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THE PUBLIC OFFICE
1948 MAY. 31.

File No. Appeal 92

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: SHISHIDO, Takeo

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   December 31, 1948

4. Matters applicable: A member of control committee of the Patriotic Youth Association

   Provisions applicable: 2 of 3 in List No. 1

5. Date of Appeal filed: March 16, 1948

II. Appeal Board

1. Date of Reference to Board: March 29, 1948

2. Decision given by which Committee, and Commissioners: 115 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 1, 1948

4. Contents of Decision: Rescission

5. Number of Witnesses, Testimonies, Petitions, etc. : Testimonies 2
   Petition 1

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Reasons

A. The gist of the appellant's contention is as to be found in the written appeal.

B. (1) The appellant at about summer of 1933, accepeted an invitation to a meeting of persons who were fond of literature and called on Shuemon Sato the branch chief of Patriotic Youth Association of Miyagi. However he took off the meeting after a short while as he could not have any enthusiasm. Thence he never has called him again.

(2) Sato resistered the appellant who had only once called on him, as a staff of contral committee of Miyagi branch of the said Association to the main office of the Association in order to emphasize the activities of the Miyagi branch.

(3) The appellant only onceecalled on Sato, had entirely no connection with the branch.

(4) Accordingly, it is decided upon as mentioned above that the Prime Minister's designation of the appellant as one fell under the Purge Memorandum on the ground that the appellant was a staff of control committee of Miyagi branch of Patriotic Youth Association is erroneous.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifi cations Appeal Board

appeal file

PURGEES APPEALS APPROVED

On 21 May the recommendation of the Japanese Government that certain purged individuals, who had presented evidence of gross injustices to the Public Service Qualifications Appeal Board, be reinstated as eligible for the public service was approved. The Japanese Government was authorized to remove 129 persons from the list of those designated as falling under the provisions of SCAPIN 550(Removal and Exclusion of Undesirable Persons from Public Office). Including 14 cases previously approved, this action brought to 143 the final total of purgees reinstated.

The Public Service Qualifications Appeal Board acted on a total of 1070 cases. With the exception of 7 withdrawn appeals and 2 deaths, all of the remaining 918 petitioners were denied.

Favorable action was taken with regard to appeals of persons purged under every category of SCAPIN 550 except category A (war criminals). Persons who had been purged as career military personnel, but who were able to show that they had opposed the policies of the militarists, were released. Principal officials in the field of government, business or industry, and public information, whose careers showed that, although they had held positions affected by the purge criteria, they had affirmatively opposed the undesirable policies generally dictated from these offices, were also released.

Former Finance Minister Tanzan Ishibashi and Rikizo Hirano, ex-Agriculture and Forestry Minister in the Katayama Cabinet, were among the more prominent of the cases rejected. Wataru Narahashi, one of the founders of the Progressive Party and Chief Cabinet Secretary in the Shidehara Cabinet, was restored to public life.

Others whose purge was reaffirmed by the rejection of their appeals included: Heima Hayashi, who was State Minister in the same Cabinet; Keinosuke Zen, former Director-General of the Economic Stabilization Board in the Yoshida Cabinet; Fusanosuke Kuhara, one-time leader of the defunct Seiyukai Party; Usaburo Chizaki, former Progressive Party leader; Matsutaro Shoriki, long-time president of Yomiuri.

DEVELOPMENTS IN BRIEF

JUDICIAL INDICTMENT COMMITTEE BEGINS TO FUNCTION

The newly-organized Judiciary Indictment Committee of the House of Representatives will begin an investigation on 3 June into the alleged blackmarket activities of Judge Toshiichi Amano of the Hamamatsu branch of the Shizuoka District Court. This is the first investigation undertaken by the Committee under authority granted by Article 64 of the Constitution.

If the Committee finds sufficient evidence to warrant institution of impeachment proceedings, it will recommend that action be taken by the Judiciary Impeachment Committee, which includes members of both Houses. This committee is authorized by the Judges Impeachment Law and will conduct proceedings under its provisions.

ILLEGAL TRANSACTIONS COMMITTEE ASKS FOR SEARCH & SEIZURE BILL

A bill empowering the Illegal Transactions Investigation Committee with the right to obtain warrants authorizing search and seizure of required evidence was drafted in the House of Representatives on 27 May at the request of the Committee's Chairman, Inajiro Muto.

SAYONARA

Since the initiation of GOVERNMENT NEWS in August 1947, it has been used to transmit useful information concerning legislation basic to the governmental and political reform of Japan.

We regret the necessity for discontinuing GOVERNMENT NEWS, especially since important proposed legislation, of interest to military government units in the field, is still pending in the Diet. At present, moreover, an attempt is being made to draw a clear line of demarcation between the authority of national government and the authority of local government.

Eventually all of this information will be made available to military government units by means of the Official Gazette.

We sincerely hope that GOVERNMENT NEWS has proved to be of some use to military government personnel serving in Japan.

The Editor

GOVERNMENT NEWS

Published Weekly
by
GOVERNMENT SECTION, GHQ, SCAP

Number 35

28 May 1948

DIET DELIBERATES CORRUPT PRACTICES BILL

The Bill to Regulate Political Contributions and Expenditures, popularly called the "Corrupt Practices Bill," is now in committee in the House of Councillors after having been passed by the House of Representatives on 1 May. The purpose of the bill is to insure fair and impartial elections, both national and local. A summary of major provisions of the bill follows:

1. A purgee is prohibited from making contributions to candidates or political parties in any election. The penalty specified for this offense is imprisonment for not less than six months or more than three years.

2. A candidate for any election is prohibited from making contributions to any political party, association, organization or person within the area in which the candidate is running for office.

3. A holder of a national or prefectural government contract (such as road or building contractor) is prohibited from making contributions in any election. However, public service employees (including holders of elective positions) may make contributions provided the contributions are reported. In the case of national elections reports are submitted to the National Election Management Commission; in the case of local elections reports are submitted to local election management commissions.

4. A candidate must report in writing all contributions made by him for the period one year preceding the date of an-

DIET DELIBERATES CORRUPT PRACTICES BILL

(continued from page 1)

nouncement of the election for which he is a candidate.

The penalty for violation of provisions contained in paragraphs 2, 3, & 4 is imprisonment for not more than three years or a fine of not less than ¥1,000 or more than ¥50,000.

5. No person may canvass, request, or receive a contribution from a candidate for election to public office, a holder of a government contract, or a purgee.

6. No person may receive election or campaign contributions from a foreign national or a foreign agency.

The penalty for violation of provisions contained in paragraphs 5 & 6 is imprisonment for not more than three years, or a fine of not less than ¥5,000 or not more than ¥50,000.

7. No person may make an election contribution anonymously or under any name other than his full legal name, together with his legal address. No person may make a contribution through a third person.

No person may receive contributions as forbidden by the provisions contained in the preceding paragraph. Contributions made in violation of this injunction, whether money or property, shall be deemed state property and shall be delivered to the state treasury by the custodian.

The penalty specified for the above offenses are: Contributors--imprisonment for not more than three years, or a fine of not less than ¥1,000 or more than ¥50,000; Receipients-- imprisonment for not more than three years, or a fine of not less than ¥5,000 or more than ¥50,000.

Penalties for violation of the national election law will be increased three-fold if this new law is enacted.

It is also required that any political party, association, or other organization whose purpose is to support or oppose political principles or policies, or recommend, support or oppose candidates, file in writing detailed organization data within seven days of its establishment. This report must be submitted to the election management commission concerned.

File No. Appeal 88

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THE PUBLIC OFFICE
1948 MAY. 28.

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: FUJIOKA, Junkichi

2. Present Position: None
Position under Consideration: President of SHOKO-SHIN Co.,Ltd..

3. Designation by whom and when: Prime Minister
November 22, 1947

4. Matters applicable: Chief of Business Stuff, NIPPON SEINEN KYOIKU-KAI (Publisher)
Provisions applicable: 4 of 5 of 7 in List No. 1

5. Date of Appeal filed: February 2, 1948.

II. Appeal Board

1. Date of Reference to Board: March 23, 1948

2. Decision given by which Committee, and Commissioners: 119th Meeting, Miyagi and 6 commissioners

3. Date of Decision: May 7, 1948

4. Contents of Decision: Rescission

5. Number of Witnesses, Testimonies, Petitions, etc. : Testimonies 10

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FUJIOKA, Junkichi

Resons:

1. While the Cabinet Prime Minister had designated Junkichi Fujioka as coming under G Category in the Memorandum on the ground that said Junkichi Fujioka, as the chief of the business section of the Nihon Seinen Kyoiku-kai, had had the authority next to that of the representative director of the company and also had played an important part in deciding the policies of the company between July 7, 1937 and August 1939, the appellant, dissatisfied with this designation, submitted the present appeal.

2. Reasons for rescission by the Appeal Board.

(1) The Appeal Board has arrived at the conclusion that the post of the chief of the business section which the appellant was said to have assumed was only nominal, and in reality he had never excuted the work of the chief; that consequently the contention that the appellant had held the authority next to that of the representative director of the company and had played an important part in deciding its policies, has no factual base. The reasons for the conclusion are as follows:

Having examined carefully the system of organization of the Nihon Seinen Kyoiku-kai during the period

designated

designated for investigation, it was made clear that the proprietor was Haruo Tanaka, investor and actual representative, Yukio Tamura, and the appellant was no more than one of their subordinates, an employee in the business section. (Reference is made to the table attached to the text of the appeal, showing the organization of the company.) The said Nihon Seinen Kyoikukai had been from the beginning a private publishing house whose management and editorial work were entirely in the hands of the representative director Haruo Tanaka and director, Yukio Tamura: thus, the work was carried out under their dictatorship.

Therefore, although the position of the appellant was chief of the business section, it was only in name and the work which he was actually doing was limited to keeping accounts and some of other general affairs, which shows that he was clearly no more than one of the employees.

(2) An examination of his personal record and ideas shows that the appellant is a true pacifist. He had long since studied socialism and was a devoted pacifist: as an advocate of anti-war ideas he was arrested and imprisoned sometimes for violating the law for the maintenance of the public peace.

In December 1921 when the great army manoeuvres were being held in the Kanto area, at the tender age of 20,

the appellant prepared a publication of anti-war propaganda and, disguising himself as a newsboy and taking advantage of the darkness of dusk, distributed the copies to the soldiers' lodging houses; for this he was imprisoned for a year.

Later in October 1923, he was arrested by the Japanese police at the Choshun Station immediately after his arrival there and was imprisoned for 4 months for defiance of the constitution; later again he was imprisoned for 2 months for injury, and then still again for 3 months for violation of the publishing law.

The above facts testify clearly that the appellant, from his standpoint as a pacifist, devoted himself in the struggle for pacifism and democracy against militarism, resisting bravely the despotic bureaucrats and pressure of the militarists both of whom were at the height of their power. For this, the appellant was deprived 20 and some years of his social life and was forced to live a life of a social outcast.

(3) According to his record in the questionnaire the appellant became the representative director of Seiki - Shobo, Co. Ltd. in August 1941 which is a part of the period designated for investigation. This company was not designated as coming under G Category in the Memorandum, and moreover, he was seldom in Tokyo, as he was

devoting

devoting himself to the work of Kuji Mining Co. Ltd. which was located in Kuji-Machi, Iwate Prefecture, a long way from Tokyo, and consequently it is clear that he was not at all connected with management or editorial work of the Seiki-Shobo.

(4) Indeed, the Appeal Board has no intention of criticizing the fact that Nihon Seinen-kai was designated to be an organization coming under G Category in the Memorandum, but it has taken into consideration the character and the publications designated to be undesirable. The Nihon Seinen Kyoiku-kai was a small-scaled publisher with a very small number of employees: its publishing policy was always quite liberal. Of the ten publications designated to come under the undesirable category, close examination shows five are one book printed in five volumes, and thus in reality there are only five books in all. Considering the entire number of publications of this house, they represent a very small part.

Having considered the above facts synthetically the Appeal Board recognized the services of the appellant as a pacifist in devoting himself to social movements for many years, even at the risk of his personal freedom and therefore, rescission of the purge to be proper: thus the Appeal Board has decided to rescind the purge decision for the appellant.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifi cations Appeal Board

File No. Appeal 83

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REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: NIWA, Yasujiro

2. Present Position: Managing Director of NIPPON Electric Co., Ltd.
   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   May 20, 1948

4. Matters applicable: Managing Director of NIPPON Electric Co. Ltd.
   Provisions applicable: 3 of 7 of List No. 1

5. Date of Appeal filed: August 12, 1947

II. Appeal Board

1. Date of Reference to Board: December 12, 1948

2. Decision given by which Committee, and Commissioners: 119th Meeting, Miyagi and 6 commissioners

3. Date of Decision: May 7, 1948

4. Contents of Decision: Rescission

5. Number of Witnesses, Testimonies, Petitions, etc.: Testimonies 5

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Reasons:

The Prime Minister designated that Yasujiro Niwa came under the term of Category "C" of the Memorandum for the reason that he had been the executive director of the Nippon Electric Company, Ltd. (the Nippon Denki Kabushiki Kaisha). However, not satisfied with this decision, the appellant has brought the present appeal.

