

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

**Description of contents**

(1) Box no. 2896

(2) Folder title/number: (22)  
010: Courts

(3) Date: July 1949 - Dec. 1949

(4) Subject:

Classification	Type of record
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(5) Item description and comment:

- i) Kinki
- ii) Includes Contents List

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S U B J E C T	FROM	TO	DATE
Letter of Transmittal	KMGT	KMGR	24 Jul
Trials in Japanese Courts under Imperial Ordinance 311, 1946	KCAR	I Corps	
Transmittal of Charges	25th D.	KCAR	1 Aug
Report of Cases Tried in Japanese Courts as Required by SCAPIN 1740	KCAR	I Corps	1 Aug
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Information Needed for Trial of Japanese Nationals in Japanese Courts	SCAT	25th Div.	11 Oct.
Trials in Japanese Courts under Imperial Ordinance 311, 1946	KCAR	I Corps	13 Oct.
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Petition in Behalf of Lai Tu Shui	KCAR	8th Army	23 Nov.
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HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

HT/km

29 December 1949

015

SUBJECT: Letter of Transmittal

TO: Commanding General  
Eighth Army  
APO 343  
ATTENTION: Civil Affairs Section

Submitted herewith in compliance with SCAPIN 1740 is the report of cases tried by Japanese courts under Imperial Ordinance 311, 1946 in the six prefectures of Kinki Civil Affairs Region for the period 21 November 1949 to 20 December 1949.

FOR THE CHIEF:

1 Incl:  
As indicated

STERLIN C. MOORE  
Major INF  
Adjutant

km

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

14 December 1949

015

SUBJECT: Letter of Transmittal

TO: Commanding General  
Eighth Army  
APO 343  
ATTENTION: Civil Affairs Section

Submitted herewith in compliance with SCAPIN 1740 is the report of cases tried by Japanese courts under Imperial Ordinance 311, 1946 in the six prefectures of Kinki Civil Affairs Region for the month ending 30 November 1949.

FOR THE CHIEF:

1 Incl:  
As indicated

STERLIN C. MOORE  
Major INF  
Deputy Chief

Ken

HEADQUARTERS 25TH INFANTRY DIVISION  
APO 25

AG (015) (1)

12 Dec 49

SUBJECT: Japanese Legal Advisor for Occupation Court Administrator.

THRU : Commanding Officer  
Kinki Civil Affairs Region  
APO 25

TO : Osaka District Procurators Office

1. Request that your office provide the services of Mr Toru Shimura to act as Japanese Legal Advisor and Liaison Officer for the local Occupation Court Administrator of this command.

2. The services of Mr Toru Shimura are needed as soon as possible.

FOR THE COMMANDING GENERAL:

E. DOYLE  
Major, AGD  
Asst Adj Gen

**BASIC:** Ltr, Hq 25th Infantry Division, AG 015 (I), subj: "Japanese  
Legal Advisor for Occupation Court Administrator," dtd  
12 Dec 49

015

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 14 December 1949

**TO:** Osaka District Procurators Office

**THRU:** Kinki Liaison and Coordination Office

1. Forwarded for your consideration.
2. The Court Administrator, appointed in accordance with Operational Directive 55, 1949, is Lieutenant-Colonel Walter G. Gosser, Headquarters 25th Infantry Division, whose office is currently located in 25th Division Headquarters. His telephone number is Lightning Dial 580.

FOR THE CHIEF:

STERLIN C. MOORE  
Major INF  
Deputy Chief

*km*

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

015

23 November 1949

SUBJECT: Petitions in Behalf of Go Hyaku Fuku

TO: Commanding General  
Eighth Army  
APO 343

In accordance with paragraph 10, Operational Directive 25, 1949, the attached petitions of Masako Go, wife of Go Hyaku Fuku, and defense counsel Akira Ohnishi, are forwarded for your consideration. Subject prisoner and court records are understood to be under jurisdiction of your headquarters.

FOR THE CHIEF:

2 Incls:  
As indicated  
(in dup)

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

*File*  
*[Signature]*

*km*



775013

HEADQUARTERS 25TH INFANTRY DIVISION  
INFORMAL ROUTING SLIP

This reference sheet is for the use of the Division Staff only, and will be filed with the papers to which it pertains. All notes will be NUMBERED CONSECUTIVELY, TOP TO BOTTOM. All records necessary for intelligent action should be attached. A line will be drawn the full width of the slip below each note. Both sides will be used before additional sheets are added. Make notations hereon of inclosures added or withdrawn.

FILE NO: C-366-367

SUSPEND TO:

SUBJECT: 50 Hyaku Fuku - Chinese

MEMO NO.	TO	MEMORANDUM	FROM (Date, Name & Section)
	Osaka Civil Affairs Team	<p>This petition should be addressed to Commanding General 8<sup>th</sup> Army (as the subject is a prisoner in 8<sup>th</sup> A Stockade) and should be submitted through your office. I am sending to you in order that forward omitting the cover letter addressed to C.G. 25<sup>th</sup> Div - ①</p>	<p>21 Nov 49 J Howard Capt ga Sec</p>

Shiomi No.18, Izumi-Otsu,  
Osaka Pref. Nov. 18th, 1949.

Commanding General,  
The 25th Division,  
Osaka.

Att: Judge Advocate Section,  
Headquarters 25th Division,  
Osaka.

Sir:

I, wife of Go Hyaku Fuku, have the honour to submit enclosed herewith copy of petition for clemency of sentence passed upon Go Hyaku Fuku.

It has been informed that the petition for the clemency of sentence will not be considered before the accused has served up one third of his sentence; yet, under a pressure of affliction as mentioned on my petition and with the following expectancy I have determined to submit my humble petition before the term has come:

a, Go Hyaku Fuku was sentenced for 9 months and 36 months on February 7th 1949, and has been under confinement ever since 27th December last. If the period he had served before to the date of trial could be favourably considered it comes to that he has served 11 months out of 45 months.

b, I have completed his payment of the tax which served the principal portion in constituting his guilt, and I believe this paying-up of the tax may receive your favourable consideration.

