

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

**Description of contents**

- (1) Box no. 212
- (2) Folder title/number: (37)  
386.5: Contraband, Property Involved in War

(3) Date: Feb. 1950 - Oct. 1950

(4) Subject:

Classification	Type of record
032.2	m, n

(5) Item description and comment:

(6) Reproduction:  Yes  No

(7) Film no.

Sheet no.

(Compiled by *National Diet Library*)

JP  
/

RESTRICTED

386.5

CONTRABAND, PROPERTY

INVOLVED IN WAR

LINE

TO

LINE

RESTRICTED

GENERAL HEADQUARTERS, FAR EAST COMMAND  
ADJUTANT GENERAL'S OFFICE  
RADIO AND CABLE CENTER

# INCOMING MESSAGE

JA/rbo

UNCLASSIFIED  
ROUTINE

11 Oct 50

FROM : CG NORTHERN COMD  
TO : CINCPAC TOKYO JAPAN  
INFO : CG JLCOM YOKOJAMA JAPAN  
NR : NCFM 1027

61674

Rest auth to apb hd off to investigate deputy contraband prop-  
erty administrators acct this sta. Investigation to determine dis-  
position of contraband property confiscated UP SCAP Cir 23 1948 and  
vested on vesting order 71 D-3 dtd 23 Mar 50 by Dist Contraband  
Tribunal Apts Pursuant to LO 3-345 Hq Eighth Army dtd 10 Mar 50.  
Further to determine disposition of other contraband property  
confiscated under SCAP Cir 23 1948 and not vested:

NO SIG

ACTION : G-1 PSD

INFORMATION : COMMANDER IN CHIEF, CHIEF OF STAFF, G-2, AG,  
CIV PROP CUST, JUDGE ADVOCATE, LEGAL,

*awky*  
*2-22874*  
*28 Oct 50*  
*386.5*



61542

ROUTINE  
UNCLASSIFIED

TOO : 110725 Z  
MCN : AUA 80/11

*White-JA 26-6495*  
*Lt Col Lewis - 26-8427*

58 [redacted] 1 FILE COPY

5944

GENERAL HEADQUARTERS  
FAR EAST COMMAND

CHECK SHEET Maj Ross/nkp 26-6930

6/6/74

(Do not remove from attached sheets)

File No:

Subject: Request for Comments and Recommendations

Note No.

From: G-1

To: LS  
JA (in turn)

Date: 13 Oct 50

1

Request your comments and recommendations on the attached message from CG, Northern Command, requesting authority to appoint a Board of Officers for the purpose of investigating property accounts.

1 Incl  
a/s

*for Rpm*

W. A. B.

From: LS

To: G-1  
Thru: JA

Date: 16 Oct 50

1. LS does not deem it advisable to permit the CG Northern Command to appoint a board of officers to investigate the Deputy Contraband Property Administrator's account as requested.

2. Under the provision of SCAP Circular 23 dated 7 July 1948 the Provost Marshal, Far East Command, was designated the Contraband Property Administrator with the responsibility to perform any and all acts incident to the accomplishment or furtherance of the purposes of the Circular. The Deputy Administrators were appointed by GHQ SCAP and act as the Contraband Property Administrator's representative in the various commands.

3. Therefore, it is the opinion of LS that the investigation should be conducted by or on behalf of the Contraband Property Administrator.

1 Incl  
n/c

*aw*

A.C.C.

58

5944

**GENERAL HEADQUARTERS  
FAR EAST COMMAND**

**CHECK SHEET** Maj Ross/nkp 26-6930

6/6/74

(Do not remove from attached sheets)

File No: Subject: Request for Comments and Recommendations

Note No.

From: G-1

To: LS  
JA (in turn)

Date: 13 Oct 50

1

Request your comments and recommendations on the attached message from CG, Northern Command, requesting authority to appoint a Board of Officers for the purpose of investigating property accounts.

1 Incl  
a/s

*for Rom*  
----- W. A. B. -----

From: LS

To: G-1  
Thru: JA

Date: 16 Oct 50

1. LS does not deem it advisable to permit the CG Northern Command to appoint a board of officers to investigate the Deputy Contraband Property Administrator's account as requested.