(1) The substance of the assertion made by the appellant:

The assertion made by the appellant may be roughly summed up into the following two points:-

(a) The rank of the executive director of the Nippon Electric was bestowed upon the appellant merely as an honorary position.

(b) The appellant was a bona-fide engineer and had been devoted himself to research work on electrical communication engineering and technique.

(2) Reasons for decision:

The Board, having carefully examined the petition, evidences and other reference data of the appellant, has come to the conclusion that the appellant is a bona-fide engineer and one of the eminent authorities on electrical communication engineering in Japan, that his promotion to the executive director of the Nippon Electric was merely a nominal and honorary rank in acknowledging his contribution to researches, and that substantially he did not execute any duty of the executive director. The reasons thereof are as follows:-

1) The rank of the executive director of the Nippon Electric was merely an honorary one in his case and the

appellant did not substantially execute any duty of the executive director.

(a) The appellant Niwa, as proved in the Questionnaire, graduated from the Faculty of Engineering, Tokyo University in 1916 and after eight years' research life in the Electro-technical Laboratory of Ministry of Communication, he joined the Nippon Electric Company. Since then, he had devoted himself to technical research for twenty-five years and during that period, he had completed the picture transmission system, one of the meritorious inventions in Japan, and over forty patents and research works on electrical communication for which he was responsible.

(b) The Nippon Electric Company bestowed upon him the rank of the executive director as a token of high regard for him in acknowledging the completion of above-mentioned research works and inventions, but actual duty of the executive director had been executed by the other executive director, Jinza-Satori, so that the appellant had not held the post so as to participate actually in the management of the Company. (Refer to Evidence No.1, No.2 and No.3)

That is to say, the executive director Satori joined the company nine years later than the appellant, yet, the former had been promoted to the position three years before, in 1938. In consideration of keeping balanced rank between these two high officials, the company changed the articles of associations so as to increase the number of the executive director from one to two

persons and promoted the appellant to the second executive director. Even in this case, the appellant had been charged with the engineering works as before. There is, in fact, no evidence to show that he had participated in the management of the company. Thereafter, two or three executive directors were appointed, but his duty to devote himself to engineering and researches had never been changed even by this promotion. (Refer to Evidence No.3)

(c) In Japan, generally speaking, it is customary for persons in charge of technical work, in many cases, that their responsibilities are limited to pure engineering and researches and that they do not touch with any fundamental plan or policy of the organization to which they belong, either in the government offices or in civilian companies. The appellant has been shown to be of no exception. This can be evidenced from the facts mentioned above, but as the most valid evidences to verify these circumstances, there are managerial documents of that time by which the important daily business of the Nippon Electric Company, Ltd. had been transacted. (These documents have been submitted to the Board as evidences.) Upon examining these documents in detail, it can be recognized that the appellant had nothing to do with any managerial documents relative to affairs of general management within the authority of Executive Director except those of technical matters.

This fact can be taken as a valid evidence to verify that the appellant had never executed his duties as Executive Director of the Nippon Electric Co.

(d) The Board finds that the appellant had been holding concurrent position of Chief Engineer and others during the tenure of his office as Executive Director according to the Questionnaire, but actual work of these offices had been carried out by deputies with whom the whole responsibilities had been vested. Consequently, these official titles of Chief Engineer and others were given to the appellant for the sake of internal and external relations of the Nippon Electric Company because he had been the highest engineer of the said Company.

(e) The fact that the appellant had never carried out duties as Executive Director was based upon the reason that the position he had been holding were entirely honorary one as mentioned above, but, besides, there was another substantial reason upon which his allegation was based. That is to say, the appellant devoted himself to researches and technical works for which his nature and intellectual inclination were best suited. Even after he became Executive Director, he had attended Tamagawa Plant and devoted his whole efforts to technical researches just as he had done while he was just an ordinary director of the company.

Thus, he had to his own credit about-twenty inventions patented and published many research papers as mentioned in the attached list "C". Also he was elected to the president of Institute of Electrical Communication Engineers and of Japan Radio Association and spent much of his time and energy in the development of electrical communication engineering of Japan.

2) As to the career of the appellant, the detailed information is already given in the Questionnaire submitted before, it is not necessary to repeat it here again except for some high lights in a brief outline.

Ever since he graduated from Faculty of Engineering of Tokyo University, the appellant had been devoting himself to researches of electrical communication engineering. On May 12, 1937 in recognition of the research on the picture transmission equipments he was awarded the Imperial Prize from National Academy of Science, which is considered the highest honor for the scientists in Japan. The inventions patented and papers of scientific researches made public by the appellant are too numerous to be mentioned, as evidenced from the attached list of the petition.

In spite of all this, the Board fails to find a single writing or publication in which the appellant had expressed his opinion on politics, economics, or thought problems.

This fact can be considered the most valid evidence that shows that the appellant had never had any interest in or had been influenced by the current militalism which had overwhelmed the country at that time, but devoted himself quietly to technical researches, which indicates at the same time, that his tendency of thought was peaceful one. Furthermore, according to examination and investigation made the Board, it is also evident that the appellant is a man of gentle, mild and upright character, and of sound thought and that he is also one

of the highest engineers of electrical communication engineering in Japan.

Judging from the overall facts mentioned above, it is evident that, though the appellant had been holding position of Executive Director of the Nippon Electric Company, it was only nominal and honorary one, considering from the circumstances of promotion to his post. Furthermore, it is also evident that the appellant is one of the highest engineers of electrical communication engineering in Japan and one of the indispensable persons for reconstruction of democratic Japan.

Now that, based upon the reasons mentioned above, the Board considers that the notification of the Prime Minister designating the appellant as coming under the memorandum is not proper and, therefore, has decided that the above-mentioned notification of the Prime Minister should be cancelled.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

File No. Appeal 89

THE PUBLIC OFFICE
1948 MAY. 28.
QUALIFICATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: ISHIYAMA, Kenkichi

2. Present Position: None

Position under Consideration: A Member of theHouse of Representative
Director and President of Diamond Economic Magazine K.K.

3. Designation by whom and when: Prime Minister,
October 28, 1947.

4. Matters applicable:

Provisions applicable: Director and President of Diamond Economic Maguzine K.K.
4 of 5 of 7 in List No. 1

5. Date of Appeal filed: January 1, 1948

II. Appeal Board

1. Date of Reference to Board: March 3, 1948.

2. Decision given by which Committee, and Commissioners: 119th Meeting,
Miyagi and 6 commissioners

3. Date of Decision: May 7, 1948.

4. Contents of Decision: Rescission

5. Number of Witnesses, Testimonies, Petitions, etc.: Testimonies 6

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Reasons

1. The Prime Minister designated the Appellant, Kenki chi Ishiyama as a person falling under Item G of the Memorandum on the ground that Ishiyama was President and Chairman of the Board of Directors of the Diamond Ltd; but the appellant, objecting to the said decision, has submitted the present appeal.

2. The reasons for the Appeal Board's decision of rescission.

1. The Appeal Board duly recognizes the fact that the appellant, Kenkichi Ishiyama, held the position of President and Chairman of the Board of Directors. However, his position differed from the general idea of a president or chairman of a Board of Directors, rather it was because he was an investor in the company he held this position; it would be appropriate to recognize the position as honorary. Consequently, the Board reached the decision that the appellant's philosophy is liberal and democratic, and his business attitudes are absolutely free of any despotic tendencies. The reasons for the decision are as follows.

2. (a) The appellant is one of the original founders of the Diamond Ltd., and when it became a joint-stock company he became its president. In December 1939 he resigned in favour of Director Tometa Abe who had been with the

Diamond Ltd. for many years and contributed to the devel
opment of the company since its establishment, and accep-
ted the chairmanship of the Board of Directors (the date,
April 1940, stated by the Prime Minister in his designa-
tion is a complete mistake). Mr. Abe had, for some time,
been the managing director of the company, later became
the vice-president, and when the appellant retired in
December 1939 to become Chairman of the Board of Direct-
ors, he was appointed the president, thus monopolizing
all authority regarding business and editorial affairs.
Consequently, it is recognized that the Diamond Company
was despotically administered by Tometa Abe, that be-
cause the appellant was an investor he held an important
position in the company, and was seldom consulted by Abe.

(b) Although the reasons for the Diamond Ltd, the publisher
of an economic magazine, being designated asnan organiza
tion applicable to Item G, were the publication of several
undesirable articles in their publications during the per
iod, from July 7 1937 to December 7 1941, it is recognized
that the appellant was not greatly involved in the plan-
ning and editing of these applicable articles. In other
words, the real supervisor of the company, Abe, who was
President, xxx not only gripped the administration but
also the editing aspect of the company. This is also
apparent from the fact that not one applicable article
appeared during the period, July 1937 to December 1939.

when the appellant was president.

(c) In 1936 the appellant was appointed Chairman of the Niigata People's Club(Niigata Kenjin Kai), and also standing director of the Niigata Promotion Society. These positions required that he spend more than half of every month in Niigata, his native prefecture; during this period he was absent from Tokyo. Furthermore, in 1936 he became a member of the Tokyo Municipal Assmebly and participated in the administration of Tokyo Municipality. This necessitated that he devote the gre ter part of his time to affairs other than that of the company. These facts are strong evidence that the appellant was not the actual supervisor of the Diamond Ltd.

2. The appellant is a liberal and a pacifist.

In his long years of experience as a publisher, the apellant has specialized in the publication of an economic magazine; and at the same time he has announced many theses and research reports. Moreover, during the applica ble period he wrote some three hundred articles of which only one was designated as applicable. He was a thorough liberal who wrote extremely liberal economic essays before and during the war when the military and the bureaucrats strongly oppressed freedom of speech.

3. The Appeal Board does not intend to criticize the designation of the Diamond Ltd. as a publishing concern coming under Item G. Although the company did have several appli

cable articles as an economic magazine while the appellant was president of chairman, from the broader standpoint this constitutes only a small part, and the editorial policy of the company was extremely liberal. This was taken into consideration.

Considering the above the Appeal Board has decided to rescind the designation as stated above.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifi cations Appeal Board

File No. Appeal 86

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REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: NOZAKI, Ryushichi

2. Present Position:
None
Position under Consideration: President of Diamond-Sha
(Publication of Magazine and Book)

3. Designation by whom and when: Prime Minister,
December 2, 1947.

4. Matters applicable: Vice-president of Diamondo-Sha
Provisions applicable: 4 of 5 of 7 in List No. 1

5. Date of Appeal filed: March 1, 1948

II. Appeal Board

1. Date of Reference to Board:
March 29, 1948

2. Decision given by which Committee, and Commissioners: 119th Meeting,
Miyagi and 6 commissioners

3. Date of Decision:
May 7, 1948

4. Contents of Decision: Rescission

5. Number of Witnesses, Testimonies, Petitions, etc.: Testimonies 10.

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Reasons

The Prime Minister desegnated NOZAKI, Ryushichi as coming within the purview of 5 - 4 of the Remarks of 7 in the List No. 1 of Cabinet and Home Ministry Ordinance No.1 of 1947, be cause the appellant had held the Office as a Vice-president and director of the Diamond Co. Ltd. However the appellant discontended the designation and has appealed.

I The gist of the appellants contention

The appellants contention is based on the fact that the status of "Vice-president" of Diamond Co. Ltd was only a nominal one and substantially he did not hold the office as Vice-presiaent.

II Reason of the decision

As a result of minute examination of the materials such as the written appeal and testimonies, this Board arrived at the conclusion that although the fact reveals that he had held a title of the vice-president of the Diamond Co. Ltd, the vice-presidency was quite anominal nature. The reasons will be given hereunder.

(1) (a) The title of Vice-president of the Diamond Co. Ltd, held by the appellant was not such as that of ordinary comprehended but was not more than a nominal and honorary nature which was given in order to treat him warmly. This is quite clear When review the fact that there was another vice-president named Ryuta Abe who representing the directors, held the reins of managing and editiong. (Refer to the testimony No. 5, an illustration of, organization of Diamond Co. Ltd, herewith attached)

(b) Owing to the fact that the appellant was not in so-called hereditary vassalage to the Diamond Co. to which he had changed his employment from Toyo Keizai Shimpo, the appellant was only

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775 072

warmly treated in nominal sense, had no substantial power, received no special allowance as a director nor got anything more than ordinary employees. (Refer to Miekichi Nakamura's testimony).

