from address given in application, neither he nor baggage can be located. Invoices of shipping agents were searched without avail to see whether baggage had been shipped. A statement of the official in the Branch office of Sasebo City is attached. Mr. Tamae should file application with Nagasaki Ken for reimbursement.

3. Attached is application of Takushi, Seitoku, Oki (15), whose baggage was dispatched 2 February, 1948. See attached copy of shipping order, parcel list, statement of agent, discharge statement of agent.

4. See application of Sunakawa, Keiichi, S R I, returned herewith. Baggage was dispatched 10 December, 1947. See attached copies of shipping order, letter to Captain of boat, statement of agent, application letter for shipment, copy of parcel list.

5. Attached application of Miyagi, Kijo, Oki (10) S-b, is returned with agent's signature. He is ready to ship when instructions are sent. Ken official holds a telegram from Ministry of Welfare stating that articles are to remain in agent's hands awaiting shipment until further notice; at which time the agent will turn baggage over to railway express.

FOR THE COMMANDING OFFICER:

4 Incls:
Info Copy to Region

Vernon C. Hill
VERNON C. HILL
Capt
Actg Adjutant

765

AGMGR 524 1st Ind
 SUBJECT: Baggage Claims, 9 June 1949

20 JUN 1949

Headquarters Eighth Army, APO 343

THRU: Commanding General, I Corps, APO 301

TO : Commanding Officer, Nagasaki Military Government Team, APO 24 Unit 5

1. It is requested that the baggage listed in the application of Miyagi, Kijo be delivered to the nearest freight agent for shipment to the applicant, in accordance with the attached instructions.

2. Three copies of the application are being returned for distribution to local representative of the Japanese Government. One copy has been withdrawn for file in this headquarters.

3. The Japanese prefectural authorities are to be instructed to expedite shipment. Upon completion of shipment invoices are to be forwarded to this headquarters.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

2 Incls:
 n/c 1 Incl
 w/d 3 Incls
 added 1 Incl
 B. Instruction for
 Shipment of Prop.

J. A. O'BRIEN
 CWO, USA
 Asst Adj Gen

AG 524 - BA

2nd Ind

LEJ/no

Hq I Corps, APO 301,

JUN 24 1949

TO: CO, Kyushu Mil Govt Region, APO 24-5

C. A.

2 Incls:
 n/c

115073

1530

BASIC: Ltr Nagasaki Mil Govt Team, APO 24-5, 29 June 1949,
subject: Baggage Claims.

3rd Ind

ERM/msw

KYUSHU MIL GOVT REGION, HQ & HQ DET, APO 24-5, 28 June 1949

TO: Commanding Officer, Nagasaki Mil Govt Team, APO 24-5
Attn: Economic Section

For compliance with basic letter.

BY ORDER OF COLONEL HILTON:

2 Incls:
n/c

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

FILE

153

4th Ind

CS/hk

Nagasaki Civil Affairs Team, APO 24-5, 26 Jul 1949

THRU: Kyushu Civil Affairs Region, APO 24-5

TO : Commanding General, Hq Eighth Army, APO 343

1. In compliance with instructions contained in par 3, 1st Ind, dated 20 June 49, invoices for shipment are inclosed.

2. The baggage was delivered 21 July 1949 to Kita Arima Railway Station to be transshipped at Moji for Ryukyu Islands.

FOR THE COMMANDING OFFICER:

3 Incls:
2 Incls m/c

Incl 3 added
3 Invoices (in trip)

VERNON C HILL
Capt CAC
Actg Adjutant

CENTRAL FILE
FILE

BASIC: Ltr Nagasaki Mil Govt Team, APO 24-5, 9 June 1949,
subjects: Baggage Claims.

5th Ind

ERM/nsw

KYUSHU CIVIL AFFAIRS REGION, HQ & HQ DET, APO 24-5, 1 AUG 49

THRU: Commanding General, Hq I Corps, APO 301

TO : Commanding General, Hq Eighth Army, APO 343

Attention invited to 4th indorsement.

FOR THE COMMANDING OFFICER:

3 Incls:
n/c

HENRY E. RAINBOLT, JR
1st Lt FA
Adjutant

HEADQUARTERS
 FUKUOKA MILITARY GOVERNMENT TEAM
 Fukuoka, Kyushu
 APO 24-5

11 April 19 49

MEMORANDUM OF OPINION

1. a. Amount of claim: **None**
 b. Date claim filed: **No claim filed.**
2. Type of claim and brief description of accident or incident:
No claim filed. Accident involving government vehicle (1/2 ton 4x4 G&R) and Japanese national.
3. a. Date of accident or incident: **6 April 1949**
 b. Place of accident or incident: **Road outside of Hatae Mura, 2 1/2 miles northeast, Maebaru machi, Itoshima gun, Fukuoka Ken, Kyushu, Japan**
4. Claimant's address: **(Potential) Shinzue Yamamoto, c/o Shibata Steel Factory, Ichinokumi, Nakashe, Fukuoka City.**
5. Facts:
At about 1230 hours, 6 April 1949, Kosuke Fujino, Japanese national, a regularly assigned driver for Fukuoka Mil Govt Team, was proceeding in a northeasterly direction, properly dispatched on official business, along a road near Hatae mura, Itoshima gun, at a speed of about 28-30 miles per hour. A Japanese woman started to cross the road in front of the vehicle about 50-100 yards away. The driver sounded his horn and slowed down. The woman, after hesitating, turned and ran into the vehicle although the driver tried to avoid her.
6. Opinion: **Driver of government vehicle was not to blame. He observed all normal safety precautions.**
7. Recommendation:
That the motor officer caution all drivers to exercise caution when approaching pedestrians.

Karl L Springer
KARL L SPRINGER
Lt. Colonel, USAF
Commanding

R50 FMGT 3/10/49

Quadruplicate

SUBMIT IN TRIPlicate

REPORT OF CLAIMS OFFICER
(AR 25-20, AR 25-25, AR 25-90 and AR 25-220)

Use additional sheets if necessary and number to correspond with box numbers.

Claims under AR 25-25 for losses of dependents of military and Department of the Army personnel, incident to travel (other than auto traffic cases), fire in quarters, or bailment to the Government will be submitted on WD Form 30B.

Headquarters Fukuoka Military Government Team
Base or Unit
Place Fukuoka, Kyushu, Japan 11 April 1949

1. ACCIDENT OR INCIDENT		
Date	Hour	Place
6 April 1949	12 35	Road in Vicinity of Hatae-mura Itoshima gun Fukuoka Prefecture Kyushu Japan. 2 1/2 MI NE OF MAEFARU

2. CLAIMANTS		CLAIM	
Name	Address	Type	Date Filed Amount Claimed
None			

3. GOVERNMENT PROPERTY AND PERSONNEL INVOLVED - Par 8e (5) and (2), AR 25-20	
Property-make Model, Location, etc.	Personnel - Name, grade, serial no., address and organization
1/2 ton 4 x 4 C & R USA 20190120	<ul style="list-style-type: none"> • Takeshi Tsutsui, DAC, FMGT APO 24-5 • Fukuoka, Kyushu, Japan. • Kosuke Fujino, 138 Takeda machi, Yoshizuka, • Fukuoka city, Fukuok, Kyushu, Japan

4. PRIVATE PROPERTY AND PERSONS INVOLVED - Par 8e (9), AR 25-20	
Property-Make, Type, Model, Location, etc.	Persons - Name, address, and relation to incident, e.g., owner, driver, passenger, bailee, tenant, etc.
None	<ul style="list-style-type: none"> • Shisue Yamamoto, e/o Shibata Steel • Factory, Ichinokuni, Nakanosho, • Fukuoka city, Kyushu Japan (Pedestrian)

Inclosure 3 to Cir 51, Ho Eighth Army, 31 July 1948

115073

REPORT OF CLAIMS OFFICER (Cont'd.)

5. Nature and extent of damage, cost of repair, and if pertinent, value before and after damage, value of salvage, etc. Par 8c (1) and 8e (8) and (9), AR 25-20 and Par 3b (1), AR 25-220

GOVERNMENT PROPERTY

PRIVATE PROPERTY

None

None

TCS Form No. 3,
Local Reproduction Authorized

6. PERSONS INJURED OR KILLED

Name, address, nature and extent of injury, hospital, attending physician, etc. Par 8c (2) and 8e (11), AR 25-20 and Par 3b (2), AR 25-220. **Shisue Yamamoto, F, 40 e/o Shibata Steel Factory, Ichinokuni Nakanosho, Fukuoka city, Kyushu, Japan**
Bruised left lower femur, left ilium and metacarpus of both hands. Patient needs seven (7) days treatment. Dr. Kyosuke Arita 178 Maebaru, machi, Itoshima gun, Fukuoka Ken.

7. WITNESS (ATTACH STATEMENTS)

NAME

ADDRESS

Mr. Takeshi Teutsui

FMGT APO 24 Unit 5

See exhibit "D"

8. POLICE INFORMATION

Was police investigation made? . If made, attach copy of report (in triplicate). State facts as to arrests and results of any trials by civil or military courts.
YES (x) NO () . No arrest made. See Exhibit "I".

9. SCOPE OF EMPLOYMENT

Was Government personnel acting within scope of employment? . State basis for answer
YES (x) NO () **Government driver was acting within scope of his employment, in that he was on a regularly scheduled trip and was properly dispatched**

10. SPECIAL EVIDENCE

a. If the damage, loss, destruction, injury or death was caused by a civilian employee of the Army or the War Department, was such employee a citizen of the United States?
See Exhibit "g" YES () NO ()

Driver of vehicle is Japanese national employed on unit naming table.

b. Does the evidence show the nationality of the claimant and whether he is an inhabitant of the country in which claim arose?
See Exhibits YES () NO ()

No claim filed.

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)IC. SPECIAL EVIDENCE (Cont'd.)

- c. Does the evidence show the earnings, period and extent of physical disability, if any, state of health and age of injured or deceased person immediately prior to the accident?

See Exhibits _____ YES () NO ()
Not applicable.

- d. Does the evidence show the extent of physical pain and suffering, if any, of the injured or deceased person?

See Exhibits _____ YES () NO ()

- e. Does the evidence show the names, ages, addresses and relationship to the injured or deceased, of all persons dependent on him for support and the extent of their dependency?

See Exhibits _____ YES () NO ()
Not applicable

(Cite Exhibits that support the above answers)

II. FINDINGS

Give full details in narrative form, with special attention:

In Traffic Cases - Direction of travel; speed; view obstruction; width of road, skidmarks; traffic signs and signals; traffic and weather conditions. See par 8e (19), AR 25-20.

In Mail Case - Registration or insurance receipt number; declared value; actual value of contents; fee paid; origin and destination. See Par 8e (20), AR 25-20; Par 5, AR 25-20, WD pamphlet 27-2.

About 1230 hours, 6 April 1949, a vehicle driven by Kesuke Fujino, 35, Japanese national, proceeding northeast, near Hatae mura, Itoshima gun, 2½ miles northeast of Maebara at a speed of approximately 28-30 miles per hour approached a woman pedestrian walking on the left hand side of the road, travelling in the same direction as the vehicle. At a distance of between 50 and 100 yards, the driver sounded his horn and slowed down as the woman started to cross the road. The woman stopped in the middle of the road, hesitated, took a step forward and drew back. The driver, assuming she would cross the road, swung so as to pass her on the left. The woman turned and walked into the vehicle. The driver swung sharply to the left and applied the brakes. The woman was struck by the right front bumper and knocked to the ground. The driver and passenger assisted her into the jeep and, after reporting the accident to the policeman at the Hatae police box, took her to a doctor, then drove her home. The road was about 25 feet wide and clear. There are no traffic signs or signals at this point; there was no other traffic or witnesses at this time. Weather was dry and there were no skid marks. There was no damage to the government vehicle.

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)

12. RECOMMENDATIONS - Check applicable clause

1. It is recommended that if or when a claim is filed against
 the U.S. Government it be:
~~*Approved in the amount of \$ _____.~~
 *Disapproved.
 *(Strike out inapplicable statement.)
2. Recommend that claim be asserted in favor of the government
 under the provisions of AR 25-220.
3. Recommend the military personnel named below be held liable
 under AW 105 for the amounts set opposite their name.
4. Recommend the military personnel named below be held liable
 for the damage to government property in the amounts set
 opposite their names.
5. Recommend that all military personnel concerned be relieved
 from responsibility.
6. If case involves the rule of comparative negligence ap-
 propriate recommendation will be made below:
 - a. Amount of claimant's damage \$ _____.
 - b. Amount of U.S. (or other property) damage \$ _____.
 - c. Total damage \$ _____.
 - d. Percentage of negligence of claimant.
 0% - 25% - 30% - 75% - 100%.
 - e. Percentage of negligence of U.S. agent (or other person)
 0% - 25% - 50% - 75% - 100%.
 - f. Claims exist in favor of (claimant) (U.S.)
 (other person) in amount of \$ _____.

Reasons for recommendation:

The government driver was operating within the speed limit and sounded warning to the pedestrian as well as slowing down while approaching her. He attempted to avoid hitting her. She deliberately walked into the vehicle. See exhibits "C", "D", and "E".

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)

13. EXHIBITS

Number and list exhibits, including, if pertinent, the claim driver's report, repair bills and estimates, hospital, medical and burial expense bills, estimates of value, diagrams, photographs, extract of traffic regulations, statements by claimant and witnesses, registration or insurance receipt, and if possible, statement by claimant of acceptance or nonacceptance of amount recommended by claims officer if such amount is less than amount of claim. (Extent of damage will dictate scope of investigation).

- Exhibit "A" - Driver's Report Accident
- "B" - Driver's Trip Ticket
- "C" - Statement of Kosuke Fujino
- "D" - Statement of Takeshi Tetsui
- "E" - Statement of Shinsu Yamamoto
- "F" - Statement of Dr. Kyoosuke Arita (Diagnosis)
- "G" - SO Apty Claims Officer
- "H" - HP Report of Incident
- "I" - Police Report, Maebaru Police Station

Donald W. McConnell

Claims Officer

DONALD W. MCCONNELL, 1st Lt., FA O-1183126

14. ACTION OF APPOINTING AUTHORITY PROT. APO 24-5

(Date)

1. Approved.
- ~~Disapproved.~~
(Strike out inapplicable statement)
2. Comment and reason, if any.
3. If U.S. Government property was lost, damaged, or destroyed indicate below what action has been or will be taken to determine pecuniary liability.

not required.

Report of Survey (will be) ~~(has been)~~ initiated.

()

state of Charges or other voluntary restitution (will be) ~~(has been)~~ accomplished. **not required.**

()

Paul Springer

1st Lt., USAF

(Appointing Authority)

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

Standard Form 26A

Budget Bureau No. 49-R009.1
Approval expires November 30, 1946.

