

伊藤系松の属河津遊戯心り思ひますが伊  
 藤氏の以上より上郡院郡本大井村大字の  
 大塚勘作氏は公職追放者であるの以後  
 治道勸告をいたり農地法に違反したるや  
 食糧管理法の違反やう其の他色々な  
 違反行為をいし村内を混乱させ村民  
 を困らせて居ります。嚴正な御調査下  
 さいませ大塚氏の違反取締りも嚴正  
 に貴官の命に任じて行はれることを  
 切に御願ひいたしします。

伊藤系松中忍此のりすが東大井村大字  
 下日向之陸軍歩兵中尉公職追放者  
 大塚勘作殿が占領政策に違及せる行  
 動をいし村民を困らせて居るボスです  
 から貴職権を以て嚴正に御調査  
 下さる様御願ひいたしします。

昭和二十五年二月三日

東大井村

愛村生

Tomoyuki #7



#264

8 March 1950 yk

3 February 1950

SUBJECT: Petition re OTSUKA Kansaku

TO: Tohigi Civil Affairs Team

FROM: ADMURA, Higashioashi-mura

OTSUKA Kansaku, former 1st Lt., Infantry, Army residing in Oaza Shimohuga, Higashioashi-mura was purged. He is now the "Boss" violating every Occupation policies and annoying villagers.

I wish you would investigate him.

Translated by:

Y. KAWASHIMA

dtd 8 Mar 50

#7  
Tohigi



KANTO CIVIL AFFAIRS REGION  
Legal and Government Section

Suspense Matter No. 6 (Tochigi)

Subject: Inre to dismissal of Public Safety Commissioners of Kitsu-  
regawa-machi, Tochigi-ken.

Principal: TEZUKA, Tetsuhei (Farmer)  
FUKAO, Hojun (Buddist priest)

Source: Report

Action: "All settled"

Handled by:

Investigator: \_\_\_\_\_

Date Closed: cloud - all settled

2<sup>nd</sup> act.

Abianu



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TO: REGIONAL HEADQUARTERS  
NATIONAL RURAL POLICE  
Rm 402, Keishicho Bldg., No.2, 1-Chome,  
Kasumigaseki, Chiyoda-ku, Tokyo  
Phones: 57-5611 thru 5631 & ext 407

with

TS / ST / ET / HA / C/

25 February 1950

TO: KANTO CIVIL AFFAIRS REGION

Att'n: Legal and Government Section

FROM: Liaison Unit, General Affairs Division, Tokyo Regional Police Hq., NRP

SUBJECT: SPECIAL REPORT

On the ill-famed police administrative dispute in Tohigi Prefecture

Attached herewith please find four sheets of special report concerning above-mentioned subject gathered from our subordinate Tohigi Prefectural Headquarters.



## NATIONAL RURAL POLICE

Tochigi Prefecture Headquarters.

Ref.# 398.  
February 23, 1950.Subject : The complication concerning Kitsuregawa Machi  
Police Station.To : Chief, Kanto Civil Affairs Region.  
( Care Legal and Administration Section )

We hereby submit the report on above subject matter in compliance with the request of your interpreter Mr. Uzu by telephone, as follows,

1. The cause of dispute among the members of Kitsuregawa Machi Police Station.

MORISHIMA Takeo, the police inspector, who was former chief of above station have resigned on July 12 th last year when he was accused of the case of usurpation of one of sword submitted to the station.

Immediately after the resignation of chief Morishima, the Public Safety Commission Board of the town, assigned the police sergeant KOMIYAMA Fuchio as the acting chief of police on July 13 th, and whole member of safety commission have resigned on July 15 th, taking responsibility of the resignation of chief Morishima.

To meet the situation, the town official have chosen following 3 men as new public safety commission,

FUKUDA Tamakichi. the charcoal dealer.

FUKAO Hejun. the Buddhist priest.

TETSUKA Tetsukei. the farmer.

and the official appointment was made on August 1 st, by getting the recognition of town council board.

The police sergeant of above station KOGUCHI Tekujyu dissatisfied with the appointment of sergeant Komiyama as the acting chief, he planned to take the position of acting chief himself, by scheming with the safety commissioners Fukao, Tetsuka and other town people. The plan succeeded, and on September 7 th last year, Komiyama was released the responsibility of acting chief, and on same date, he was appointed to the position of acting chief.

Moreover, acting chief Koguchi planned to get rightful position of chief of police by promoting his rank to Ass't. Inspector against the spirit of the basical rules of police



## NATIONAL RURAL POLICE

Tochigi Prefecture Headquarters.

- (2) -

system, by scheming with the part of public safety commission. On December 2nd, the public safety commission have decided to promote sergeant Koguchi to the rank of Assistant Inspector, despite of opposition of the chairman of commission.

## 2. The movement of anti\_Koguchi group:

8 members of Kitsuregawa police station, who are opposing acting chief Koguchi, made conference to stop the appointment of him as the chief by the promotion of rank, on the reason of his behavior against the spirit of the basical rule of police system. On the result of this conference, one of the representative came to our office accompanied by mayor of town, the chairman of town council board and the part of public safety commission, and stated the reason of their opposition to the appointment of Koguchi as the chief.

On the other hand, the part of town people who were watching the outcome of problem, held the general meeting of town people at the primary school on December 16th, by the sponcership of KOBAYASHI Seinoje, the lumber dealer, and made resolution, the copy of which attached herewith.

On December 17th, the representatives came to our office and C.I.C. Tochigi Area and submitted the resolution of town people's general meeting on the subject.

## 3. The movement of town officials :

The town officials came to the conclusion that the promotion of sergeant Koguchi to the rank of Assistant Inspector may affect bad for future management of police system of the town, made following town ordinance, on the town council meeting on December 22nd,

' The position of chief police of town will be appointed from one who passed the examination (for assistant inspector) set by N.R.P. Tochigi Pref. Hq. '

Thus the town blocked the promotion of sergeant Koguchi's to assistant inspector scheme.

Next, the mayor of town submitted the plan of recalling two public safety commissioners Fukao Mojun and Tetsuka Tetsuhei, on the reason that they are not suitable for the position, to the town council meeting held on December 22nd.

The council meeting passed the plan unanimously.