(c) The appellant possesses only 509 shares out of 32500 total shares of the Diamond Co. Ltd, (Fegure shows that of 1939)

(d) There is no trace of appellants connection with the editing of the "Diamond"and the "Keizai Magazine" for which the reasons that the Diamond Co. Ltd, had been designated as one of publishing companies falling under the paragraph G, were rested.

(Refer to both testimonies of Hideo Okahori and Atsushi Kwashima)

(2) The appellant is an expert in the field of intendance and finance. He has been a member of the Tokyo Metropolice Labour Committee since March 1, 1946, and in that capacity he has handled a lot of cases with his ample Knowledge in the field of intendance and finance. It will be a great loss to the said Committee, shonld the appellant be purged. (Refer to the petition of Izutaro Suehiro, the chairman of Tokyo Metropolice Labour Committee)

Synthetically considered from the concluded facts as above mentioned, the appellant's Vice-presidency of the Diamond Co. Ltd, was obviously a nominal one, and it is a proper interpretation that such perfunctory and nominal status like this shonld be out of the frame of the purge.

Furthermore it would satisfy the principle of the purge, Shonld the appellant be rescinded and be able to act freely in rebuilding the democratic Japan at such clamorous moments on the labour problem as these days.

Based on the above mentioned reasons, there given a decision that the Prime Minister's designation against the appellant as falling under the Purge Memorandum is not proper.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the Public ... Qualifications Appeal Board

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775 072

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THE PUBLIC OFFICE QUALIFICATIONS BOARD
1948 MAY. 28.

File No. Appeal 79

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: SANO, Zensaku

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   January 30, 1948

4. Matters applicable: Chief director of the Social Education Society

   Provisions applicable: Sub Item 5 of 7 in List No 1.

5. Date of Appeal filed: April 9, 1948

II. Appeal Board

1. Date of Reference to Board: April 12, 1948

2. Decision given by which Committee, and Commissioners:
   119 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 7, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. :
   Witness None
   Testimonies 5
   Petition 1

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DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775 072

Reason

A. Gist of the appellant's contention

As stated in the appeal.

B. (1) The appellant was President of the Tokyo Commercial College in 1934 and 1935, and was requested to assume the post of Chief Director of Social Education Society by Ryukichi Sekiya, Director of the said Society and others. Although the appellant strictly refused to accept the post because he was recuperating from his heavy illness and his official busindes was very busy, but he was canvassed engerly on condition that his assumption of chief Director is well enough only an honoury post. Therefore, the appellant accepted to assume its post inevitably.

(2) The appellant quitted his office of President of the Tokyo . Commercial College in autumn of 1935, and at the same time he determined to Keep off all the official business and to devote himself to recuperating. So the appellant also applied for resignation from his post of Chief Director of Social Education Society, but the appellant was again canvassed to stay in his post on the same condition that his position is in name only and he has no concern with business of the Society.
Thus the appellant stayed in his position of the said Society.

(3) Under these circumstances, the appellant did not concern with the business of the said Society during his tenure of Chief Director, and the formulation and performance of the business of the Society was charged by Ryukichi Sekiya, Hanji Omi and others who were Standing director of the Society. And also the appellant

DECLASSIFIED E.O. 11652 SEC. 5(E) AND 5(D) OR (E) NNDG # 775 072

never did recieve the allowance for his office during his tenure of Chief Director.

(4) Hanji Omi, Stdnding Director of the Society superintended the publishing and editing of the "Social Education" an organ of Social Education Society, but , to tell the truth, editor-in-chief conducted the editing and planning of an organ commanding his staff. Though the appellant never conducted the editing and planning of "The Social Education" and, morever, he never wrote anything on " The Social Education". And also the appellant has never stated his opinion attending lecture-meetings under the auspices of the Society.

During the appellant's tenure of the office there was no approval by Chief Director concerning the formulation and performance of the business of the Society. All the things were acted arbitrarily by Standing Director. The appellant was a scholar who Studied economics, especially the problem of monetary circulation, and a liberal economist.

His thought and creed is based upon liberalism. When he was a student studying abroad of the Education Ministry he hoped to go to America in spite of such tendency as many scholars went to Germany. The appellant studied in Columbia University and spread the manners and custom of Anglo-American school. During his tenure of Presidency of the Tokyo Commercial College he favored free education, and when an army officer attached to the college proposed to lead the student's thought in April 1934 the appellant refused its proposal. These actions by the appellant show a glimpse of the appellant's liberalistic thought.

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775 012

(6) Judging from the above-mentioned facts, it is deemed improper that the Prime Minister has designated the appellant as the person falling under the Purge Memorandum because he was Chief Director of Social Education Society. Therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the puplic office
Qualifi cations Appeal Board

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDG # 775 072

File No. Appeal 78

Copy

THE PUBLIC OFFICE
1948 MAY. 28.
QUALIFICATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: SUZUKI, Mampei

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   Oct. 20, 1947

4. Matters applicable: Standing Director of Toyo Boseki K.K.

   Provisions applicable: (Oriental Cotton Spining Co. Ltd.)
   6 of 7 in List No. 1

5. Date of Appeal filed: Dec. 20, 1947

II. Appeal Board

1. Date of Reference to Board: Feb. 12, 1948

2. Decision given by which Committee, and Commissioners:
   105 Meeting
   Miyagi and 5 commissioners

3. Date of Decision: April 12, 1948

4. Contents of Decision:
   Release

5. Number of Witnesses, Testimonies, Petitions, etc. :
   Witness None
   Testimonies 3
   Petition None

73

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775 072

Reasons:

A. The gist of the appellant's claims. As per the written appeal submitted.

B. (1) The appellant in November 1943 was appointed director of the Toyo Boseki K.K. (Oriental Cotton Spinning Co.) at a general meeting of its shareholders. As he had been, however, chief of the Company's Tokyo Branch since prior to that time, he continued to be in that post even after his nomination to the directorship.

(2) The Tokyo Branch was organ for liaison with Government offices and others with no independent powers of its own. It engaged in activities in accordance with instructions and orders received from the Company's main office in Osaka. The business policy and other important matters were decided on a t the Osaka Main Office, but as the appellant was serving as chief of the Tokyo Branch, he had nothing to do with these decisions even after his assumption of the post of director.

(3) About March 1945 onwards the airraids became intensified, so much so that contact among the Main and Branch Offices as well as the Company's plants came to be insufficient and all traffic and communication were virtually cut off. The Tokyo Branch was reduced to ashes in airraid in the middle of March, and consequently it was decided at a meeting of the company's officers held on June 27 of the same year to close the Tokyo Branch, and under the same date the appellant was nominated managing director and ordered to serve with the

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 795072

Osaka Main Office. However, he kept himself engaged in affairs incidental to the closing of the Tokyo Branch up until towards the end of July, when his business in Tokyo was finished and he moved to Kyoto. In those days, however, the Kansai district was subjected to airraids day after day and traffic was almost completely interrupted, which, coupled with the necessity of putting things in order after the removal, made it impossible for him to attend office as regularly as he wished. It was decided in the meantime to move the Osaka Main Office into the suburbs of Kyoto, but the removal took longer time than expected due to difficulty of transportation and other causes, and before the removal was completed the war was brought to an end.

(4) Even after August 16, 1945, the business of the Company was still completely suspended until the middle of September when t... the temporary office set up to do the business of the Main Office was closed, so that during the period from June 27, when the a ppellant was nominated managing director, to September 2, the number of days on which he attended office was only less than three weeks in all.

(5) The promotion of the appellant from an ordinary director to a managing director was merely for convenience' sake. Due to interruption of traffic and communication, the contact among the Main and Branch Office and plants lost smoothness and great inconvenience was felt in the disposal of the Company's affairs due to the fact that only the president and

managing

DECLASSIFIED: NLJ 07-1032 SEC. 3(E) AND 3(B) OR (E) NNDC # 775 072

managing directors had the right of representation and other directors had no powers to represent the Company with respect to contracts and other matters. Therefore, it was decided to call all ordinary directors managing directors except those who were concurrently officers of affiliated companies but their appointment was not legally registered.

(6) As mentioned above, the term of office of the appellant as managing director was very short, and even during that period there is no evidence that the appellant participated in the planning of important matter concerning the operation of the Company in the capacity of managing director. Therefore, the designation by the Prime Minister of the appellant as falling under the Memorandum on the ground that he held the office of managing director of the Oriental Cotton Spinning Co. is improper; hence the decision of this Committee as quoted above.

K. Yoshida.

Mr. Kenkichi Yoshida
Chief Secretary of the Public Office
Qualifications Appeal Board

File No. Appeal 75

Copy

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: INOUE, Kichijiro

2. Present Position: Editor-in-Chief of the Shin Osaka Newspoper Company
   Position under Consideration: None

3. Designation by whom and when: Prime Minister Oct. 29, 1947

4. Matters applicable: Chief of the Publication and Editorial Div of the Osaka Mainichi Newspaper Company
   Provisions applicable: 5 of 7 in List No. 1

5. Date of Appeal filed: Nov. 20, 1947

II. Appeal Board

1. Date of Reference to Board: Dec. 11, 1947

2. Decision given by which Committee, and Commissioners: 110 Meeting Miyagi and 6 commissioners

3. Date of Decision: April 23, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witness None
   Testimonies 7
   Petition None

72

Reasons:

A. The gist of the appellant's claims. As per the written appeal submitted.

B. (1) The appellant was designated as falling under the Memorandum on the ground that his having been in the post of Chief of the Publication and Editorial Division of the Osaka Mainichi Newspaper Co., from 20 September, 1940, to 1 August, 1941, makes him come within the purview of 4 of Note 5, Section VII, Appendix I to Cabinet and Ministry for Home Affairs Ordinance No. 1 of 1947. The duty of Chief of the Publication and Editorial Division, however, is to preside over one of the lower structure under the charge of the Editorial Bureau of the Osaka Mainichi Newspaper Co. In other words, the Chief of the Publication and Editorial Division of the Company is not the last responsible party for the compilation of publications issued by the Company, but merely the Chief of a division of the Editorial Bureau under the control of the Editor-in-Chief, Manager and Managing Editors, and during the period the appellant was in that post the compilation of publications issued by the Osaka Mainichi Newspaper Co. was done on the responsibility of the Editorial Bureau, and the appellant did nothing but preside over the affairs of the Publication and Editorial Division in accordance with instructions given by the Editor-in-Chief.

(2) The Chief of the Publication and Editorial Division of the Company, unlike the Chief of the Arrangement Division, who takes direct and actual charge of the work of compilation of the newspaper issued by the Osaka Mainichi Newspaper Co. as Chief of another of the lower structures of the Editorial Bureau, did not actually take part in the compilation of publications of the Company. Various kinds of magazines including "Economist" and "Sunday Mainichi" were being published by the Company, but for editing these magazines, it was the practice for each magazine to have its own chief editor with an editorial staff attached to him, who attended to all the actual business of planning, collection of materials, compilation, etc. for their magazine. This has been the practice since when, prior to the setting up of the Publication and Editorial Division, the Chief of the Cultural Division had nothing to do with the compilation of "Sunday Mainichi" even though the Sunday Mainichi Section was attached to the Cultural Division and the Chief of the Economic Division took no part in the editing of "Economist" even though the Economist Section belonged to the Economic Division. The duties of the Chief of the Publication and Editorial Division lay in connecting horisontally the work of compilation of the various magazines in order to make the Division part of the Editorial Bureau as an organ for the operation of the Bureau. Therefore, the Chief of the Publication and Editorial Division did not take actual charge of compilation of the magazines, nor

had

had he any power to decide on their contents. Also, he was unable to and did not give direction or order in connection with the making of the various magazines.

(3) It must also be noted that during the whole period the appellant was in office as Chief of the Publication and Editorial Division of the Osaka Mainichi Newspaper Co. no separate volume edited by the Division was published from the Osaka Mainichi Newspaper Co. Books published during this period bearing relation to the Osaka Mainichi Newspaper Co. were all edited by the Editorial Bureau of the Tokyo Nichi-Nichi Newspaper Co., and the appellant, who was the Chief of the Publication and Editorial Division of the Editorial Bureau of the Osaka Mainichi Newspaper Co., had nothing to do with them, nor was he informed of the fact of publication of these books. There are two separate volumes published during the same period on the responsibility of the Osaka Mainichi Newspaper Co., but they were handled by the Publication Section of the Business Bureau of the Company, and the Publication and Editorial Division of the Editorial Bureau had no connection with them.

(4) In August 1941 when the Publication Bureau was set up through the consolidation of the Publication and Editorial Division of the Editorial Bureau and the Publication Business Division of the Business Bureau, he was made Vice-Chief of the same Bureau under the Chief of the Publication Bureau who held that position in additionto his post of Editor-in-Chief.

Under pressing social conditions, however, the pacifist and liberalist tendency of the appellant made him unfit for powerful guidance of the magazines, so that in December 1942 he was transferred to nominal and easy office as Councillor of the Editorial Bureau and later Assistant Editor, and in March 1944 he had to retire from office.