In my sincere hope that the enclosed petition may receive your kind consideration and that the clemency of his sentence be given your valuable assistance,

I beg to remain,

Sir,

Your obedient Servant,

*Masako Go*  
(Masako Go)

No.18 Shiomi, Izumi-otsu,  
Osaka Prefecture, Japan.

Shiomi No.18, Izumi-Otsu,  
Osaka Pref. Nov. 18th, 1949.

Commanding General,  
The 25th Division,  
Osaka.

Att: Judge Advocate Section,  
Headquarters 25th Division,  
Osaka.

Sir:

I, wife of Go Hyaku Fuku, have the honour to submit enclosed herewith copy of petition for clemency of sentence passed upon Go Hyaku Fuku.

It has been informed that the petition for the clemency of sentence will not be considered before the accused has served up one third of his sentence; yet, under a pressure of affliction as mentioned on my petition and with the following expectancy I have determined to submit my humble petition before the term has come:

a, Go Hyaku Fuku was sentenced for 9 months and 36 months on February 7th 1949, and has been under confinement ever since 27th December last. If the period he had served before to the date of trial could be favourably considered it comes to that he has served 11 months out of 45 months.

b, I have completed his payment of the tax which served the principal portion in constituting his guilt, and I believe this paying-up of the tax may receive your favourable consideration.

In my sincere hope that the enclosed petition may receive your kind consideration and that the clemency of his sentence be given your valuable assistance,

I beg to remain,

Sir,

Your obedient Servant,

*Masako Go*  
(Masako Go)

No.18 Shiomi, Izumi-otsu,  
Osaka Prefecture. Japan.

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

23 November 1949

015

SUBJECT: Petition in Behalf of Lai Tu Shui

TO: Commanding General  
Eighth Army  
APO 343

In accordance with paragraph 10, Operational Directive 25, 1949, the attached petition of lai, Fujiko in behalf of her husband Lai Tu Shui now serving a sentence imposed by Provost Court No. 1, Headquarters 25th Infantry Division, is forwarded for your consideration. The prisoner and records of the case are understood to be under your jurisdiction.

FOR THE CHIEF:

1 Incl:  
Petition &  
Translation

GEORGE MINARIK  
Captain CE  
Adjutant

775013

HEADQUARTERS 25TH INFANTRY DIVISION  
INFORMAL ROUTING SLIP

This reference sheet is for the use of the Division Staff only, and will be filed with the papers to which it pertains. All notes will be NUMBERED CONSECUTIVELY, TOP TO BOTTOM. All records necessary for intelligent action should be attached. A line will be drawn the full width of the slip below each note. Both sides will be used before additional sheets are added. Make notations hereon of inclosures added or withdrawn.

FILE NO:

SUSPEND TO:

SUBJECT: Petition - Case #C-402

MEMO NO.	TO	MEMORANDUM	FROM (Date, Name & Section)
1	SJA	<p>For your information and consideration.</p> <p style="text-align: right;">16 NOV</p> <p style="text-align: right;">⑤</p> <p><i>Prisoner is in 8<sup>th</sup> Army Stockade and petition should be addressed to C. G. 8<sup>th</sup> Army thru your office</i> ⑤</p>	<p>15 Nov 1949</p> <p><i>J. P. Wetherholt</i> J. P. WETHERHOLT Lt Col, Ord. Provost Court #1</p> <p>21 Nov 49 <i>J. Howell</i> Capt CUP JA office</p>

*Osaka Civil Affairs Team*

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

015

22 November 1949

SUBJECT: Request for Review of Japanese Sentence

TO: President  
Osaka High Court  
Osaka, Honshu

1. Authority: 5th Indorsement, Headquarters Eighth Army, to I Corps letter AGYO 250.53 (29 Aug 49), dated 4 November 1949.
2. The request for clemency filed by Chuho IWAMOTO, a Korean national now in confinement in the Osaka Detention House awaiting action on a death sentence, has been denied by the Commanding General, Eighth Army. This headquarters has been informed that it is the opinion of the reviewing authority that the investigation does not disclose that the sentence imposed is, because of the nationality of the defendant or improper consideration by the court of matters outside the merits of the case, excessive when compared with sentences imposed upon Japanese nationals for similar crimes.
3. This headquarters has been directed by higher headquarters to vacate the stay of execution of Chuho IWAMOTO. You are directed to take whatever action is deemed appropriate, with the view of carrying said sentence into execution in accordance with existing Japanese law.
4. You will notify Chuho IWAMOTO of the denial of his petition and exercise complete administration of the matter.
5. Request notification to this headquarters in writing of the final action taken.

WILEY H. O'MOHUNDRO  
Colonel INF  
Chief

FOR FILE

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

4 November 1949

015

SUBJECT: Recommendation for Mitigation of  
Provost Court Sentences

TO: Commanding General  
25th Infantry Division  
APO 25

1. The attached three recommendations for parole of Provost Court prisoners, Syoji Maeda, Tetsuo Saito and Masao Yamashita, all confined in the Shiga Prison, were addressed to this headquarters.
2. They are forwarded as a matter pertaining to your command.

FOR THE CHIEF:

3 Incls:  
As indicated

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

*JL*  
*AM*  
*km*

*km*

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

29 October 1949

015  
319.1

SUBJECT: Occupation Forces Court Data

TO: Commanding Officer  
Kobe Base  
APO 317

Attached reports were received by this headquarters from the Japanese prison authorities in Hyogo ken. These data are required by paragraph 11, Operational Directive 25, 1949, and are forwarded to your headquarters pursuant to paragraph 6 of Memorandum 31, Headquarters I Corps, 1949.

