

775013

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- (3) Date: Mar. 1949 - June 1949

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775013

HEADQUARTERS  
OSAKA MILITARY GOVERNMENT TEAM  
APO 25

JE/sk  
3 June 1949

SUBJECT: Request for Review of Japanese Sentence  
THRU : Kinki Liaison and Coordination Office, Osaka  
TO : President, Osaka High Court  
Osaka, Japan

1. The request for clemency filed by Teshoku Hirayama, a Korean National, now in confinement in Osaka Prison has been denied by the Commanding General, Eighth Army. This Headquarters has been informed that it is the opinion of the reviewing authority that the investigation shows no grounds, under the provisions of Eighth Army Operational Directive No. 27, dated 8 March 1946, for setting aside or changing in any way the verdict of the Japanese Court. The verdict will stand as rendered.

2. You will notify Hirayama of the denial of his petition.

FRANK KOWALSKI JR.  
Colonel, Infantry  
Commanding

2 Incls  
n/e



6/15/49  
mt

6025

Kinki MG

775013

HEADQUARTERS  
KUMAMOTO MILITARY GOVERNMENT TEAM  
KUMAMOTO, KYUSHU, JAPAN

JPB/tk

APC 24 Unit 1  
24 May 1949

c 14.5  
SUBJECT: Transfer of Provost Court Prisoner

TO: Commanding Officer, Headquarters Hyogo Military Government  
Team, APO 317

1. This team has received request from several influential sources soliciting our efforts in behalf of securing a transfer in confinement of Mamoru Nishiyo, Nisei, recently sentenced for a period of one year in Provost Court, Kobe, Japan.
2. Nishiyo suffers from pleurisy and his family is very anxious to have him transferred to Kumamoto prison where they could occasionally visit him and provide any medication needed for treatment.
3. The family of Mamoru Nishiyo is willing to defray any expense incurred in connection with the proposed transfer.
4. Nishiyo is well thought of by members of the Occupation Forces and American missionaries and all agree that rehabilitation would be materially expedited in the local prison.
5. This office will appreciate any efforts on your part to make this transfer possible.

/s/ F. C. Seitz  
FRANK C. SEITZ  
Lt Col Inf  
Commanding

775013

BASIC: Ltr, Hqs Kumamoto Mil Govt Team, APO 24 Unit 1, dated  
24 May 49, subj: "Transfer of Provost Court Prisoner".

1st Ind

Hyogo Mil Govt Team, APO 317, 31 May 1949

TO: Commanding Officer, Kobe Base, APO 317, Attn: Provost Court

Forwarded as a matter pertaining to your command.

FOR THE COMMANDING OFFICER:

/s/ Louis C. Hutton  
Major Cavalry  
Executive Officer

AG 014.5

2nd Ind

Headquarters Kobe Base, APO 317

7 June 1949

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

THRU: Commanding Officer, Hyogo Military Government Team, APO 317

1. The attached request for change in place of confinement as pertains to Provost Court Prisoner Mamoru Nishijo is forwarded for your recommendation. It is believed that the concurrence of the officer exercising general court-martial jurisdiction over the region in question should also be obtained.

2. Subject prisoner was convicted on 13 May 1949 by a Special Provost Court appointed by this headquarters for making false statements in a matter of official concern to the American Consul in an endeavor to gain re-entry into the United States. The sentence as approved on 16 May 1949 provided for confinement at hard labor for a period of one year.

FOR THE COMMANDING OFFICER:

/s/ John Mocnik, Jr.  
JOHN MOCNIK, JR  
Major AGD  
Asst Adj Gen

775013

BASIC: Hqs Kumamoto Mil Govt Team, APO 24 Unit 1, dated 24 May 49  
Subj: "Transfer of Provost Court Prisoner".

250.53 3rd Ind

Hyogo Military Government Team, APO 317, 8 June 1949

TO: Commanding Officer, Kyushu Military Govt Region, APO 24, Unit 5  
Forwarded.

FOR THE COMMANDING OFFICER:

WALTER KIMBALL  
Major, Infantry  
Adjutant

015

4th Ind

RFS/km

Hq Kinki Mil Govt Region, APO 25, 11 June 1949

TO: CG, I Corps, APO 301

Attention invited to preceding correspondence.

FOR THE COMMANDING OFFICER:

- 3 Incls:
1. Rpt on illness
  2. Addtnl Rpt
  3. Ltr

GEORGE MINARIK  
Captain CE  
Adjutant

*File*

*PM*

*KM*

775013

HYOGO MILITARY GOVERNMENT TEAM  
APO 317

GKC/ha

014.5

9 May 1949

**SUBJECT:** Petitions for Clemency**THRU :** Commanding Officer  
Kinki Military Government Region  
APO 25**TO :** Commanding General  
Eighth Army  
APO 343  
**ATTN:** Staff Judge Advocate

1. The attached petitions for clemency pertain generally to all Korean prisoners convicted and sentenced in June and July 1948 in connection with the Korean School Riots occurring 24 April 1948 in Kobe, Honshu, Japan. Seven prisoners tried by a military commission appointed by the Commanding General, Eighth Army, received sentences ranging from 10 years confinement to 15 years confinement. Nine prisoners tried by a Provost Court appointed by the Commanding General, Kobe Base, received sentences ranging from 3 months confinement to 4 years 9 months. Of these nine Provost Court prisoners, five are still in confinement serving sentence.