(5) The appellant is a Christian, having received Christian education early in life, and what constitutes the keynote of his thought and action is Christian humanism. At the time of Great Earthquake and Fire Disaster when Communist OSUGI Sakae was slaughtered at the hands of the military police, he took up the matter for public opinion and argued strongly against the unlawfulness of the action in the Osaka Mainichi Newspaper. This is an example of the humanitarian principle entertained by him. The appellant made a special study of sociology, and is in favor of the pluralistic theory of Laski school and endeavored to introduce it, taking exception to absolute nationalism, as is clearly shown, for instance, by his criticism and attack against the despotism by Mussolini made in his book entitled "Right and Left" which was published in 1925 from the Osaka Mainichi Newspaper Co.

(6) Taking all the above-mentioned factors into consideration, the designation by the Prime Minister that the appellant falls under the Memorandum on the ground that the fact that he was once in the post of Chief of the Publication and Editorial

Division

Division of the Editorial Bureau of the Osaka Mainichi Newspaper bringshhim within the purview of 4 of Note 5, Section VII, Appendix I, is improper. Hence the decision of this Committee as quoted above.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the Public Offices
Qualifications Appeal Board

File No. Appeal 76

Copy

THE PUBLIC OFFICE
1948 MAY. 28.
REGISTRATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: ONO, Nagao

2. Present Position: None
   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   Aug. 19, 1947

4. Matters applicable:
   Provisions applicable: Chief of Branch of I.R.A.A. & I.R.A.Y.A.
   Sub Item 1,2 of 4 in List No. 1

5. Date of Appeal filed: Oct. 21 ,1947

II. Appeal Board

1. Date of Reference to Board: March 23, 1948

2. Decision given by which Committee, and Commissioners: 108 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: April 14, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. :
   Witness none
   Testimonies 9
   Petitions None

71

Reasons.

A. Substance of the Appellant's Argument.

As stated in the appeal.

B. (1) On the ground that the appellant was in the position of the chief of the Imperial Rule Assistance Association's branch at Kagami-Nakajo-mura, Koma-gun, Yamanashi-ken, and also that of the General Affairs chief of Yamanashi branch of the Youth Association for Imperial Rule Assistance, he was designated by the Prime Minister as coming under the relative SCAP Memorandum.

(2) While it is true that the appellant was in the position of the chief of the Imperial Rule Association's branch at Kagami-Nakajo-mura, Yamanashi-ken, the circumstances which led to the appellant's assumption of the post were as described below.

(a) It was on April 28, 1942, that the appellant was inaugurated as the Association's local chief. Before this, i.e. on February 18, 1940, the appellant was nominated by the village assembly and assumed the post of the headman of Kagami-Nakajo-mura. Meanwhile, organization of the Imperial Rule Assistance Association was started during the same year, and the majority of mayors and headmen throughout the country assumed the posts of local chiefs of the Association respectively before the end of the year. The appellant was approached by the Prefectural authorities with repeated requests to assume the position of the local chief of the said Association.

However,

However, the appellant, from the standpoint of his thought, persisted in his refusal to accept the offer.

(b) In November, 1940, the appellant, as a Prefectural assemblyman, interpellated the Governor at a session of Prefectural Assembly, in opposition to the Imperial Rule Assistance movement. In the speech, the appellant maintained; that the Imperial Rule Assistance movement was based on a principle which ran counter to the provision of the then current Constitution; that, in the appellant's belief, it was a clumsy imitation of German political and economic structures resting upon the principle of leadership (Fuehrerprinzip) and was not consistent with the Japanese social idea; that the movement was an attempt at a reorganization of the national structure, depriving the people of their freedoms and subordinating them to the leadership of the Association's president; that it was a movement absolutely impermissible, as the Association's president was at the same time the head of the Cabinet and therefore the relationship between Hitler and Nazis would be duplicated in our national structure; and that finally the Association would offer a haunt for political ooportunists, and probably a refuge for communists. On account of this speech the appellant was pressured by the Prefectural authorities and other groups as an anti-militarist and a man against war.

(c)

(c) Since the appellant became the village headman, he took decisive steps to reform the village administration and won the confidence of village inhabitants. At a villagers' meeting in October, 1940, the appellant proposed a land improvement plan, whereby paddy field belonging to the village with an area of 120 chobu would be enabled to raise two crops a year. The cost needed for the work would partly be borne by the beneficiary and the remainder would be met by subsidy from the National Treasury. The villagers, on being consulted, at first hesitated to agree to the proposal as it seemed to them impracticable. But moved by the appellant's enthusiasm and in consideration of his ability shown in the past, they at last approved the plan. Under the guidance of the appellant and with the devoted efforts of all the villagers, the work made a steady prospess during three years and several months, employing the labor of several scores of thousand, and was alsmost completed. The work was given a wide publicty, as a unique project throughout the country. The Ministry of Agriculture and Forestry promised to give direct subsidy for promoting the work. But on account of change of the Minister and other circumstances, the arrangement was subsequently altered to give the promised subsidey indirectly out of the state aid assigned to the Prefectural government, instead of directly from the National Treasury.

(d) Accordingly the appellant repeatedly approached the

Prefectural

Prefectural authorities for the payment of subsidy. At that time the Government was organizing a nation-wide network of the Imperial Rule Assistance Association, and naturally the Prefectural authorities was resorting to compulsory measures to set up local branches in each city, town and village. Because of the appellant's stand as opposed to militarism and ultra-nationalism and particularly because of the appellant's speech at the inaugural meeting of the Imperial Rule Assistance Association, i.e. at the Prefectural assembly of 1940, denouncing the Association, and his persistent regusal to assume the post of local chief of the Association's branch, the appellant and the Prefectural authorities were pitted against each other. In the circumstances, the Prefectural authorities, taking advantage of the subsidy which was due to the appellant, deliberately delayed the necessary procedure in order to manoeuvre the appellant into a tight hole, and contrived to attain the aim to have a local branch of the Imperial Rule Assistance Association established in the village.

(d) Throughout Yamanashi Prefecture all the cities, towns and villages had already established local branches of the Association, with the only exception of Kagami-Nakajo-mura, of which the appellant was the headman. Therefore the Prefectural authorities resorted to all means, either directly or indirectly, to induce the appellant to organize a local branch. But each time the appellant flatly refused to take action.

(f)

(f) As in this way the payment of grant was further retarded, the land improvement work had to be continued by borrowing funds from the branch of the Hypothec Bank and other sources. Now on the one hand the date of repayment was close at hand, while on the other it was feared that the Prefectural authorities might resolve to suspend payment of subsidy altogether, if the opposition of the appellant and the authorities against each other should take a turn for the worse. Concerned over the situation, ONO, Toru, a resident of the village holding the position of the chief of Doctors' Association of Yamanashi Prefecture, made several attempts to mediate between the Prefectural authorities and the appellant, but his endeavors were fruitless for more than one year on account of the difficulties arising from differences in thoughts. As it was apprehended that if this situation was allowed to continue the villagers would have to bear a heavy burden, and the project originally intended for their relief would turn out to add to their suffering. Thereupon ONO approached the appellant with a serious proposal, saying, "I symapthized with your predicament, but apart from your own intention, are you not disposed to affect cooperation in order to use the Prefectural authorities to your purposes, just as they are taking advantage of the payment of subsidy?" The appellant, who by nature had a strong sense of responsibility, consulted the villagers. The villagers recommended that in order to

effect

effect a break in the deadlock the only alternative would be to set up perfunctorily a local branch of the Association in the village. It was on the night of April 28, 1942, that the inaugural meeting was held, the village branch was set up and the appellant as the village headman assumed the post of the local chief of the Association.

(g) Thus the appellant persisted in open opposition to the Imperial Rule Assistance movement. He refused several scores of times the recommendations of the authorities to set up a local branch in the village. However, as the Prefectural authorities openly gave to understand that unless a branch would be established no payment of grant would be made for the land improvement project sponsored by the appellant, he reluctantly organized a local branch in the village. More than one year after the directive to form a local organization was first received, the local branch of the Imperial Rule Assistance Association was established at Kagami-Nakajo-mura, of which the appellant was the headman, the latest of all the cities, towns and villages in the Prefecture.

(3) Although as mentioned above the appellant established a local organization of the Association of Kagami-Nakajo-mura toward the end of April, 1942, and assumed the post of local chief, he never acted according to the directions of the Association's headquarters or other related organizations,

which

which were received in thousands, and also the several scores of summons to conferences. Even repeated letter pressing for reply elicited no response from the appellant. The appellant as well as the villagers persisted in their attitude, refusing cooperation with the Imperial Rule Assistance movement, with tacit resistance.

(4) During April, 1944, the number of executives of the Youth Association for Imperial Rule Assistance was increased. In accordance with the policy to select the new executives from among influential persons representing every social stratum in the Prefecture, the appellant was notified that he was recommended to the post of the General Affairs chief of the Association as a leader of agrarian movement in the Prefecture. But as the appellant had no intention of accepting the position for reasons of his own thought and belief, not once did he attend the meetings, conferences and gatherings of the Association until its dissolution, maintaining his defiant attitude all the while.

(5) Since 1921, the appellant has been engaged in the agrarian emancipation movement, and exerted his efforts for the organization of farmers' association and the democratization of agricultural communities, as a champion of democracy and liberalism.

(6) Judging from the facts as established above, the Board

arrives

arrives at the following conclusion. To be sure the appellant was in the post of the village chief of the Imperial Rule Assistance Association and also in the post of the General Affairs chief of the Youth Association for Imperial Rule AssAssistance, and accordingly has to be recognized as formally coming under the relative SCAP Memorandum. However, in consideration of the appellant's motive when he accepted the positions, and also of his acts, career, and thought in the past as well as during his office as the local chief of the Imperial Rule Assistance Association and as the General Affairs chief of the Youth Association for Imperial Rule Association in Yamanashi Prefecture, the appellant cannot properly be designated as coming under the SCAP Memorandum as a militarist or an ultra-nationalist. Therefore the designation of the appellant made by the Prime Minister as coming under the SCAP Memorandum on the ground that the appellant was in the post of the local chief of the Imperial Rule Assistance Association at Kagami-Nakajo-mura, Koma-gun, Yamanashi-ken, and the General Affairs chief of the Yamanashi branch of the Youth Association for Imperial Rule Assistance, cannot properly be upheld; hence the decision as mentioned before.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

File No. Appeal 77

Copy

THE PUBLIC OFFICE
1948 MAY. 28.
GAIKOKU TORIHIKISHUTSUSHO

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: KITAMURA, Kojiro

2. Present Position: Director of Yokohama Specie Bank and the International Settlenent Bank

Position under Consideration: None

3. Designation by whom and when: Prime Minister Sept. 13, 1947

4. Matters applicable:

Provisions applicable: Director of Yokohama Specie Bank

Sub Item 1 of 5 in List No. 1

5. Date of Appeal filed: June 1, 1947

II. Appeal Board

1. Date of Reference to Board: Oct, 27, 1947

2. Decision given by which Committee, and Commissioners: 105 Meeting

Miyagi and 5 commissioners

3. Date of Decision: April 12, 1948

4. Contents of Decision:

Release

5. Number of Witnesses, Testimonies, Petitions, etc. :

Witness None
Testimonies 3
Petitions None

70

Reasons:

A. The gist of the appellant's claims. As per the written appeal submitted.

B. (1) It was on June 9, 1945, that the appellant was elected director of the Yokohama Specie Bank. At that time he was staying in Switzerland, where he received notice by telegram quite unexpectedly to the effect that he had been appointed director.

(2) His appointment to the post of director came merely as a result of selection of successors from among the staff at the time of re-election and change of directors and as his turn came round. Not that the Bank authorities appointed him director for the purpose of having the appellant, who happened to be in Europe just then on business, attend to special duties in Europe. It was after the defeat of Germany and Italy and all branches of the Specie Bank in Europe had already been closed, and, as a matter of fact, there was no necessity at all to control and supervise the business of these branches.

(3) The appellant returned home in March 1946, so that it was impossible for him to attend a meeting of directors during the period from his appointment to directorship to September 2, 1945, the last date designated under the Memorandum. Therefore, never was he present at such a meeting, nor did he receive any report of the council or call to attend. Consequently, he

was

was director only in name and a nominal existence on the board of directors.