WAR DEPARTMENT

DRIVER'S REPORT—ACCIDENT
MOTOR TRANSPORTATION

INSTRUCTIONS TO DRIVERS

In case of injury to person or damage to property:

- A. Stop car and render such assistance as may be needed.
- B. Fill out this form, ON THE SPOT, so far as possible.
- C. Deliver this report promptly to your immediate superior.

Failure to observe these instructions will result in disciplinary action.

1. Name of Government driver KOSUKE FUJINO
2. Stationed at Fukuoka Mil Govt Team Compound, APO 24-5
3. Make and type of Government vehicle Jeep $\frac{1}{2}$ Ton 4x4
4. Service number USA 20190120
5. Name and address of owner of other vehicle (or owner of property damaged) None
6. Name and address of driver of other vehicle None
7. License of other vehicle: State None
No. _____
8. Place of accident: City Approximately 2 $\frac{1}{2}$ miles Northeast of Maebaru
Street _____
9. Date of accident 6 April, 1949 Hour 1235
10. Names and addresses of persons injured: nature of injuries SHIZUE YAMAMOTO (Age 40)
Bruised left lower femur, left buttocks and metacarpus of both hands
11. Describe damage to Government vehicle None
12. Describe damage to privately owned vehicle, or other property None
13. What signal was given by each driver prior to accident? Driver of Jeep sounded horn repeatedly.
14. State condition of light, weather, and roadway Light good; weather clear; gravel dirt road.
15. Explain how accident happened The victim not ascertaining if the traffic was clear or not started to cross road. Went back and forth couple of times in the middle of road. The vehicle swung over to extreme left but she ran into front right bumper.
16. Label streets and indicate measurements; show the position of each vehicle at the time of the accident and show by dotted lines the course of each vehicle just before and just after the collision.

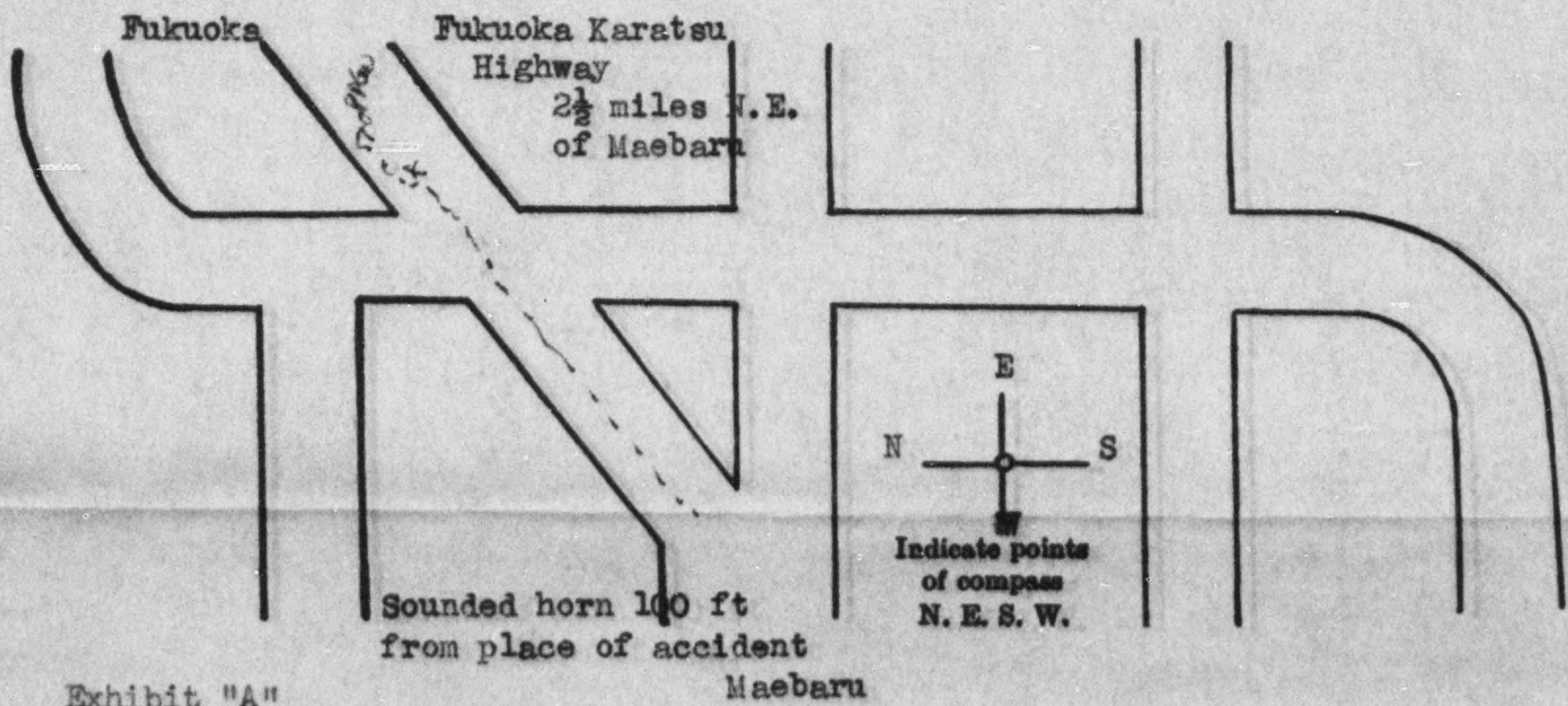


Exhibit "A"

(Continued on other side)

115073

17. Was an investigation made by a policeman (civil or military)? Japanese police
If so, state name Hisashi Tashima No. _____ Precinct or
station Hatae Sub Police Box

18. Names and addresses of persons other than driver in Government car Mr. Takashi Tsutsui
DAC CAF-6, Fukuoka Mil Govt Team, APO 24-5

19. Names and addresses of other witnesses: None

(Signature of driver)
KOSUKE FUJINO
Fukuoka Mil Govt Team Compound, APO 24-5

I CERTIFY that the above report was delivered to me on the 7th
day of April, 1949, at 1100 o'clock.

(Signature of officer in charge)
ERNEST R. KNIRSCH 1st Lt., FA
Adjutant

(Official title)

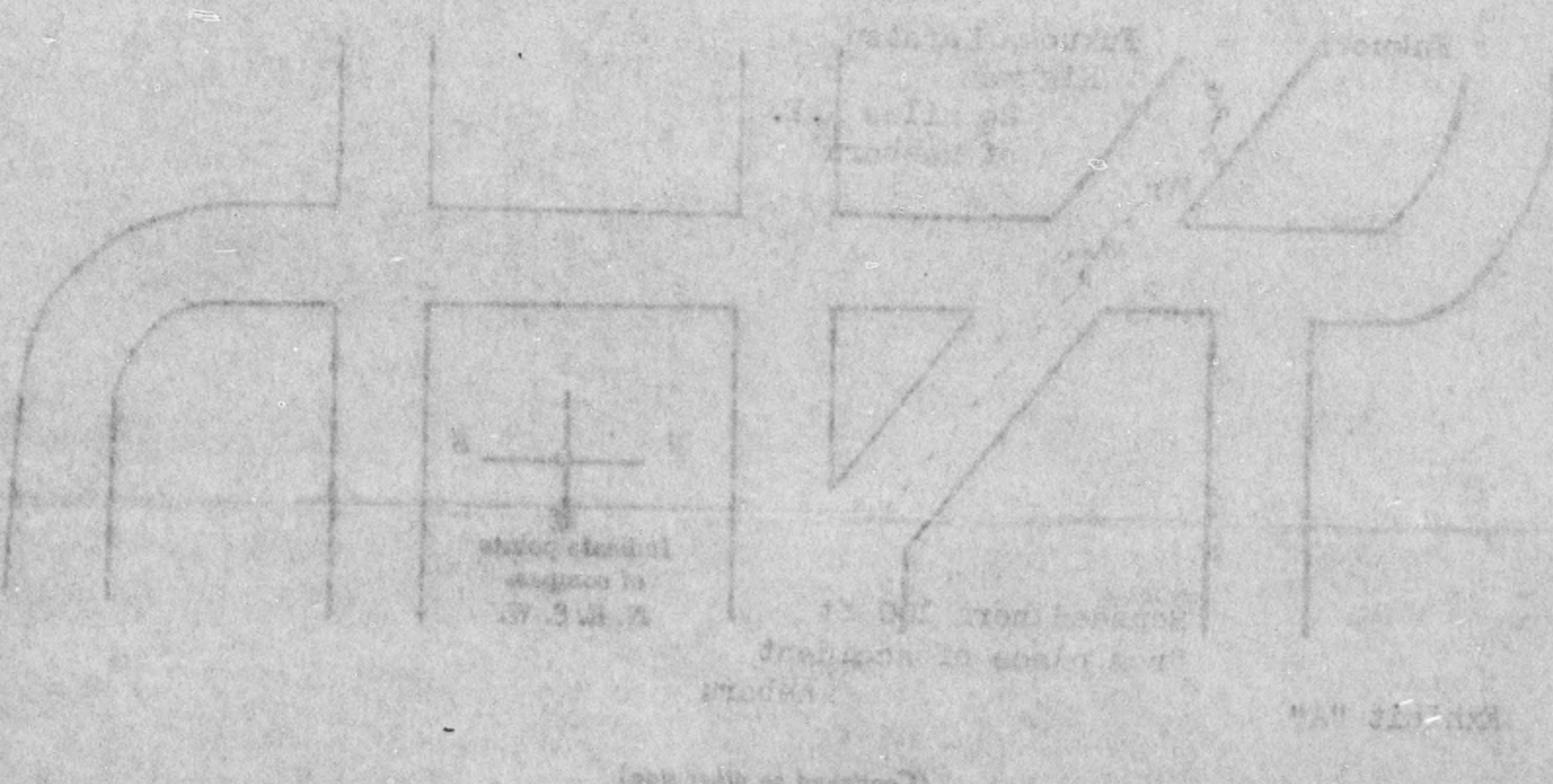
Fukuoka Military Government Team, APO 24-5

(Government department or establishment)

NOTE.—This report should be attached to report of Investigating Officer.

Certified True Copy:

Donald W. McConnell
DONALD W. McCONNELL
1st Lt., FA
Claim Officer



Recreation

運轉手旅行切符及運轉記録			自動車番號 20190120		
運轉手氏名 Fujino			日6 附Apr. '49		
報告先 Tak Tsutsui			出發時刻 0740		
部隊名 FMGT #8			歸着時刻 17:35		
部門又ハ宛名 APO 24-5					
作業種別 (又ハ經路) Recreation					
要求元 (部隊又ハ個人) Lt. E.R. Knirsch			/s/ MSGT Bush		
速度計			發車係ノ署名		
時間計			時間計		
入 48510	断 48461	總哩數 49	入	断	總時間數
追加燃料 此の様式に依る「整理作業」は履行済。不足事項及事故は記録済					
追加油量 /s/ Fujino					
運轉手署名					
此の書式記載事項全部に注意し必要な手配終了済。					
(發車係其ノ他ノ署名)					
旅行又ハ積荷記録		乗客又ハ重量	速度計又ハ時間計		
出發地 Motor Pool			48461		
行先 Haruzashi			48462		
行先 Itoshima		1	48482		
行先 Haruzashi		1	48505		
行先 52 - BA			48507		
行先 Motor Pool			48510		
行先 Certified True Copy:					
行先 <i>Donald W. McConnell</i>					
行先 DONALD W. McCONNELL					
行先 1st Lt., FA					
自動車係署名 (發車係署名、時間計、日附、時刻) 48505 17:10 6 Apr '49					
正式使用者 (署名及等級) /s/ Tak Tsutsui (DAC)					

WD FORM 48
15 DEC. 1944
Exhibit "B"

運轉手整備日課作業

TM-87-2810 の指圖或は運轉手教範に據り次の作業を行ふこと。

運轉前検査

- | | | |
|-----------------|----------------|-----------------|
| 1. 破損箇所 | 11. 前面ガラス後視鏡 | 20. 浄化装置 |
| 2. 消火器 | 12. 電燈及反射器 | 21. 道具及装具 |
| 3. 燃料、油及ピ水 | 13. 輪及フランヂナット | 22. エンジン運轉 |
| 4. 附屬品及操縱 | 14. タイヤ、キヤタピラ | 23. 運轉手用出版物 |
| 5. エアブレークタンク | 15. スプリング及支持部 | 24. 水陸兩用品目 |
| 6. 漏孔一般 | 16. 操向機及其ノ連結装置 | 24-1. 資材取扱装備品目 |
| 7. 機關ノ準備運動 | 17. フェンダー及バンパー | 24-2. 特殊技術者擔當事項 |
| 8. チョーク又ハブライマー | 18. 索引鉤 | 25. 運轉中ノ點檢 |
| 9. 修理要具 | 19. 車體、積荷及カバー | |
| 10. 警報器及前面ガラス拭キ | | |

運轉手名頭字

運轉中検査

- | | | |
|------------------|--------------|---------------------------|
| 26. 前輪ブレーキ | 31. エンジンの調子 | 36. 銃一摺付、仰角、回轉、回轉儀及發火操縱系統 |
| 27. 足及手ブレーキ | 32. 修理要具 | |
| 28. クラッチ | 33. ステアリングギヤ | |
| 29. トランスミッション | 34. ランニングギヤ | 37. 水陸兩用品目 |
| 30. トランスミッションの調子 | 35. 車體及後尾 | 37-1. 資材取扱品目 |
| | | 37-2. 特殊技術者擔當事項 |

運轉手名頭字

停車時検査

- | | | |
|---------------------|----------------|-----------------|
| 38. 燃料、油及水 | 44. 輪及フランヂのナット | 51. 車體、積荷及カバー |
| 39. 温度—ハブ、ブレーキ鼓胴 | 45. タイヤ又はキヤタピラ | 52. 外形及ガラス |
| 40. アクセル、トランスフア—通氣孔 | 46. 漏孔一般 | 53. 水陸兩用品目 |
| 41. プロペラシャフト | 47. 附屬品及ベルト | 53-1. 資材取扱品目 |
| 42. スプリング及支持部 | 48. 空氣浄化器 | 53-2. 特殊技術者擔當事項 |
| 43. 操向機連結装置 | 49. フェンダー及バンパー | |
| | 50. 索引鉤 | |