2. Under the provision of SCAP Circular 23 dated 7 July 1948 the Provost Marshal, Far East Command, was designated the Contraband Property Administrator with the responsibility to perform any and all acts incident to the accomplishment or furtherance of the purposes of the Circular. The Deputy Administrators were appointed by GHQ SCAP and act as the Contraband Property Administrator's representative in the various commands.

3. Therefore, it is the opinion of LS that the investigation should be conducted by or on behalf of the Contraband Property Administrator.

1 Incl  
n/c

*aw*  
----- A.C.C. -----

58

**GENERAL HEADQUARTERS  
FAR EAST COMMAND**

**CHECK SHEET**

(Mr. Morrison,  
26-6812)

*6/16/74*

(Do not remove from attached sheets)

Request for Comments and Recommendations

File No:

Subject:

Note  
No.

From: JA

To: G-1

Date: 19 October 1950

3.

1. JA does not concur in the opinions expressed in paragraphs 1 and 3 of C/N of Legal Section.

2. It appears that the Commanding General, Northern Command, has requested authority to conduct investigations of two types (a) an investigation into the disposition of property confiscated (seized) by members of his command title to which has not been vested in SCAP, and (b) an investigation into the accounts of the Deputy Contraband Property Administrator appointed by SCAP.

3. The Commanding General, Northern Command, has inherent authority to conduct an investigation of the type mentioned in (a) above. However, (though the radio is addressed to CINCFE) since the investigation contemplated in (b) above is broader in scope than mere inquiry into the actions of a subordinate member of the United States forces, authority from SCAP would appear necessary.

4. While the Deputy Administrator is a representative of the Contraband Property Administrator (Provost Marshal, FEC), it is believed that, since the Commanding General, Northern Command, is on the ground, has officers available to conduct the investigation, and can in one investigation obtain information desired by him as a commander as well as that desired by SCAP, authority to conduct the investigation on behalf of SCAP should be granted.

1 Incl  
n/c

*CGA  
for*  
-----G.V.H.-----

From: G-1

To: PM  
IG (in turn)

Maj Ross/nkp 26-6930  
23 Oct 50

4

Request your comments and recommendations on the attached message from CG Northern Command requesting authority to appoint a Board of Officers for the purpose outlined.

1 Incl  
n/c

*for from*  
-----W. A. B.-----

*58*

**GENERAL HEADQUARTERS  
FAR EAST COMMAND**

**CHECK SHEET**

(Mr. Morrison,  
26-6812)

*6/16/74*

(Do not remove from attached sheets)

Request for Comments and Recommendations

File No:

Subject:

Note  
No.

From: JA

To: G-1

Date: 19 October 1950

3.

1. JA does not concur in the opinions expressed in paragraphs 1 and 3 of C/N of Legal Section.

2. It appears that the Commanding General, Northern Command, has requested authority to conduct investigations of two types (a) an investigation into the disposition of property confiscated (seized) by members of his command title to which has not been vested in SCAP, and (b) an investigation into the accounts of the Deputy Contraband Property Administrator appointed by SCAP.

3. The Commanding General, Northern Command, has inherent authority to conduct an investigation of the type mentioned in (a) above. However, (though the radio is addressed to CINCPAC) since the investigation contemplated in (b) above is broader in scope than mere inquiry into the actions of a subordinate member of the United States forces, authority from SCAP would appear necessary.

4. While the Deputy Administrator is a representative of the Contraband Property Administrator (Provost Marshal, FEC), it is believed that, since the Commanding General, Northern Command, is on the ground, has officers available to conduct the investigation, and can in one investigation obtain information desired by him as a commander as well as that desired by SCAP, authority to conduct the investigation on behalf of SCAP should be granted.

1 Incl  
n/c

*CGA  
JJA  
G.V.H.*

From: G-1

To: PM  
IG (in turn)

Maj Ross/nkp 26-6930  
23 Oct 50

4

Request your comments and recommendations on the attached message from CG Northern Command requesting authority to appoint a Board of Officers for the purpose outlined.