FOR THE CHIEF:

GEORGE MINARIK  
Captain CE  
Adjutant

- 3 Incls:
1. Scheds B & C  
Kobe Detention House
  2. Scheds B & C  
Himeji Juvenile Prison
  3. Scheds B & C  
Kobe Prison

FOR FILE

km



OK

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

015

27 October 1949

SUBJECT: Court Administration

TO: Commanding General  
I Corps  
APO 301

1. Reference is made to paragraph 4, Operational Directive 25, Headquarters Eighth Army, dated 9 May 1949, and paragraph 4 of Memorandum 31, Headquarters I Corps, dated 10 June 1949, which relate to the designation and duties of local occupation force court administrators. With the exception of Hyogo and Kyoto prefectures, the duties of court administrator have been delegated to the Civil Affairs prefectural teams of this region.

2. The duties of court administrator are usually performed by the Legal-Government Section of the prefectural team. However, as of 15 October 1949, all prefectural Legal-Government Sections have been closed, and the remaining officers are concerned with deactivating the teams. Consequently, court administrator duties are not now being performed in Osaka, Nara, Shiga and Wakayama prefectures. Further, it is understood that the reorganized Civil Affairs units remaining in Japan will operate directly under GHQ SCAP beginning 1 January 1950.

3. It is the opinion of this headquarters that the problem of designating court administrators merits immediate consideration and determination.

WILEY H. O'MOHUNDRO  
Colonel INF  
Chief

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25

015

13 October 1949

SUBJECT: Trials in Japanese Courts under  
Imperial Ordinance 311, 1946

TO: Commanding General  
I Corps  
APO 301  
Attention: Civil Affairs Section

Transmitted herewith are copies of the report required by  
SCAPIN 1740 for the month of September from the Osaka, Hyogo, Kyoto,  
Shiga, Wakayama and Nara Civil Affairs Teams.

FOR THE CHIEF:

6 Incls:  
n/c

GEORGE MINARIK  
Captain CE  
Adjutant

*file*  
*mm*  
FOR FILE

*KM*

015  
Shiga CA

11 October 1949

SUBJECT: Information needed for Trial of Japanese Nationals in Japanese Court

THRU: Chief, Kinki Civil Affairs Region, APO 25  
ATTENTION: Legal and Government Section

TO: Commanding General, 25th Infantry Division, APO 25  
ATTENTION: Staff Judge Advocate.

1. To enable the Otsu, Shiga Ken, District Procurator's Office to try four Japanese nationals, involved in the theft and sale of a bull-dozer blade from the 35th Infantry Area, in the Japanese Court certain information is needed. Mr. Sturgeon, DAC, previously convicted by Provost Court for being involved in this case has refused to make any statement.

2. An extract of the transcript of the testimony given the case is needed covering the following points:

a. Whether or not either or all of these persons, Shigematsu Matsuo, Kasao Ogaya, Hiroshi Uesaka, or Tomeichi Kawakita, were told or asked by Sturgeon to transport the bull-dozer blade to Uaeoji Station, Kyoto City.

b. Whether or not either or all of the above mentioned four were told or asked to sell the blade in Nara-ken before they transported it to Kyoto.

c. Whether or not any or all of the above mentioned four Japanese nationals told sturgeon about the sale of the blade.

d. Whether or any or all of the above mentioned four received 100,000 yen in Japanese Currency on the day the blade was taken to Kyoto. If so, from whom?

3. Request that answer to this letter be routed thru Legal and Government Section, Kinki Civil Affairs Region for proper disposition. The Legal and Government Section of this team is closing 15 October 1949.

JOHN E. EVANS  
Lt Col, Infantry  
Chief

775013

BASIC: Ltr, Hq Shiga Civil Affairs Team, subj: "Information needed for  
Trial of Japanese Nationals in Japanese Court", dtd 11 Oct 49

000.5

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 13 October 1949

TO: CG, 25th Infantry Division, APO 25  
ATTENTION: Judge Advocate

Attention invited to basic letter requesting extract transcript  
of testimony which relates to the four questions of paragraph 2, basic  
letter.

FOR THE CHIEF:

GEORGE MINARIK  
Captain CE  
Adjutant

*File*  
*MM*  
*KG*

*KG*

095

BASIC: Ltr Hq Shiga CAT, dtd 11 Oct 49, subj: Information needed for Trial of Japanese Nationals in Japanese Court. (Case of Harold J. Sturgeon, DAC).

AG 250.4 (I) 2d Ind

Headquarters 25th Infantry Division, APO 25, 19 Oct 49

TO: Chief, Kinki Civil Affairs Region, APO 25

The testimony has been extracted as requested and is submitted herewith for the purpose desired.

FOR THE COMMANDING GENERAL:

1 Incl  
Extracted testimony  
pages 78-94, inc, &  
97. (in dup)

/s/ L. R. Cummings  
WOJG USA  
Asst Adj Gen

000.5

3rd Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 24 October 1949

TO: CO, Shiga Civil Affairs Team, APO 25, Unit 3

1 Incl:  
n/c

G. M.

*File*  
*AM*  
*Ly*

FOR FILE

KM

015  
 HYOGO CIVIL AFFAIRS TEAM  
 APO 317

OLH/km

3 October 1949

SUBJECT: Offenses Tried by Japanese Courts Under Cabinet Order 165 and Imperial Ordinance 311 as Amended by SCAPIN 1740

TO: Supreme Commander for the Allied Powers

THROUGH: Hqs Kinki Civil Affairs Region, APO 25

In compliance with SCAPIN 1740, GHQ, SCAP, dated 27 June 1947, subject: "Amendment to Exercise of Criminal Jurisdiction," the attached Report of cases tried under Cabinet Order 165 and Imperial Ordinance 311, as amended by SCAPIN 1740, is submitted.

FOR THE COMMANDING OFFICER:

Incls:  
 As Indicated.

WALTER KIMBALL  
 Major Inf.  
 Executive Officer

015

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 4 October 1949

TO: Chief, Hyogo Civil Affairs Team, APO 317

It is the opinion of this headquarters that subject inclosure is inapplicable to SCAPIN 1740 and other references of basic letter.