The commissioner Fukuda Tamakichi have resigned on January 12th, as he was expressing his resignation previously.

After the recall of two commissioners, on January 19, the town appointed following 3 men as the commissioners, INAMI Rikizo. SAITO Yoshio and NAGAI Yoshiro, Inami being elected as the chairman.

The newly appointed commission board released Koguchi



## NATIONAL RURAL POLICE

Tochigi Prefecture Headquarters.

- (3) -

from his duty of acting chief of police and appointed Komiya-ma to the position of acting chief, on February 1.

4. The movement of released former public safety commissioners :

Fukae Nojun and Tetsuka Tetsuhei, two former commissioners who were recalled by the town council meeting, have submitted the petition to the Governor of Tochigi pref., on January 23, for the cancellation of recall decision of town council, on the reason of unreasonable recall.

The governor has rejected to accept the petition at the reason that the prefecture has no right to interfere to the decision of municipality on February 14 th.

5. The movement of the legal affairs committee of national assembly:

A group of national assembly legal affairs committee, headed by KITAGAWA Teimu ( Democratic Liberal party ) and others, YAMAGUCHI Keichi ( " " ) ISHIKAWA Kinjire ( Social party ) KAMIBAYASHI Susumu ( Communist party )

and 2 others, arrived to Kitsueregawa Machi on February 17, and made investigation for two days on February 18 and 19 th at town office, by calling all concerned people.

The aim of investigation is said to be following 4 items,

a). The state of loss or damage inflicted to the town people by the police station complication, especially in the form of suppression of human right.

b). If there is any corruption or crime on the part of town councilmen.

c). The cause of the opposition in the police station itself.

d). If there is any relation with local bosses or with the town councilmen.

It is said that above investigation group have had avoided to get into the nucleus of the trouble, and has investigated many problems occurred in several years back, onesidedly, and there are some criticism in the part of town people against the one sided investigation. And in some other views, it is said to be the material gathering for the revision of police system laws.

*S. Murakami*  
Shoji Murakami.

Chief Tochigi Pref. N.R.P. Troop.

Nisho\_K/TM.



Copy.

Resolution.

The police administration under our new national constitution must be thoroughly based upon the clearness and justice, and it should be managed without selfishness.

But the present condition of our Kitsuregawa police station is rotten beyond our bearing, as we can see in the report in daily newspapers, and we town people feel disgraceful for the honour of our town, and are annoyed very much.

We town people have been expecting early and pertinent settlement of all concerned, but unfortunately, we have not heard any good news yet.

Therefore, we have assembled here in town people's general meeting, and resolved as follows unanimously,

1. We desire to establish the fundamental purpose of fair democratic police system.
2. We reject the promotion of any one of the present member of Kitsuregawa police station, as the chief police.
3. We expect the re-establishment of bright and democratic Kitsuregawa police station, by inviting strong, just and competent man for the chief of police of our municipal police station.

Above resolved.

Dated December 16, 1949.

In the name of chairman of general meeting  
of town people of Kitsuregawa Machi.

Signed KOPAYASHI Seinejo.



Kitsuregawa Case

According to the Shimozuke Newspaper of 19 February 1950 six member of the investigation party of the legal committee of the House of Representatives went to the town office of Kitsuregawa to investigate the Kitsuregawa case. It is said a thorough investigation will be made.

The problems to investigate are as follows:

1. Was there any corruption among the Bosses and police officials?  
Did the town people sustain any damage by this corruption?
2. Where is the cause of the opposition of the two parties in the police office?
3. Was the police controlled by the bosses?
4. Was there any political activity by the purged personal or not?
5. The true facts of the petition of the public safety commission who were dismissed.

Do the members of the House of Representatives have the power to investigate the administration of the local autonomous government such as the Kitsuregawa Town Administration?

Especially do they have the power to summon witnesses?

The 62nd article of the Constitution of Japan regulates as follows:

"Each House may conduct investigations in concerning the national government administration and may demand the presence and testimony of witnesses and the production of records" It specifically states regarding the investigation of national government administration.

If we can understand the town administration as a national government administration, their investigation shall surely be able to extend to the Kitsuregawa-machi. However to day State and self-government body has a quite different sphere of administration.

It is not proper to see that the town policy is national government administration or a part of it.

If we see the law of local self-government we can find the following matters which are regulated by law.



1. The scopes and proceedings of the affairs of the local self-government body.
2. The abolition establishing separation or the merger of to, do, fu, ken or the change of boundary of to, do, fu, ken.
3. The right of co-ownership of properties and structures of the local self-government body.
4. The privilege to have a vote of the local self-government body.
5. The right to demand the enactment, alternation and abolition of the regulations of the local self-government body by her inhabitants.
6. The right to demand the inspection of the business of the local self-government body by her inhabitants.
7. The right to demand the dissolution or the dismissal of the local self-government body by her inhabitants.
8. The enactment of regulations or rules.

Even though the affairs, mentioned above, are those of the local self-government body, they must be regulated by law. So should they be inspected by the Diet?

It is the Diet who gives a certain authority to the local self-government body. But the execution of the laws are made by the local self-government body itself. There is another organ that superintends the administration of the local self-government body. The local self-government body is independent from the Diet. Accordingly the inspection by the investigation party of the legal committee of the House of Representatives of the town policy of the Kitsuregawa-machi seems to us to go to the extreme.



Mr. Abrams

TOCHIGI

SPECIAL EXAMINATION BUREAU, ATTORNEY GENERAL'S OFFICE, CHECKED A PURGEE  
IN KITSUREGAWA-MACHI

Kitsuregawa-machi, Shioya-gun, Tochigi Prefecture

Source: Mr. Murakami, Commander of NRP, Tochigi Prefecture  
17 February 1950

On 14 February 1950, two investigators of the Special Examination Bureau, Attorney General's Office, visited Kitsuregawa-machi to investigate into the political activities of one Tasaburo Sasanuma of the same town who is behind the scene and pulling the wires in the police and public safety commissioners trouble in the town. These investigators went to the town prior to the Diet's Judicial Investigation Committee because the Special Examination Bureau may be required to submit a report to the Diet's commission.

Members of the Diet's Judicial Investigation Committee will arrive Kitsuregawa-machi at 1600, 17 February 1950, to start investigation.