1 Incl  
n/c

*for  
W. A. B.*

*58A*

**GENERAL HEADQUARTERS  
FAR EAST COMMAND**

**CHECK SHEET** Lt O'Brien 26-8427

(Do not remove from attached sheets)

*W/1074*

File No: \_\_\_\_\_ Subject: Request for Comments and Recommendations

Note No. From: PM To: G-1 Date: 26 October 1950  
Thru: IG

- 5 1. PM concurs with paragraph 3, C/N 3. No objection is interposed to request of CG Northern Command.
- 2. It is requested that a copy of the results of any investigation made be forwarded to PM when completed.

1 Incl  
n/c

*R.T.C.*  
*fa* R. T. C.

From: IG To: G1 Col. Martin 26-6005  
Date: 27 October 1950

- 6. 1. From an Inspector General point of view, it is desirable that investigation be made:
  - a. Into the disposition of property seized by military personnel the title to which has not been vested in SCAP, and
  - b. Into the accounts of the District Deputy Contraband Property Administrator.

It is also believed that a single report covering both phases would be more suitable than two separate reports of investigation.

- 2. It is recommended that the Commanding General, Northern Command, be directed by SCAP to appoint a board of officers to investigate the circumstances attendant to a and b above.

1 Incl  
n/c

*D.D.M.*  
D. D. M.

*58*



386.5

Maj Ross/nkp 26-6930

6/16/74

Request for Comments and Recommendations

G-1

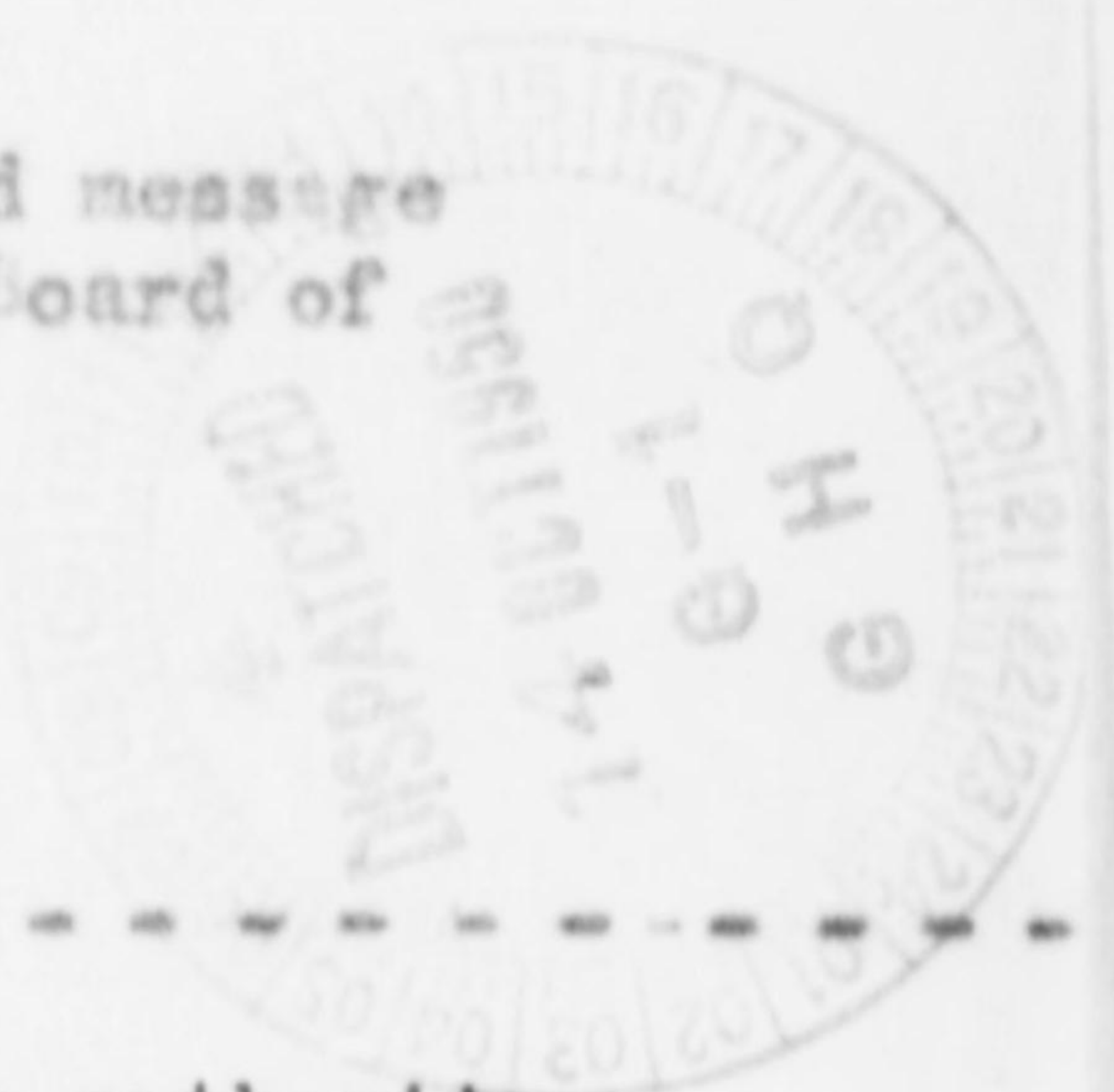
LS  
JA (in turn)