運轉手名頭字

運轉後検査

- | | | |
|---------------------|------------------------------|---|
| 54. *燃料、油及ピ水 | 70. 操行機連結装置 | 82. *締付—輪、リム、アクセルドライブフランヂ及スプリングU形ボルトナット |
| 55. エンジン運轉要具 | 71. プロペラシャフト及センターベアリング及通氣孔 | 83. *必要トスル油サシWDLO 番號 日附 |
| 57. 警報器及前面ガラス拭キ | 72. アクセル及トランスミッションの通氣孔 | 84. *エンジン及車輪ノ手入 |
| 58. 前面ガラス及後視鏡 | 73. 漏孔一般 | 85. *要具及装備 |
| 59. 電燈及反射器 | 74. キアケース | 86. *水陸兩用品目 |
| 60. 消火器 | 75. *エアブレークタンク | 87. *資材取扱装備品目 |
| 61. 浄化装置 | 76. フェンダー及バンパー | 88. *特殊技術者擔當事項 |
| 62. *バッテリー及ピボルトメーター | 77. *索引鉤 | |
| 63. *附屬品及ベルト | 78. 車體、積荷及カバー | |
| 64. *電線 | 79. 装備及前軸 | (故障ノ箇所=×印ヲ付スコト) |
| 65. エアクリナー及呼吸辨 | 80. 眼鏡装置 | |
| 66. *燃料フィルター | 81. 砲塔及銃一摺付、仰角、回轉儀、回轉及發火操縱系統 | |
| 67. エンジン調子 | | |
| 68. *タイヤ又はキヤタピラ | | |
| 69. *スプリング及支持部 | | |

運轉手名頭字

*印の項は別に毎週點檢し、所定の措置を取ること。

故障又は不足部分にして補正せられた場合はその旨記載のこと。

EXHIBIT "C"

FUKUOKA, KYUSHU, JAPAN

TESTIMONY OF KOSUKE FUJINO

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, KOSUKE FUJINO, Age 35
136 TAKEDA MACHI, YOSHIZUKA, FUKUOKA CITY,
who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:

Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? "I DO"

I am a regularly assigned driver for Fukuoka Mil Govt Team. On 6 April 1949 at about 1230 hours I was driving vehicle FMGT #8 properly dispatched on official business, along a road in the vicinity of Hatae, Fukuoka-ken, at a speed of approximately 30 miles per hour. I was heading in the direction of Fukuoka city. I saw a lady with a shawl over her head walking along the road on the left hand side in the same direction as I was travelling, about 100 yards away. She suddenly started to cross the road without looking back. I blew my horn two or three times and slowed down slightly. She stopped in the middle of the road. She took one step as if she were going to continue across the road. Then she drew back. She appeared confused. She again stepped as if to cross the road and I thought that she would continue across. I swung so as to pass her on the left. She then ran back to the left. I applied the brakes fully and swung to the left. The front bumper struck her. She was knocked to the ground. I stopped the jeep. Mr. Tsutsui and I placed the lady in the jeep. She was dazed but could speak. I asked her address and where she was hurt. She said she would stay there. I said I had to take her to a hospital. She said, "I'm all right, let me at here" or words to that effect. I drove her to Maebaru and to the Arita hospital where a doctor examined her. The road where the accident occurred is in the countryside. I reported the accident to the Hatae police box.
Further deponent sayeth not.

I, KOSUKE FUJINO, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE

Kosuke Fujino
KOSUKE FUJINO

SEAL

I, HIROTO IMANISHI, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE

Hiroto Imanishi
HIROTO IMANISHI
Interpreter
FMGT

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 8th day of April 1949.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

D. H. McConnell
D. H. McCONNELL, 1st Lt., FA
Claims Officer

EXHIBIT "C"

R #55, 16 Dec 48

115073

EXHIBIT "D"

TESTIMONY OF Mr. Takeshi Tsutsui

FUKUOKA, KYUSHU, JAPAN

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, CAP-6

Takeshi Tsutsui D AG Fukuoka military Government Team APO 24-5
Name ASN Unit
Fukuoka, Kyushu, Japan Station, who having been warned of his

rights and having been duly sworn according to law, deposes and says as follows:

As we passed the Hatae Sub Police Box, located in the outskirts of Hatae, we saw a woman dressed in black, walking on the left side of the road. We were approximately 100 yards away from the lady when the driver sounded his horn, at which time we were traveling about 30 miles per hour on the gravel dirt road. The lady started to cross the road without ascertaining to see if the traffic was clear or not. The driver repeatedly sounded his horn and put his foot on the brake. The lady in the meantime crossed half way and started to comeback. The driver to escape this slowed down and turned his wheel to the right. Evidently, sensing the approaching of a vehicle she once more started to cross the road into the path of the vehicle. We were approximately 30 feet away when the driver again turned his wheels to the left to escape the lady going half way across the road. The accident could have been avoided if she had kept on crossing the road, the second time she attempted to do so. Unfortunately she started to return to the left side of the road again and once more came into the path of the vehicle. The driver cut his wheels sharply to the left and alamed his brake but the victim was unfortunately hit on the left side of her leg by the right front bumper. All during this time the victim did not turn around once toward the vehicle. Despite repeated request by the victim to be left alone the driver carried her into the jeep in order that we may hurry her to the nearest hospital. Enroute to Maebaru she said "I'm all right, I'm all right", please let me off". However the following diagnosis was diagnosed by Dr. Kyosuke Arita: Bruised left lower thigh (femur), left buttocks and metacarpus of both hands. The patient will require seven days treatment. The victim was transported on the jeep to her home after the diagnosis at approximately 1700, 6 April 1949. This accident was reported to the Maebaru Police Station by phone by Hatae Sub Police Box Officer.

Further the deponent sayeth not:

Takeshi Tsutsui
SIGNATURE ASN
TAKESHI TSUTSUI CAP-6
DAG
RANK
Fukuoka Military Government Team APO 24-5
UNIT

Sworn and subscribed to before me this 9th day of April 19 49.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Donald W. McConnell
DONALD W. McCONNELL, 1st Lt., FA
Asst Claims Officer
Fukuoka Mil Govt Team

EXHIBIT "D"

R #56 16 Dec 48

EXHIBIT "E"

FUKUOKA, KYUSHU, JAPAN

TESTIMONY OF SHIZUE YAMAMOTO

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, SHIZUE YAMAMOTO, Age 40 c/o SHIBATA STEEL FACTORY, ICHINOKIMI, NAKASHO, FUKUOKA, who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:

Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? "I DO"

It was at about 1230 on 6 April 1949 on a windy day at Hatae-mura, Itoshima gun. Because the wind was very strong, I had a difficult time walking. The place was a country road and there were hardly any pedestrians. I was walking toward Fukuoka and the jeep was coming from behind. When I looked back, I saw the jeep at a distance so I thought that if I crossed on the other side, it would be safer for me. I did not hear the horn before crossing. After I got about half way across the road, I heard the horn repeatedly. I have no idea how fast the vehicle was running. I do not recollect being hit by the car. I was left unconscious. The next thing I remember was finding myself at the hospital. I did not tell the doctor at the hospital about the pain in the chest or the shoulders because at that time only my legs were in pain. Since yesterday, I started feeling the pain through the entire body from the neck to the chest and shoulders. The legs were hit most. I have nothing further to state.

Further deponent sayeth not.

I, SHIZUE YAMAMOTO, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE

山本静枝
SHIZUE YAMAMOTO

SEAL

I, HIROTO IMANISHI, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE

Hirotō Imanishi
HIROTO IMANISHI

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 6th day of April 1949.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Donald W. McConnell
DONALD W. McCONNELL, 1st Lt., FA
Claims Officer

EXHIBIT "E"

R #55, 16 Dec 48

DIAGNOSIS

Name: Shizue Yamamoto (F)
Age : 40

1. Name of Disease: Contusion of left gluteal region, left leg and dorsal sides of both hands.

The above mentioned person is getting medical treatment an an out-patient because of the above described disease. She is required to keep quiet for the next seven (7) days.

April 6th, 1949

By Dr. Kyosuke Arita,
No. 178, Oaza-mayebaru, Mayebaru-
machi, Itoshima-gun, Fukuoka-ken

I, Shigeru Suganuma, having knowledge of both English and Japanese, have translated the above to the best of my knowledge and ability.

Translated by *Shigeru Suganuma*
S. Suganuma, Civil Information Section

EXHIBIT "F"

HEADQUARTERS
FUKUOKA MILITARY GOVERNMENT TEAM
Fukuoka, Kyushu

SPECIAL ORDER

APO 24 Unit 5
11 April 1949

NUMBER.....18

1. Under the provisions of par 7d, AR 25-20, 1st Lt DONALD W. McCONNELL, Inf, O-1 183 126, this orgn, is aptd Asst Unit Claims O to investigate and report upon all claims referred for action by this headquarters. Claims Officer will act as a board of one officer in cases within the provisions of AW 105, and will likewise constitute the investigating officer or board of officers required by Army Regulations for the investigation of any accident or incident involving damage to or loss or destruction of property, or personal injury or death. Claims Officer's investigation will cover all phases of the accident or incident and its future bearing on the interest of the service, including possible claims against or in favor of the government, the LOD status of military personnel, survey matters, the necessity of special reports of fires, explosions, storms, and other occurrences, and the question whether the circumstances properly call for action under AW 105 or disciplinary action.

2. Captain REX B. RASMUS, FA/AGD, O-301 770 is reld of present asgmt and dy as Labor O, MOS 2330 and asgd PDy as Asst Eco O MOS 8000 in charge of Labor and Labor Rel Sec.

3. 1st Lt HARRY G. WARHEIT, Inf, O-2 011 009 is reld of present PDy as Fin and Civil Property O, MOS 6010 and asgd PDy as Asst Eco O, MOS 8000 Finance and Civil Property Sub-Section.

4. 1st Lt RAYMOND L. SCHULTZ, Inf, O-1 341 825 is reld of present asgmt and dy as Pub Fin and Civil Prop MOS 6010 and asgd PDy as Asst Eco O, MOS 8000 in charge of Finance and Civil Property Sub-Section.

5. 1st Lt FRED D. DAWSON, Inf, O-2 035 081 is reld of present asgmt and dy Asst Eco O (Fish & Vege) MOS 8000 and asgd PDy Det Comdr, MOS 2136 and addn duties as Unit Baggage O, Supply O, Mess Supervisor, Mtr O, Athletic and Recreation O, Unit Fire Marshal, Special Service O, Theatre O, Unit Safety O, Conservation O, Range O and Billeting O.

6. Captain BERNARD F. JOHNSON, FA, O-351 914 is asgd addn duties as Procurement Officer and Security Officer vice 1st Lt ERNEST R. KNIRSCH FA, O-1 177 494 reld.

EXHIBIT "G"

B/SIC: SO #18, FMGT dtd 11 Apr 49

7. Corporal Jerry C. Allen, RA 7 025 301 reold present asgmt and dy as Msg Ctr Chief, MOS 667 and asgd Dy as Unit Mail Clk, MOS 055 and addn dy as Msg Ctr Chief, MOS 667.

BY ORDER OF LIEUTENANT COLONEL SPRINGER:

ERNEST R. KNIRSCH
1st Lt., FA
Adjutant

OFFICIAL:

Ernest R. Knirsch

ERNEST R. KNIRSCH
1st Lt., FA
Adjutant

DISTRIBUTION:

"5"

HEADQUARTERS 24TH INFANTRY DIVISION ARTILLERY
OFFICE OF THE PROVOST MARSHAL
APO 24, UNIT 4
Fukuoka, Kyushu

REPORT OF INCIDENT

Date: 7 April 1949 Case # 375 Date of Incident: 6 April '49

Time of Incident: 1235 Location: Itoshima Gun, Saabara machi, Pref Highway, Ikeda 629

Type: Accident

Persons Involved: (Names & Addresses) Fujino Koshi, Japanese driver for Fukuoka NG Team - Yamamoto Shizue, Fukuoka City Nakasho machi

Witnesses: (Names & Addresses) Yantsui, Takeshi, Interpreter for Fukuoka NG Team

Incident: (Give specific Names, times & locations) On the above date at approximately 1235 hours an accident occurred involving Fujino Kishi, Japanese driver for Fukuoka Mil Govt Team and Yamamoto Shizue, Japanese female, Fukuoka city Nakasho machi.

As Fujino was proceeding toward Fukuoka driving a 1/2 ton 4x4 jeep, bumper marking FMOT-8, when he noticed a Japanese woman walking in the path of his vehicle and attempted to stop. At the same time the woman saw the jeep and tried to cross back out of the way, however it was too late to avoid contact and the woman was struck, causing her to be injured slightly on her left side. No damage done to government vehicle.

Action taken: Report made to Fukuoka NG Team

Investigating MP's

Name: Samuel Patton

Rank: Sgt 1/c

Orgn: 622nd MP Co.

Report received by:

REPORT ON ACCIDENT BY OCCUPATIONAL JEEP

Received: April 6th, 1610 hours

Time of Occurrence: 1235 hours April 6th, 1949

Place of Occurrence: On the Prefectural Road, western side of Mr. Furuhashi Teikitsu's house, dealer in bicycles, No. 629, Oaza-Ikeda, Mayebaru-machi, Itoshima-gun.

Persons concerned:

Victim, Shizuye Yamamoto (F) Age 40 yrs ,
no occupation, 1-kumi, Nakanosho, Fukuoka city

Assailant, Kosuke Fujino (M) Age 35 yrs,
driver of an Occupational jeep, c/o Ippoted Compound,
Fukuoka Military Government Team, in East Park,
Fukuoka city

Jeep No. FMGT No.8

Casualties: Contusion of left gluteal region
Contusion of left leg
Contusion of dorsal sides of both hands
Keeping quiet for 7 days (See: Diagnosis)

Outline of Accident: It occurred at the above said place when the above mentioned driver Kosuke Fujino was on his way back from Nagaito-mura, Itoshima-gun by jeep. When the victim (Shizuye Yamamoto) was going to cross the road on the said place from the left side (north) to the right side (south), she happened to find a jeep rushing along from western part toward the east. Just then she tried to step back. But it was too late. She was thrust down by the jeep on the bumper.

Disposition under charge of Police Station: The assailant took the victim to the Arita Surgery located in Mayebaru-machi by jeep. Finishing the medical treatment, the assailant transferred the victim to the home.

Time of Report: 1640 (Sent to Traffic Section of Ken)

Report to Fukuoka M.P.: 1700

Remarks: Kosuke Fujino has a driving license in Japan. This ordinary license was given by the Fukuoka Municipal Public Safety Committee on October 17th, 1948. Fellow passenger: Takeshi Tsutsui (Age 27 yrs) (Number of license is unknown). On his way back from the hospital at 4 o'clock p.m., the assailant reported to the Hataye Police Box belonging to the Mayebaru Police Station.

I, Shigeru Suganuma, having knowledge of both English and Japanese, have translated the above to the best of my knowledge and ability.

Translated by *Shigeru Suganuma*
S. Suganuma, Civil Information Section

EXHIBIT "T"

HEADQUARTERS
NAGASAKI MILITARY GOVERNMENT TEAM
Nagasaki, Kyushu, Japan

GS/km

153

APG 24-5
17 February 1949

SUBJECT: Baggage Claims

TO : Commanding General, Hq Eighth Army, APO 343.
(ATTN: Repatriation Branch)

1. In compliance with instructions received by telephone from your office a thorough and complete search has been made for transmittal letter, Headquarters Eighth Army, dated 26 December 1947, subject, "Applications for Shipment of Baggage of Ryukyuians."