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Mr. Abrams

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TOCHIGI

## PETITION OF THE PUBLIC SAFETY COMMISSIONERS REJECTED BY GOVERNOR

Kitsuregawa-machi, Tochigi Prefecture

Source: Shimotsuke Press, 17 February 1950

On 14 February 1950, the Governor of Tochigi Prefecture formally rejected the petition of the dismissed public safety commissioners of Kitsuregawa-machi which requested cancellation and suspension of the dismissal on the ground that it is out of governor's jurisdiction:

1. "Matters in relation to Local Police" cited in the Petition Law promulgated in 1890 means that of occurred between police and citizens in which citizen's right or benefit is invaded by the disposition of the police. Therefore, the personnel administration, duties and wages of the police which the new Police Law provides as "administrative control" are not included. Moreover, the city, town and village public safety commission is to "control" the police, as provided in Art. 43 of the Police Law, that means, the public safety commission is not a police but a control organization of the police. A municipal police and a public safety commission are considered to be different organizations due to the fact that they are separately regulated by the Police Law. Therefore, the matters in relation to appointment and dismissal of city, town and village public safety commissioners does not come under "matters in relation to local police".

2. According to the Local A utonomy Law, the To, Do, Fu and Ken, or City, Town and Village, as local public body, are on the same level, without any distinction of being superior or lower. Therefore, the Governor has no supervising power over city, town or village, except provided in Art. 24b and 252 under special circumstances.

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Mr. Adams

TOCHIGI

MEMBERS OF THE HOUSE OF REPRESENTATIVES WILL INITIATE AN INVESTIGATION  
IN RE DISMISSAL OF PUBLIC SAFETY COMMISSIONERS OF KITSUREGAWA-MACHI

Kitsuregawa-machi, Shiota-gun, Tochigi Prefecture

Source: Shimotsuke Press, 15 February 1950

Recently dismissed public safety commissioners, Tezuka and Fukao of Kitsuregawa-machi, Tochigi Prefecture, approached "Legal Investigation Commission" of the House of Representatives and explained to them the circumstances of the dismissal and asked for a spot investigation be made by the said commission concerning the matter. The commission will arrive Tochigi Prefecture on 18 February and investigate the case for five days. The commission include:

T. Kitagawa, Democratoc liberal  
Koichi Yamaguchi, Democratic liberal, (elected from Tochigi Ken)  
Kinjiro Ishikawa, Social Democrat  
Mitsuru Kato, Communist  
Hayashi, professional commissioner  
Sakurai, investigator

Reporters of Tokyo newspapers will be accompanied.

LU



Mr. Abrams.

TOCHIGI

*has been reported  
2/20/50**WNU*

DISMISSED PUBLIC SAFETY COMMISSIONERS FILED PETITION TO GOVERNOR FOR THE CANCELLATION OF THE DISMISSAL.

Kitsuregawa-machi, Shiota-gun, Tochigi Prefecture

Source: Shimotsuke Press, 27 January 1950  
Shimotsuke Press, 28 January 1950

Messrs. Tepppei Tezuka and Hojun Fukao, Public Safety Commissioners of Kitsuregawa-machi who were recently dismissed, have filed a petition to Governor of Tochigi Prefecture on 26 January requesting headman of the town to cancel the dismissal on the following reasons:

1. We, as Public Safety Commissioners, are endeavoring for the amicable settlement of the town police problem, thus we have not violated our duties.

2. When the dismissal is motioned by personal feelings, Public Safety Commissioners will not be able to carry out the duties mentioned in the Police Law.

3. The headman's motion of dismissal was not discussed at the regular session of the town assembly but merely during the adjournment. Moreover, the headman did not explain the reason for the motion to the assembly.

4. At the discussion table of the adjourning assembly, the headman read aloud the resolution of the town people's general meeting and oath of the Public Safety Commissioners, and unofficially asked for the approval of the assembly to dismiss the public safety commissioners due to the deficit of intention to settle the case.

5. There has been no misconduct by the Public Safety Commissioners.

It seems that Governor of Tochigi Prefecture may reject the petition upon contact with Local Autonomy Office due to the following reasons:

1. A doubt exists whether or not the content of the petition comes under "matters concerning local police" which is cited in Article 1 of Petition Law.

2. Governor cannot be the "direct higher administrative office" of the said town concerning the matter.

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Mr. Abrams

TOCHIGI

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## IN RE DISMISSAL OF PUBLIC SAFETY COMMISSIONERS

Kitsuregawa-machi, Shioya-gun, Tochigi Prefecture

Source: Shimotsuke Press, 14 January 1950

Tochigi Pref NRP Hqs stated in re dismissal of public safety commissioners in Kitsuregawa-machi as follows:

1. According to Art. 24, Police Law, town headman may appoint and dismiss public safety commissioners with the consent of the town assembly. As to the word "consent", Art. 116, Local Autonomy Law is applied:

"All proceedings at a meeting of the assembly of an ordinary local public body shall be decided by a majority of the assemblymen present, except as elsewhere provided in the present Law, and in the case of an equality of votes, the chairman shall decide the issue. In the case contemplated in the preceding paragraph, the chairman has no right to vote as a member of the assembly."

In this town, 18 assemblymen were present out of 20, and 15 of them voted for the dismissal of the commissioners. Therefore, the dismissal of the commissioners is ipso facto effective. The Public Safety Commissioners were given the reasons of dismissal, (1) violation of official obligations, and (2) misconduct ill befitting a member of commission.

2. Concerning the reason of dismissal, para. 2, Art. 24, Police Law is applied according to Art. 44, Police Law.

As to the "violation of official obligation", Chapter 7 of Public Service Law is applied which states that "all public officials are servants of the whole community and not of any group thereof, and work for the benefit of the public and shall not forfeit the confidence or act dishonorable to all public officials".

Accordingly, the dismissal is effective in its formality.

Unless Art. 24, Police Law, is violated, Public Safety Commissioners may file complaint to court, refusing the notification of dismissal. However, the public safety commissioners may not perform their duties until the complaint is settled, because the town headman's notice is effective.

The above matter is closely watched by the public as a matter of growth of local autonomous police. Some local autonomous police, especially in local small towns, seem to be losing confidence among the citizens of



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respective localities due to the fact that headman, assembly, public safety commission, chief of police are not coordinating to maintain law and order for their people.