13 Oct 50

1

Request your comments and recommendations on the attached message from CG, Northern Command, requesting authority to appoint a Board of Officers for the purpose of investigating property accounts.

1 Incl  
a/s



----- W. A. B. -----

*N.F.*  
M/R: L. Msg NCPM 1027, 11 Oct 50, from CG Northern Comd requests authority to appoint a Board of Officers to investigate Deputy contraband property administrators accounts that station.

2. Necessary to obtain views of interested staff sections prior to finalizing action.

G-1  
R  
FPO

58

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

*G-1*  
*386.5*

AG 386.5 (22 Oct 50)JA

22 October 1950

SUBJECT: Supreme Contraband Property Disposal Tribunal

TO: See Distribution

1. Under the provisions of Circular 23, General Headquarters, Supreme Commander for the Allied Powers, 7 July 1948, a Supreme Contraband Property Disposal Tribunal is appointed to meet at the call of the president thereof for the purpose of determining judicially all appeals from the decisions of District Contraband Tribunals.

DETAIL FOR THE TRIBUNAL

COL DONALD T NELSON O7605 FD, President  
MR JOHN W CANNEY DAC LS, Member  
MR ALLAN R MORRISON DAC JA, Member

2. All pending cases now before the Supreme Contraband Property Disposal Tribunal appointed by letter, General Headquarters, Supreme Commander for the Allied Powers, AG 386.5 (17 Feb 50)JA, subject as above, 20 February 1950, as amended by letters, General Headquarters, Supreme Commander for the Allied Powers, same subject, dated 27 February 1950 and 9 June 1950, will be determined by the Supreme Contraband Property Disposal Tribunal herein appointed.

BY COMMAND OF GENERAL MacARTHUR:

*K. B. Bush*  
K. B. BUSH #  
Brigadier General, USA  
Adjutant General

## DISTRIBUTION

Individuals concerned (3)  
PM (1)  
G-1 (1)  
JA (1)  
ACFJ (1)  
CG Hq & Sv Cmd (1)  
CPS (2)  
AG-PO (1)  
AG-OX (2)  
COM/FD (1)  
FD (1)  
LS (1)

*258A*

WFO 386.5

Colonel Hickman  
26-6780

Appointment of Supreme Contraband Property  
Disposal Tribunal.