(4) The appellant stayed in Europe until March 1946 when he returned home, merely because he had had no means to come back to Japan due to the war. The reason the appellant was ordered in August 1940 to proceed to Europe was that, at that time, on account of Blitzkrieg by German forces, the fate of London was considered precarious, and as this place was the most important place of settlement of accounts relative to Japan's foreign trade, especially her European trade, it was necessary to select another place of settlement of accounts in lieu of London in case of emergency, and as the appellant was conversant with affairs in Europe he was ordered to make an inspection of the banking conditions in Europe. He arrived in Berlin in January 1941. In those days, however, the London, Paris, Berlin and Hamburg branches of the Specie Bank each had its own manager, who was attending to the disposal of the branches business, so that the appellant did not in the least interfere in the affairs of these branches. In fact, he was not empowered to do so. While he was on his inspection trip through Germany, Switzerland, Italy, France, etc. the German-Soviet war broke out, followed by the participation of our country in the war, which deprived him of all means of returning home, forcing him to remain in Europe up until his repatriation after the war's

end

end. In the meantime he was appointed director of the International Settlement Bank and took up his residence in Switzerland from July 1944.

(5) The appellant is a pacifist and was always opposed to war. During his stay in Switzerland he was worried over the continuance of war and exerted himself with a view to bringing about early peace.

(6) Taking into consideration all the above facts, the designation by the Prime Minister of the appellant as falling under the Memorandum on the ground that the fact that the appellant was a director of the Yokohama Specie Bank makes him come within the purview of 1 of V, Appendix I to Cabinet and Ministry of Home Affairs Ordinance No. 1 of 1946 is improper. The designation in question is too formal and is not warranted by true circumstances involved in view of the short duration of the appellant's term of office, complete absence of activity on his part as director and other reasons. Hence the decision of this Committee as quoted above.

K. Yoshida

M. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

File No. Appeal 70

THE PUBLIC OFFICE
1948 MAY. 28.
QUALIFICATIONS APPEAL BOARD

May 25, 1948

TO: Public Service Qualifications Div. G.S., G.H.Q.

FROM: Public Office Qualifications Appeal Board.

SUBJECT: List of non-rescission cases

The Appeal Board gave at its meetings (110th - 121st) from April 23, 1948 to May 10, 1948, the decision that the designations of the persons mentioned hereunder as falling under the Purge Memorundum shonld not be rescinded.
This is the final report of non-rescission cases.

It is highly vequested that the Gov. Sec., G.H.Q. be good enongh to concur in the above actions taken by the Appeal Board.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifi cations Appeal Board

Total

List of Non-Rescission Cases 478 cases

ABE, Koji
ABE, Kozo
ADACHI, Yuji
AIBA, Chisato
AIGA, Hisaji
AKASHI, Saburo
AKIOKA, Takejiro
AKISE, Hidenosuke
AKITA, Masamitsu
AKITSUKI, Yasukichi
AOKI, Kosaburo
AOKI, Kyoichi
ARATAKE, Magoichi
ASAKURA, Shichiro

CHINO, Hohei
CHIZAKI, Usaburo
CHUMA, Inokichi

DAITOKU, Shoichi
DOI, Ikuji
DOI, Shunzo
DOTSU, Masaichi

EBINA, Hanji
EGUCHI, Yoshio
ENDO, Masaichi
ENOMOTO, Shigeharu
ENOMOTO, Shinichi

FUJITA, Hidetoshi
FUJITA, Nuio
FUJITA, Sadasaku
FUJITA, Takeji
FUJITO, Tokichi
FUJIWARA, Aruji
FUJIWARA, Sotaro
FUKAHARI, Zenjiro
FUKUDA, Katsuji
FUKUDA, Teisaburo
FUKUOKA, Shigekazu
FUKUNAGA, Katsuki
FURUKAWA, Hachidayu
FURUTA, Seiko
FURUTA, Yoshikazu
FUTAMURA, Tatsuro

GONDO, Tatsuo

GOTO, Eigo
GOTO, Eiki

HABARA, Shoichi
HANABUSA, Gunji
HANADA, Hayato
HANAMURA, Osamu
HARA, Eiji
HARA, Kumaichi
HASEGAWA, Shun
HASHIMOTO, Kogi
HATANAKA, Kikuji
HATANO, Tetsujiro
HAYASHI, Iwazo
HAYASHI, Masamichi
HAYASHI, Raisaburo
HAYASHI, Ren
HAYASHIZAKI, Kozo
HIDAKA, Genji
HIGUCHI, Yasuhiko
HIRAGA, Kiyoto
HIRANO, Rikizo
HIRAOKA, Saichi
HIROOKA, Kenji
HISAI, Tadao
HISHINUMA, Isamu

HIYAMA, Kiyoshi
HOMMA, Senkichi
HONDA, Yoichi
HORIKAWA, Kazuo
HORIKOSHI, Umeo
HORIMOTO, Sajiro
HOSHINO, Minoru
HOSOKAI, Tokuzo
HOSOKAYA, Mataji

ICHIKAWA, Fusae
ICHIKAWA, Kiyoshi
ICHIKAWA, Tamotsu
IHORI, Masaharu
IIDA, Asakichi
IIDA, Seizo
IINUMA, Kanemitsu
IJICHI, Shiro
IKEDA, Hideo
IKEDA, Yorinobu
IMAO, Noboru
IMASATO, Katsuo
INADA, Masuo
INAI, Gentaro
INOGE, Toshiei
INOMATA, Kenjiro
INOUE, Isaburo

INOUE, Shigemasa
INOUE, Shiro
INOUE, Teiichi
INOUE, Tsutomu
INUKAI, Takeji
IREI, Hajime
IRIMAJIRI, Yoshiyasu
ISHIDA, Shozo
ISHIGUMA, Heihachi
ISHIGURO, Yoshifumi
ISHIHARA, Michimasa
ISHII, Shigeo
ISHIKAWA, Kiichi
ISHIKAWA, Yoshio
ITO, Gosanji
ITO, Komaji
IUCHI, Tetsutaro
IWAHORI, Yoshinori
IWAMA, Matsujiro
IWASAKI, Sumimichi
IWASHIGE, Ryuji
IWAZAKI, Kojiro

KADA, Naoji
KAGEYAMA, Takato
KAMEI, Hideo
KAMI, Kataichiro
KAMICHIKA, Shinobu
KAMITANI, Rishichi
KAMIYA, Tsunekichi
KANAI, Keiji
KANAI, Kiyoshi
KANEDA, Chukichi
KANESAKI, Motojiro
KATAOKA, Masahide
KATO, Katsuyasu
KATO, Shigetada
KATO, Suso
KAWAHAKE, Takeshi
KAWAHARA, Shusaku
KAWAHARA, Sotoo
KAWANO, Matsujiro
KAWATO, Ichijiro
KIKUCHI, Sentaro
KIKUCHI, Takeo
KIKUTA, Shunichi
KIMURA, Shigeyuki
KITA, Reikichi
KITAGAWA, Junichi
KITAO, Tadayoshi
KITASATO, Zenju
KIUCHI, Heiuemon
KOBAYASHI, Kanshichi

KOBAYASHI, Kenji
KOBAYASHI, Shizuo
KOJIMA, Kanetaro
KOJIMA, Shohei
KOMASE, Shigeru
KOMATSU, Tosaburo
KOMURA, Shunichi
KOMURO, Juntaro
KOYAMA, Mitsugu
KUBO, Yutaka
KUDO, Koki
KUHARA, Fusanosuke
KUMAGAI, Takamura
KUNIOKA, Keiichi
KUNITOMI, Shinichi
KURODA, Jiro
KURODA, Shizuichi
KUROSAWA, Kinji
KURYU, Shigeki
KUSUI, Katsuichi
KUTSUMA, Nobumasa
KUYAMA, Tomoyuki

MAEDA, Eio
MAEDA, Matabei
MAEDA, Shoji
MAEJIMA, Shigeru
MAGAI, Shinichi
MAKABE, Sadao
MAKINO, Ryuyo
MANO, Tameo
MASUDA, Norimoto
MATSUBARA, Seijiro
MATSUMOTO, Takatsuna
MATSUMURA, Mitsuzo
MATSUNO, Tasaburo
MATSUO, Kikutaro
MATSUO, Tetsuro
MATSUURA, Shutaro
MIKAMI, Hideo
MINAKAMI, Keiki
MINAMI, Zenzo
MISHIMA, Isamu
MISHIMA, Wasuke
MITSUGI, Kanpu
MITSUHASHI, Shiroji
MIYAGAKI, Tatsushiro
MIYAMOTO, Hiroshi
MIYAMOTO, Senichi
MIYASHITA, Naoji
MIYATA, Tadao
MIYAUCHI, Katsutaro
MIYAWAKI, Satoshi

MIYAZAKI, Kazuo
MIYAZAKI, Ryusuke
MIZUKAWA, Kiyoshi
MIZUMOTO, Yoshihiko
MIZUNO, Katsumi
MIZUSHIMA, Tokuji
MOCHIZUKI, Goroshigeharu
MOCHIZUKI, Hajime
MORI, Mitsuo
MORI, Toshinari
MORIYASU, Hiromu
MORI, Yoshinobu
MORISHITA, Kuniro
MORITA, Ikken
MORITA, Rishichi
MORIYA, Kio
MOTOYAMA, Shosuke
MUKAI, Kunihiro
MURAI, Hirosuke
MURAKAMI, Kunio
MURAKAMI, Tadasu
MURAMATSU, Ichisaku
MURAO, Shigetaka
MURAO, Shizuo
MURATA, Kazuma
MURATA, Kensuke
MURATA, Tadashi
MURAYAMA, Chokyo
MURAYASU, Shinkuro
MUROFUSHI, Takanobu
NABA, Tetsuji
NAGAI, Gen
NAGAI, Hiroshi
NAGANUMA, Koshiro
NAGAOKA, Tomekichi
NAGASHIMA, Kiichi
NAGATA, Masaji
NAITO, Choichi
NAKABE, Kenkichi
NAKAGAWA, Eikichi
NAKAJIMA, Shunji
NAKAMURA, Chogoro
NAKAMURA, Kango
NAKAMURA, Monji
NAKAMURA, Shoji
NAKAMURA, Suegoro
NAKANO, Kinjiro
NAKANO, Koichi
NAKAYAMA, Itsuo
NAKAYAMA, Sueichi
NAMBA, Taichi
NAYA, Yoshito
NIKAI, Shuntaro
NIRASAWA, Heikichi
NISHI, Takeki
NISHII, Kazutaka
NISHIKAWA, Tamaji

NISHIMURA, Soji
NISHIUCHI, Sadao
NISHIUCHI, Somei
NOGAMI, Sukeyoshi
NOGAMI, Yoshigoro
NOGUCHI, Kiyoshi
NOMURA, Gakuyo
NOZAWA, Ryuichi
NUMATA, Tamenosuke

OBAMA, Motoo
OBAMA, Toshie
OE, Seiichi
OKO, Tomonaga
OGINO, Ryo
OISHI, Kyoji
OISHI, Masaru
OKA, Masakazu
OKADA, Kozo
OKAMOTO, Wataru
OKAMURA, Yoshiharu
OKAZAKI, Chusaburo
OKAZAKI, Tomotaro
OKI, Isamu
OKUYAMA, Shoichi
OMIYA, Gosaburo
OMURA, Takeo
ONISHI, Masaharu
ONISHI, Tarobei
ONO, Tadasaburo
ONO, Toichi
OSHIMA, Yutaka
OTAKARA, Yozo
OTANI, Hiroshi
OTANI, Yoshitaka
OTSUKA, Shunzo
OYAMA, Kenkichi
OYAMADA, Yoshio
OZAKI, Keigi
OZAKI, Soichiro

ROKUSHA, Osamu
RYU, Tomizo

SAHEKI, Eiichi
SAHEKI, Yoshito
SAIKI, Shokuma
SAITO, Kanematsu
SAITO, Kojiro
SAITO, Tetsuo
SAIKA, Ichiro
SAKAGUCHI, Shujun
SAKAI, Sahachi
SAKAJIRI, Hojiro
SAKATA, Kenji

SAKATA, Mikita
SAKUTA, Takataro
SANADA, Ken
SANO, Satomi
SASAKI, Chuichi
SASAKI, Takeo
SASHIDA, Goichiro
SATO, Akira
SATO, Haruji
SATO, Hisayoshi
SATO, Kakuichiro
SATO, Keijiro
SEKIYAMA, Nobu
SEKIYAMA, Shigetaro
SETO, Takeo
SHIDA, Masaru
SHIGEYAMA, Gen
SHIINO, Yoshichi
SHIMADA, Kihachiro
SHIMIZU, Teruo
SHIMIZU, Toshihiko
SHIMIZU, Yoshikazu
SHIMIZU, Yoshikiyo
SHINMEI, Masamichi
SHIMOSHIGE, Takeo
SHINGO, Seiji
SHINKAI, Shinji
SHINOHARA, Rikuro
SHONO, Naomichi
SHIOTSUKI, Manabu
SHIOZAKI, Eiichi
SHIRAI, Isamu
SHISHIDO, Kenjiro
SHORIKI, Matsutaro
SOEDA, Keiishiro
SOMA, Teiji
SUEHIRO, Kojiro
SUGA, Jotaro
SUGAWARA, Tsunenori
SUGI, Yoshinobu
SUGIMURA, Masayoshi
SUGISHITA, Osamu
SUMI, Ishinosuke
SUZUKI, Ginya
SUZUKI, Kanae
SUZUKI, Rinnosuke