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*Mr. Abrams*

TOCHIGI

## DISMISSAL OF PUBLIC SAFETY COMMISSIONERS

Kitsuregawa-machi, Shiota-gun, Tochigi Prefecture

Source: Shimotsuke Press, 13 January 1950

An extraordinary session of the town assembly of Kitsuregawa-machi, Tochigi Prefecture, was called on 12 January 1950. This town has been annoyed by the trouble originated from the non-confidence against acting chief of police. Mr. Okusa, town headman, explained at the session his motion to dismiss two public safety commissioners of the town, Mr. Tezuka and Mr. Fukao due to the reason that (1) they committed a misconduct ill befitting members of the Commission, and (2) they are not trying to reach the amicable settlement of the police problem. Town headman also motioned to appoint new members of the public safety commission in order to settle the matter. Most of the assemblymen agreed while three of them opposed on the ground that the public safety commissioners in question had been appointed by the consensus of the assembly's opinion according to the recommendation of the town headman, therefore, the town assembly should cooperate with the public safety commission instead of dismissing them, and that the town headman who had recommended those commissioners and the town assembly, who gave the unanimous approval to the appointment of the commissioners, should take responsibilities. However, according to the vote, 15 to 3, the dismissal of the commissioners were decided by the assembly. The commissioners shall be so notified in a few days. Another commissioner, Fukuda, has already voluntarily submitted resignation last year.

Tezuka and Fukao are discontented with this decision and are going to file a complaint to the court in order to make the dismissal void. They stated, "Although we were told to resign several times, we are not going to resign because of the weak reason of the dismissal. It is not the fault of public safety commissioners to have lodged a complaint against policemen who violated laws. We feel that the town assembly should vote non-confidence against the town headman instead of impeaching us."

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LU*copy of this file**#4  
Tochigi*



## POLICE LAW

Art. 24. In case a member of the Commission falls under any of the following items, he shall ipso facto be relieved of his office:

1. In case he has come to fall under any of the Items of Article 21, Para 3;
2. In case he has ceased to have the right to be elected as a member of the respective Metropolitan, Hokkaido or Prefectural Assembly.

The provisions of Article 86, 87 and Article 88, Paragraph 2 shall apply mutatis mutandis to the request of dismissal of a member of the Commission, provided that "more than one third of the total number of persons" used in Article 86, Paragraph 1 of the same Law shall read "more than one third of the total number of persons who have the right to vote within the jurisdiction of respective National Rural Police of To, Do and Prefectures."

The Governors of To, Do and Prefectures may, in case they consider that a member of the Commission has been incapacitated from performing his duties on account of a mental or physical defect or that he has violated his official obligations or committed a misconduct ill befitting a member of the Commission, dismiss him with the consent of the Assemblies of To, Do and Prefectures.

In case two or more members of the Commission have come to belong to the same political party, such members except one of them shall be dismissed by the Governors of To, Do and Prefectures with the consent of the Assemblies of To, Do and Prefectures, provided that the Governors of To, Do and Prefectures shall immediately dismiss the members of the Commission who have come to belong to a political party to which one of the members of the Commission has already belonged.

Except in the cases mentioned in the preceding two Paragraphs, no member of the Commission shall be dismissed against his will.

Art. 44. In regard to the organization and operation of the Public Safety Commissions of cities, towns and villages and the qualification, appointment, prohibition of the concurrent holding of other offices, performance of duties, term of office, retirement, dismissal, remuneration and compensation of expenses of members of such Commissions, the provisions of Articles 21 to 23 inclusive, Article 24, Paragraphs 1, 3 to 5 inclusive, Articles 25 and 26 shall apply mutatis mutandis, provided that in case a member of the Commission is to be dismissed in consequence of the request of dismissal in accordance with the provisions of the Local Autonomy Law, he shall lose his office irrespective of the provisions of Article 24, Paragraph 5. \* \* \* \* \*



DIGEST

Tochigi Prefecture  
Mainichi, Tochigi Section (2)  
February 15, 1950  
Circulation: 67,000  
Translated by Y. Sugiura  
Checked by S. Ezawa

1. **Headline:** An investigator and an official of the Special Examining Bureau of Attorney General's Office were in Kitsuregawa-machi on Feb. 14, to hear information on the issue involving Kitsuregawa Town Police.

\*\* \*\* \*

Tochigi Prefecture  
Mainichi, Tochigi Section (1)  
February 12, 1950  
Circulation: 67,000  
Translated by Y. Sugiura  
Checked by S. Ezawa

1. **Headline:** The Judicial Affairs Committee of House of Representatives will shortly start investigation into the Kitsuregawa Police Station case, which originated in the police chief being suspected of usurping swords and recently developed into dismissals of two Public Safety Committee-men.



"Legal Investigation Commission" of the House of Representatives

Powers & Duties: Article 62 of Constitution of Japan.

Special Examination Bureau of Attorney General's Office:

Power & Duties: Article 1 of the law of the establishment of the Attorney General's Office.

Police Law: Law No. 196 Official Gazette 17 Dec 1947 Gazette No. 516

Sec 2, Art 43. Public Safety Commission in city towns or villages to control police. Com. under jurisdiction of mayors of cities or headman of a village.

Art 44, Provides for method of pay or dismissal of Com.



KANTO CIVIL AFFAIRS REGION  
Legal and Government Section

Suspense Matter No. 5 (Tochigi)

Subject: Inre to the Kitsuregawa Case

Principal: Bosses and Police Officials

Source: Report

Action: "Worked out agreement among themselves."

Handled by:

Investigator:

Date Closed:

*Closed - worked out an agreement among themselves*  
*24 Oct - 50* *Abrams*



Kitsuregawa Case

According to the Shimozuke Newspaper of 19 February 1950 six member of the investigation party of the legal committee of the House of Representatives went to the town office of Kitsuregawa to investigate the Kitsuregawa case. It is said a thorough investigation will be made.

The problems to investigate are as follows:

1. Was there any corruption among the Bosses and police officials?

Did the town people sustain any damage by this corruption?