- a. Records and files of Public Welfare Section have been checked.
- b. Central File Section of this Organization has been searched.
- c. Records and files at Ken-cho of Prefectural Government have been checked.
- d. No persons present have knowledge of such applications or have any files pertaining to same been found.

2. According to information received by phone from your Headquarters the listing was as follows:

- a. Pamae, Saigru, class I, 83-S-16/5
- b. Abushi, Sipotu, class I, 83-S-16/1
- c. Miyagi, Kijo, class I, 83-S-10/2
- d. Seunaknowa, Keiichi, class II, SR 1

3. Request that copies of applications be sent to this Headquarters for processing as to your instructions.

FOR THE COMMANDING OFFICER:

1- Info Copy
To Region

/s/t/ VERNON C HILL
Capt CAD
Adjutant

AGMGR 524 1st Ind
SUBJECT: Baggage Claims, 17 February 1949

Headquarters Eighth Army, APO 343, 2 Mar 1949

TO: Commanding General, Ryukyus Command, APO 331

1. Subject property applications have evidently been lost.
2. It is the policy of this headquarters to handle applications of this nature on a merit basis. Therefore, it is suggested that the applicants be instructed to prepare new applications which will enable this headquarters to process them at some future date, as the program will be completed by 1 April 1949.

FOR THE COMMANDING GENERAL:

2 Incls:

1. Ltr fr 8th Army,
subj: "Ltr of Trans-
mittal," dtd 26 Dec 47
2. Ltr fr 8th Army,
Subj: "Ltr of Trans-
mittal," dtd 13 Nov 47

/s/t/ MONROE N. HINEY
Major, AGD
Asst Adj Gen

AIMG-G 524.2 2nd Ind
SUBJECT: Baggage Claims, 17 February 1949

Headquarters, Ryukyus Command, APO 331, 28 Mar 1949

TO: Commanding General, Eighth Army, APO 343

1. Attached hereto are certified true copies of unaccompanied baggage applications for the following persons.

TAMAE, Shigeru
TAKUSHI, Seitoku
MIYAGI, Kijo
SUNAKAWA, Keiichi

2. In view of the fact that two of the applicants are located on other islands and that considerable time would be lost in resubmitting original applications, it was believed advisable to make certified true copies of the above listed applications in order to expedite the resubmission of attached papers.

FOR THE COMMANDING GENERAL:

Incls:

1. Ltr fr 8th Army,
subj: "Ltr of Transmittal," dtd 26 Dec 47
2. Ltr fr 8th Army,
subj: "Ltr of Transmittal," dtd 13 Nov 47
3. Application # Oki 16 (4 copies)
4. Application # Oki 15 (4 copies)
5. Application # Oki 10 (4 copies)
6. Application # SR 1 (4 copies)

/s/t/ K. H. KOLLEY
1st Lt TC
Actg Asst Adj Gen

115073

AGOR 524 3d Ind
 SUBJECT: Baggage Claims, 17 February 1949

7 APR 1949

Headquarters Eighth Army, APO 343

THRU: Commanding General, I Corps, APO 301

TO: Commanding Officer, Nagasaki, Military Government Team, APO 24 - 3

It is desired that processing of subject application in compliance with paragraph 4 of Operational Directive 77/6 for 1946, this headquarters, be expedited.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

6 Incls:
 n/c

MONROE H. HINNY
 Major, AGD
 Asst Adj Gen

AG 520 - BA
 Hq I Corps, APO 301.

4th Ind

FLR/ea

APR 11 1949

TO: CO, Ryushu MIL Govt Region, APO 24-5

Attention invited to preceding indorsement.

BY COMMAND OF MAJOR GENERAL COULTER:

A. SEIPEL
 Lt Col, AGD
 Asst Adj General

6 Incls:
 n/c

AGNOR 524

5th Ind

JBS/mcl

SUBJECT: Baggage Claims, 17 February 1949

KYUSHU MIL GOVT REGION, HQ & HQ DETACHMENT, APO 24-5, 15 April 1949

TO: Commanding Officer, Nagasaki Mil Govt Team, APO 24-5

Your attention is invited to 1st Indorsement.

BY ORDER OF COLONEL HILTON:

C. L. LAWSON
Capt TC
Acting Adjutant

6 Incls:
n/c

File

FILEHEADQUARTERS
SEATTLE PORT OF EMBARKATION
SEATTLE 4, WASHINGTON

EJK/fca

TCSEP 150 (1579) CBS

20 Jan 49

153
SUBJECT: Claim of Mrs. Marie Rogers

TO : Commanding General
Sixth Army
Presidio of San Francisco
California
ATTENTION: Chief, Claims Division
Judge Advocate Section

1. Appended hereto is the claim of Mrs. Marie Rogers, 9254, - 15th N.W., Seattle Washington, which has been received at this Headquarters.

2. Claimant is the wife of Captain Irvin W. Rogers, TC, 0194769, whose address as of 26 August 1947 was Nagasaki Military Government, APO 929. As the parties are now separated, the claim has been signed and filed by Mrs. Rogers only, and is not joined in by Captain Rogers.

3. The claim is filed under AR 25-25 for damage to household goods alleged to have been caused while the goods were in the custody of the United States, being transported from Japan to the Seattle Port, or subsequent to arriving at Seattle and prior to 27 Sep 47. Between 27 Sep 47 and 3 Oct 47 the furniture was turned over to the transportation Officer at Nagasaki, Japan, for shipment to Seattle. Mrs. Rogers arrived in Seattle on 10 Oct 47 and shortly thereafter made inquiry about the furniture at the Seattle Port of Embarkation, but the shipment had not yet arrived. She continued making inquiry thereafter from time to time but the furniture still did not arrive. In the first part of October 1948 she visited the Inspector General, this headquarters, and a radio was dispatched to Japan inquiring about the status of the shipment. It was ascertained that it was "being held there" but that it would be released for shipment immediately. Claimant states that the furniture, according to her information and belief, was delayed in Japan at the request of her husband because of domestic difficulties and the marital rift which led to their separation. The furniture finally arrived at the Seattle Port in the latter part of October 1948, aboard the "REPUBLIC". In the meantime, Mrs. Rogers had rented a furnished house and, therefore, had no room for the furniture. Therefore, she had the furniture stored at the government warehouse at Auburn, Washington. The major portion of the furniture is still in that warehouse. The appended claim is filed for damage to a part of the shipment which she withdrew from the warehouse. These articles represent only a minor portion of the total shipment. A representative of this headquarters inspected the damaged items at the claimant's house within a few days after release from government storage and took the photographs appended as evidence with the claim. It is very probable that the other items in storage are also damaged, and the claimant specifically reserves to herself the right to file a further claim for damage, if any, to the articles still remaining in storage.

4. Before this claim can be processed further, it is the opinion of this headquarters that information is required from the Far East Command concerning the following:

a. The date the furniture was actually turned over to the custody of the

TCSEP 150 (1579) CBS
SUBJECT: Claim of Mrs. Marie Rogers

20 Jan 49

government, and the condition thereof at that time.

b. The reason for the delay in shipment.

c. Where was the furniture stored during the delay? Was it in the custody of the United States government? Was it stored for the convenience of the claimant or her husband, or was the delay in shipment caused by neglect of agent of the government?

d. Was any of the damage done while in such storage during that delay?

e. Does Captain Rogers, the husband, desire to join in this claim, or in any future claim for the other items still remaining in storage? If not, does he waive his interest in the recovery, if any, inasmuch as under the law of Washington he has a community property interest in the furniture? If he waives his claim in favor of his wife, such waiver should be in writing.

5. In view of the foregoing discussion, it is recommended that the appended file be forwarded to the Commander in Chief, Far East Command, for investigation and report on the items and matters listed in the preceding paragraph.

6. A further legal question arises in connection with this claim. Claimant is filing for damage to only part of the one shipment of household goods and furniture, and is attempting to reserve to herself the right to file a further claim for damage, if there is any, to the remaining items still in storage at the Auburn warehouse. This procedure constitutes the splitting of what is, in legal effect, a single claim. Can the claimant be legally permitted to split her claim for damages to the one shipment as she is now attempting to do? It is the opinion of this headquarters that the damages to the shipment as a whole constitute a single claim which cannot be split, and that, if she receives and accepts payment of this partial claim, she would be legally barred from asserting any further claim for presently existing damages to any of the goods still remaining in storage.

7. When the file is returned to this headquarters with the additional investigation and report from the Far East Command, it is requested that this headquarters be informed concerning the legality of the attempted splitting of this claim, so that claimant can be properly advised thereof.

FOR THE COMMANDING OFFICER:

s/M. P. Mason
T/M. P. MASON
1st Lt. USAF
Ass't Adjutant

1 Incl:
#1 - C/O Rpt
w/exhibits A thru J
(in dup)

BASIC: TCSEP 150 (1579) CBS, 20 Jan 49, Claim of Mrs. Marie Rogers

AMJAS 19997

1st Ind

HEADQUARTERS SIXTH ARMY, Presidio of San Francisco, Calif.
25 Jan 1949

THRU: Commander-in-Chief, Far East Command, APO 500,
c/o Postmaster, San Francisco, California

TO : Commanding General, I Corps, APO 301, c/o Postmaster,
San Francisco, California
ATTENTION: Claims Officer

1. Subject file forwarded herewith for further investigation and supplementary report as indicated below:

a. Request compliance with Par. 4, basic communication.

b. In the event that Capt. Rogers waives his interest in the community property, it is requested that such waiver be in writing, duly signed and attested, and attached, in triplicate, as exhibits to the record.

2. Upon completion of the further investigation and supplementary report indicated above, it is requested that the file be returned to this headquarters, Attention: AMJAS.

FOR THE COMMANDING GENERAL:

1 Incl:
n/c

LARRY E. DeBOGORY
Major, JAGD
Chief, Claims Division
Judge Advocate Section

AG 201 (20 Jan 49)JA 2d Ind

GENERAL HEADQUARTERS, FAR EAST COMMAND, APO 500 10 Feb 1949

TO: Commanding General, Eighth Army, APO 343
ATTENTION: Claims, Judge Advocate

For necessary action as indicated in preceding indorsement, and return through the Commander-in-Chief, Far East, Attention: Judge Advocate.

BY COMMAND OF GENERAL MacARTHUR:

1 Incl:
n/c

J. M. EBBITT,
Captain, AGD
Asst Adj Gen

AGYCL 150 Rogers, Marie (Mrs.) 3d Ind
(20 Jan 49)
Subject: Claim Against the U. S. Government

Hq, Eighth Army, APO 343

15 Feb 1949

TO: Commanding General, I Corps, APO 301

1. Forwarded for information requested in par 4 of basic letter.
2. In the event Capt. Rogers has been reassigned, request his forwarding address be included in your reply.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

1 Incl:
n/c

W. H. DICKERSON
CWO USA
ASST ADJ GEN

AG 150 - 0

4th Ind

HEADQUARTERS I CORPS, APO 301

25 Feb 1949

TO: Commanding General, Eighth Army, APO 343

1. Captain Irvin W. Rogers, 0194769, TC, formerly assigned to Nagasaki Military Government Team, subsequently assigned to 98th AM Service Battalion, and later assigned to 21st Infantry, was transferred to 4th Replacement Depot by paragraph 4, Special Orders No. 8, Headquarters Eighth Army, dated 8 January 1949, for return to zone of interior.

2. Information has been received that Captain Rogers departed from this theater on 4 February 1949, aboard the USAT FUNSTON and is to be assigned to the 10th Infantry, Fort Riley, Kansas, upon arrival in the United States.

FOR THE COMMANDING GENERAL:

1 Incl:
n/c

CHARLES RAMSEY
C.W.O. U.S.A.
Asst. Adj. Gen.

AGYC 150 Rogers, Marie (Mrs.) 5th Ind
 (20 Jan 49)
 Subject: Claims Against the U. S. Government

Hq, Eighth Army, APO 343

4 March 1949

TO: Commanding General, I Corps, APO 301

1. Returned for information requested in paragraphs 4a, b, c and d of basic letter.
2. This information is necessary despite the fact that Capt. Rogers has returned to the zone of interior.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

1 Incl:
 n/c

CHARLES A. HULL
 Captain T. C.
 Actg Asst Adj Gen

AG 150 - 0

6th Ind

HEADQUARTERS I CORPS, APO 301, 9 March 1949

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

For compliance with preceding indorsement.

BY COMMAND OF MAJOR GENERAL COULTER:

1 Incl:
 n/c

WILLIAM A. FRANKS
 Major, AGD
 Asst Adj General

BASIC: TCSHF 150 (1579) CBS, 20 Jan 49, Claim of Mrs. Marie Rogers

7th Ind

JBS/mcl

KYUSHU MIL GOVT REGION, HQS & HQS DIST, APO 24 Unit 5, 16 March 1949

TO: Commanding Officer, Nagasaki Mil Govt Team, APO 929

Forwarded for compliance with fifth Indorsement.

BY ORDER OF COLONEL HILTON:

File

CHARLES L. BACHTEL
1st Lt Sig C
Adjutant

1 Incl:
n/c

7

BASIC: TCSEP 150 (1579) CBS, 20 Jan 49, Claim of Mrs. Marie Rogers.

150

9th Ind

DLC/gbd

Headquarters 34th Infantry Regiment, APO 24 Unit 3, 12 April 1949

TO: Commanding Officer, Nagasaki Military Government Team, APO 929

1. Records available in this headquarters do not show the date this furniture was initially turned over to the custody of the government. The condition of the furniture at that time cannot be determined since the Baggage Officer who received it and all other American personnel concerned have returned to the Zone of Interior.

2. Other shipping documents available show that twenty-four packages of household goods for Mrs. Marie Rogers were returned from R.T.O., 2nd Transportation Major Port, Yokohama, to the Baggage Officer, 34th Infantry, on 23 January 1948. Records further indicate that twenty-five packages were shipped from the Baggage Officer, 34th Infantry, to Captain Irwin Rogers, 21st Infantry, Kumamoto, on 22 March 1948.

3. Reason for delay in shipment other than as shown above is unknown.

4. All furniture was stored in the baggage warehouse, 34th Infantry, from 26 January 1948 to 22 March 1948 in the absence of shipping instructions and shipping address in the Zone of Interior.

5. It is unknown how or where this furniture was stored while in Kumamoto.

FOR THE COMMANDING OFFICER:

1 Incl:
n/a

DAVID L. COLAW
1st Lt. Infantry
Asst. Adjutant

10th Ind

TJC/sn

HEADQUARTERS NAGASAKI MILITARY GOVERNMENT TEAM, APO 24 UNIT 5, 15 Apr 49

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

Inviting attention to 9th indorsement.