TACHIKAWA, Shozo
TAGUCHI, Niro
TAJIMA, Hiroe
TAKAHAMA, Kiyoshi
TAKAHARA, Asaichi
TAKAHARA, Katsue
TAKAHASHI, Kaname
TAKAHASHI, Sei

TAKAHASHI, Tokutaro
TAKAHASHI, Wasaburo
TAKAKUWA, Chiyomatsu
TAKASE, Kyoji
TAKASE, Reizo
TAKASHIMA, Junsaku
TAKATA, Noriyuki
TAKATSU, Fujiro
TAKAYAMA, Kikuji
TAKEBE, Gikichi
TAKEGOSHI, Yosaburo
TAKEI, Gunji
TAKEMURA, Shigetoshi
TAKEUCHI, Ayayoshi
TAKEUCHI, Shigeyo
TAKEUCHI, Tadashi
TAKIKAWA, Gisaku
TAKIWAKI, Hiromitsu
TAMAKI, Masahiko
TAMURA, Hidekichi
TAMURA, Mitsuyasu
TANABE, Isamu
TANABE, Osamu
TANAKA, Isamu
TANAKA, Mitsugi
TANAKA, Niro
TANAKA, Nobuyuji
TANAKA, Sakae
TANAKA, Usaburo
TANIDA, Mitsuyoshi
TANIGUCHI, Tomezo
TANIKAWA, Kiichiro
TANIMURA, Kinjiro
TASAKA, Sumio
TERADA, Motonosuke
TESHIMA, Shotaro
TESHIROGI, Ryukichi
TODA, Munetaka
TODO, Sakuji
TOKUGAWA, Nobukata
TOMINAGA, Yoshio
TOMITA, Keiichi
TONE, Michisaburo
TORIGOE, Tomoichi
TORII, Tokio
TOYODA, Shinichi
TSUDA, Shiro
TSUJI, Jun
TSUJI, Yasunori
TSUKADA, Ippe
TSUKAMOTO, Hidenobu
TSUKAMOTO, Yoshio
TSUKIYAMA, Asajiro
TSUNASHIMA, Hisajiro
TSUNEMATSU, Saburo
TSURUMAKI, Tatsujiro
TSURUMI, Yusuke

UCHINO, Yutaka

UEDA, Seijiro
UEMURA, Katsuni
UENO, Gensaku
UENO, Seiichi
UENO, Seiichiro
UENO, Toshinobu
UI, Takeo
UMEKAWA, Toichiro
UMEZU, Yoshizo
USHIO, Shigenosuke

WADA, Hidekichi
WADA, Jinkuro
WAKABAYASHI, Hideo
WAKAMORI, Saichi
WANIFUCHI, Shichirouemon
WATABAYASHI, Eiichi
WATANABE, Kiyomi
WATANABE, Kyosi
WATANABE, Uichi

YAGAMI, Takeshiro
YAKURA, Iwajiro
YAMADA, Kenichi
YAMADA, Mamoru
YAMAGISHI, Hidesaburo
YAMAGUCHI, Kenji
YAMAGUCHI, Kinnosuke
YAMAGUCHI, Nobue
YAMAKUMA, Gozen
YAMAMORI, Riichi
YAMAMOTO, Hisaji
YAMAMOTO, Katsuichi
YAMAMOTO, Sosaku
YAMANE, Ryuji
YAMANE, Tsunetaro
YAMANO, Katsushi
YAMAZAKI, Mitsushige
YAMAZAKI, Eichu
YAMAZAKI, Tadashi
YASUDA, Isao
YASUI, Tadashige
YOKOO, Yoshikazu
YOKOO, Yoshimi
YOKOYAMA, Eitaro
YONEHARA, Yoshiaki
YONENO, Teyomi
YONEYAMA, Izumi
YONEYAMA, Takami
YONEZAWA, Yososhichi
YOSHIDA, Keitaro
YOSHIDA, Toshiaki

YOSHIDA, Unichi

YOSHIKAWA, Chiemaru

YOSHIKAWA, Masao

YOSHIOKA, Ryutaro

YOSHITAKE, Jun

YOSHITSUGU, Toshio

YOSHIUE, Shosuke

ZAMA, Katsuhei

ZEN, Keinosuke

PURSUANT TO EXEC. ORD. 11652 SEC. 5(E) AND 5(D) OR (E) ENDG # 775 072

File No. Appeal 74

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THE PUBLIC OFFICE
1948 MAY. 27.
QUALIFICATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: MATSUNO, Seiko

2. Present Position: None
   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   Dec. 2, 1947

4. Matters applicable: Standing Director of Chosen Sumitomo Light Metal Co. Ltd.
   Provisions applicable: Sub Item 6 of 7 in List No. 1

5. Date of Appeal filed: December 20, 1947

II. Appeal Board

1. Date of Reference to Board: Feb. 12, 1948

2. Decision given by which Committee, and Commissioners: 120 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 8, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witness None
   Testimonies 3
   Petition None

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DECLASSIFIED E.O. 11652 SEC. 5(E) AND 5(D) OR (E) NNDG # 775 072

Reasons.

A. The substance of the assertion of the appellant.

As stated in the Appeal.

B.

(1) The Chosen Sumitomo Keikinzoku Kabushiki Kaisha (Korean Sumitomo Light Metal Company, Ltd.) was established on 8 December 1943. The Head Office was in the City of Keijo, the business of the company being conducted in Korea, but it was necessary to have an office in Tokyo, for the sake of acquiring machinery and other materials in Japan Proper and of liaison with the Tokyo Office of the Korean Government-General. Thus, the Tokyo Office of the company was established on 8 February 1944.

(2) However, it was not long since the company had been established and it was difficult to find a suitable person as the Chief of the Tokyo Office. On the other hand, the Sumitomo Aluminium Production Company, which was the mother company of the Chosen Sumitomo Light Metal Comapny, opened an office in Tokyo, and the appellant was accidentally appointed the Chief of that office. So, the post of the Chief of the Tokyo Office of the Chosen Sumitomo Light Metal Comapny was also filled up by the appellant.

(3) The appellant was, thus, appointed the Chief of the Tokyo Office of the Chosen Sumitomo Light Metal Comapny,

and at the same time, he was nominated for the position of managing director of the company. The reason of this nomination was that MATOBA, Tsunezo, who had been in lower position than the appellant, was in the post of managing director since the time of establishment of the Chosen Sumitomo Metal Comapny, so it was impossible to appoint the appellant as a mere employee in consideration of the proportion of the personnel matters, and at the same time, it was convenient to let him have the title of managing director in carrying out negotiations with the outsides as the Chief of the Tokyo Office.

(4) Accordingly, though the appellant was appointed the managing director of the Chosen Sumitomo Light Metal Company, he neither went to Korea during his tenure of office, nor assisted the Meeting of Directors held in the Head Office in Keijo or any other meetings concerning the management of the company. He only took charge of the busniess as the Chief of the Tokyo Office in conformity with the instruction of the Head Office.

(5) The main duties of the Chief of the Tokyo Office were to accelerate and carry out the delivery of machinery and other materials necessary for the construction of factory, etc., sometimes negotiating with the Tokyo Office of the Government-General of Korea regarding the purchase of materials. The Chief of the Tokyo Office of the

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 3(D) OR (E) NNDG # 775 012

company was merely exercising the limited authority of disposing daily business pertaining to the Office under the direction and supervision of the Head Office in Keijo. The staff of the Office was very small, numbering, besides the Chief, only three or four officials in full service and four or five officials of additional post.

(6) Judging from the above-mentioned facts, the appellant was in the position of managing director of the Chosen Sumitomo Light Metal Company for about ~~the~~ one year, but the position was nothing but nominal and he did not make any activity as the managing director. Accordingly, the designation by the Prime Minister of the appellant as a person falling under the Memorandum on the ground that he comes under the purview of Remarks No.6, VII, Appendix I of the Cabinet and Ministry of Home Affairs Ordinance No.1, 1947, is improper. Therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

DECLASSIFIED E.O. 11652 SEC. 5(E) AND 5(D) OR (E) NNDG # 775 072

File No. Appeal 73

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THE PUBLIC OFFICE
1948 MAY. 27.
QUALIFICATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: IGARASHI, Takeo

2. Present Position: Master of Specified Post Office

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   March 29, 1948

4. Matters applicable: Director of Branch of Fresh Rice Plant Club.

   Provisions applicable: Sub Item 1 of 3 in List No. 1

5. Date of Appeal filed: April 11, 1948

II. Appeal Board

1. Date of Reference to Board: April 15, 1948

2. Decision given by which Committee, and Commissioners:: 118 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 6, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witness None
   Testimonies 9
   Petition None

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DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) NNDG # 775 072

Reasons.

A. The substance of the assertion of the appellant.

As stated in the Appeal.

B.

(1) The appellant was designated by the Prime Minister as a person coming under the provisions of the Memorandum by the reason that he was in the position of director (Riji) of Wakamatsu Branch in Fukushima Prefecture of Mizuho Club.

(2) Somewhere around 1938-39, MATSUE, Toyokazu, former lieutenant-general and standing director of the Head Office of Mizuho Club, wanted to establish a branch of the said Club in his native place, Wakamatsu City, and entrusted his friend, AKABANE, Sukeyuki, former Colonel who was residing in Wakamatsu City at that time, the establishment of the branch.

(3) Mr. Akabane wrote to Mr. Matsue replying that he was preparing for the establishment of Wakamatsu Branch of the aforesaid Club in cooperation with FUJISAWA, Shoji, TODA, Seiji and the appellant.

(4) However, before Mr. Akabane had the opportunity of talking with the appellant, etc. over the setting up of the branch, he had to come up to Tokyo in order to secure a position in the Sanyo Electric Company. He asked FUJISAWA, Shoji to look after the establishment of the

DECLASSIFIED E.O. 11652 SEC. 5(E) AND 5(D) OR (E) NNDG # 775 072

branch.

(5) Since the central figure, Mr. Akabane, left the city, the plan of establishing the Wakamatsu Branch proved to be abortive; no meeting being held and no officials being appointed. Merely, when FUJISAWA received the the "Mizuho", magazine published by the Club, he distributed them about five times to his friend in Wakamatsu City, free of charge.

(6) Judging from the above-mentioned facts, we have to recognize that Wakamatsu Branch in Fukushima Prefecture of the Mizuho Club was never established, and consequently, that the designation by the Prime Minister of the appellant as coming under the Memorandum on the ground that he was the director of the said Branch is improper.

Therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the Legal Affairs Office
Qualifications Appeal Board

DECLASSIFIED E.O. 11652 SEC. 3(E) AND 5(D) OR (E) MNDC # 79-372

File No. Appeal 72

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THE PUBLIC OFFICE
1948 MAY. 27.
CENTRAL REGISTRATION SECTION

REPORT ON EXAMINATION OF APPEAL.

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: KOBAYASHI, Tokuichi

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Governor of Hokkaido
   March 31, 1948

4. Matters applicable: Chairmen of a Town Branch Cooperation conference of I.R.A.A.

   Provisions applicable: Sub Item 1 of 4 in List No. 1

5. Date of Appeal filed: April 5, 1948

II. Appeal Board

1. Date of Reference to Board: April 15, 1948

2. Decision given by which Committee, and Commissioners:: 111 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: April 26, 1948.

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witness None
   Testimonies 6
   Petitions 2

67

Reasons.

A. The substance of the assertion of the appellant.

As stated in the Appeal.

B.

(1) The appellant was designated by the Governor of Hokkaido as the person coming under the Memorandum on the ground that he was in the position of the Chairman of the Cooperative Council of the Sorachi Branch of the Taisei Yokusankai (Imperial Rule Assistance Association) in Hokkaido.

(2) The circumstances in which the appellant assumed the post of the Chairman of the Cooperative Council of the Branch was that he believed that this Council was aiming at the rectification of the defect of the parliamentary politics of Japan by reflecting the will of the masses living up to its motto of "lower will, upper understanding", without knowing that the Imperial Rule Assistance Association was an organization of militaristic or fascist trend, and at last he had to assume the post, being unable to reject the entreaty of the Chief of Sorachi Prefectural Detachment.

(3) The Cooperative Council opened its meetings two times in the said period in which the appellant assisted as the chairman. In his attempt to carry into practice

his long-cherished advocacy of the emancipation of farmers and the collaboration of farm villages, he devoted himself to the construction and repair of roads, exploitation of farm lands, increased production of food-stuffs and improvement of farmers' standard of living and never acted or spoke as militarist or ultra-nationalist in these meetings.