2. Where is the cause of the opposition of the two parties in the police office?

3. Was the police controlled by the bosses?

4. Was there any political activity by the purged personal or not?

5. The true facts of the petition of the public safety commission who were dismissed.

Do the members of the House of Representatives have the power to investigate the administration of the local autonomous government such as the Kitsuregawa Town Administration?

Epecially do they have the power to summon witnesses?

The 62nd article of the Constitution of Japan regulates as follows:

"Each House may conduct investigations in concerning the national government administration and may demand the presence and testimony of witnesses and the production of records" It specifically states regarding the investigation of national government administration.

If we can understand the town administration as a national government administration, their investigation shall surely be able to extend to the Kitsuregawa-machi. However to day State and self-government body has a quite different sphere of administration.

It is not proper to see that the town policy is national government administration or a part of it.

If we see the law of local self-government we can find the following matters which are regulated by law.

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1. The scopes and proceedings of the affairs of the local self-government body.
2. The abolition establishing separation or the merger of to, do, fu, ken or the change of boundary of to, do, fu, ken.
3. The right of co-ownership of properties and structures of the local self-government body.
4. The privilege to have a vote of the local self-government body.
5. The right to demand the enactment, alternation and abolition of the regulations of the local self-government body by her inhabitants.
6. The right to demand the inspection of the business of the local self-government body by her inhabitants.
7. The right to demand the dissolution or the dismissal of the local self-government body by her inhabitants.
8. The enactment of regulations or rules.

Even though the affairs, mentioned above, are those of the local self-government body, they must be regulated by law. So should they be inspected by the Diet?

It is the Diet who gives a certain authority to the local self-government body. But the execution of the laws are made by the local self-government body itself. There is another organ that superintends the administration of the local self-government body. The local self-government body is independent from the Diet. Accordingly the inspection by the investigation party of the legal committee of the House of Representatives of the town policy of the Kitsuregawa-machi seems to us to go to the extreme.



## TOCHIGI

## DISMISSED PUBLIC SAFETY COMMISSIONERS FILED PETITION TO GOVERNOR FOR THE CANCELLATION OF THE DISMISSAL.

Kitsuregawa-machi, Shiota-gun, Tochigi Prefecture

Source: Shimotsuke Press, 27 January 1950  
Shimotsuke Press, 28 January 1950

Messrs. Tepei Tezuka and Hojun Fukao, Public Safety Commissioners of Kitsuregawa-machi who were recently dismissed, have filed a petition to Governor of Tochigi Prefecture on 26 January requesting headman of the town to cancel the dismissal on the following reasons:

1. We, as Public Safety Commissioners, are endeavoring for the amicable settlement of the town police problem, thus we have not violated our duties.

2. When the dismissal is motioned by personal feelings, Public Safety Commissioners will not be able to carry out the duties mentioned in the Police Law.

3. The headman's motion of dismissal was not discussed at the regular session of the town assembly but merely during the adjournment. Moreover, the headman did not explain the reason for the motion to the assembly.

4. At the discussion table of the adjourning assembly, the headman read aloud the resolution of the town people's general meeting and oath of the Public Safety Commissioners, and unofficially asked for the approval of the assembly to dismiss the public safety commissioners due to the deficit of intention to settle the case.

5. There has been no misconduct by the Public Safety Commissioners.

It seems that Governor of Tochigi Prefecture may reject the petition upon contact with Local Autonomy Office due to the following reasons:

1. A doubt exists whether or not the content of the petition comes under "matters concerning local police" which is cited in Article 1 of Petition Law.

2. Governor cannot be the "direct higher administrative office" of the said town concerning the matter.

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Tochigi



KANTO CIVIL AFFAIRS REGION  
Legal and Government Section

Suspense Matter No. 4 (Tochigi)

Subject: Inre to investigation of Chief of Sano Police

Principal: Mr. Takishima, Chief of Sano Municipal Police.

Source: Report from Troop Commander, Tochigi NRP.

Action: *Case dropped by Procurator.  
No evidence.*

Handled by:

Investigator: \_\_\_\_\_

Date Closed: Closed

*Procurator dropped case  
no evidence  
24 Oct Abram*



Mr. AbramsTOCHIGICHIEF OF SANO CITY POLICE INVESTIGATED BY UTSUNOMIYA DISTRICT PUBLIC  
PROCURATOR'S OFFICE.

Sano City, Tochigi Prefecture.

Source: Troop Commander of NRP, Tochigi Prefecture. 27 Feb. 50

The Utsunomiya District Public Procurator's Office conducted investigation on Mr. Takishima, Chief of Sano Municipal Police, on 24, 25 and 26 February 1950 on following matters:

1. That Chief Takishima gave in 1949, a ticket for purchase of a motor cycle which was allotted for the use by police, to one Orda, of Yashu Sangyo K.K. as the police was not in need of the same.
2. That Chief Takishima's wife received two (2) to of rice from an offender of Staple Food Control Law.
3. That Chief Takishima accepted bribes from Shu Hyaku Gi, Chinese National.

#4 -  
Tochigi

Chief Takishima admitted the fact in 1. Chief and his wife denied the fact in 2 stating that the rice was given to them as "bonafide" gift by a person who is not connected to any case. Chief Takishima also denied the fact of accepting bribes from Shu Hyaku Gi. Sano Municipal Police was searched. Chief Takishima was called by Procurator's Office on 25 February and his wife on 26 February. A detective of the same police was also investigated as to accepting bribes.

The case is still pending.

still in

24  
LU

7



KANTO CIVIL AFFAIRS REGION  
Legal and Government Section

Suspense Matter No. 3 (Tochigi)

Subject: Illegal Possession of Sword

Principal: TAKAIWA, Kiichiro #819, Manako-mura, Kami-tsuga-gun, Tochigi-Ken

Source: Letter from SUZUKI, Mitsuo Manako, Kami-tsuga-gun, Tochigi-ken.

Action: Recommended investigation to Tochigi NRP.  
Reported finding 2 swords.

Handled by: Mr. Abrams

Investigator: Tochigi NRP

Date Closed: 28 February 1950



775013

24 February 1950 rm

#233

18 February 1950

SUBJECT: Japanese sword.

TO : The Occupation administrative authority of Utsunomiya.

FROM : SUZUKI Mitsuo, Marako, Kami-Tsuga-gun, Tochigi prefecture.