FOR THE COMMANDING OFFICER:

1 Incl:
n/a

THOMAS J. COCKRELL
Major Cav
Executive Officer

153
BASIG: TOSEP 150 (1579) CBS, 20 Jan 49, Claim of Mrs. Marie Rogers.

11th Ind

JBS/mcl

KYUSHU MIL GOVT REGION, HQ & HQ BDE, APO 24 Unit 5

TO: Commanding Officer, Kumamoto Mil Govt Team, APO 24-1

1. Basic communication to Commanding General Sixth Army requests information regarding custody of household effects of Mrs. Marie Rogers and Captain Irvin W. Rogers who was stationed at Nagasaki and Kumamoto prior to 27 September 1947.

2. Information up to time said baggage was shipped to Kumamoto was supplied in 9th Indorsement by 34th Infantry Regiment.

3. Request investigation be continued at Kumamoto to complete information desired in basic communication.

FOR THE COMMANDING OFFICER:

CHARLES F. LAYTON
Capt TC
Acting Adjutant

1 Incl:
n/c

File

153

BASIC: TCSEP 150 (1579) CBS 20 January 1949 Claim of Mrs Marie Rogers

12 Ind

JCB/tk

Headquarters Kusanoto Military Government Team, APO 24 Unit 1,
27 April 1949

TO: Commanding Officer, 21st Infantry Regiment, APO 24 Unit 1

1. Basic Communication to Commanding General Sixth Army requests information regarding custody of household effects of Mrs. Marie Rogers and Capt Irwin W. Rogers, formerly of your command.

2. Request investigation be continued at your headquarters to complete requests of basic communication.

FOR THE COMMANDING OFFICER:

JOHN C. BARRONTON
1st Lt Inf
Adjutant

File

BASIC: TCSEP 150 (1579) CBS, 20 January 1949

13th Ind

CHP/CHP

Headquarters 21st Infantry, APO 24, 6 May 1949

TO: Commanding Officer, Kasamoto Military Government Team, APO 24

In compliance with paragraph 4 a, b, c, and d of basic communications, the following information is submitted:

1. Records of this headquarters indicate the household goods of Captain and Mrs. Rogers, consisting of twenty-six (26) pieces, were shipped to the Outbound Cargo Section, Second Transportation Medium Port, for forwarding to the addressee, on 2 October 1948. This shipment of baggage had never been opened at this station during the period it was in storage. This shipment was originally packed and crated at the 34th Infantry, so the condition of this baggage may be assumed to be in the same condition when it was shipped from this headquarters as it was when originally packed and crated.

2. The reason for the delay in shipment during the period the owner was assigned to this organization is unknown. The baggage was placed in dead storage for a long period by the owner before contacting the baggage officer and requesting that it be forwarded to Mrs. Rogers.

3. During the period of storage, this shipment was first stored in the warehouse of the S-4. Captain Rogers then had it moved to the baggage warehouse of this unit. During this period of storage in these locations, it appears that the owner was either waiting for instructions from Mrs. Rogers concerning shipment, or else neglected to request shipment of the baggage.

4. As far as is known, there was no damage incurred at either place of storage; both warehouses are well sheltered buildings, and none of the crates or boxes were ever opened during the period of storage.

FOR THE COMMANDING OFFICER:

EARL G. DOWNEY
Capt, 21st Inf
Adjutant

BASIC: Ltr, Headquarters Seattle Port of Embarkation, Seattle 4, Washington, dated 20 Jan 49, subject: Claim of Mrs. Marie Rogers TCSEP 150 (1579) CBS

14th Ind

JCB/hy

Headquarters Kumamoto Military Government Team, APO 24 Unit 1, 7 May 1949

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

Forwarded in compliance with paragraph 2 first indorsement.

FOR THE COMMANDING OFFICER:

JOHN C. BARRONTON
1st Lt Inf
Adjutant

15th Ind

CLB/blh

KYUSHU MIL GOVT REGION, HQ & HQ DET, APO 24-5, 9 May 1949

TO: Commanding General, I Corps, APO 301
(Attn: AG Section)

Your attention is invited to the 13th Indorsement.

FOR THE COMMANDING OFFICER:

CHARLES L. BACHTEL
1st Lt SIG C
Adjutant

1 Incl:
n/c

HEADQUARTERS
FUKUOKA MILITARY GOVERNMENT TEAM
Fukuoka, Kyushu
APO 929

14 January

19 48

MEMORANDUM OF OPINION

1. a. Amount of claim: **None**
- b. Date claim filed: **No claim filed**
2. Type of claim and brief description of accident or incident:
No claim filed. Accident involving government vehicle (1/2 ton 4 x 4 truck) and three Japanese Nationals.

3. a. Date of accident or incident: **24 December 1948**
- b. Place of accident or incident: **Shirayuki machi, Main Street of Omata City, near City Hall, Omata City, Fukuoka Ken, Kyushu, Japan.**

(Potential)

4. Claimant's address:
 - a. Otsubo, Namie - Oaza Tagama, Omata Shi
 - b. Taguchi, Yukiyoichi - #1804, Nagasunachi, Tamana Gun, Kumamoto Ken
 - c. Hamada, Yoshiniko - #1784, Shino Higashimachi, Tamanagin Kumamoto Ken.
5. Facts:

About 1115 hours - 24 December 1948, 1/2 ton truck of Fukuoka Military Government Team driven by M/Sgt Elvin B. Kendrick travelling South on the Main Street in Omata near the City Hall, approached a group of people who were waiting to cross the street. At the time the vehicle reached the people, their view, obstructed by an umbrella, they suddenly stepped in the path of the vehicle. Speed of the vehicle was 5 to 10 miles per hour and the fact that the movement of the people was sudden, prevented the driver from avoiding an accident. Investigation discovered a third person had also been injured.

6. Opinion: Driver of Govt Vehicle no blame. He was observing normal safety precautions.

Comparative Negligence: Japanese were 100% at fault since they took no precautions whatsoever before they started to cross a thoroughfare normally carrying traffic.

7. Recommendation:

The motor officer orient all drivers of Govt vehicles that whenever groups of people are observed waiting to cross a street to slow down and stop. Determine if the people are going to cross the street, wait if they are to cross, proceed if they do not cross.

KARL L. SPRINGER
Lt., Colonel, USAF
Commanding

R50 FMGT 11/19/48

QUADROPLICATE

HEADQUARTERS I CORPS
APO 301 (Kyoto, Honehu)

MESSAGEFORM

Date: 20 September 1948
File No. AG 150 - 0
Office of origin: JA Sec

FROM: CG I CORPS APO 301

TO: SEE DISTRIBUTION

MESSAGE:

Reference: Letter, Headquarters Eighth Army, Office of the Army Judge Advocate, 16 September 1948, file YCL 150.

SUBJECT: Report of Claims Officers.

1. Letter Headquarters Eighth Army, Office of the Army Judge Advocate, 16 September 1948, file YCL 150, subject: Report of Claims Officers, is quoted for action:

"Request that the following instructions be disseminated to all unit commanders and claims officers concerned under your headquarters:

a. All reports of claims officers, other than those under AR 25-100, will bear the signature of the appointing authority, indicating approval or disapproval (paragraph 5e(2)(b), AR 25-20, 30 June 1948). Such reports of claims officers will not be signed by adjutant generals or staff judge advocates for, or on behalf of, the appointing authority.

b. Staff Judge advocates may continue to sign for, or on behalf of, the appointing authority, on reports of claims officers concerning claims asserted under AR 25-100 (paragraph 23d, AR 25-100, 29 May 1945)

c. All reports of claims officers, including those under AR 25-100, submitted to this headquarters, will be accompanied by the recommendations of the appointing authority in the form of a memorandum of opinion (paragraph 5g, AR 25-20, 30 June 1948). A suggested form for this memorandum of opinion is inclosed.

2. The suggested form mentioned in paragraph c, above, is shown on the reverse side of this messageform. The form should be reproduced on legal size paper to accompany the claims officer's report.

SWING

OFFICIAL:

/s/ W. N. Hornish
/t/ W. N. HORNISH
Lt Col, AGD
Asst Adj Gen

DISTRIBUTION:

U less Divisions

SUBMIT IN TRIPLICATE

REPORT OF CLAIMS OFFICER
(AR 25-20, AR 25-25, AR 25-90 and AR 25-220)

Use additional sheets if necessary and number to correspond with box numbers.

Claims under AR 25-25 for losses of dependents of military and Department of the Army personnel, incident to travel (other than auto traffic cases), fire in quarters, or bailment to the Government will be submitted on WD Form 30B.

Headquarters FUKUOKA MILITARY GOVERNMENT TEAM, APO 929
Base or Unit

Place Fukuoka City 14 January 19 49

1. ACCIDENT OR INCIDENT		
Date	Hour	Place
24 December 1948	Approximately 1115 A. M.	Shiramichi machi Main Street near City Hall Omuta City, Fukuoka Ken Kyushu, Japan
2. CLAIMANTS		
Name	Address	Type
None		No Claims Made
3. GOVERNMENT PROPERTY AND PERSONNEL INVOLVED - Par 8e (5) and (2), AR 25-20		
Property-make Location, etc.	Model,	Personnel - Name, grade, serial no., address and organization
1/2 Ton 4 x 4 20106848	Willys	Elvin D. Kendrick, M/Sgt, RA33864191 Fukuoka Mil Govt Team, APO 929
4. PRIVATE PROPERTY AND PERSONS INVOLVED - Par 8e (9), AR 25-20		
Property-Make, Type, Model, Location, etc.		Persons - Name, address, and relation to incident, e.g., owner, driver, pas- senger, bailee, tenant, etc.
None		Ishida, Kazuo, No. 15, 1 chome, Mikawa machi, Omuta City, Fukuoka Ken Passenger

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)

5. Nature and extent of damage, cost of repair, and if pertinent, value before and after damage, value of salvage, etc. Par 8c (1) and 8e (8) and (9), AR 25-20 and Par 3b (1), AR 25-220

GOVERNMENT PROPERTY . PRIVATE PROPERTY

No damage to government vehicle . No damage to private property

TCS Form No. 3,
Local Reproduction Authorized

6. PERSONS INJURED OR KILLED

Name, address, nature and extent of injury, hospital, attending physician, etc. Par 8c (2) and 8e (11), AR 25-20 and Par 3b (2), AR 25-220.

- a. Otsubo, Namie, Oaza Tegana, Ganta Shi, extent of injury: See Exhibit "J"
- b. Taguchi, Yukiyo, #1804, Nagasu-machi, Tamana Gun, Kumamoto Ken; extent of injury: See Exhibit "K"
- c. Hamada, Yoshihiko, #1784, Shimo Higashi machi, Nagasu machi, Tamana Gun, Kumamoto Ken

7. WITNESS (ATTACH STATEMENTS) Extent of Injury: See Ex "L"

NAME ADDRESS

Nakanishi, Jitsuo No. 1464 Nagasu machi, Tamana Gun, Kumamoto Ken
Fujimoto, Kazuyo No. 799 Oaza, Misaki-Mutsuai-mura, Tamana Gun, Kumamoto Ken

8. POLICE INFORMATION

Was police investigation made? . If made, attach copy of report (in triplicate). State facts as to arrests and results of any trials by civil or military courts. See Exhibit "M"

YES (X) ~~NO ()~~

9. SCOPE OF EMPLOYMENT

Was Government personnel acting within scope of employment? . State basis for answer
Govt driver was acting within scope of his employment, in that he was on regularly scheduled trip and vehicle was properly dispatched.

YES (X) ~~NO ()~~

10. SPECIAL EVIDENCE

- a. If the damage, loss, destruction, injury or death was caused by a civilian employee of the Army or the War Department, was such employee a citizen of the United States?
Not Applicable See Exhibit _____ YES () NO ()
- b. Does the evidence show the nationality of the claimant and whether he is an inhabitant of the country in which claim arose?
No claim filed. See Exhibits _____ YES () NO ()

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)10. SPECIAL EVIDENCE (Cont'd.)

- c. Does the evidence show the earnings, period and extent of physical disability, if any, state of health and age of injured or deceased person immediately prior to the accident?

See Exhibits _____ YES () NO ()

Not applicable

- d. Does the evidence show the extent of physical pain and suffering, if any, of the injured or deceased person?

See Exhibits _____ YES () NO ()

Not applicable

- e. Does the evidence show the names, ages, addresses and relationship to the injured or deceased, of all persons dependent on him for support and the extent of their dependency?

See Exhibits _____ YES () NO ()

Not applicable

(Cite Exhibits that support the above answers)

11. FINDINGS

Give full details in narrative form, with special attention:

In Traffic Cases - Direction of travel; speed; view obstruction; width of road, skidmarks; traffic signs and signals; traffic and weather conditions. See par 8e (19), AR 25-20.

In Mail Case - Registration or insurance receipt number; declared value; actual value of contents; fee paid; origin and destination. See Par 8e (20), AR 25-20; Par 5, AR 25-20, WD pamphlet 27-2.

About 1115 hours, 24 December 1948, a $\frac{1}{2}$ Ton 4x4 Truck, No. 20106848, of Fukuoka Mil Govt Team, driven by M/Sgt Elvin D. Kendrick, traveling south on the main street near the City Hall in Omuta, approached a group of Japanese people who were waiting to cross the street. At the time the vehicle reached the people, their view obstructed by an umbrella, they suddenly stepped in the path of the vehicle. Speed of vehicle being between 5 and 10 MPH and the fact that the movement of the people was sudden, prevented the driver from avoiding an accident. Weather was overcast and raining, road was slippery. Japanese were at fault in that their safety movements were restricted by no observation on their part. A third person was injured but at the time of accident his friend helped him to hospital. This fact was unknown to driver. Investigating officer located third person after interrogating one of injured. Police investigation was not correct, one injured person unknown. No attempt made to locate him before investigating officer found him.

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)

12. RECOMMENDATIONS - Check applicable clause

1. It is recommended that if or when a claim is filed against
 the U.S. Government it be:
~~*Approved in the amount of \$ _____.~~
***Disapproved.** *(Strike out inapplicable statement.)
2. Recommend that claim be asserted in favor of the government
 under the provisions of AR 25-220.
3. Recommend the military personnel named below be held liable
 under AW 105 for the amounts set opposite their name.
4. Recommend the military personnel named below be held liable
 for the damage to government property in the amounts set
 opposite their names.
5. Recommend that all military personnel concerned be relieved
 from responsibility.
6. If case involves the rule of comparative negligence ap-
 propriate recommendation will be made below:
 - a. Amount of claimant's damage \$ _____.
 - b. Amount of U.S. (or other property damage) \$ _____.
 - c. Total damage \$ _____.
 - d. Percentage of negligence of claimant.
 0% - 25% - 30% - 75% - 100%.
 - e. Percentage of negligence of U.S. agent (or other person)
 0% - 25% - 50% - 75% - 100%.
 - f. Claims exist in favor of (claimant) (U.S.)
 (other person) in amount of \$ _____.

Reasons for recommendation:

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

REPORT OF CLAIMS OFFICER (Cont'd.)

