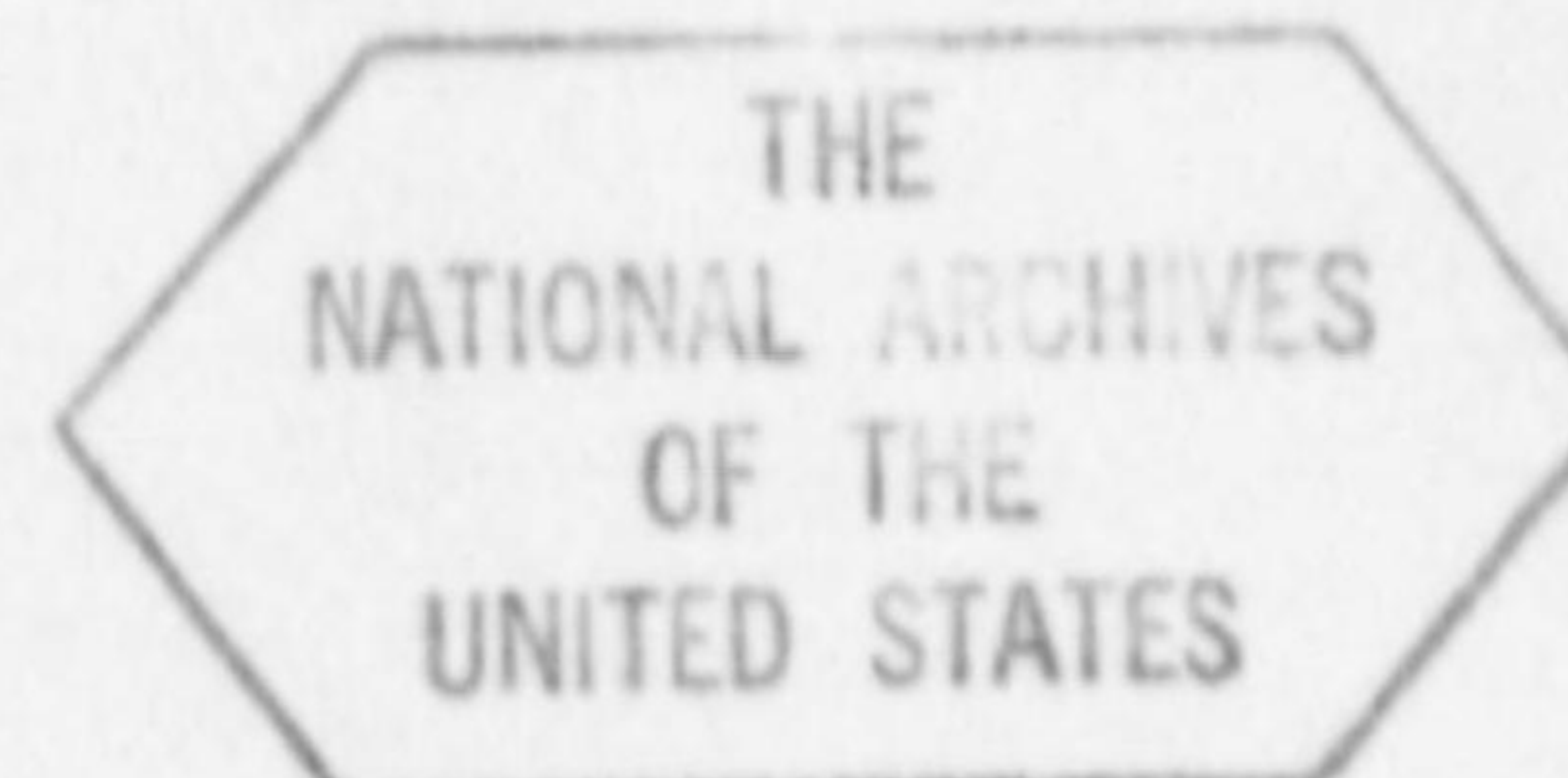


GHQ/SCAP Records(RG 331)
Description of contents



- (1) Box no. 2332
- (2) Folder title/number: (4)
S.O.P. File 1950
- (3) Date: Feb. 1949 - Mar. 1950

(4) Subject:

| Classification | Type of record |
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| 140, 400 | e |

(5) Item description and comment:

(6) Reproduction: Yes No

(7) Film no.