TAKAIWA Kiichiro, 819, Marako-mura, Kamitsuga-gun, Tochigi prefecture.

I ask you to investigate the above person as he has two Japanese swords. The other day I saw him hurting a neighborer with a sword.

Translated by Y. Ito dtd, 24 Feb. 50  
Y. ITO

0930, 25 Feb. 50 - Telephoned chief Murakami, NRP. for investigation and report.

#23  
Tochigi

Phoned Iwama 28 Feb 50 - Police report found 2 swords.

Closed.  
28 Feb. 50



Translate

233

二月十日

鈴木三男

栃木県上野原郡真名子

宇都宮司政官殿

宇都宮司政官殿ニ申上ス  
 栃木縣上野原郡真名子村八十九  
 高岩基一郎  
 右、者無屈々旧日本刀二本  
 法所持  
 三子居リマスカラ  
 至急取調ベ  
 願ヒマス  
 右者ハ先頃日本刀ヲ持出シ  
 近所者ニ  
 加害致シマシタ  
 私ガソレヲ見マシタカラ  
 一日モ早ク取調ベテ  
 頂ク様御報告  
 致シマス







775013

*Tochigi*

INFORMATION #184

TRANSLATION #67

20 December 1949

SUBJECT: Illegal Transaction of Cotton Yarn involving a Chinese National.

TO : Mr. Abrams, Legal &amp; Govt Section, Kanto Civil Affairs Region.

FROM : Chief Procurator, Utsunomiya District Public Procurator's Office.

It has come to the attention of the Sano Municipal Police that the Kakyo Trading Co. (operated by SHU Hyaku Gi, Chinese National) was blackmarketeering textiles. According to the investigation initiated by said police into the case, one Takeo Takeda, employee of the company were arrested on 12 October on suspicion of violation of "Provisional Goods Supply and Demand Adjustment Law", and the police reported to this office of the suspicion of economic violation involving SHU Hyaku Gi, the operator of the company. A warrant of search and order of impounding procured by this office from Major Newton, Legal & Govt Section, Tochigi Civil Affairs Team on 12 October 1949. Sano Municipal Police, accompanied by a member of the civil affairs team and a procurator, searched the premises of the suspect (SHU) and initiated further investigation under Procurator Iwamatsu. The investigation disclosed as follows:

## 1. Name and Address of Suspects:

- #2
- (1) SHU Hyaku Gi (Chinese National)  
Kakyo Trading Co.  
#683 Takasago-cho, Sano-shi, Tochigi Ken
  - (2) UEKI, Seiichi  
President of Yuki Cotton Manufacturing Co.  
#3850 Yuki, Yuki-machi, Yuki-gun, Ibaraki Ken
  - (3) INABA, Ichiro  
Manager of Yuki Cotton Manufacturing Co.  
#388 Shirogane-cho, Yuki-machi, Yuki-gun, Ibaraki Ken
  - (4) IWAI, Kunihei  
Employee of Daiken Industrial Co.  
#15 2-chome, Nishi, Kuma-cho, Sakai-shi, Osaka-fu.
- W. J. ... 50*

## 2. Specifications:

- (i) In that SHU did, between the period of in or about December 1948 and in or about September 1949, at his residence, wrongfully receive a total of thirty-six (36) bales of cotton yarn from one Inaba and others at the price of approximately ¥2,654,450 without any reason for legal exception so described in law.

*Sent to Jones  
Closed. Econ - for Survey.*



(2) In that Inaba and Ueki did, with common intent, between the period of December 1948 and in or about September 1949, at the residence of Inaba, wrongfully deliver a total of 36 bales of cotton yarn to SHU and receive approximately ¥2,654,450 for the same, without any reason for legal exception so described in law.

(3) In that Iwai did, between in or about December 1948 and in or about May 1949, at Togokan Hotel, Tsuchiura City, and other places, wrongfully deliver 34 bales of cotton yarn to Inaba without official certificate, and receive approximately ¥2,347,500 from the same, without any reason for legal exception so described in law.

3. Disposition of the Suspects:

UEKI - Detained on 27 October and released on 14 November 1949.  
INABA - Detained on 26 October and released on 14 November 1949.  
IWAI - Warrant of Arrest has been issued on 9 November.  
Subject has not been arrested; still at large.

4. Documentary Evidence:

(As to the fact SHU purchasing cotton yarn from Inaba)

- (1) One (1) note, seized (amount of money received from SHU written on the note).
- (2) Sworn statement of Ichiro Inaba.
- (3) Sworn statements of Koto Nagasawa and Shigekichi Ishibashi.

Translated by: \_\_\_\_\_  
LAURA UZU



70: Mr. Abrams, Leg. & Att. KCAR.  
 From: Chief Procurator, U.S. Consulate, U.S. Dist. Court  
 Subj: Illegal Transaction of Cotton involving a Chinese National

67

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法課ホルソン少佐の捜索押収令状を又同部隊員の指揮により佐野警署署員と共に被疑者周宅の捜索押収を爲すとともに榎島若松一氏を主任として取調べ中であつたが現在迄に左記被疑者身元が判明したから取取す遅給する

被疑者の住所氏名

(1) 初木縣佐野市高砂町六八三番地

華京貿易製菓公司

中華民族人

岡

百

表

(2) 茨城縣結城郡結城町大字結城三、八五〇番地

結城棉花工業株式會社社長

榎

木

清

一

(3) 同

結城棉花工業株式會社取締役

松

葉

一

郎

(4) 大阪府堺市九間町西二丁目一五番地

大延産業株式會社社員

若

井

邦

平

三犯罪事實

平 郎



(1) 被疑者周は何等法定の除外事由かないのか、はらず被疑者相葉等より同人宅に於て昭和二十三年十二月綿糸二俵翌昭和二十四年一月より六月頃迄の間數回に亘り綿糸二十俵同年七月より九月頃迄の間數回に亘り綿糸十四俵合計三十六俵を無果にてその代金約二百六十五万四千四百五十圓位にて譲り受けたるものである

(2) 被疑者相葉は同植木と共謀の上何等法定の除外事由なきにか、はらず被疑者相葉宅に於て被疑者周に對して前記(1)の如く昭和二十三年十二月より翌二十四年九月頃迄の間前後數回に亘り綿糸合計三十六俵を無果にてその代金約二百六十五万四千四百五十圓位にて譲り渡したるものである