JA

Thru: AG  
Col Nelson, ACJ ) for  
G-1 ) concurrence

19 October 1950

1. Request that new orders be issued appointing a Supreme Contraband Property Disposal Tribunal.

2. The present Supreme Tribunal was appointed by Letter Order dated 20 February 1950, which has been amended twice by deletion and substitution. Lieutenant Colonel Hiram B. White, O-41849, JAGC, a member of the Tribunal, is being transferred to 3rd Infantry Division and it is necessary that he be replaced by another member. Mr. Allan R. Morrison, DAC, a civilian attorney of this section, is available as the Judge Advocate representative on the Tribunal to replace Lieutenant Colonel White. This appointment has been coordinated with Colonel Nelson, the President of the Tribunal.

3. For reasons of clarity, and in agreement with the practice in effect concerning the appointment of general courts-martial which limits amendatory orders to two amendments, it is recommended that a complete new order be published, detailing the members and setting forth that all cases in the hands of the Tribunal as presently constituted which have not been disposed of shall be determined by the Tribunal appointed under the present orders. Former Letter Orders relative to the appointment of members of the Tribunal should not be rescinded since such action would cast doubt upon the legality of determinations made by them.

4. A draft of proposed orders is attached.

5. Concurrences:

Col Nelson \_\_\_\_\_

G-1 \_\_\_\_\_

1 Incl  
Draft Orders

G.W.H.

G-1

GWH/vmh

587A

DRAFT

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

AG 386.5 ( )

Date:

SUBJECT: Supreme Contraband Property Disposal Tribunal

TO: See distribution

1. Under the provisions of Circular 23, General Headquarters, Supreme Commander for the Allied Powers, 7 July 1948, a Supreme Contraband Property Disposal Tribunal is appointed to meet at the call of the president thereof for the purpose of determining judicially all appeals from the decisions of District Contraband Tribunals.

DETAIL FOR THE TRIBUNAL

COL DONALD T NELSON O7605 FD, President

MR JOHN W CANNEY DAC LS, Member

MR ALLAN R MORRISON DAC JA, Member

2. All pending cases now before the Supreme Contraband Property Disposal Tribunal appointed by letter, General Headquarters, Supreme Commander for the Allied Powers, AG 386.5 (17 Feb 50)JA, subject as above, 20 February 1950, as amended by letters, General Headquarters, Supreme Commander for the Allied Powers, same subject, dated 27 February 1950 and 9 June 1950, will be determined by the Supreme Contraband Property Disposal Tribunal herein appointed.

BY COMMAND OF GENERAL MacARTHUR:

2508

DRAFT

AG 386.5 ( )  
Subj: Supreme Contraband Property Disposal Tribunal,

DISTRIBUTION

- Individuals concerned (3)
- PM (1)
- G-1 (1)
- JA (1)
- ACFJ (1)
- CG Hq & Sv Cmd (1)
- CPS (2)
- AG-FO (1)
- AG-OX (2)
- COM/FD (1)
- FD (1)
- LS (1)

58

386.5

(Mr. Morrison,  
26-6812)

61074

Request for Comments and Recommendations

JA

G-1

19 October 1950

3. 1. JA does not concur in the opinions expressed in paragraphs 1 and 3 of C/N of Legal Section.

2. It appears that the Commanding General, Northern Command, has requested authority to conduct investigations of two types (a) an investigation into the disposition of property confiscated (seized) by members of his command title to which has not been vested in SCAP, and (b) an investigation into the accounts of the Deputy Contraband Property Administrator appointed by SCAP.

3. The Commanding General, Northern Command, has inherent authority to conduct an investigation of the type mentioned in (a) above. However, (though the radio is addressed to CINCPAC) since the investigation contemplated in (b) above is broader in scope than mere inquiry into the actions of a subordinate member of the United States forces, authority from SCAP would appear necessary.

4. While the Deputy Administrator is a representative of the Contraband Property Administrator (Provost Marshal, FEC), it is believed that, since the Commanding General, Northern Command, is on the ground, has officers available to conduct the investigation, and can in one investigation obtain information desired by him as a commander as well as that desired by SCAP, authority to conduct the investigation on behalf of SCAP should be granted.