13. EXHIBITS

Number and list exhibits, including, if pertinent, the claim driver's report, repair bills and estimates, hospital, medical and burial expense bills, estimates of value, diagrams, photographs, extract of traffic regulations, statements by claimant and witnesses, registration or insurance receipt, and if possible, statement by claimant of acceptance or nonacceptance of amount recommended by claims officer if such amount is less than amount of claim. (Extent of damage will dictate scope of investigation).

<p>Exhibit "A" Driver's report of Accident "B" Driver's Trip Ticket "C" Statement of M/Sgt Elvin B. Kendrick "D" Statement Ishida, Kasuo E Statement Nakanishi, Jitsuo F Statement Fujimoto, Kasuyo G Statement Otsubo, Namie H Statement Taguchi, Yukiyo I Statement Hamada, Yoshihiko J Statement Doctor - Case of Otsubo K Statement Doctor - Case of Taguchi L Statement Doctor - Case of Hamada M Japanese Police Report</p>	<p>N SO Aptg Claims Officer</p> <p><i>Ernest R. Knirsch</i> ERNEST R. KNIRSCH 1st Lt., FA O 1177494 Fukuoka Mil Govt Tn APO 929</p> <hr/> <p>Claims Officer</p>
---	--

14. ACTION OF APPOINTING AUTHORITY

15 January 1949
(Date)

1. Approved.
- ~~Disapproved~~
 (Strike out inapplicable statement)
2. Comment and reason, if any.
3. If U.S. Government property was lost, damaged, or destroyed indicate below what action has been or will be taken to determine pecuniary liability.
 - Report of Survey ^{Not required.} ~~(will be)~~ ~~initiated.~~
 - () State of Charges or other voluntary restitution (will be) ~~initiated.~~ ^{Not required.}
 - () ~~State of Charges or other voluntary restitution (will be) initiated.~~

KARL L. SPRINGER, Lt. Col., USAF
Commanding, Fukuoka Mil Govt Tn
 (Appointing Authority)

Inclosure 3 to Cir 51, Hq Eighth Army, 31 July 1948

Standard Form 26A

Budget Bureau No. 49-R009.1
Approval expires November 30, 1946.

WAR DEPARTMENT

DRIVER'S REPORT—ACCIDENT
MOTOR TRANSPORTATION

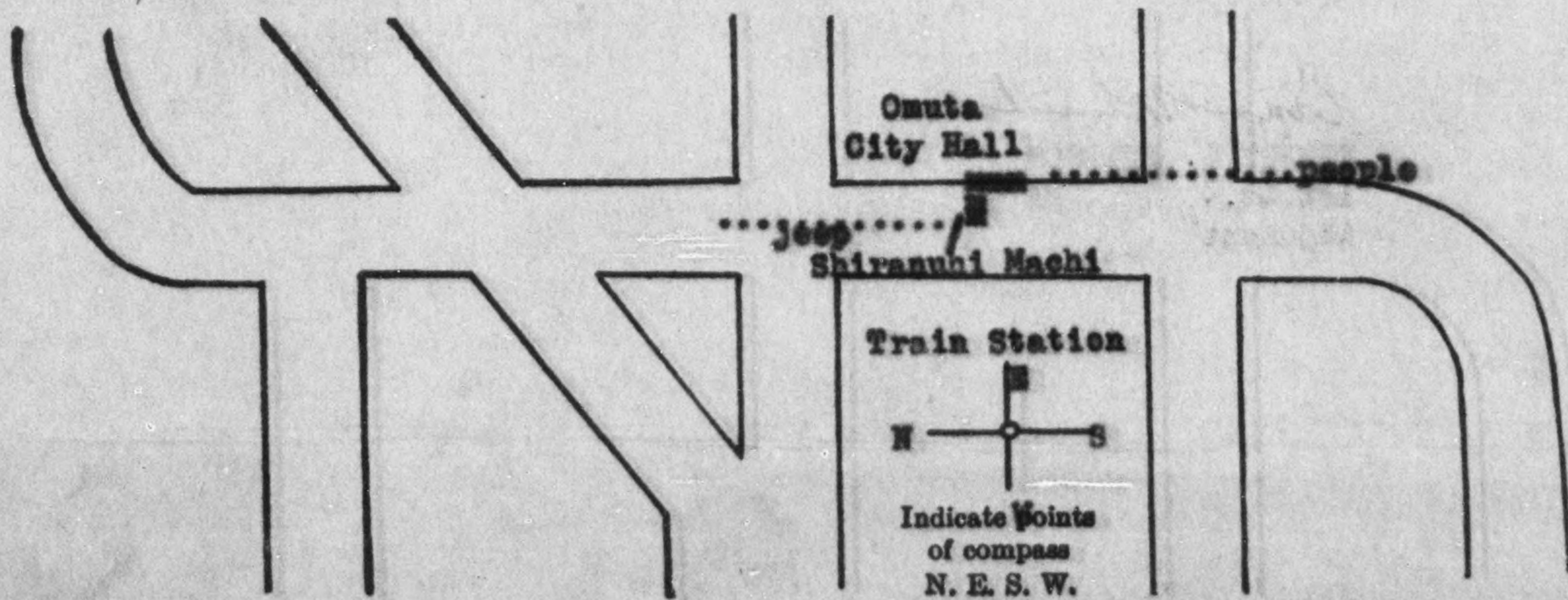
INSTRUCTIONS TO DRIVERS

In case of injury to person or damage to property :

- A. Stop car and render such assistance as may be needed.
- B. Fill out this form, ON THE SPOT, so far as possible.
- C. Deliver this report promptly to your immediate superior.

Failure to observe these instructions will result in disciplinary action.

1. Name of Government driver N/Sgt Elvin D. Kendrick
2. Stationed at Omuta, Kyushu, Japan
3. Make and type of Government vehicle PMOP #7
4. Service number 20106548
5. Name and address of owner of other vehicle (or owner of property damaged) _____
None
6. Name and address of driver of other vehicle None
7. License of other vehicle: State _____ No. None
8. Place of accident: City Omuta City, Fukuoka Prefecture, Kyushu, Japan
Street Main Street, near City Hall, Shiranuhi Machi
9. Date of accident 24 December, 1946 Hour 1115
10. Names and addresses of persons injured: nature of injuries _____
Taguchi, Yukiyoichi - Kumamoto Ken, Tamano Gun, Nagasu Machi; See Remarks
Ogawa, Hanjo - Omuta Shi, Oaza Tagawa Kita; See Remarks
11. Describe damage to Government vehicle None
12. Describe damage to privately owned vehicle, or other property _____
None
13. What signal was given by each driver prior to accident? No signal given
14. State condition of light, weather, and roadway light poor, weather raining and heavy overcast, road slippery; asphalt paving, rough in spots.
15. Explain how accident happened About two people were waiting to cross street, two people walked out of waiting group into path of the jeep.
16. Label streets and indicate measurements; show the position of each vehicle at the time of the accident and show by dotted lines the course of each vehicle just before and just after the collision.



(Continued on other side)

115073

17. Was an investigation made by a policeman (civil or military)? **Yes (Civil)**
 If so, state name **Ishibashi, Hajime** No. **None** Precinct or station **Omata Police Station**

18. Names and addresses of persons other than driver in Government car
Ishida Kazuo
Minato Club, Omata

19. Names and addresses of other witnesses:
Unknown

/s/ M/Sgt Elvin D. Kendrick
/t/ M/Sgt ELVIN D. KENDRICK RA 33864191
 (Signature of driver)

I CERTIFY that the above report was delivered to me on the **27th** day of **December**, 194**8**, at **1000** o'clock.

/s/ Fred D. Dawson
/t/ FRED D. DAWSON, 1st Lt., INF
 (Signature of officer in charge)

Motor Officer
 (Official title)

Fukuoka Military Government Team
 (Government department or establishment)

NOTE.—This report should be attached to report of Investigating Officer.

REMARKS:

- 10. TAGUSHI, Yukiyesi - Left shoulder bone broken; face cut and slashed. Two teeth broken**
- OTSUBO, Namie - Injury to left breast
 Abrasion left knee and leg
 Bruises**

A CERTIFIED TRUE COPY:

Ernest R. Knirsch
ERNEST R. KNIRSCH
1st Lt., FA
Adjutant

PM Hq #7

DRIVER'S TRIP TICKET AND P. M. SERVICE RECORD			U. S. R. No. 20106848		
DRIVER'S NAME M/Sgt Elvin D. Kendrick			DATE 24 Dec 48		
REPORT TO M/Sgt Elvin D. Kendrick			TIME OUT 1000		
ORGANIZATION Fukuoka MG Team			TIME IN 1500		
DEPARTMENT OR ADDRESS Omuta Detachment					
KIND OF WORK (or route) Official					
REQUESTED BY (Orgn. or individual) M/Sgt E.D. Kendrick			/s/M/Sgt Kendrick, E.D. <small>(Dispatcher's signature)</small>		
SPEEDOMETER					
In	Out	Total Miles	In	Out	Total Hours
31608	31597	11			
FUEL ADDED GALS					
I have performed the "preventive maintenance services" of this form and recorded all deficiencies and any accident.					
OIL ADDED					
/s/ Elvin D. Kendrick, M/Sgt <small>(Driver's signature)</small>					
I have noted all entries on this form and taken the necessary action.					
/s/ Elvin D. Kendrick, M/Sgt <small>(Dispatcher's, etc., signature)</small>					
TRIP OR LOAD RECORD			PASSENGERS OR WEIGHT		SPEEDOMETER OR HOUR METER
FROM					
MG Quarters			1		31597
TO					
Milke Chemical			1		31600
TO					
Mitsui Hospital			3		31061
TO					
MG Quarters			1		31603
TO					
Omuta Station					31605
TO					
MG Quarters					31608
TO					
TO					
TO					
VEHICLE RELEASED AT (Speedometer—Hour meter, date, hour) 31608 - 24 December 48 - 1500 hours					
OFFICIAL USER (Signature and grade) <i>Elvin D. Kendrick, M/Sgt</i>					

War Department Form 48—Approved 15 Dec. 1944.

Exhibit "B"

115073

DRIVER'S DAILY PREVENTIVE MAINTENANCE SERVICES

PERFORM THESE SERVICES ACCORDING TO THE INSTRUCTION IN TM 37-2810, OR VEHICLE OPERATOR'S MANUAL

- | | | |
|--|---|---|
| <p>BEFORE OPERATION SERVICE</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 1. Tampering and damage. <input checked="" type="checkbox"/> 2. Fire extinguishers. <input checked="" type="checkbox"/> 3. Fuel, oil, and water. <input checked="" type="checkbox"/> 4. Accessories and drives. <input checked="" type="checkbox"/> 5. Air brake tanks. <input checked="" type="checkbox"/> 6. Leaks—general. <input checked="" type="checkbox"/> 7. Engine warm-up. <input checked="" type="checkbox"/> 8. Choke or primer. <input checked="" type="checkbox"/> 9. Instruments. <input checked="" type="checkbox"/> 10. Horn and W/Swipers. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 11. Glass and R/V mirrors. <input checked="" type="checkbox"/> 12. Lamps and reflectors. <input checked="" type="checkbox"/> 13. Wheel and flange nuts. <input checked="" type="checkbox"/> 14. Tires and/or tracks. <input checked="" type="checkbox"/> 15. Springs and suspensions. <input checked="" type="checkbox"/> 16. Steering linkage. <input checked="" type="checkbox"/> 17. Fenders and bumpers. <input checked="" type="checkbox"/> 18. Towing connections. <input checked="" type="checkbox"/> 19. Body load and tarps. <input checked="" type="checkbox"/> 20. Decontaminator. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 21. Tools and equipment. <input checked="" type="checkbox"/> 22. Engine operation. <input checked="" type="checkbox"/> 23. Operator's publications. <input checked="" type="checkbox"/> 24. Amphibian items. <input checked="" type="checkbox"/> 24-1. Mats—handling equip. items. <input checked="" type="checkbox"/> 24-2. Special engineer items. <input checked="" type="checkbox"/> 25. During operation check. |
|--|---|---|

OPERATOR'S INITIALS /s/ **ERK**

- | | | |
|---|---|--|
| <p>DURING OPERATION SERVICE</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 26. Steering brakes. <input checked="" type="checkbox"/> 27. Foot and hand brakes. <input checked="" type="checkbox"/> 28. Clutch. <input checked="" type="checkbox"/> 29. Transmission. <input checked="" type="checkbox"/> 30. Transfer. <input checked="" type="checkbox"/> 31. Engine and controls. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 32. Instruments. <input checked="" type="checkbox"/> 33. Steering gear. <input checked="" type="checkbox"/> 34. Running gear. <input checked="" type="checkbox"/> 35. Body and trailer. <input checked="" type="checkbox"/> 36. Gun mountings and elevating, traversing, gyro. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 37. and firing controls. <input checked="" type="checkbox"/> 37. Amphibian items. <input checked="" type="checkbox"/> 37-1. Mats—handling equip. items. <input checked="" type="checkbox"/> 37-2. Special engineer items. |
|---|---|--|

OPERATOR'S INITIALS /s/ **ERK**

- | | | |
|---|--|--|
| <p>AT HALT SERVICE</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 38. Fuel, oil, and water. <input checked="" type="checkbox"/> 39. Temperatures — h u b s, brake drums. <input checked="" type="checkbox"/> 40. Axle and transfer vents. <input checked="" type="checkbox"/> 41. Propeller shafts. <input checked="" type="checkbox"/> 42. Springs and suspensions. <input checked="" type="checkbox"/> 43. Steering linkage. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 44. Wheel and flange nuts. <input checked="" type="checkbox"/> 45. Tires and/or tracks. <input checked="" type="checkbox"/> 46. Leaks—general. <input checked="" type="checkbox"/> 47. Accessories and belts. <input checked="" type="checkbox"/> 48. Air cleaners. <input checked="" type="checkbox"/> 49. Fenders and bumpers. <input checked="" type="checkbox"/> 50. Towing connections. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 51. Body, load, and tarps. <input checked="" type="checkbox"/> 52. Appearance and glass. <input checked="" type="checkbox"/> 53. Amphibian items. <input checked="" type="checkbox"/> 53-1. Mats—handling equip. items. <input checked="" type="checkbox"/> 53-2. Special engineer items. |
|---|--|--|

OPERATOR'S INITIALS /s/ **ERK**

- | | | |
|---|---|--|
| <p>AFTER OPERATION SERVICE</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 54. *Fuel, oil, and water. <input checked="" type="checkbox"/> 55. *Engine operation. <input checked="" type="checkbox"/> 56. *Instruments. <input checked="" type="checkbox"/> 57. *Horn and W/S wipers. <input checked="" type="checkbox"/> 58. *Glass and R/V mirrors. <input checked="" type="checkbox"/> 59. *Lamps and reflectors. <input checked="" type="checkbox"/> 60. *Fire extinguishers. <input checked="" type="checkbox"/> 61. *Decontaminator. <input checked="" type="checkbox"/> 62. *Battery and voltmeter. <input checked="" type="checkbox"/> 63. *Accessories and belts. <input checked="" type="checkbox"/> 64. *Electrical wiring. <input checked="" type="checkbox"/> 65. *Air cleaners and breather caps. <input checked="" type="checkbox"/> 66. *Fuel filters. <input checked="" type="checkbox"/> 67. *Engine controls. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 68. *Tires and/or tracks. <input checked="" type="checkbox"/> 69. *Springs and suspensions. <input checked="" type="checkbox"/> 70. *Steering linkage. <input checked="" type="checkbox"/> 71. *Propeller shaft, center bearing and vent. <input checked="" type="checkbox"/> 72. *Axle and transfer vents. <input checked="" type="checkbox"/> 73. *Leaks—general. <input checked="" type="checkbox"/> 74. *Gear cases. <input checked="" type="checkbox"/> 75. *Air brake tanks. <input checked="" type="checkbox"/> 76. *Fenders and bumpers. <input checked="" type="checkbox"/> 77. *Towing connections. <input checked="" type="checkbox"/> 78. *Body, load, and tarps. <input checked="" type="checkbox"/> 79. *Armor and front roller. <input checked="" type="checkbox"/> 80. *Vision devices. <input checked="" type="checkbox"/> 81. *Turret and gun mount. | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 82. *Tighten—wheel, rim, axle drive (flange, and spring U-bolt nuts. <input checked="" type="checkbox"/> 83. *Lubricate as needed. WDLO NO Date <input checked="" type="checkbox"/> 84. *Clean engine and vehicle. <input checked="" type="checkbox"/> 85. *Tools and equipment. <input checked="" type="checkbox"/> 86. *Amphibian items. <input checked="" type="checkbox"/> 87. *Mats—handling equip. items. <input checked="" type="checkbox"/> 88. *Special engineer items. |
|---|---|--|

OPERATOR'S INITIALS /s/ **ERK**

* Those items marked by an asterisk (*) require additional weekly services and it is mandatory that they be performed as prescribed.