(4) The appellant is a democrat who has devoted all his energies to the farm collaboration union movement for thirty three years, the object of which was in the emancipation of farmers, democratization of farm villages and the elevation of farmers' social and economic standard. He was requested, many a time, to reorganize the Minenobe Sangyo Kumiai (Minenobe Industrial Union) under his supervision into a Nogyo Kai (Agricultural Society), but, without yielding to this demand, he persistently supported the Industrial Union structure. His characteristics as a democratic leader will be surmized by the fact that, notwithstanding nearly all the Industrial Union were reorganized into the Agricultural Societies, organs for totalitarian war-time control, he obstinately stuck to Industrial Union system.

(5) In short, the appellant assumed the post of the Chairman of the Cooperative Council of the Sorachi Branch

of the Imperial Rule Assistance Association in Hokkaido, with a view to carrying out his ideal of democratization of farm villages, taking advantage of the motto of the said Association; "lower will, upper understanding", and though attended the conferences of the Council twice in his tenure of office, he did not make any militaristic or ultranationalistic action. Accordingly, the designation by the Governor of Hokkaido of the appellant as a person coming under the provisions of Memorandum is improper, and therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifi cations Appeal Board

File No. Appeal 71

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THE PUBLIC OFFICE QUALIFICATIONS APPEAL BOARD
1947 MAY. 27.

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: TOKUNF, Yoshic

2. Present Position: President of Asano Cement Co. Ltd.
Director of Cement Industry Assin.
Position under Consideration: None

3. Designation by whom and when:
Prime Minister
May 20, 1947

4. Matters applicable: Standing Director of Asanc Cement Co. Ltd.
Provisions applicable: Sub Item 3 of 7 in List No. 1

5. Date of Appeal filed: Aug. 10, 1947

II. Appeal Board

1. Date of Reference to Board:

2. Decision given by which Committee, and Commissioners:: 119 Meeting
Miyagi and 6 commissioners

3. Date of Decision:
May 7, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witness None
Testimonies 5
Petition 1

C C

Reasons.

A. The substance of the assertion of the appellant.

As stated in the Appeal.

B.

(1) The appellant was designated by the Prime Minister as a person coming under the Memorandum on the ground that he was in the position of managing director of the Asano Cement Company, Ltd. from July 1943 to April 1946 in recognition of his long services.

(2) The appellant entered the Asano Cement Company in 1920 and was appointed Managing Director in 1943, concurrently assuming the post of the Director of the Technical Division. The company, however, was under the management of the Asano Pultocracy, the members of the Asano Clan held successively the exclusive right of managing the company as President or Chairman, and other directors not participating in the important affairs concerning the operation of the company. Though the appellant was elevated from the status of employee to the position of managing director for his services of long years, he was merely given the right as an employee to work under the direction of the Asano Clan in the capacity of a director of the Division in charge of technical matters. He was not endowed, by the Statute of the company, with the so-called represent-

ing right in regard to personnel affairs, salary or bonus payments, despatch or receipt of documents as well as issuance of checks. Therefore, though the appellant was nominally one of the managing directors of the company, substantially he was no more than, a chief of the Technical Division, devoting himself to the study and direction of technical matters.

(3) Since he entered the Asano Cement Company, Ltd., in 1920, he worked most strenuously as a technician in cement production, and made a special study on the technique of cement works at the Cement Laboratory in the University of Berlin. He is an excellent technician who has achieved various epoch-making inventions on the technique of cement production, and is an indispensable person for the rehabilitation and reconstruction of our country in cooperation with the occupation policy of the Allied Forces.

(4) Accordingly, the designation by the Prime Minister of the appellant as coming under the Memorandum by the reason that the appellant was in the position of managing director of the Asano Cement Company from July 1943 to April 1946 is irrelevant, and therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

File No. Appeal 69

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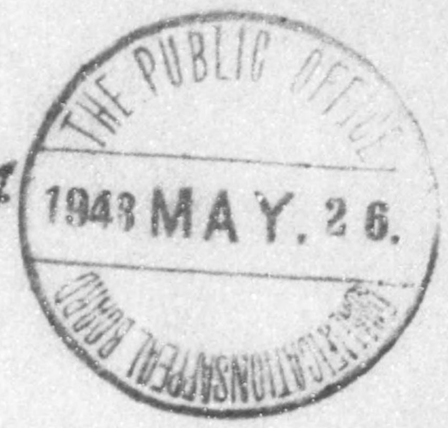

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: HOKYO, Terashi

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Governor of Kanagawa Prefecture
   January 21, 1948

4. Matters applicable: Chief of Branch of Imperial Army Reservist League

   Provisions applicable: Sub Item 9 of 7 in List No. 1.

5. Date of Appeal filed: April 15, 1948

II. Appeal Board

1. Date of Reference to Board: April 16, 1948

2. Decision given by which Committee, and Commissioners: 121 Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 10, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witness none
   Testimonies 6
   Petition none

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Reason

A. Gist of the appellant's contention

As stated in his appeal.

B. (1) The appellant has been designated as the person falling under the Purge Memorandum by governor of Kanagawa Prefecture because the was Chief of Hayama-cho branch of the Imperial Army Reservist League , and Kunimatsu Suzuki, the Former Chief of Hayama-cho branch, was a lieutenant-colonel and has taken the position of chief of the federal branch of Miura-gun, Kanagawa Prefecture and he also was chief of Hayama-cho branch and he devoted himself to the work as chief of both branches of the said League.

(2) However, the rule of the said League was amended in August, 1942 and an additional post with the regular occupation was not allowed, thus the appellant was requested to accept the post of Chief of town-buanch of the League because on condition that Kunimatsu Suzuki take the work as branch chief in reality and the appellant in name only. So the appellant accepted an appointment of chief of Hayama-cho branch of the said League on November 20, 1942.

(3) After his assumption, the appellant was very busy because he was chief of general affairs section of Kanto Electricity Distribution Co. Ltd. at that time and he needed about three hours for the ways to and from Hayama to Tokyo and was absent from his house from early morning to night every day. Therefore, he never took his work as chief of the said branch. His position as chief of town branch of the League was truly in name only.

(4) The appellant quitted his position of branch chief beoause he was called to the colors on January 12, 1943. So the appellant's

tenure as chief of Hayama-cho branch of the said League was only three months and also his tenure fall on the last month of one year and the first month of the next and his work as section-chief of Kanto Electricity Distribution Co. Ltd. was very busy attending the office, so the appellant has not work so much as chief of branch of the said League. In truth, Kunimatsu Suzuki, the former chief of branch and Yasoshichi Yajima, assistant-chief took the work as chief of the said branch instead of the appellant.

(5) The appellant's action as branch chief and tenure of the office is stated as above, it is decmed improper that governor of Kanagawa Prefecture has designated the appellant falling under the Purge Memorandum for the reason of the appellant has been taken the post of chief of Hayama-cho branch of the Imperial Army Reservist League. The Appeal Board has decided as above.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the puglic office
Qualifi cations Appeal Board

File No. Appeal 65-1

Copy

THE PUBLIC OFFICE
1948 MAY. 21.
QUALIFICATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: JOMORI, Shozo

2. Present Position: None
   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   December 23, 1947

4. Matters applicable: Managing Director of the HOKURIKU MAINICHI SHIMBUNSHA Co. Ltd.
   Provisions applicable: 4 of 5 of 7 in List No. 1

5. Date of Appeal filed: March 10, 1948

II. Appeal Board

1. Date of Reference to Board: March 29, 1948

2. Decision given by which Committee, and Commissioners: 118th Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 6, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witnesses None
   Testimonies &
   Petitions None

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REASONS

The prime Minister designated the Appellant, Shozo Jomori, as a person falling under the 1947 Home Ministry Ordinance No.1,Appendix Table 1,7, Column 5,4, on the ground that Jomori Occupied the position of Managing Director Of the Hokuriku Mainichi Shinbun Sha. But the appellant, objecting to the said dicision, has submitted the pewsent appeal.

A. The Gist of the Letter of Appeal

1. The claim of the appellant can be summarized into the following two points :

a). The appellant is not a proffesional newspaper man and has resided continuously in Tokyo since 1935 as the president of the Nippon Typewriter Co.Ltd.

b). The circumstances in which the appellant occupied the post of the managing director of the Hokuriku Mainichi Shinbun Sha was that the appellant is a distinguished individual among the Kanazawa extractions, and his aquaintance recommended the appellant to this position without having the appellant concern but at their will, for the reasons to keep equilibrium with others. Hencefore he had nothing to do with the management nor the editorial, also did not receive any payment, or attend the staff meetings.

B. Reasons for Decision

After examining the appeal, certificates, and other informations the ~~Committee for Appeal~~ Appeal Board reached to the recognition that the position of managing director of the Hokuriku Mainichi Shinbun Sha hold by the appellant has been merely a nominal, an honourary post

and did not accomplish its duty as managing director, the reasons are as follows :

a). The post of managing director in the Hokuriku Mainichi Shinbun Sha held by the appellant was merely a nominal post and that the appellant was not actually in the position of managing director.

b). The appellant recommended to the position of managing director in the Hokuriku Mainichi Shinbun Sha on Sept. 1 1939, was for he is a native of Kanazawa, the location of this news agency, and he had acquaintance among the respective person of this area, also that he is a distinguished and a man of high virtue.

As explained in the following , the appellant is not a newspaper man, he has been a non-professional in the establishment or editorial, but as noted before, to acquire a reputation of this small country newspaper and from his former career this honourary post was recommended, and his name was connected as an ostensible staff by his acquaintance and also the parties concerned to the agent. This can be recognized in the following facts, that is the president and the managing editor Hikoichi Fukao of the Hokuriku Mainichi Shinbun Sha of the time, was the chief of the Magazine Section for The Osaka Mainichi Shinbun Sha and also the chief of the Social Section of the Tokyo Nichinichi Shinbun Sha, a professional newspaper man and since 1933 was in the post of president for the Hokuriku Mainichi Shinbun Sha. He supervised the affairs of this agent daily also edited the newspaper directly as the managing editor and he took the full responsibility of operational and editorial affairs as he directed both the operational and editorial matters singlehanded. (according to the certification of Hikoichi Fukao, March 10 1948).

Over more had Hachiryo Takagi, Vice President of this agent, who had continuously served for 30 years as aprofessional newspaper man, Also had Heisei Asano, Standing Director, the son of the founder of this news agent on the other hand.

These three persons including Fukae, were ordinary at the agebt for the supervision and to fullfil their full responsibility in both operations and editorials. And this is clear from the appeal and other certifications attached to the appeal.

Furthermore these three persons were designated under the memorandum but did not make any objections nor filed an appeal.

Being like this, it is clear that this agent did not need and was'nt any room for non-professionals as the appellant to make direct indications upon operational and editorial matters of the agent.

b). As mentioned before, the appellant was in the position of managing director nominally and neither gave any directions nor attended the directors meetings and the shareholders meetings even in hhe status of managing director. (To confirm the fact the Board has required the agent the resolutions file of the principle subjects, and since it has been destroyed and was unable to answer the requirement but the facts have been confirmed by the reasons noted in the followings.)

Furthermore the appellant has never received any kind of payment or salary from the agent.

From these facts it can be clearly recognized how rare the connection was between the appellant andtthe press agent.

c). Reasons for the appellant being not on the duty of Managing Director was that the title was merely an honourary post as explained before, but also had an actual reason.

That the appellant had to take the full responsibility upon his professional occupation at the Nippon Typewriter Company.
Since the appellant was posted to auditor on Nov. 30 1932, became managing director on Feb. 10 1935, and was posted to president of this company on May, 1940 and the great responsibility of this peaceful industrial rested upon the appellant.
And yet the main office of the Nippon Typewriter Company was located at Tokyo, that in 1935 he has changed his residence to Tokyo to devote himself in this company's operation. It was most difficult for him to spare his times to make a trip to Kanazawa far off from Tokyo, where this newspaper agent was located and has used all his times in Tokyo (information utilized by certifications and investigation chart). This is one of the strongest reasons which can be confirmed that the appellant did not have concern or actual,connection with the Hokuriku Mainichi Shinbun Sha.

4. Examining the appellant's tendency of thoughts and his career, the appellappellant is an unassuming person and also has not spoken of himself in the appeal, but as it is clear in the appellant's investigation chart, he has been a local junior class official.
After transfering himself to the business field, he has devoted in manufacturing typewriters which is pure peaceful industry till today. Also during this period there is nothing of the fact that he has been connected or was concerned in the rightist or inthe ultranationalistic society. (information utilized by the investigation chart).