G-1  
by  
RPR

1 Incl  
n/c

-----G.W.H.-----

From: G-1

To: PM  
IG (in turn)

Maj Ross/nkp 26-6930  
23 Oct 50

4 Request your comments and recommendations on the attached message from CG Northern Command requesting authority to appoint a Board of Officers for the purpose outlined.

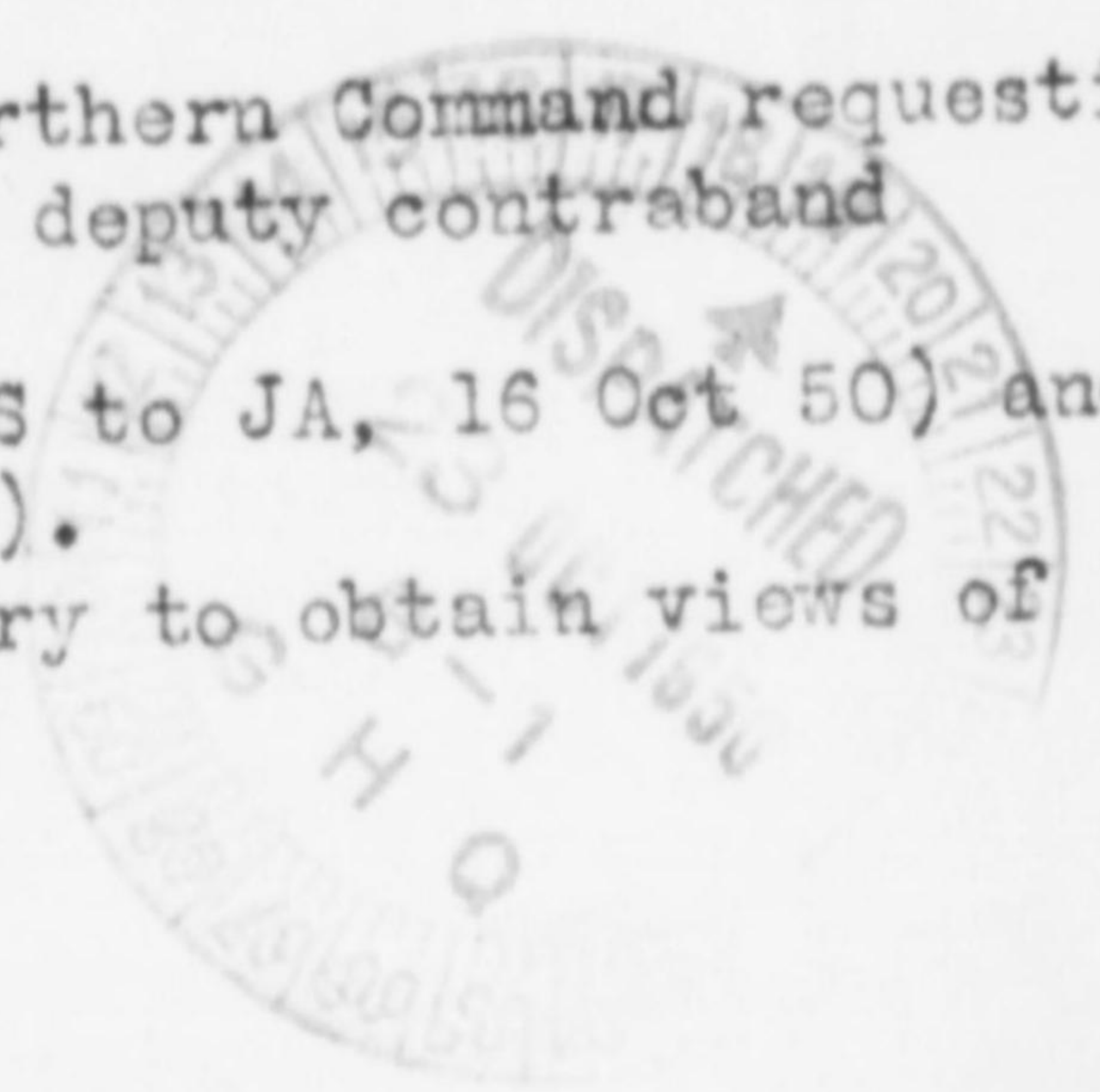
1 Incl  
n/c

-----W. A. B.-----

M/R: 1. Basic is msg NCPM 1027, 11 Oct 50, from CG Northern Command requesting authority to appoint a Board of Officers to investigate deputy contraband property administrators account.