(3) 被疑者若井は何等法定の除外事由なきにか、はらず昭和二十三年十二月頃より翌二十四年五月頃迄の間前後數回に亘り土浦市驛前東郷館等に於て綿糸三十四俵を被疑者相葉に無果にてその代金約二百三十四万七千五百圓位にて譲り渡したるものである

三身柄の處置

合度 三



被疑者植木は十月二十七日勾留、十一月十四日釋放

同 相葉は十月二十六日勾留、十一月十四日釋放

被疑者若井に對しては十一月九日巡捕狀請求當時判明せる住所故早縣惠

那郡に手配した爾后大阪府赤市に轉居せる事か判明大阪地方檢察廳に手

配したか目下その所在不明で引續いて手配中である

四 証 據

被疑者周が被疑者相葉より離糸婦人の事實に關しては

1 押收せる證壹號紙片(相葉の周よりの入金を記した紙片)

2 被疑被相葉一郎の供述調書

3 参考人長澤こと、同石橋葉吉の各供述調書

以上十通野田三郎の供述調書

以上十通野田三郎の供述調書

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以上十通野田三郎の供述調書

以上十通野田三郎の供述調書



KANTO CIVIL AFFAIRS REGION  
Legal and Government Section

Suspense Matter No. 1 (Tochigi)

Subject: Inre to corrupt village administration

Principal: INAZAWA, Sahei (present village headman) { Shinoegawa-mura,  
Tochigi-Ken.

Source: Petition (Anonymous)

Action: Mayor resigned everything is OK now

Handled by:

26 Oct

Investigator:

Closed.

Date Closed:



#27

29 November 1949

S: 15 Dec 49

SUBJECT: Asking investigation concerning corrupted village administration, Shimoegawa-mura, Tochigi-ken

TO : Commanding Officer

FROM :

I hereby reporting you the corrupted administration of Shimoegawa-village and ask your investigation on this matter.

In 4 years since the occupation, Japanese people have enjoying the peaceful and sound democratic support of your country, but when thinking about the present condition of our Shimoegawa-mura, we fear the way of village administration.

May the matter be small, but as a drop of water form a large stream, we cannot forget as a partial trouble in its important nature.

1. In our village, Mr. Shibayama Fusasaburo, first elected Head of the village broke the old neighborhood association system up, and divided the village into 5 blocks. He then appointed the chief for each block in order to exercise village administration. After he retired from the job on account of his illness, present head of the village, Inazawa Sahei was elected.

New head of the village, Inazawa Sahei revived the old system of neighbourhood association under democratic name "Autonomous ward chief system" and have strengthened the illness of feudalism.

This became the loud voice of blaming, clouded the democratic light under the camouflage of democratism, and obviously this is the violation of Imperial Ordinance dated 3 May 1947. Please investigate the detail of said violation.

#1  
Tochigi  
2. In the past, head of the village Inazawa Sahei did not pay the village tax wilfully and did not try for its adjustment. At the time of ex-head of the village, Shibayama Fusasaburo, he was disposed "Loss Disposition" by the village tax loss committee.

He became the head of the village even having such personal history and his personal history proves such none responsibility of tax duty.

This matter will remain the unhealthy impression on the village administration field. Please investigate the above fact how it is.

3. At the time of Shimoegawa-village Fujita Word Community Contribution, Shioda Koryu and Endo Giyu had collected the goal amount of contribution. As the goal had collected by above 2 person, present assistant head of the village Yamaguchi Tota embezzled the 1/3 amount (several thousand yen) of Fujita Word Contribution which he collected by himself. Upon above rumour, when a certain people in Fujita Word asked him about the way of contribution, he replied that he had contributed them to the schoolside. But the school side



saying that they have no remembrance at all about receiving such contribution. Thus the contribution collected from the villagers' good will had embezzled by a such person who went between.

This make the troubles to the village and debase the public business.

Please investigate clearly and dissolve the village peoples' doubt.

4. It is the rumour of our village that;

- a) Inazawa head of the village, have been planned all possible measure for his profit concerning the problem of maintaining land possession.
- b) Yamaguchi assistant head, having no credit among the villagers.
- c) Inazawa head of the village, trying his best to develop his power with assembly members and other boss by striking the feudal drum.

5. Against these centerlized power by head of the village, assistant head, and none responsibility of these people on their duty, majority of village people and some of the village assembly members are all keeping quiet but only afraid of their power.

This is the great regret of our village, to maintain the present feudal condition entirely againsting with their election speech as stated above, will remain the serious drop of stain in the history of reconstruction of Japan under the good will and assistance of your country.

Again I beg to ask you for the investigation on these small troubles, and hopping that the village people be able to depend upon the sound village administration.

My small power afraid those head of the village and others centerlized power, so I used secret name MURAO Shin and asking you the investigation.

I do not hate the people at all but only wishing the proper administration of the village so that the people can trust each other and can enjoy their life.

Truly yours

Translated by \_\_\_\_\_

S. TAKAHASHI



司政長官閣下

一九四九年十二月二十二日

Memorandum

下江川村政非難の二三を具申し、貴官の御調査方を所願  
 致します。終戦四年余月貴國の被占領下民主主義の温  
 き恵みに浴し平和にと明朗なる日本の扶育民人口新  
 うたなる希望に耐え克服に邁進してあるの秋、我が下江  
 川の現状は負ふべき事態に多しや考へしるものかあります  
 事は些末な局處的な問題かも知れませんが、一滴の水が大  
 河の流れを形成する如く、軍から一局所の弊害として着  
 目し、重大性があるものと信ずるものとあります。

①

我村では初代公選村長芝山房三郎氏が日軍國政治の遺物なる  
 部落会制度を解消し、おとす所に分ちて支所長を置いて部落  
 事務の運営に當らせらるゝに同氏が病氣退職後現村長福澤佐平  
 公選され、事務運営上不便なると稱して自治區長班長制度

Tokigigi Pref.  
 Shimogawa Village  
 Asking us to  
 investigate  
 and  
 misperception  
 of the  
 head-man, and  
 his  
 assistant