Record any accident and all deficiencies indicating if corrected :

Accident

115073

FUKUOKA, KYUSHU, JAPAN

Personally appeared before me, the undersigned authority for administering oaths in cases of this character:

Elvin D. Kendrick, RA 335492 Fukuoka Military Government Team
Name ASN Unit
AFG 929 Station, who having been warned of his

rights and having been duly sworn according to law, deposes and says as follows:

On the 24th of December 1948 at about 1115 hours, I was driving a ton 4 x 4 truck, No. 20106048, of Fukuoka Military Government Team, on a routine trip properly dispatched. I was going south on the main street in the vicinity of the city hall Ganta. I saw a group of Japanese about thirty yards ahead of me. It seemed as if they were waiting to cross the street. The speed of my vehicle was between 5 and 10 miles per hour, because it was raining and the street was slippery. On my right a street car was proceeding in the same direction as my vehicle and the passage between the street car and the people was narrow. At the time I came over with the group two people suddenly stepped in front of the jeep. I applied the brakes as quickly as possible but was unable to stop before knocking them down. Ichida Haruo who was riding with me helped get the people in the jeep and I drove to the Niike Coal Mine Hospital. I then reported the accident to the police for investigation. There was no time to get names of witnesses before taking the injured people to the hospital. Later it was found that a third person claimed to have been injured. At the time of the accident I only found two people injured.

Further the deponent sayeth not:

Elvin D. Kendrick
SIGNATURE
RA 335492
RANK
Fukuoka Military Government Team
UNIT

Sworn and subscribed to before me this 25 day of December 1948.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:
Ernest K. Kirsch
ERNEST K. KIRSCH, 1st Lt RA
Claims Officer

EXHIBIT _____

R #56 16 Dec 48

OMITA
OMITA, KYUSHU, JAPAN

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, Ishida Kazuo Age 23 No. 15, 1 chome, Minami-nashi, Omata-shi, who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:
Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? I do.

I was in the jeep in the morning at about 1115 on 24, Dec. 1948 at the road near Omata City Hall on the way to Harbor Club from MITSUI Dyestuff.

When the jeep came round near City Hall I saw five or six persons on the left side of the road. Two of them appeared suddenly before the jeep, therefore there was no way to avoid crashing into them.

It was raining too much at that time and the road was wet and slippery. The two persons had the umbrellas in front of them. Also a street-car was proceeding aside the jeep in which I was riding.

Further deponent sayeth not.

I, ISHIDA KAZUO, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE

Ishida Kazuo
ISHIDA KAZUO

SEAL

I, YAMAUCHI KICHIRO, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE

Yamauchi Kichiro
YAMAUCHI KICHIRO
INTERPRETER
PUBLIC SAFETY PHOTO

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 25 day of December 1948.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Ernest N. Knisch
ERNEST N. KNISCH, 1st Lt Pa
Claims Officer

115073

OMUTA, KYUSHU, JAPAN

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, NAKANISHI JITSUO age 16 No.1464, Nagasu-machi, Tamana-gun, Kumamoto-ken,

Who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:

Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? " I do "

At about 11:30 a.m., 24 December, 1948, on the way to MIIKE DYE-STUFF CO. from OMUTA railway station to work, I attempted to cross the road with NAMADA YOSHIHIKO, TAGUCHI YUKIYOSHI, FUJIMOTO KAZUYO near the OMUTA city hall. I did not know if any vehicle was coming down from North direction because I did not check north direction of the road at all. Just when I attempted to cross the road, HAMADA & TAGUCHI who were walking just before me were hit by a vehicle, and the two(2) men fell down on the road. I think that both of the above mentioned persons did not check north direction of the road and crossed the road. I was not hurt by this accident.

Further deponent sayeth not.

I, NAKANISHI JITSUO, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE 中西 律男
NAKANISHI JITSUO

SEAL

I, YAMAGUCHI KICHIRO, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE Yamaguchi Kichiro
YAMAGUCHI KICHIRO
INTERPRETER
Public Safety PMGT

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 29 day of December 19 48

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Ernest R. Knirsch
ERNEST R. KNIRSCH, 1st Lt Pa
Claims Officer

OMUTA, KYUSHU, JAPAN

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, FUJIMOTO KAZUYO age 20

No. 799. Oaza-Misaki, Mutsuai-Mura, Tamama-gun, Kumamoto-ken

Who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:

Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? " I do "

Before noon on 24th December, 1948, I and HAMADA YOSHIHIKO, TAGUCHI YUKIYOSHI, NAKANISHI JITSUO attempted to cross the road near OMUTA City Hall for the purpose of get work at MIIKE DYE-STUFF CO, from OMUTA Railway Station by walking. When I and NAKANISHI were attempting to cross the traffic road following HAMADA & TAGUCHI very closely, Mr. HAMADA was hit by a jeep and as he fell down on the street-car line on the road, so I helped Mr. HAMADA & took him to NAKASHIMA HOSPITAL in OMUTA city. I did not see TAGUCHI YUKIYOSHI fall down on the road, and as I did not check North direction of the road when I attempted to cross the road, so I did not see the vehicle coming down from the north direction. I was not hurt by this accident.

Further deponent sayeth not.

I, FUJIMOTO KAZUYO, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE 藤本 春代
FUJIMOTO KAZUYO

SEAL

I, KICHIRO YAMAGUCHI, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE Kichiro Yamaguchi
KICHIRO YAMAGUCHI
INTERPRETER
Public Safety FMGT

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 29 day of December 1948

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Ernest B. Knirsch
ERNEST B. KNIRSCH, 1st Lt Pa
Claims Officer

FUKUOKA, KYUSHU, JAPAN

MIKE Coal Mine Hospital

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, ~~Otsubo Masie age 47~~,

~~Otsubo Masie, Otsubo Masie~~ who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:

Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? I do.

I went to Otsuta City Hall to get ration of clothing in the morning of 24th, Dec. 1948. Before noon when I was on the way to my home from Otsuta City Hall I was hit by a small vehicle.

It was raining and windy on 24th, Dec. 1948. I was walking on the road in front of City Hall before noon and holding my umbrella in front of me and could not see anything on my way.

I remember that I was hit by a small vehicle on the road in front of the City Hall, but I don't remember anything since then, until I waked up about noon time on the same day on the bed of MIKE Coal Mine Hospital.

I should check any direction and any vehicle before I attempted to cross the road, but as I did not check it and caused traffic accident, so I will not make claim against United States of America on injury caused by this accident.

Further deponent sayeth not.

I, Otsubo Masie, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

Otsubo Masie

WITNESS'S SIGNATURE

Otsubo Masie

SEAL

I, Yamauchi Kichiro, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

Yamauchi Kichiro

INTERPRETER'S SIGNATURE

YAMAUCHI KICHIRO

INTERPRETER

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 24 day of December 1948.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Emerson Smith
EMERSON SMITH, Leg. Lt. Pa.
Claims Officer

115073

MIKI
FUKUOKA, KYUSHU, JAPAN
Miki Coal Mine Hospital

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, Taguchi Yukiyoichi age 17 No. 1804, Nagawa - machi, Tamana - gun, Kumamoto - ken, who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:
Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? I do.

In the morning of 24th, Dec. 1948, I was going to MIKI Dyestuff for work. I supposed to start working from 9 o'clock in the morning at MIKI Dyestuff Factory. However as it was too rainy on 24th, Dec. 1948, then I stayed for about three hours at GUNTA Railway Station. When I was going to the Factory from Railway Station, one of my friends there brought me an umbrella and during the time when I and three friends of mine were walking around in front of the City Hall and when we attempted to cross the road, I was hit by something. For the reason one of my friends was holding an umbrella in front of us and that I could not see front, I don't know if the something which hit me is street-car or vehicle or wagon.
I should check left and right direction of the road and vehicle coming up before I crossed the road but as I did not do that, so I will not make claim against American Government on injury caused by this accident.

Further deponent sayeth not.

I, TAUCHI YUKIYOICHI, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE TAUCHI YUKIYOICHI
SEAL 田口幸佳

I, YAMAGUCHI KICHIRO, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE Yamaguchi Kichiro
YAMAGUCHI KICHIRO
INTERPRETER
PUBLIC SAFETY P M G T

Foregoing statements of witness and interpreter were sworn to and subscribed before me this _____ day of _____ 1948.

Emerson
SIGNATURE OF OFFICIAL ADMINISTERING OATH:
HENRY R. KRISCH, 1st Lt Va
Chain Officer

EXHIBIT 7

R #55, 16 Dec 48

OMUTA, KYUSHU, JAPAN

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, ~~Hamada Yoshihiko~~ age 20, No. 1784, Shimo-Higashi-Machb, Nagasu-Machi, Tamagun, Kumamotooken.

Who having been warned of his rights and having been duly sworn according to law, deposes and says as follows:

Do you swear to tell the truth, to tell all and hide nothing according to the dictates of your conscience? "I do"

Between 11 and 12 a.m. 24th December, 1948, I and TAGUCHI Yukiyo, NAKANISHI Jitsuo, FUJIMOTO Kazuko attempted to cross the traffic road near OMUTA City Hall at that time it was raining and thundering and the scene was too dark. Being hold an umbrella by me, I and TAGUCHI Yukiyo were walking together under the umbrella and NAKANISHI and FUJIMOTO were following us closely. As it was thundering & raining and strong wind, when I crossed the traffic road. I checked only the direction of South of the road and as I found no street-car and no vehicle at the south direction of the road, so I attempted to cross the road. As I did not check north direction of the road so I did not know if a street-car or vehicle was coming down from North direction. Suddenly I felt that my right leg was hit and I fell down on the street-car line. I don't know if the vehicle was American or Japanese car. Being helped by FUJIMOTO Kazuko, I went to NAKASHIMA HOSPITAL and after I was given medical treatment for about thirty(30) minutes I returned back to my home in NAGASU. Since then I go to TAMIYA HOSPITAL in Nagasu-machi for medical treatment every day. My expense for NAKASHIMA HOSPITAL in Omuta was paid by myself hundred-fifty(150.00) yen. After that Company where I have been working pay it. I feel pain on my right leg when I walk around. I have no intention to claim against the driver of the vehicle by which I was hit, or the Government of the United States of America.

Further the deponent sayeth not.

I, HAMADA YOSHIHIKO, being duly sworn according to the Japanese custom state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, are true to the best of my knowledge and belief.

WITNESS'S SIGNATURE 濱田 義彦

SEAL

I, YAMAGUCHI KICHIRO, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition to the witness; that the witness thereupon in my presence affixed his signature thereto.

INTERPRETER'S SIGNATURE Yamaguchi Kichiro
YAMAGUCHI KICHIRO
INTERPRETER
Public safety FMGT

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 29 day of December 1948

SIGNATURE OF OFFICIAL ADMINISTERING OATH:
Ernest R. Knirsch
ERNEST R. KNIRSCH, 1st Lt Fa
Claims Officer

STATEMENT OF GOVERNMENT MEDICAL OFFICER OR PHYSICIAN WHO FIRST EXAMINED CASE

I affirm that OTSUBO HAMIE was examined on 24th December 1948 and was disabled for work. Probable length of disability will be three (3) months. In my opinion disability was due to injury incurred in vehicle accident on 24th December 1948. Nature of injury as found on examination: Contusion of chest; simple fracture of fourth right rib; fissure fracture of epicondylus medialis of left femur; contusion of left knee; hematoma of right lower leg. Positive findings: Pulse is irregular and moderate tension, no special finding in the chest; patient complains of sense of constriction in the chest and pain by pressure; epistaxis is observed; there is a hen's egg sized swelling on the right lower leg and it is tender to pressure. Rentegogram (No. 9637). On the right fourth rib a fracture is observed close to the costo-chondral joint, but no dislocation is observed. A small fissure fracture exists on the medial epicondylus of left femur.

Hospitalized: Yes Other disposition: Two (2) months recuperation

If death resulted was it proximately caused by injury: Not applicable.

Signed this 8th day of January 1949 at Osaka, Kyushu, Japan.

Dr. S. Hiraki
(Signature of Medical Officer)

Mitsui Miike Mining Hospital
(Title)

I, Kichiro Yamaguchi having knowledge of Japanese and English translated to Dr. Hiraki that portion of above certificate in Japanese to the best of my ability.

Yamaguchi Kichiro
YAMAGUCHI, KICHIRO
INTERPRETER
Public Safety MSGT

I, Ernest R. Knirsch, having knowledge of German and English translated into English that portion of the Diagnosis in German of the original certificate of Dr. Hiraki.