2. LS recommends that auth not be granted (C/N LS to JA, 16 Oct 50) and JA recommends auth be granted (C/N JA to G-1, 19 Oct 50).

3. In view of variance in opinion, it is necessary to obtain views of PM and IG prior to finalizing action.



58

775009

GENERAL HEADQUARTERS  
FAR EAST COMMAND

386.5

OUTGOING MESSAGE

GA CFAD HJR/nkp

UNCLASSIFIED

28 October 1950

11674

280757

FROM: CINC FE TOKYO JAPAN  
TO : CG NORTHERN COMMAND SAPPORO JAPAN . . . . . ROUTINE  
INFO: CG JLCOM YOKOHAMA JAPAN . . . . . ROUTINE (COURIER)

222874

URMSG NCPM ONE XERO TWO SEVEN PD AUTH GRANTED  
APPOINT BOARD OF OFFICERS FOR PURPOSE STATED PD DESIRE THAT COPY  
INVESTIGATION BE FWD UPON COMPLETION

OFFICIAL:

APPROVED BY:

K. B. BUSH  
Brigadier General, USA  
Adjutant General

*W.A.B.*  
W. A. BEIDERLINDEN  
Major General, GSC  
Asst Chief of Staff, G-1

Copies to: M/R: L. Basic ~~ka~~ msg NCPM 1027 . . . received fm CG  
CINC Northern Command requesting auth to appoint a board of  
C/S officers to investigate the contraband property adminis-  
G-2 trators acct of that station, to determine disposition  
G-2 CIS of contraband property confiscated under SCAP Cir 23 and  
AG vested by the Dist Contraband Tribunal, and to determine  
CIV PROP CUST the disposition of confiscated property which has not been  
JA vested.  
LS

2. a. LS by C/N 2 does not deem it advisable to  
authorize the appointment of a board of officers for the  
above purpose because under the prov of SCAP Cir 23, the PM, FEC, was  
designated Property Administrator with the responsibility to perform act:  
incident to the accomplishment or furtherance of the cir. It is the  
opinion of LS that the investigation should be conducted by or on behalf  
of the Contraband Property Administrator.

b. JA by C/N 3 does not concur in the opinion of LS on the  
grounds that CG Northern Command has inherent auth to conduct an investi-  
gation into the disposition of property confiscated by members of his  
command, the title to which has not been vested in SCAP. JA agrees  
that the investigation into the accts of the Deputy Contraband Property  
Administrator appointed by SCAP would require SCAP auth.

UNCLASSIFIED

58

From: CINCFE To: CG NORTHERN COMD Info: CG JLCOM GA CFAD 28 Oct 50

M/R (Cont'd) c. The PM by C/N 5 concurs with the views expressed by JA and interposes no objection to the rqst fm CG Northern Command.

d. The IG in preceding C/N states that it is desirable that an investigation be made and recommends that CG Northern Command be directed to appoint a board of officers to investigate the disposition of property seized by military personnel, the title to which has not been vested in SCAP, and the accounts of the Dist Deputy Contraband Property Administrator.

3. In view of the comments of the PM, IG and JA, it is felt that CG Northern Command should be authorized to appoint a board of officers for the purpose stated.