BY ORDER OF COLONEL O'MOHUNDRO:

1 Incl:  
 n/c

GEORGE MINARIK  
 Captain CE  
 Adjutant

775013

015

KYOTO CIVIL AFFAIRS TEAM  
APO 301 (Kyoto, Honshu)

RCW/hk

FOR FILE

015

24 September 1949

SUBJECT: Prisoners Serving Occupation Forces Court Sentence in Japanese Institutions.

TO: Chief, Kinki Civil Affairs Region, APO 25.

1. Reference is made to paragraph 11c (2), Operational Directive Number 25, Headquarters, Eighth Army, dated 9 May 1949, and Memorandum Number 31, Headquarters I Corps, dated 10 June 1949.

2. Submitted herewith for your information copy report on above mentioned subject.

FOR THE CHIEF:

1 Incl:  
As indicated.

*John C. Speedy, Jr.*  
JOHN C. SPEEDY, JR.  
1st Lt. FA  
Adjutant.

3252 9857C

KYOTO CIVIL AFFAIRS TEAM  
APO 301 (Kyoto, Honshu)

RCW/hk

015

24 September 1949

**SUBJECT:** Prisoners Serving Occupation Forces Court Sentence in Japanese Institutions.

**TO:** Commanding General I Corps, APO 301  
Attn: Occupation Force Court Administrator.

1. In compliance with paragraph 11c (2), Operational Directive Number 25, Headquarters, Eighth Army, dated 9 May 1949, and Memorandum Number 31, Headquarters I Corps, dated 10 June 1949, the following report is submitted:

a. Individuals in confinement in Kyoto Prison, Kyoto, Honshu Japan, as of 20 September 1949, as a result of sentence by the I Corps Provost Court:

<u>Name</u>	<u>Nationality</u>	<u>Name</u>	<u>Nationality</u>
Seiichi Ono	Japanese	Boku Ko Ju	Korean
Takeo Tanaka	"	Hatsuo Monguchi	Japanese
Kiyoshi Yamazaki	"	Minoru Yamada	"
Tei Zai Shaku	Korean	Rin Sho Ji	Korean
Kazuo Mizutani	Japanese	Akino Hatta	Japanese
Matsusaburo Kubo	"	Eijiro Tanaka	Korean
Kiyochi Takamatsu	"	Susumu Onishi	Japanese
Makoto Ibuki	"	Hideo Hashimoto	"
Katsuhiro Takahashi	"	Ri Zai Shu	Korean
Boku Ki Ken	Korean	Ri Gen Shakau	"
Shuji Uchimura	Japanese	Koichi Tanaka	Japanese
Kin Sei Ken	Korean	Isamu Asazuma	"
Seizo Kasama	Japanese	Shigeru Yamagichi	"
Hiroshi Maki	"	Takao Kawamoto	"
Mitsuyoshi Niwa	"	Kazo Matsuda	"
Paul M. Marich	Stateless	Kiyozumi Ogawa	"

b. Of the above listed persons, only Mitsuyoshi Niwa has served at least one-third (1/3) of his sentence. By reason of his rating of "unsatisfactory" by the Japanese prison authorities, this prisoner is not recommended for any form of clemency, parole, review of sentence, etc.



BASIC: Ltr. Hq I to Civil Affairs Team, APO 301, 24 Sept. 49.  
Subj: Prisoners Serving Occupation Forces Court Sentence  
in Japanese Institutions. Cont'd.

His unsatisfactory rating is based upon the results of his work in the prison, his breach of prison regulations, and his daily poor conduct and behavior.

FOR THE CHIEF:

JOHN C. SPEEDY JR.  
1st. Lt. FA  
Adjutant.

KYOTO CIVIL AFFAIRS TEAM  
APO 301 (Kyoto, Honshu)

RCW/hk

22 September 1949

015

SUBJECT: Letter of Transmittal

TO: Chief, Kinki Civil Affairs Region, APO 25

1. Reference is made to letter Hq Kinki Mil Govt Region, APO 25, dated 14 April 1949, subject, Reports on Military Occupation Courts.
2. Forwarded herewith copies Report Schedule B and Schedule C of revised inclosure 6 of Hq Eighth Army, OD #33, as amended by OD 33/1.

FOR THE CHIEF:

/s/ John C. Speedy, Jr.  
1st Lt FA  
Adjutant

1 Incl:  
As indicated

015

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 4 October 1949

TO: CG, I Corps, APO 301  
ATTENTION: Judge Advocate

1 Incl:  
n/c

G. M.

775013

OK

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25

RFS/km

12 September 1949

015

SUBJECT: Cases Tried in Japanese Courts  
Under Imperial Ordinance 311, 1946

TO: Commanding General  
I Corps  
APO 301  
ATTENTION: Civil Affairs Section

*File*  
*mm*  
*5*

Attached hereto are reports required by SCAPIN 1740 on cases tried in Japanese courts under Imperial Ordinance 311, 1946, for the month ending 31 August 1949, from Shiga, Nara, Kyoto, Wakayama and Osaka prefectures.

FOR THE CHIEF:

5 Incls:  
As indicated

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

*KM*

775013

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25

RFS/km

*File*

10 September 1949

015

SUBJECT: Cases Tried in Japanese Courts  
Under Imperial Ordinance 311, 1946

*AM*  
*[Signature]*

TO: Commanding General  
I Corps  
APO 301  
ATTENTION: Civil Affairs Section

Attached hereto are reports required by SCAPIN 1740 on cases tried in Japanese courts under Imperial Ordinance 311, 1946, for the month ending 31 August 1949 from Shiga, Nara, Kyoto and Wakayama prefectures.