According to these facts it is clear that the appellant has a moderate and impartial ideas.
Synthetic inference of the above mentioned confirmation is that

the appellant was perfunctoriry posted in the position of the managing director of the Hokuriku Mainichi Shinbun Sha from Sept.1 1937 to June 30 1940, the conditions in which the appellant was recommended to this position was absolutely nominal and honourable that the operations of this news agent was handled by President Fukse, Vice President Takagi, and standing Director Asano, which no room was allowed in the office regulations for a non-professional as the appellant to interfere the operations of the news agent. Overmore the appellant's devotions to his professional post in the Nippon Typewiter Company in Tokyo and that the location of this news agent at Kanazawa is quite inconvenient from Tokyo, so the appellant did not participate at all.

Furthermore in the appellant's career, tendency of thoughts, a super-nationalistic, militaristic or an aggressive principles can not be recognized at all.

From the above reasons it is not proper for the Prime Minister to designate the appellant as falling under the memorandum.
A dicision was, therefore, given as above.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifi cations Appeal board

File No. Appeal 66

Copy

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: KANAZASHI, Eiichi

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   October 24, 1947

4. Matters applicable: Director and Manager of Administration Department and Acting manager of cultural Film Department.

   Provisions applicable: 4 of 5 of 7 in List No. 1

5. Date of Appeal filed: January 24, 1948

II. Appeal Board

1. Date of Reference to Board: February 17, 1948

2. Decision given by which Committee, and Commissioners: 119th Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 7, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc.: Witnesses None
   Testimonies 3
   Petitions None

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Reasons.

(1) The assertion of the appellant.

The assertion of the appellant (KANAZASHI, Eiichi) is as stated in the Appeal.

(2) The reasons of decision.

I. The position of the managing director of the Toho Eiga Kabushiki Kaisha (Toho Motion Picture Company, Ltd.) which the appellant held was no other than an honorary position. This fact is evident in the testimonies of UEMURA, Taiji, former President of the said Company, and of OHASHI, Takeo, former standing managing director of the Company under the date of 24 January 1948.

II. According to the investigation of this Board, the business of the Director of the General Affairs Division of the Company, to which the appellant was concurrently assigned, was limited to pure miscellaneous works, for instance, supplying of business requisites such as utensils and other materials, and he was never in charge of executive general affairs pertaining to the whole company as is stated in the explanation of the Prime Minister.

III. The business of the Acting Director of the Cultural Motion Picture Division to which the appellant was assigned was limited to the conduct of miscellaneous affairs concerning the business of the Company. Throughout the period coming under the Memorandum, the planning or

production of cultural films was exclusively in charge of MORI, Iwao, Director of the Production Division and the Chief of the Studio of the Company, and the appellant never participate in these matters. This fact is apparent in the testimony of MORI, Iwao, former Director of the Production Division of the Company.

We can cite the record of Ringi Sho as a testimony proving most plainly the contents of the business of the Directors of General Affairs Division and of the Cultural Motion Picture Division. The Ringi Sho was a circular for approval by which all the important daily business of the Toho Motion Picture Company were sactioned in those days. The minute study of this record reveals that the appellant did not even once give approval to the executive general affairs pertaining to the whole company as the Director of the General Affairs Division, nor did he give approval to any Ringi Sho concerning the planning or production of cultural films. This fact is recognized as the most powerful evidence testifying that the appellant did not have the right, by the functional organization of the company, to participate in the policy framing or the production of films of the Toho Eiga Company.

Upon considering synthetically the above mentioned facts, the appellant, not only did not take part, during the period designated in the Memorandum, in the production of militaris-

tic films, which was the cause of designation of the Toho Eiga Company as the organization coming under the category "G", but his position as the managing director was nothing more than nominal and honorary position by way of compensation for his services, the substance of which was not at all different from that of an employee.

On the other hand, the study of his career and disposition discloses that his words and deeds are free from ultranationalistic or militaristic trends showing that he was no supporter of aggressive policy.

On account of the above-mentioned reasons, it is recognized that the designation of the Prime Minister to the appellant as a person coming under the Memorandum is irrelevant, and therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

File No. Appeal-67. Copy

THE PUBLIC OFFICE
1948 MAY. 21.
QUALIFICATIONS APPEAL BOARD

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: KIKYO, Riichi

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   November 13, 1947

4. Matters applicable: Editor of "TAIYO"

   Provisions applicable: 4 of 5 of 7 in List No. 1

5. Date of Appeal filed: February 10, 1947

II. Appeal Board

1. Date of Reference to Board: April 1, 1948

2. Decision given by which Committee, and Commissioners: 119th Meeting
   Miyagi and 6 commissioners

3. Date of Decision: May 7, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witnesses None
   Testimonies 5
   Petitions None

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Reasons.

The Prime Minister designated KIKYO, Riichi as coming under the Memorandum on the ground that he was in the position of chief editor of the Bungei Shunju Sha and was in charge of editing of the journal "Taiyo". Being dissatisfied with this designation, the appellant has submitted this Appeal.

(1) The substance of the assertion of the appellant

The assertion of the appellant will be summarized in the following two points.

a. The position of the chief editor in the "Bungei Shunju Sha " was nothing but nominal.

b. The journal "Taiyo" was under the special direction of the Civil Intelligence Division of the Navy, and the intention of the appellant regarding the editing of the journal was completely ignored.

(As to the detail, see the Appeal)

(2) The reason of decision.

I. The reason why the Bungei Shunju Sha was designated as the organization coming under the Memorandum was that the journal "Taiyo" published by that company was presumed to have advocated militarism. Being the direct responsible editor of the journal, the appellant can not be exempted from the responsibili-

ty as an editor. But the Bungei Shunju Sha was a company under the despotism of the President Kikuchi, with SAITO, Ryutaro as managing director and chief of Editing Bureau, who assumed the whole responsibility of planning and editing and was the highest authority of such matters . Various testimonies verify that the appellant could not exercise the right ~~to~~ which a chief editor should be entiled.

II. It is undeniable that the "Taiyo" edited by the appellant was an undesirable journal. However, since the journal was started in May 1939, the Civil Intelligence Division held the actual reins of the editing of the journal, and not only the leading staff of the Bungei Shunju Sha, but also the direct responsible editor, the appellant himself, could not interfere with the planning and editing of the journal. They had to obey the compulsory order of the Navy regarding the publication of news and articles. It is evident by various data that, SAITO, Ryutaro having charge of liaison with the Navy, the appellant was not substantially responsible.

III. As to the career and thoughts trend of the appellant, he is a genuine man of letters and an owner of pacific and liberalistic mind, which will be easily surmised by what he wrote in his essay

"Haiku Kinsei". This fact is proved by numerous testimonies of his friends annexed to the present Appeal.

Judging from the above-mentioned facts, the designation of the Prime Minister to the appellant as a person coming under the Memorandum is not proper, and therefore, the decision as stated above is given.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the puplic office
Qualifi cations Appeal Board

File No. Appeal 68

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THE PUBLIC OFFICE
1948 MAY. 21.

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: OOIWA, Makoto

2. Present Position: None

   Position under Consideration: None

3. Designation by whom and when: Prime Minister
   March 31, 1948

4. Matters applicable: Writer, Ex-professor

   Provisions applicable: 3 of 5 of 7 in List No. 1

5. Date of Appeal filed: April 15, 1948

II. Appeal Board

1. Date of Reference to Board: April 15, 1948

2. Decision given by which Committee, and Commissioners: 119th Meeting
   Miyagi and 6 Commissioners

3. Date of Decision: May 7, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc.: Testimonies 6

Reasons

The appellant was designated by the Prime Minister as one to come under the Purge Memorandum . The reasons were that the appellant's work "The thesis on Racial Politics of Southern Asia " had encouraged an aggressive plinciple and had emphasized the superiority of the Japanese race over the other races.

This Board arrived at a conclusion as a result of examination of the filed appeal and his work that the designation against the appellant should be rescinded. The reasons are as follows.

I

The appellant had been in charge of history of political science as an assistant professor at Kyoto Imperial University from 1930 to 1933. At the time when Prof. Takigawa had been expelled from the University by the Education Ministry, Prof. Seichi Sasaki the chief of the Law Department and many other professors and assistant professors dified the authorities and resigned (so-called Takigawa incident). The appellant was one of them, and then was employed by Ritsumeikan University. Later, many of the assistant professors returned to the Kyoto University, however the appellant disdained to return to the University where no complete liberty of study had existed (testimonies of Profs. Sasaki and Takigawa).

The appellant was compelled to resign the post at Ritsumeikan University in Dec. 1937 when he was arrested by the police on account of a thought offense. He was sentenced two years imprisonment a four year suspension of execution at Kyoto District Court for the reason of an offence against the Law for the maintenance of the public peace on June 7, 1940 (see a testimony of Kinichi, Sato the prosecutor of Kyoto District Court). Thereafter up until the end of the war he had been placed under close watches of the police.

II Recommended by the retired professor Man Oda of the Kyoto Imperial University, the appellant was employed as a "Shokutaku" by the Far Eastern Economy Inverstigation Bureau of South Manchuria Railway Co. in August 1940. Shumei Okawa the adviser to the said Bureau watched him closely and at the same time ordered the appellant to publish a nationalistic thesis. Had the appellant rejected the order he would immediately have to lose the job. He not only was in bad health after his right kidney had been extracted, but had to maintain his family including wife and three children. Under the circumstances prevailed at the time no one would employ such a person as him who was in the blacklist. The appellant therefore, overthrew the integrity, obeyed the Okawa's order and wrote fawning theses against his will to get means of living and also to get rid of police watches. The theses were collected and published titled "The thesis on Racial Politics of Southern Asia".

Ever since 1943, Okawa's oppression against the appellant became extremely severe and at last abused in the face of the appellant that he had plotted to seize the Bureau. The appellant finally resigned after a fierce dispute on that point against Okawa (the particulars of the incident is quite clear in Naomichi Sakamoto's tistimony).

III The book "The thesis on Racial Politics of Southern Asia" was published under unavoidable circumstances Mentioned above. The contents of the book are such as written in the appellant's Questionnaire. Some of these are fawning theses, however they are not his own originality but are quoted from the government's statements or newspaper reports. For instance, "History of Aggression in the Pacific" is neverthless titled improperly, a thorough investigation will find that it is an extracted trans-

lation and illustration of "Josē, Essai de Bibliographie du Pacific. 1931". In short, it will be improper to conclude, in view of the circumstances under which the work was done, that the appellant hadencouraged an aggressive principle and enphasized the superiority of the Japanese race.

IV The appellant had Cathorically baptized in 1922 (see a testimony of Rene Dossier) have maintained a liberalistic thought and is a man with that character. He also has few other works of investigations of the races and political systems in Southern states which are all academic studies.

Obvicusly the appellant, synthetically reviewed from his personal history, doings and thoughts, never be a militalist nor an ultra-nationalist. Accordingly the Board arrived at the decision as aforementioned.

K. Yoshida

Mr. Kenkichi Yoshida
Chief Secretary of the public office
Qualifications Appeal Board

File No. Appeal 50

Copy

REPORT ON EXAMINATION OF APPEAL

TO Public Service Qualifications Div. G. S., G. H. Q.

FROM Public Office Qualifications Appeal Board.

I. Appellant

1. Name in Full: NARAHASHI, Wataru

2. Present Position: Member of the Diet (resigned)

Position under Consideration: Member of the Diet

3. Designation by whom and when: Prime Minister
March 31, 1947

4. Matters applicable:

Provisions applicable: 3 of 7 in List No. 1

5. Date of Appeal filed: April 5, 1947

II. Appeal Board

1. Date of Reference to Board: April 7, 1947

2. Decision given by which Committee, and Commissioners:: 121st meeting
Miyagi and 6 commissioners

3. Date of Decision: decided by Sawada Committee Aug 27, 1947, finally approved by Miyagi committee May 10, 1948

4. Contents of Decision: Release

5. Number of Witnesses, Testimonies, Petitions, etc. : Witnesses 12
Testinonies 26

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THE REASON

The Prime Minister designated the Appellant as a person falling under the so-called Purge Directive on the ground that by associating himself as President of the Peking Hotel Company with the top leaders of the Japanese army in north China and engaging in political and economic activities through positive cooperation with the military, the Appellant utilized and supported the military aggression of the army abroad; and therefore, he falls under the 1947 Cabinet--Home Ministry Order No.1; Annex, Part 1, 7-iii. Contending that the above designation was wrong, the Appellant submitted the present appeal under the date of April 5, 1947.

This Board wrote to the Director General of the Cabinet Secretariate under the date of May 1 requesting him to "submit the evidence leading to the confirmation of the facts which served as the basis for the Prime Minister's designation of the Appellant as a person falling under the Purge Directive." The Director General of the Cabinet Secretariate replied under the date of January 4:

"Only the contents of the Appellant's own campaign letter distributed at the time of the 1942 General Election for the House of Representatives, and also of the statement in the Official Election Gazette for the same election, also written by himself - were recognized as facts. No other investigation was undertaken. However, we are sending as reference materials, a copy of a newspaper article from the Yomiuri-Hochi of