Sheet no.

HEADQUARTERS EIGHTH ARMY
Civil Affairs Section
APO 343

SOP Files

15 July 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Japanese Trap Shooting Clubs.

The current paper received from I Corps regarding the formation of the International Hunting Club in Kyoto was discussed with Col. Schenk, Natural Resources. Col. Schenk stated that he had discussed the matter with Col. Pulliam, Public Safety Division, and that Col. Pulliam was now inclined to recommend a relaxation of the prohibition against trap shooting by the Japanese. Col. Schenk requested that the paper be forwarded in accordance with our telephone conversation.

The matter of the OD now being prepared by G-4, Major Johnson, was discussed with Major Johnson and he agreed to hold the OD for about a week. If at that time he has not heard from this section he will process the OD and agrees to my recommendation that any reference to trap shooting be deleted from the OD.

H. L. WATTS
Col, FA
Executive

Trap Shooting

HYOGO MILITARY GOVERNMENT TEAM
APO 317

CJN/yh

23 June 1949

SUBJECT: Personnel Authorized Military Payment Certificate

TO: Commanding General
Eighth Army
APO 343

1. Request answers to the following questions concerning the interpretation of par. 3, Cir. 19, GHQ, FEC, dtd 19 March 1949:

a. Are merchant seamen of vessels other than Army or Navy transports, authorized to utilize Military Payment Certificates?

b. Is each individual concerned, as outlined in par. 3a (7) required to have specific authorization, or will blanket authorizations be made to organizations or business concerns?

2. The only United States Army facilities in the Kobe area which crewmembers have access to are:

1. Army Post Office
2. 8th Station Hospital

3. It is felt that in order to better control the black-market activities of crew members of vessels while in the Port of Kobe, the following policy should be inaugurated:

a. United States crew members wishing to purchase Post Office Money Orders, should do so through the shipping company's local agent.

b. Payment for medical services provided crew-members by the U.S. Army should be made through the local agent for the shipping company.

FOR THE COMMANDING OFFICER:

WALTER KIMBALL
Major Infantry
Adjutant

Personal Authorized
Mil. Payment Certificate

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED FORCES
Civil Affairs Section
APO 500

SOP File
All papers to be
forwarded to
this headquarters

OIA.39 ()CAS-1

SUBJECT: Petitions on Behalf of Persons Held on an Order of Deportation

Bude for
PORTER/ls

TO: Chief, Chugoku Civil Affairs Region, APO 248
Chief, Hokkaido Civil Affairs Region, APO 7-5
Chief, Kanto Civil Affairs Region, APO 500
Chief, Kinki Civil Affairs Region, APO 25
Chief, Kyushu Civil Affairs Region, APO 24-5
Chief, Shikoku Civil Affairs Region, APO 1050
Chief, Tohoku Civil Affairs Region, APO 309
Chief, Tokai-Hokuriku Civil Affairs Region, APO 710

AFB
AIB
LEG. & GOV'T FILE

1. When a Civil Affairs Region receives, on behalf of a person subject to Japanese criminal jurisdiction and held under a deportation order, a petition requesting SCAP's permission to remain in Japan, the following procedure will apply:

a. The Japanese National Rural Police will be notified immediately that the petition has been received and that the person petitioned for will not be deported until final decision on the petition has been made. The police will be given pertinent data on the person named in the petition including name, age, sex, and last known place of detention.

b. The facts stated in the petition will be transmitted to the appropriate Japanese authorities for verification. The Japanese authorities will be requested to investigate and submit a report on the character and the financial status of the petitioner with a view to determining whether or not the person petitioned for will become a public charge.

c. On the basis of the findings of the above investigation, the Civil Affairs Region will make a recommendation to this headquarters as to whether or not the person petitioned for should be allowed to remain in Japan.