FOR THE CHIEF:

4 Incls:  
As indicated

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

*KM*

HEADQUARTERS  
SHIGA CIVIL AFFAIRS TEAM  
APO 25, Unit 3, (Otsu, Honshu)

30 August 1949

FOR FILE

015  
~~201~~ - Masajiro Morikawa

SUBJECT: Transmittal of Charge Sheets

TO: Commanding General  
25th Infantry Division  
APO 25.  
ATTENTION: Judge Advocate

1. Transmitted herewith charge sheets in the case of Masajiro Morikawa residing at No. 1082 Sakamoto, Sakamoto-mura, Shiga-gun, Shiga Ken.
2. Attached to the charge sheets are the following documents:
  - a. Statement of Masue Sengen
  - b. Statement of Masajiro Morikawa
3. Request that this headquarters be informed by indorsement hereon the final disposition of this case so that it may be made a matter of record, and so that publicity may be given the case in this prefecture.

1 Incl  
As noted

/s/ John E. Evans  
Lt Col, Infantry  
Commanding

BASIC: Ltr, Hq Shiga CAT, dtd 30 Aug 49, subj: Transmittal of Charge Sheets. (Case of Masajiro Morikawa).

AG 015 (I) 1st Ind

Headquarters 25th Infantry Division, APO 25, 13 September 1949.

TO: Commanding General, First Corps, APO 301

1. Attention is invited to the offense alleged in the attached charges in the case of Masajiro Morikawa, a Japanese National.

2. Information is requested as to whether the memorandum of your headquarters dated 6 December 1948, referred to in the charge sheet, is still in effect; and whether the facts in support of the charge in this case are sufficient to show an offense which is prejudicial to the security of the Occupation Forces.

1 Incl  
n/c

/s/ W. B. Kean  
Major General, U.S. Army  
Commanding

AG 015 - 0 2d Ind

HEADQUARTERS I Corps, APO 301, 28 Sep 49

1. The memorandum mentioned in paragraph 2 of the preceding indorsement is still in effect.

2. It is the view of this headquarters that the facts in support of the inclosed charges are insufficient to warrant trial by Provost Court.

BY COMMAND OF MAJOR GENERAL COULTER:

1 Incl  
n/c

/s/ A. Seipel  
Lt Col, AGD  
Asst Adj General

AG 250.4 (I) (PC) 3rd Ind  
(30 Aug 49)  
SUBJECT: Transmittal of Charge Sheets.

3 OCT. 1949

*File*

Headquarters 25th Infantry Division, APO 25,

THRU: Commanding Officer, Kinki Civil Affairs Regiment.

TO: Commanding Officer, Shiga Civil Affairs Team, APO 25, Unit 3.

In view of the conclusion expressed in the 2nd indorsement, supra, your recommendation for trial by Provost Court of Masajiro Morikawa is not favorably considered and the charges and allied papers are returned herewith.

*[Handwritten initials]*

BY COMMAND OF MAJOR GENERAL KEAN:

*[Signature]*  
Major, AGD

1 Incl  
n/c

015

4th Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 4 October 1949

TO: Chief, Shiga Civil Affairs Team, APO 25, Unit 3

Attention invited to preceding 2nd and 3rd indorsements.

BY ORDER OF COLONEL O'MOHUNDRO:

1 Incl:  
n/c

GEORGE MINARIK  
Captain CE  
Adjutant

*KM*

HEADQUARTERS 25TH INFANTRY DIVISION  
Office of Provost Court #1  
APO 25 (Osaka, Honshu)

29 August 1949

SUBJECT: Investigation of sentence imposed on Iwamoto, Chuho,  
a Korean National.

TO: Commanding General  
25th Infantry Division, APO 25

1. Pursuant to paragraph 19, SO 195, 22 August 1948, the case of Iwamoto, Chuho, (Korean national), for the offense of Robbery and Murder has been investigated in compliance with Operational Directive No. 27, Hq Eighth Army, 8 March 1946, and PAC SCAPIN 757, AGO 15. (19 February 1946)

Iwamoto Chuho's formal request is attached as inclosure #1, a case history is also attached as inclosure #2.

Findings: The sentence is not excessive.

Recommendation: That the sentence as imposed by the Japanese Court be upheld.

/s/ Robert E. Sharp  
Major CMP  
0470969



BASIC: Ltr, Hq 25th Inf Div (PC #1) dtd 29 Aug 49, subj: Investigation of sentence imposed on Iwamoto, Chuho, a Korean National.

AG 014 (I) (PC)

1st Ind

Headquarters 25th Infantry Division, APO 25, 6 Sep 49

TO: Major Robert E. Sharp, Hq 25th Inf Div, APO 25

1. Investigation of the sentence imposed in the case of Iwamoto, Chuho, a Korean National, is returned herewith for further investigation and resubmission.

2. In the initial petition the petitioner alleges that witnesses requested by him were not called, and that he was given an unfair trial. There is also an inference that this petitioner may have been tried jointly with other accused. It is desired that an effort be made to obtain some evidence concerning whether a fair trial was conducted and also it is deemed appropriate that the sentences given the coconspirators and the question of whether they were Korean or Japanese Nationals should be included.

BY COMMAND OF MAJOR GENERAL KEAN:

2 Incls  
n/c

/s/ G. K. Doyle  
Major AGD  
Asst Adj Gen

AG 015

2nd Ind

Major Robert E. Sharp, Provost Court #1, Hq 25th Inf Div., APO 25, 9 Sep 49

TO: Commanding General, 25th Inf Div., APO 25

1. The accused Iwamoto, Arai and Hoshizawa were tried jointly.

2. At the appealed trial, the defense counsel requested the court to call witness, Kanazawa, Shoseke. The court admitted the request and examined Kanazawa twice at the scene of the crime in the presence of the defense counsel. At the court session the accused, Iwamoto and Hoshizawa were informed of the result of the examination conducted at the scene of the crime and they were given an opportunity of making their statements concerning it.

3. The accused, Iwamoto's examination was conducted together with his accomplices, Hoshizawa and Arai.

Cont'd.