2. Careful consideration having been given to this petition in view of the orderly demonstration and parades sponsored by the Koreans both on 24 April & 1 May, recommend the following:

a. As to sentences given by Provost Court:  $\frac{1}{2}$  of the confinement to be suspended, and each individual placed on parole.

b. As to sentences given by Military Commission: same.

3. It is thought that any suspension of sentences would tend toward a better understanding with the Koreans in any future dealings with them.

**Incl:**  
Petitions for ClemencyG. K. CROCKETT  
Col. Infantry  
Commanding

775013

BASIC: Ltr, Hyogo Mil Govt Team, subj: "Petition for Clemency"  
dtd 9 May 49

000.5

1st Ind

RFS/km

Hq Kinki Mil Govt Region, APO 25, 13 May 49

TO: CG, I Corps, APO 301

1. Attention invited to basic letter and petition of Koreans sentenced to confinement as a result of the Kobe-Osaka Korean incidents in April 1948. Since the time the Koreans were found guilty and sentenced to prison terms, the Korean associations in this area have kept up a steady stream of petitions to this and other occupation forces headquarters.

2. Concur with paragraphs 2 and 3 of basic letter.

FOR THE COMMANDING OFFICER:

2 Incls:  
n/c

GEORGE MINARIK  
Captain CE  
Adjutant

KH

AG 014 - 0

2nd Ind.

HEADQUARTERS I CORPS, APO 301, May 21 1949

TO: Commanding General, Eighth Army, APO 343

1. Forwarded for such consideration as may be deemed appropriate by your headquarters.

2. Attention is invited to letter, Headquarters Kobe Base, AG 383, dated 3 May 1949, subject: "Petitions for Clemency", forwarded by 1st Indorsement, this headquarters, dated 7 May 1949, which involves an identical petition on behalf of the same persons.

FOR THE COMMANDING GENERAL:

2 Incls:  
n/c

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



775013

AGYO 250.53 3rd Ind  
(9 May 1949)  
SUBJECT: Petitions for Clemency

Hq Eighth Army, APO 343

13 June 1949

THRU: Commanding General, I Corps, APO 301

TO: Commanding Officer, Hyogo Military Government Team, APO 317

1. Petitions for clemency on behalf of five (5) prisoners convicted by provost court, referred to in paragraph 1, basic communication, should be forwarded to the appointing authority designated in paragraph 51c, Circular No. 8, GHQ, SCAP, 31 March 1949, subject: "Military Occupation Courts," for appropriate action. If designated appointing authority is other than Commanding Officer, Kobe Base, the appointing authority of the provost court which sentenced these prisoners, petitions should be forwarded through him so that any recommendations by him may be included with petitions.

2. Clemency on behalf of the seven (7) persons sentenced by a military commission, referred to in paragraph 1, basic communication, will be considered by this headquarters at a time deemed appropriate. In view of the fact that the offenses committed by these prisoners were aggravated by an assault upon the persons of occupational personnel, which is never alluded to and for which regret is never expressed in the petitions, clemency for these prisoners is not favorably considered at this time.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

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

AG 014 - 0

4th Ind.

HEADQUARTERS I CORPS, APO 301

June 17 1949

TO: Commanding Officer, Kinki Military Government Region, APO 25

2 Incls:  
n/c

C. R.

775013

FOR FILE

BASIC: Ltr, Hyogo Mil Govt Team, subj: "Petitions for Clemency",  
dtd 9 May 49

000.5

5th Ind

RFS/km

Hq Kinki Mil Govt Region, APO 25, 20 June 1949

TO: CO, Hyogo Mil Govt Team, APO 317

Incls:  
n/c

G. M.

*File*  
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HEADQUARTERS  
KINKI MIL GOVT REGION  
APO 25 (Osaka, Honshu)

RFS/1cm

9 March 1949

*Jeli*  
*13*

014.5

SUBJECT: Petition for Prisoners Confined  
by Order of Provost Court

TO: Commanding General  
25th Infantry Division  
APO 25

The attached petition of Tei Shintaku, President of the League of Koreans Residing in Japan, Osaka District, in behalf of persons confined by Provost Court action, is forwarded as a matter pertaining to your command.

FOR THE COMMANDING OFFICER:

1 Incl:  
Petition

GEORGE MINARIK  
Capt., GE  
Adjutant

*MB*

*KH*