2. This headquarters will notify the appropriate Civil Affairs Region of the final action taken on the petition. No further action will be taken by the Civil Affairs Region except that the petitioner may be informed of the action taken in the event a request is made for such information.

A-215
6 MAR 1950

014.39 (

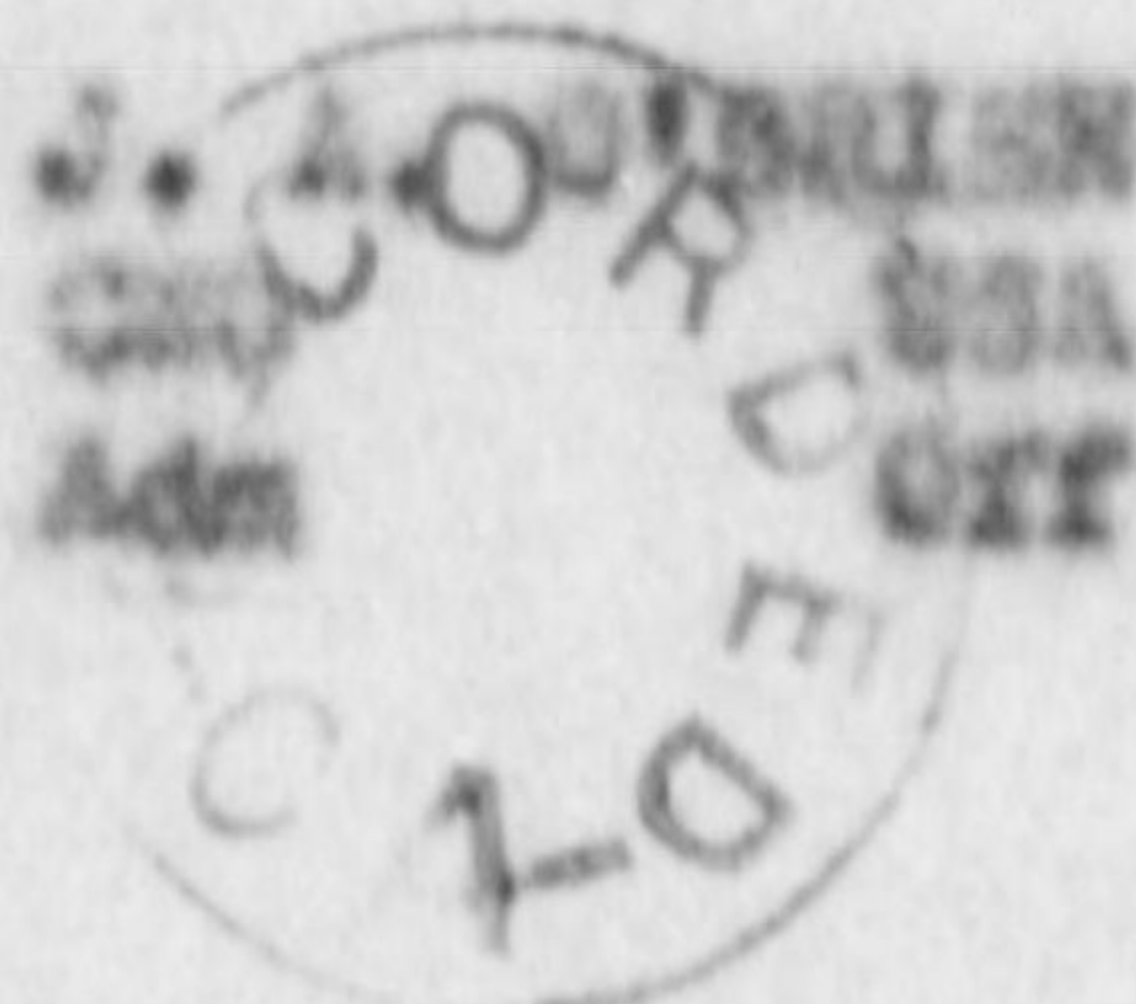
1945-1

Subj: Petitions on Behalf of Persons Held on an Order of Deportation

3. The Japanese Government will be informed by this headquarters of the decision on the petition made by the Supreme Commander of the Allied Powers.