Ernest Knirsch

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 8th day of January 1949.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Ernest Knirsch
ERNEST R. KNIRSCH, 1st Lt. PA
Claims Officer

STATEMENT OF GOVERNMENT MEDICAL OFFICER OR PHYSICIAN WHO FIRST EXAMINED CASE

I affirm that TAGUCHI, YUKIYOSHI was examined on 24th December 1948 and was disabled for work. Probable length of disability will be 5½ months. In my opinion disability was due to injury incurred in vehicle accident on 24th December 1948. Nature of injury as found on examination: Simple fracture of left humerus; simple fracture of left 7th rib; crush wound and excoriation of the face; traumatic loss of upper front teeth; contusion of left upper and lower leg. Positive findings: Swelling, deformity and abnormal movement with pain of the upper third of left humerus; two frontteeth missing; small crush wounds at the left outer canthus and lower lip; many excoriations on the face; tenderness to pressure on the left upper and lower leg. Rontgenogram: (No. 9636) On the upper third of left humerus a fracture exists with dislocation. Also a fracture is observed of the left seventh rib close to the cost-vertebral joint.

Hospitalized: Yes Other disposition: Four (4) months out of 5½ months will be for recuperation.

If death resulted was it proximately caused by injury? Not applicable.

Signed this 5th day of January 1949 at Omuta, Kyushu, Japan.

Dr. S. Hiraki
(Signature of Medical Officer)

Mitsui Misaki Mining Hospital
(Title)

L. Kichiro Yamaguchi having knowledge of Japanese and English translated to Dr. Hiraki that portion of above certificate in Japanese to the best of my ability.

Yamaguchi Kichiro
YAMAGUCHI, KICHIRO
Public Safety, FMGT

I, Ernest R. Knirsch, having knowledge of German and English translated into English that portion of that Diagnosis in German of the original certificate of Dr. Hiraki.

Ernest Knirsch

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 8th day of January 1949.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:
Ernest Knirsch
ERNEST R. KNIRSCH, 1st Lt., FA
Claims Officer

STATEMENT OF GOVERNMENT MEDICAL OFFICER OR PHYSICIAN WHO FIRST EXAMINED CASE

I affirm that HAMADA YOSHIHIKO was examined on 24th December 1948 and was disabled for work. Probable length of disability will be 2 weeks. In my opinion disability was due to injury incurred in vehicle accident on 24th December 1948. Nature of injury as found on examination: Medial part of right ankle joint is discolored in dark violet; there is a swelling, fluctuation and tenderness to pressure; slight swelling exists on the medial part of right knee joint and also excoriation and tenderness exist.

Hospitalized: No Other disposition: Two (2) weeks

If death resulted was it proximately caused by injury? Not applicable.

Signed this 8th day of January 1949 at Omuta, Kyushu, Japan.

T. Nakashima
(Signature of Medical Officer)

Dr. of Nakashima Hospital
(Title)
No. 3, Kamimachi Omuta-city

I, Kichiro Yamaguchi having knowledge of Japanese and English translated to Dr. Nakashima that portion of above certificate in Japanese to the best of my ability.

Kichiro Yamaguchi
KICHIRO YAMAGUCHI
Interpreter
Public Safety, FMOT

Foregoing statements of witness and interpreter were sworn to and subscribed before me this 8th Day of January 1949.

SIGNATURE OF OFFICIAL ADMINISTERING OATH:

Ernest R. Knirsch
ERNEST R. KNIRSCH, 1st Lt., PA
Claims Officer

EXHIBIT "L"

TRAFFIC ACCIDENT REPORT

OMUTA POLICE STATION

1. Date & Time of Occurrence of Accident
At about 11:20, 24th December, 1948
 2. Place of Occurrence of Accident
On the road in front of HIGASHI-HONGANJI, YUMEI-CHO, OMUTA-SHI.
 3. Add & Name of the owner of the vehicle
Occupation Force of MINATO CLUB, 1-CHOME, MIKAWA-MACHI, OMUTA-SHI
Type:
Kind: Jeep
No. of vehicle: 8 A. FMGT HQ 7
 4. Add, Name, Age of Driver
M/Sgt ELVEN D. KENDRICK FMGT Omuta Detachment
Licence No.
 5. Add, Name, Age of the Injurer
A. TEGAMA, Omuta-shi
Otsubo Namie
Forty-seven(47) years old.
B. No. 180 4, Nagasu-machi, Tamana-gun, Kumamoto-ken
Taguchi Yukiyoishi
Seventeen(17) years old
Sex A. Female
B. Male
 6. Amount of damage (including damage of vehicle)
A. Beaten at her chest (take one(1) month until get well)
B. Bone of left hand broken, 4 teeth broken, (takes 6 months until get well)
No damage with the vehicle
 7. Reason of occurrence of accident
The injured A Crossed in front of the vehicle
The injured B proceeded at the right side of Traffic road.
 8. Weather at that time
Rainy
Status of light
Too much rains and thunder, then insufficient light to look over
 9. Is that a special place to take care for driving car?
No, it is not special place to take care for driving car.
 10. Sketch of the scene
As the attached sheet
 11. Details of the accident when it was happened
For the purpose of arrival at Harbor Club 1-chome, Mikawa-machi, Omuta shi at 11 o'clock, the assailant was driving the Jeep at the above time and place from Kurume-city and during the time when the jeep was proceeding at hurry from STBUKI bridge to OMUTA Railway station at tolerable speed, and when it came up to the above place, the driver of the jeep found the injured A who attempted to cross the traffic road from East side walking road to West side walking road, then the driver gave a brake but it was failed and it crashed into A for slip, and injured A as the above, moreover, when the Jeep tried to turn to the left in order to avoid crushing into a man, the jeep hit the injured B who was walking on the right side of traffic road at the above place to go to MIIKE Dye Stuff Company from Omuta Railway Station and hit the left hand of B and gave injury as above mentioned.
 12. Disposition of the accident.
Immediately the assailant stopped the jeep at the place and helping the sufferers into the jeep took them to Mitsui Hospital, Yamanoue and gave medical treatment to them. At about 11:21 hours Police Sgt Shiranuhi received the report of the accident at sub-police station. Police man Matsuo & Sakai assigned to the traffic duty to the above sub-station went to the very place immediately. After they took a look at the scene they reported it to Police Station at 12:10.
 13. Address & Name of the witness..(Blank space)
 14. Disposition of the owner of the car.(Blank space)
 15. Disposition of the driver. (Blank space)
 16. Previous offence of the driver(Blank space)
 17. Remarks others: Though the both injured A & B were in a normal mental condition as it was rainy and thunder and it was dark and moreover both of them used and umbrella, so they did not know the jeep to be close to them and also the jeep man could not see the front very well. We realize that according to the above circumstances the accident happened. *ISHIBASHI Hajime*
- Date 24 December 1948 Reporter ISHIBASHI HAJIME Assistant Police Inspector
In charge of Traffic Section

Exhibit "M"

BASIC: Report of Claims Officer, Nag MGT, APO 929, dtd 3 Jan 49

1st w/Ind

CLB/mcl

KYUSHU MIL GOVT REGION, HQ & HQ DET, APO 929, 14 Jan 1949

TO: Commanding Officer, Nagasaki Mil Govt Team, APO 929

- 153
- FILE
1. Returned.
 2. Errors on Report of Survey are listed on Inclosure #1 with pertinent information necessary for their correction.
 3. This vehicle is T/A property and will have to be surveyed as T/A property. This survey is made out as PC & S property.
 4. For T/A vehicles that are being surveyed, the surveying officer is appointed by this Headquarters. For PCS vehicles, the surveying officer would be appointed by your headquarters. In that the vehicle in question is a T/A vehicle, the surveying officer has been appointed by this Headquarters per Special Order #2 this Headquarters dtd 14 Jan 1949 (attached hereto as Incl #3)
 5. Upon completion of the report of survey and necessary corrections as outlined in Incl #1, the paperwork will be forwarded to this Headquarters for transmittal ~~through~~ the 724th Ordnance through 24th Inf Div.
 6. Attached hereto as inclosure #2 is a copy of memorandum check list to accompany Report of Survey and should be filled out and accompany the report of survey.
 7. In the future, if any doubt exists as to the information necessary to fill out a report of survey, the supply section of this headquarters should be contacted and the necessary information will be given.

BY ORDER OF COLONEL HILTON:



CHARLES L. BACHTEL
1st Lt Sig C
Adjutant

- 3 Incl:
1. List of Corrections
 2. Check List
 3. Special Order appt'ing surveying officer

BASIC: Report of Claims Officer, Nagasaki MGT, APO 929, dtd 3 Jan 49

2nd w/Ind

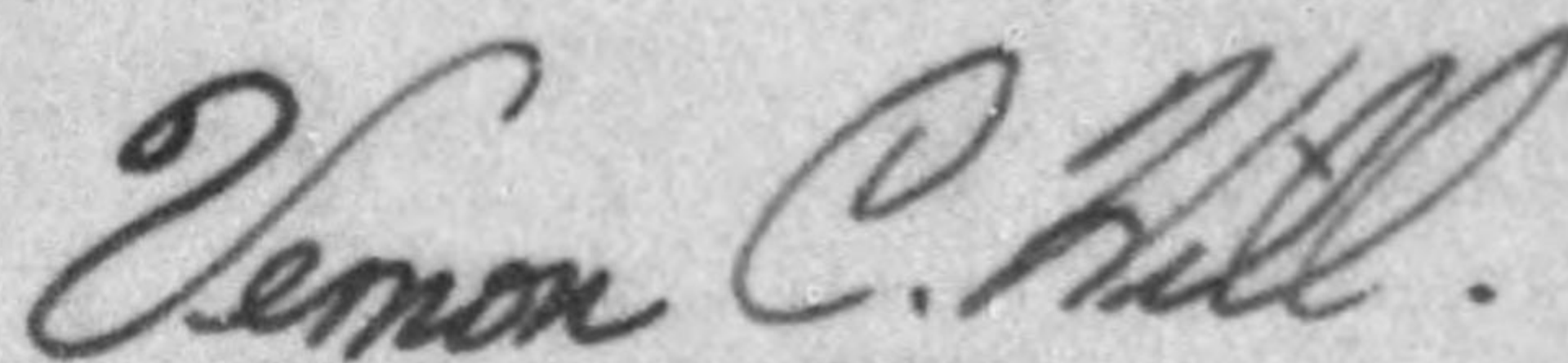
VCH/sn

HEADQUARTERS NAGASAKI MILITARY GOVERNMENT TEAM, APO 929, 21 January 1949

TO: Commanding Officer, Kyushu Mil Govt Region, APO 929

Errors appearing in report of survey have been corrected.

FOR THE COMMANDING OFFICER:



VERNON C HILL
Captain CAC
Adjutant

3 Incls:
n/o

AG 150-J Monji, Takeshi

1st Ind

WTL/srr

SUBJECT: Claim

JAN 4 1949

HEADQUARTERS 24TH INFANTRY DIVISION, Kokure, Kyushu, Japan, APO 24

TO: Commanding Officer, Kyushu Military Government Region, APO 929

Returned for compliance with provisions of paragraphs 5b (explanation of delay) and 12 (submission in triplicate), Eighth Army Circular 51, 31 July 1948.

BY COMMAND OF MAJOR GENERAL SMITH:

1 Incls:
n/c

THEO. F. PRESLEY
Major AGD
Asst Adj Gen

FILE PULLED

Posted

JAN 5 1949

00110

00110

BASIC: Ltr, KSMGR, dtd 27 Dec 48, subj: Report of Claims Officer

AG 150-J Monji, Takeshi

1st w/Ind

JBS/mcl

KYUSHU MIL GOVT REGION, HQ & HQ DET, APO 929, 10 January 1949

TO: Commanding Officer, Fukuoka, Mil Govt Team, APO 929

1. Returned for compliance with provisions of 5b (explanation of delay) Eighth Army Circular 51, 31 July 1948.

2. Report arrived at 24th Inf Div Hq in duplicate because file section of Kyushu Military Government Region withdrew a file copy which copy is now returned to the report.

3. It is requested that in the future one additional copy of report of claims officer be included for the files of this Headquarters.

BY ORDER OF COLONEL HILTON:

CHARLES L. BACHTEL
1st Lt Sig C
Adjutant

1 Incl:
n/c

FILE

BASIC: Ltr, KSMGR, dtd 27 Dec 48, subj: Report of Claims Officer

AG 150-J Monji, Takeshi

1st Ind

WTL/err

SUBJECT: Claim

January 4 1949

FILE

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

TO: Commanding Officer, Kyushu Military Government Region, APO 929

Returned for compliance with provisions of paragraphs 5b (explanation of delay) and 12 (submission in triplicate), Eighth Army Circular 51, 31 July 1948.

BY COMMAND OF MAJOR GENERAL SMITH:

1 Incl
n/c

/s/ Theo. F. Presley
/t/ THEO. F. PRESLEY
Major AGD
Asst Adj Gen

2nd Ind

JBS/mcl

KYUSHU MIL GOVT REGION, HQ & HQ DET, APO 929, 18 Jan 49

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

1. Previous indorsement complied with.
2. Submission of Investigation of Claim was delayed due to the difficulty encountered in securing statements from Japanese witnesses, and the necessity to retype and reprocess entire report in accordance with correct procedures as contained in Cir 51, Hqs Eighth Army, dtd 31 July 1948.

FOR THE COMMANDING OFFICER:

CHARLES L. BACHTEL
1st Lt Sig C
Adjutant

2 Incl:

1. Triplicate copy added
2. 1st w/Ind, KSMGR, 10 Jan 49
2nd w/Ind, Pak MOT, 17 Jan 49

153

7/1/49

BASIC: Ltr. KSMGR, dtd 27 Dec 48, subj: Report of Claims Officer

153

2nd w/Ind

ERK/kki

HEADQUARTERS FUKUOKA MILITARY GOVERNMENT TEAM, APO 929, 17 January 1949

TO: Commanding Officer, Kyushu Military Government Region, APO 929
ATTN: Claims Officer

Submission of Investigation of Claim was delayed due to the difficulty encountered in securing statements from Japanese witnesses, and the necessity to retype and reprocess entire report in accordance with correct procedures as contained in Cir 51, Hqs Eighth Army, dated 31 July 1948.

FOR THE COMMANDING OFFICER:

1 Incl
n/c

ERNEST R. KNIRSCH
1st Lt., FA
Adjutant

Incl 2

BASIC: Ltr, Fukuoka Mil Govt Team, APO 929, 15 Nov 1948, Subj: Transmittal of Claims Officer's Report

1st w/Ind

JBS/mcl

KYUSHU MILITARY GOVERNMENT REGION, HQ & HQ DET., APO 929, 16 Nov 1948

TO: Commanding Officer, Fukuoka Mil Govt Team, APO 929

Claims Officer's report is herewith returned for correction and completion in accordance with the provision of Incl 2 to Cir 51 Hq Eighth Army, 31 July 1948 and Message form AG 150-0 dated 20 September 1948, Headquarters First Corps.

BY ORDER OF COLONEL HILTON:

CHARLES L. BACHTEL
1st Lt Sig C
Adjutant

1 Incl
n/c

FILE
153