4. The proceedings of the High Court took over one year while the trial was pending, the court conducted:

Investigations and inspections of evidence.

Examination of witnesses, all the witnesses presented by the defense counsel were examined.

Deliberation of the result of trial took about two months. The facts and circumstances pertaining to the case were most carefully weighed. A most careful deliberation by the court was given to the case. It was stated by the court that this was the most careful deliberation ever given to a case of this nature by these courts.

5. Sentences

a. Hoshizawa was the principle who actually did commit robbery and murder he was sentenced to death.

b. Iwamoto was also a principle who did insist on and did practice robbery and murder with Hoshizawa and he was sentenced to death.

c. Arai who took part in planning and preparing for this robbery and murder was sentenced to 15 yrs penal servitude.

6. Nature of crime

a. This case was a very carefully and deliberately planned crime. It was a malignant and an intelligent crime.

b. They the accused pretending to make a deal with Kiriabura the victim for the sale of oil extracted from the Chinese poulownia they called the victim to the wooded area in Nara Pref. telling him to bring 60 or 70 thousand yen with him. In order to rob this money, Iwamoto and Hoshizawa killed the victim, Fukan Kanamura and attempted to kill Shoseke Kanazawa injuring him in which it took him 2 months to recover, he escaped death.

c. The method which they employed was so brutal that there was no occasion to consider the extenuating circumstances.

d. They deliberately committed murder with the intention of robbing the victims of money and planned to kill and rob.

e. The three accused and victims Fukan Kanamura and Shoseke Kanazawa are all Koreans. There were no Japanese conspirators.

/s/ Robert E. Sharp  
Major CMP

BASIC: Ltr, Hq 25th Inf Div (PC#1) dtd 29 Aug 49, subj: Investigation of sentence imposed on Iwamoto, Chuho, a Korean National

AG 015 (I) (PC)

3d Ind

Headquarters 25th Infantry Division, APO 25, 13 Sep 49

TO: Commanding General, First Corps, APO 301

The petition for review of sentence filed by Iwamoto, Chuho, a Korean National, has been investigated in substantial compliance with SCAPIN 757 and the report of the investigating officer is submitted herewith. It is the view of this headquarters that this accused was not discriminated against by reason of his nationality; that his sentence was appropriate to the charges upon which he was convicted; and that he is not entitled to any relief.

FOR THE COMMANDING GENERAL:

2 Incls  
n/c

/s/ G. W. Master  
Lt Colonel, AGD  
Adjutant General

AG 015 - 0

4th Ind

HEADQUARTERS I CORPS, APO 301, 16 Sep 49

TO: Commanding General, Eighth Army, APO 343

Concur with recommendation made in preceding indorsement.

FOR THE COMMANDING GENERAL:

2 Incls  
n/c

/s/ A. Seipel  
Lt Col, AGD  
Asst Adj General

AGYO 250.53  
(29 August 1949)

5th Ind

SUBJECT: Investigation of Sentence Imposed on Iwamoto, Chuho,  
a Korean National.

Hq, Eighth Army, APO 343, 4 Nov 49

THRU: Commanding General, I Corps, APO 301

TO: Commanding General, 25th Infantry Division, APO 25

1. Circumstances surrounding the trial and sentence of Chuho Iwamoto, alias Ri Chu Ho, have been investigated and reviewed.

2. It is the opinion of the reviewing authority that the investigation does not disclose that sentence imposed is, because of the nationality of the defendant or improper consideration by the court of matters outside the merits of the case, excessive when compared with sentences imposed upon Japanese nationals for similar crimes. The three participants in this crime and the two victims were Koreans and there can be no question of bias for or against any of the accused because of nationality. The judgements of the Nara District Court and the Osaka Higher Court, which were considered by the reviewing authority, in addition to the report of the board, indicate that the courts carefully weighed the evidence before imposing sentence. The petition of Chuho Iwamoto, alias Ri Chu Ho, is therefore, denied and the appropriate Japanese authorities may resume full jurisdiction over the case.

3. It is desired that your headquarters take necessary action to vacate the stay of execution of the sentence upon the petitioner and notify the accused and the appropriate Japanese authorities of the action of the reviewing authority and the reasons therefor.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

5 Incls:  
2 Incls n/c  
4 Incls added:  
3. Judgment of Dist. Ct.  
4. Judgment of Higher Ct.  
5. Testimony of Kanazawa  
6. J.A. Review

/s/ Charles A. Hull  
Captain AGD  
Asst Adj Gen

BASIC: Ltr fr Hqs 25th Inf Div, dtd 29 Aug 49, subj: "Investigation of Sentence Imposed on Iwamoto, Chuho, a Korean National"

AG 015 - 0

6th Ind

HEADQUARTERS I CORPS, APO 301, 9 Nov 49

TO: Commanding General, 25th Infantry Division, APO 25

For compliance with preceding indorsement.

BY COMMAND OF MAJOR GENERAL COULTER:

6 Incls:  
n/c

/s/ P. L. Nash  
Lt Col, AGB  
Asst Adj Gen

AG 015 (I) (PG)  
(29 Aug 49)

7th Ind

SUBJECT: Investigation of Sentence Imposed on Iwamoto, Chuho, a Korean  
National.

15. NOV. 1949

Headquarters 25th Infantry Division, APO 25,

TO: Commanding Officer, Nara Civil Affairs Team, APO 25.

1. Your attention is invited to the decision of the Commanding General, Eighth Army, set forth in the 5th Indorsement of that headquarters, dated 11 November 1949, with reference to the appeal made by Chuho Iwamoto, a Korean National, from the sentence imposed upon him in a Japanese court.
2. The stay of execution, pending appeal to the Commanding General, Eighth Army, ordered by this headquarters, is hereby vacated. Since final action has been taken, there is no objection to the Japanese Government taking such further action as it deems appropriate with a view of carrying said sentence into execution.
3. Since your command exercises close liaison with the Japanese Government, it is requested that you notify the accused and the appropriate Japanese authorities of the action taken by the reviewing authority and its reasons therefor, in compliance with the 5th Indorsement referred to above.
4. When the above action has been completed this file will be returned to this headquarters together with a statement as to final action taken.