河の流れを形成する如く軍から一局所の弊害として看過出  
きたり重大性があるものと信ずるものがある

①

我村では初代公選村長芝山房三郎氏が旧軍國政治の遺物なる  
部落会制度を解消しおと五ヶ所に分ちて支所長を置いて部落  
事務の運営に当らせらるゝに同氏が病氣退職後現村長福澤佐平  
公選されもや事務運営上不便なると稱して自治區長班長制度  
を復元し部落会制度の旧封建的運営となり民主主義と名を  
ふと化して封建の強化の弊害を生じたは明らかにて二十二年五月三日発  
布の政令に反するものあり氏主たる我儀装して是言編民主主義  
の光明を曇らすものとの非難の聲が高い故に右事態の内情を  
調査願ひます

②

村長福澤佐平氏に故意に村税を滞納しその整理にも  
應ぜず元来七三郎村長時代に村税徴収委員会に於いて徴収  
處分を定めたるものあり故にかゝる無責任なる行爲を有しても村長  
となり得ること亦村長のさうした経験の滞納も徴収處分下で決済下  
まう性急のむくむくといった権限異務觀念の輕薄化を生ぜしめるかの  
端のありとも今後村政上に面白くぬ印魚死すものも存

一現助殺山口を藤太に下川村藤田子女の共同資金の運用として



不の政令に及するものありしに主たる艱難にして是皆編民主主義の光明を曇らすものとの非難の聲が高い故に右事態の内情を  
浄調査願ひます

② 村長稻澤佐平はけがを故意に村税を滞納しその整理にも  
應じが元来七三郎村長時代に村税徴損委員会に於いて徴扱  
處分をまづけたるものあり故にかゝる無責任なる経歴を有しても村長  
となり得ること亦村長のところたる経歴が滞納も徴扱處分で決済す  
る性質のものなりといふは稽税義務觀念の輕薄化を生ぜしめるもの  
ありとの事柄の如何を浄調査願ひます

③ 現助役山口勝太はけが下川村と藤田字内の共同募金に際して  
募金担任の塩田四郎と遠之助と藤田勇西代募金に當り塩田  
遠之助兩氏の募金額にて目標額に達したるものと山口自身の  
募金したる藤田字内三合の募金額教十円を着服したとの端々  
藤田字内の募りかある募金行ごうと追飛しを町学校へ  
寄附したと放言したる学校側は受取らん覺えなつとそのものの  
把握を放棄せられ林南の民人の浄財を金もかゝる事態をば  
供同募金も日種如何には中間人の私腹をやすやうやうなものごと  
供同募金を懲罰者の心境をにらみだすのみならず社会

浄調査願ひます



③ 現助役山口藤太は下流村藤田字内の共同曹方金に際して  
 曹方金担任の塩田四郎、遠藤勇西代曹方金に当り、塩田

遠藤勇西代の曹方金額にて目標額に達したるも山口自身の  
 曹方金たる藤田字内三分の一金額教年内を着服したとの噂は  
 藤田字内のあつたかある曹方金にどうしたと追及し先所学校へ  
 寄附したと放言したる、学校側は受取つた覚えもないとの事、の  
 状態を放置せられ、村中の民人の浮財曹方金もかかる事態をほ  
 供同曹方金も日種如何に中間人の私腹をなやせやうとするものを  
 供同曹方金徳曹方金の心境をいかにみだすかといふこと、社会  
 事業への潤滑さよりも存、右事情を明確に調査下され  
 村人の疑念を解消下せらるる致す

④ その外に稲澤村長は農地保有の問題にも自己に有利なる解決  
 をかしてあると噂もあつた、山口助役も村内信望なまこと稲澤村女  
 は自今、迎合する村会議員と他の有力者を叫令して封建的

陳大鼓をたつて自己勢力の伸張をいつてあるといふ

⑤ これ等村長助役を中軸とする勢力は村民の大部派の  
 一部はたゞ口かう車への非難憤慨に黙下しては等々畏懼

するものあり、選挙権説と云ふ事、たかたか選挙権生に



供同裏金も日種如何には中間人の私腹をやすやうにするものなを  
 従同裏金も徳者者の心境をいかにみだすものといふべきは  
 幸甚幸甚の謂はるべきと存す右事情を明確に調査下され  
 村人の疑念を解消下されやう致す

④

その外に稲澤村長は曲農地保有の問題にも自己に有利なる結果  
 をおしてあると噂もあつ山口助役も村内信望なきと稲澤村長  
 は自今、迎合する村会議員を他有力者を叫令して封建的  
 陳大鼓をたつて自己勢力の伸張をいつてあるといふ

⑤

これ等村長助役を中軸とする勢力は村民の大部分の  
 一部はたゞ口かう車への非難憤慨に黙して従等と畏懼  
 するもの多し選挙演説と云ふべきはたかゞ無責任に今更には  
 不平満々の姿民主主義の明け方に如上の如き暗雲に  
 村人の目覚めをおくうするまははるべきの如き意に新興  
 ある全日本に身をつくす一歩うは濡れ亦我々村人の汚辱で  
 と悲しむべきであらうと評しを折振たがはる些末なる事  
 能うたがう所調査下されて村人の明るく村政に信頼出來  
 るやう祈願を致す



陳大毅をたつて自己勢力の伸張をいつてあると云ふ

(5)

これ等村長助役を中軸とする勢力は村民の大部分の  
一部はたゞ口かう車への非難憤慨に黙して従等と畏懼

するもの多し選挙演説と云ふ言葉もたかたか無責任に今更

不平満々の姿民主主義の明け方に如上の如き暗雲に

村人の目覚めをおくらするまじは世間の民意に新興しつ

ある全日本に身をもく一匹の汚濁亦我々村人の汚濁である

と悲しい事あるまじ汚濁を折振たがはる些末なる事

能くから汚濁を下されてお人の明るく村政に信頼出来ま

るやう汚濁を断つて下さる

微力なる私の村長助役を中軸とする一連の勢力の強壓を

懼れこの假名村尾新と云ふてカ汚濁を實現して下さい

私一人は増えぬ村事能く民主的光明に普遍され

不平なき村政は村人は是之信望之和生業につく事を

希求するの道に心から汚濁を根絶願致しませう

敬白九拜