Maj Ross/nkp 26-6930  
GA CFAD

UNCLASSIFIED



386.5

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

AG 386.5 (17 Feb 50)JA

27 February 1950

SUBJECT: Supreme Contraband Property Disposal Tribunal

TO: See distribution

The following changes are made in the composition of the Supreme Contraband Property Disposal Tribunal appointed by Letter Orders, AG 386.5 (17 Feb 50)JA, subject same as above, dated 20 February 1950:

RELIEVED: COL RUDOLPH W NUSS, O2C981 FD, Member

DETAILED: MR. JOHN W CANNEY, D&C, LS, Member

BY COMMAND OF GENERAL MacARTHUR

FILED 0930 MAR 1 1950 AG - 500

*K B Bush*

K. B. BUSH  
Brigadier General, USA  
Adjutant General

DISTRIBUTION

- Individuals concerned (3)
- PM (1)
- G-1 (1) ✓
- JA (1)
- ACFJ (1)
- CG, Hq & Sv Gp (1)
- CPS (2)
- AGPO (1)
- AG-OX (2)
- COM/FD (1)
- LS (1)

386.5

GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
APO 500

AG 386.5 (17 Feb 50)JA

20 February 1950

SUBJECT: Supreme Contraband Property Disposal Tribunal

TO: See distribution

1. Under the provisions of Circular 23, General Headquarters, Supreme Commander for the Allied Powers, 7 July 1948, a Supreme Contraband Property Disposal Tribunal is appointed to meet at the call of the president thereof for the purpose of determining judicially all appeals from the decisions of District Contraband Tribunals.

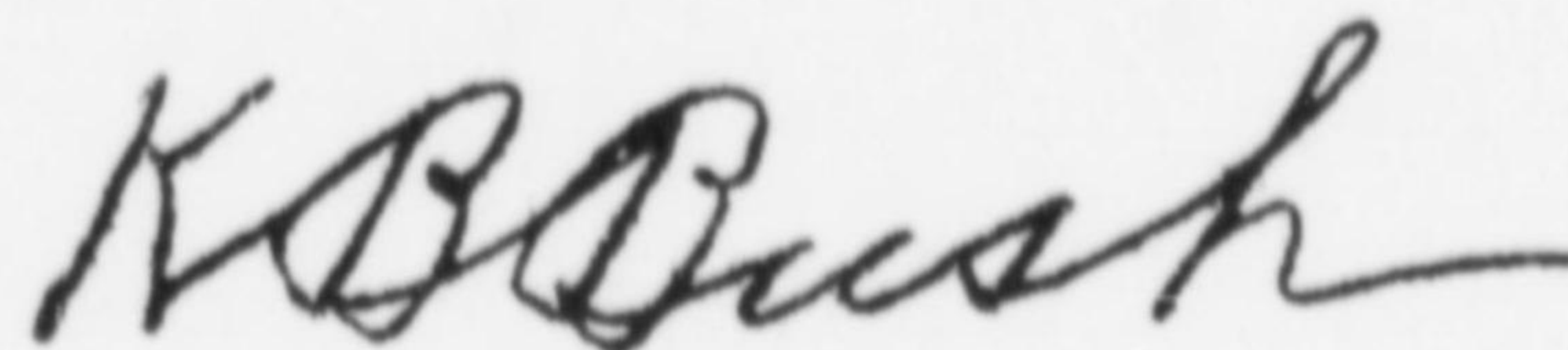
DETAIL FOR THE TRIBUNAL

COL THOMAS G DOBYNS 04789 CAV, President  
COL RUDOLPH W BUSS 028981 FD, Member  
LT COL HIRAM B WHITE 041849, JAGC, Member

G-1

2. All pending cases now before the Supreme Contraband Property Disposal Tribunal appointed by letter, General Headquarters, Supreme Commander for the Allied Powers, AG 386.5 (29 Jul 48)GA, subject as above, 29 July 1948, as amended by letters, General Headquarters, Supreme Commander for the Allied Powers, same subject, dated 27 May 1949 and 11 August 1949, will be determined by the Supreme Contraband Property Disposal Tribunal herein appointed.

BY COMMAND OF GENERAL MacARTHUR:



K. B. BUSH  
Brigadier General, USA  
Adjutant General

## DISTRIBUTION

Individuals concerned (3)

PM (1)

G-1 (1)

JA (1)

ACFJ (1)

CG Hq Sv Gp (1)

CPS (2)

AGPO (1)

AG-OX (2)

COM/FD (1)