FOR THE COMMANDING GENERAL:

6 Incls:  
n/c

G. K. DOYLE  
Major, AGED  
Asst Adj Gen

BASIC: Ltr, Hq 25th Inf Div, subj: "Investigation of sentence imposed on Iwamoto, Chuho, a Korean national", dtd 29 Aug 49

015

8th Indorsement

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 25 November 1949

TO: CG, 25th Infantry Division, APO 25

1. Nara Civil Affairs Team, to which subject correspondence was addressed by 7th Indorsement, is non-operative in Civil Affairs matters because of deactivation. Correspondence was therefore handled by this headquarters.

2. A letter has been sent to the President of the Osaka High Court informing the court of the vacation of stay of execution and the denial of the petition, as stated in the 5th and 7th Indorsements. The court was instructed to proceed in the case of Chuho Iwamoto in accordance with Japanese law.

3. At 1045 hours, 25 November 1949, Chuho Iwamoto was personally informed of the action taken by the reviewing authorities. Chuho Iwamoto was informed by the Chief of the Legal-Government Section, this headquarters, through an interpreter and in the presence of the chief of the Osaka Detention House, Sakuro Tamai, and the assistant chief of the Osaka Detention House.

4. The Japanese authorities stated that the accused had made an appeal to the Supreme Court of Japan. This appeal had likewise been denied. The accused had also filed a special petition to the Committee of Prevention and Rehabilitation (Parole Board) which is pending decision. The Japanese authorities plan to notify the Attorney-General's Office of the vacation of stay of execution, and await his further orders.

FOR THE CHIEF:

6 Incls:  
n/cGEORGE MINARIK  
Captain CE  
Adjutant

KYOTO CIVIL AFFAIRS TEAM  
APO 201 (Kyoto, Honshu)

RCW/hk

24 August 1949

OK 015  
SUBJECT: Letter of Transmittal

TO: Chief, Kinki Civil Affairs Region, APO 25

1. Reference is made to letter Hq Kinki Mil Govt Region, APO 25, dated 14 April 1949, subject, Reports on Military Occupation Courts.
2. Forwarded herewith copies Report Schedule B and Schedule C of revised inclosure 6 of Hq Eighth Army OD #33, as amended by OD 33/1.

FOR THE CHIEF:

1 Incl:  
As indicated

/s/ John C. Speedy, Jr.  
1st Lt FA  
Adjutant

015

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 29 August 1949

TO: CG, I Corps, APO 301

Forwarded in compliance with paragraph 6, Memorandum 31, your headquarters, 1949.

FOR THE CHIEF:

1 Incl:  
n/c

GEORGE MINARIK  
Captain CE  
Adjutant

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FOR FILE

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HEADQUARTERS  
25TH INFANTRY DIVISION  
APO 25 (Osaka, Honshu)

AG 015 (1) (PC)

17 August 1949

SUBJECT: Petition for Parole

TO: Commanding Officer  
Shiga Civil Affairs Team  
APO 25, Unit 3

1. Petition for parole filed on behalf of Tatsumi Kunitaru, Case No. 314, Provost Court No. 4, presently confined in Shiga Prison, is approved.
2. Effect release of prisoner on parole for balance of unexpired term and forward notice of your action by indorsement hereon.

FOR THE COMMANDING GENERAL:

/s/ G. K. Doyle  
/t/ G. K. DOYLE  
Major, AGD  
Asst Adj Gen

AG 015 (1) (PC)

1st Ind

EEP/wi

Hq Shiga Civil Affairs Team, APO 25, Unit 3, 25 August 1949

THRU: Chief, Kinki Civil Affairs Region, APO 25

TO: Commanding General, 25th Infantry Division, APO 25.

Prisoners mentioned in basic letter were escorted by Shiga Prison Officials to Provost Court #1, Osaka on 24 August 1949.

JOHN E. EVANS  
Lt Col, Infantry  
Chief

7278

775013

BASIC: Ltr, Hq 25th Infantry Division, AG 015 (1) (PC), dtd 17 Aug 49,  
subj: "Petition for Parole"

015

2nd Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 29 August 1949

TO: CG, 25th Infantry Division, APO 25

G. M.

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FOR FILE

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HEADQUARTERS 25TH INFANTRY DIVISION  
APO 25 (Osaka, Honshu)013 - 015  
AG 015 (1) (PC)

12 August 1949

SUBJECT: Parole of Occupation Court Prisoners

TO: Commanding Officer  
Shiga Civil Affairs Team  
APO 25, Unit 3.

1. Petitions for parole filed on behalf of Kan Ei Kon, Case No. 92, Provost Court No. 3 and Tei Ei Jun, Case No. 96, Provost Court No. 3, are approved and the unexpired portion of their sentences is suspended for a period of five years. Said suspension of their unexpired sentences will be dependent upon their future good behavior.

2. Effect release of prisoners from confinement and have them appear before Lt Colonel WETHERHOLT, Provost Court No. 1, Osaka, who will instruct them as to the conditions of their parole.

3. Reply by indorsement hereon when action has been completed.

FOR THE COMMANDING GENERAL:

/s/ G. K. Doyle  
/t/ G. K. DOYLE  
Major, AGD  
Asst Adj Gen

AG 015 (1) (PC)

1st Ind

ERP/wi

Hq Shiga Civil Affairs Team, APO 25-3, 25 August 1949

THRU: Chief, Kinki Civil Affairs Region, APO 25.

TO: Commanding General, 25th Infantry Division, APO 25.

Prisoners mentioned in basic letter were escorted by Shiga Prison officials to Provost Court #1, Osaka on 24 August 1949.

JOHN E. EVANS  
Lt Col, Infantry  
Chief

BASIC: Ltr, Hq 25th Infantry Division, AG 015 (1) (PG), dtd 12 Aug 49,  
subj: "Parole of Occupation Court Prisoners"

015

2nd Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 29 August 1949

TO: CG, 25th Infantry Division, APO 25

G. M.

*File*

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*PM*

FOR FILE

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HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25 (Osaka, Honshu)

RFS/km

*File*

015

1 August 1949

SUBJECT: Report of Cases Tried in Japanese Courts as required by  
SCAPIN 1740

TO: Commanding General  
I Corps  
APO 301  
Attention: Civil Affairs Section

*AM*  
*u*

Transmitted herewith are reports required by SCAPIN 1740, for  
Shiga, Nara, Wakayama and Kyoto Civil Affairs Teams of this region.

FOR THE COMMANDING OFFICER:

4 Incls:  
As indicated

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

*KM*

HEADQUARTERS 25TH INFANTRY DIVISION  
APO 25 (Osaka, Honshu)

AG 015 (I) (FC)

1 August 1949

SUBJECT: Transmittal of Charges.

TO: Chief, Kinki Civil Affairs Region  
APO 25

1. Pursuant to the conversation between the Judge Advocate of this headquarters and Mr. Scott of your Legal Section, the charges in cases of Yamaguchi Kotaro and Ochiai Eiichi are forwarded herewith.

2. It is the view of this headquarters that these charges, although the offense appears to have occurred in Fukui, should be considered with the other sets of charges now pending in Osaka area, which are similar and possibly involve the same plan or method.

FOR THE COMMANDING GENERAL:

2 Incls

1. Charge Sheet - Yamaguchi  
(in trip) w/allied papers
2. Charge Sheet - Ochiai  
(in trip)

/s/ G. K. Doyle  
Major, AGD  
Asst Adj Gen

775013

BASIC: Ltr, Hq 25th Inf Div, AG 015 (I) (PC), subj: "Transmittal of Charges", dtd 1 Aug 49

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1st Ind

RFS/km

*File*

Hq Kinki Civil Affairs Region, APO 25, 2 August 1949

TO: CO, Osaka Civil Affairs Team, APO 25

*MD*

1. Attention invited to basic letter and inclosures, the contents of which have been the subject of conversations between the Chief, Legal-Government Section, this headquarters, and Captain Ellingson of your headquarters.

2. This headquarters concurs in the opinion stated in paragraph 2 basic letter, and requests that the evidence and charges of the attached cases be compared with evidence and charges now being considered by the Osaka Occupation Forces Court Administrator. On the basis of said comparison, a recommendation for trial either in Provost Court or Japanese court is desired.

FOR FILE

BY ORDER OF COLONEL O'MOHUNDRO:

2 Incls:  
n/c

GEORGE MINARIK  
Captain CE  
Adjutant

*7*

000.5

2nd Ind

JE/rs

Hq Osaka Civil Affairs Team, APO 25, 5 Aug 49

TO: CO, Kinki Civil Affairs Region, APO 25

The basic letter inclosures have been compared with evidence and charges under consideration by the Legal and Government Officer. Examination of the evidence has been helpful in providing a background for Osaka Prefecture "Tsuruga Incident Cases". The offenses and charges are similar in nature to Osaka Prefecture Cases which this Occupation Force Court Administrator will recommend for trial by Provost Court in the near future.

FOR THE COMMANDING OFFICER:

2 Incls:  
n/c/s/ Theodore J. Cook  
Major, Infantry  
Adjutant



BASIC: Ltr, Hq 25th Inf Div, AG 015 (I) (PC), subj: "Transmittal of Charges", dtd 1 Aug 49.

000.5

3rd Ind

RFS/km

Headquarters Kinki Civil Affairs Region, APO 25, 5 August 1949

TO: CG, 25th Infantry Division, APO 25

Attention invited to preceding indorsement.

FOR THE CHIEF:

2 Incls:  
n/c

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

775013

HEADQUARTERS  
KINKI CIVIL AFFAIRS REGION  
APO 25, (Osaka, Honshu)

RFS/km

015

SUBJECT: Trials in Japanese Courts under Imperial Ordinance 311, 1946

TO: Commanding General  
I Corps  
APO 301

Transmitted herewith are copies of the report required by SCAPIN 1740, for the month of July from the Kyoto, Shiga, Wakayama and Nara Civil Affairs Teams.

FOR THE CHIEF:

4 Incls:  
As indicated

GEORGE MINARIK  
Captain CE  
Adjutant

FOR FILE

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015  
 KYOTO CIVIL AFFAIRS TEAM  
 APO 301 (Kyoto, Honshu)

24 July 1949

SUBJECT: Letter of Transmittal

TO: Commanding Officer Kinki Civil Affairs Region, APO 25

1. Reference is made to letter Hq Kinki Mil Govt Region, APO 25 dated 14 April 1949, subject, Reports on Military Occupation Courts.
2. Forwarded herewith copies Report Schedule B and Schedule C of revised inclosure 6 of Hq Eighth Army, OD #33, as amended by OD 33/1.

FOR THE COMMANDING OFFICER:

/s/ Thomas R. Harbin  
 THOMAS R. HARBIN  
 Capt., Infantry

015

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 27 July 1949

TO: CG, I Corps, APO 301

Forwarded in accordance with Numbered Memorandum 31, your headquarters, 1949.

FOR THE COMMANDING OFFICER:

1 Incl:  
 n/c

GEORGE MINARIK  
 Captain CE  
 Adjutant

775013

*015 - 013*  
BASIC: Ltr, Hq Kyoto Civil Affairs Team, dtd 25 Aug 49, subj: "Prisoners  
in Japanese Institutions Serving Occupation Forces Court Sentences"

015

1st Ind

RFS/km

Hq Kinki Civil Affairs Region, APO 25, 29 August 1949

TO: CG, I Corps, APO 301  
Attention: Staff Judge Advocate

G. M.

FOR FILE

NO BASIC

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