4. A petition on behalf of a person not subject to Japanese criminal jurisdiction will not be accepted by the Civil Affairs Section. The petitioner will be informed that the petition should be submitted to the appropriate Foreign Mission in Japan.

FOR THE CHIEF, CIVIL AFFAIRS SECTION:



GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
APO 500

312.1 (17 Feb 50)CLS-4

17 February 1950

SUBJECT: Handling of Classified Material

TO: All Divisions
Civil Affairs Section
GHQ, SCAP

1. The following security measures within this Section will be adhered to by all concerned.

a. Top Secret matter is hand carried by a top secret control officer, AG Section, to one of the two designated top secret control officers, Civil Affairs Section. The top secret control officer who receives the matter will log it in and hand carry it, without delay, to one of the following, designated in order of priority, Chief of Section, Deputy Chief of Section, Executive Officer. In case the top secret matter is addressed by name on the inner envelope to a particular individual, it will be delivered unopened to such addressee. Persons receiving top secret matter will receipt for it to the top secret control officer who makes delivery. Upon completion of the necessary action or for safekeeping, top secret matter will be returned to one of the top secret control officers. The latter will either hand carry the matter back to the AG top secret control officer or secure it in the Administrative Officer's safe until final disposition can be made.

b. Secret and confidential material is transmitted by courier from the AG Mail and Distribution Section, GHQ, SCAP. Papers received by the Civil Affairs Section will be handled directly by the chief clerk in the Administration Office. Before acknowledging receipt of classified matter, it will be checked against the delivery list to insure that all matter listed, including inclosures and attachments, are physically present. Each piece of correspondence will be logged in with a classified number in the appropriate log, according to classification. The chief clerk will make the intra-office disposition sheet based on subject matter. This material will be hand carried by a courier from the Administration Division to the division concerned where it will be receipted for by an authorized representative designated by the division chief. While the classified material is physically located in a division, the branch chief concerned will be responsible for its security. It is the responsibility of the branch chief that classified material be returned to the chief clerk in

MAKING OF CLASSIFIED MATERIAL

AG 312.1 (17 Feb 50)CAS-A

SUBJECT: Handling of Classified Material, 17 February 1950

the Administration Office at 1130 hours and 1630 hours, for safekeeping during off-duty hours. Upon completion of action, classified material will be hand carried to the chief clerk, Administration Division and receipted for. Classified material will be dispatched from the Civil Affairs Section in the same manner as it is received.

c. Permanently filed classified documents will be held in a locked safe or locked file cabinet by the Administrative Officer:

FOR THE CHIEF, CIVIL AFFAIRS SECTION:

J. A. O'Brien
J. A. O'BRIEN
CWO, USA
Adm Off

17 February 1950.

I have read the above memorandum and understand the same.

Howard W. Foster

Alice R. Burke

Lucia Smith

S 301

Relations between CA and
Regions and Foreign Missions

Mr. Warner
26-8471

DS

CA

11 February 1950

1

1. Reference conference between Mr. Porter (CA) and Mr. Warner and Mr. Hawley (DS) regarding Staff Memo No. 6, dtd 31 Jan 50, subj: "Official Relations and contacts with Foreign Missions" which in effect transferred G-2/FL functions, except military, to DS, and check note 1 of 9 Jan 50 from C/S to DS, subj: "Relations between SCAP Sections and CA Organizations", and in particular the effect of Par 4 of Staff Memo No. 6 on contact of CA and its field units with foreign mission members.

2. Par 4 of Staff Memo No. 6 stipulates in part that "no representative of a foreign mission will be received in a staff section of GHQ, SCAP, unless prior arrangements have been made by the Diplomatic Section." The same stipulation existed in previous staff memos on subject, such as No. 20 of 28 May 1948.

3. MG and CA Regional Teams under Eighth Army had some contact with mission members on matters of administrative and routine nature and performed a valuable function in handling such matters in the field. Such services were performed on basis of understanding with DS as outlined in 3rd indorsement of 26 November 49, in Eighth Army letter of 3 November 49 to Kinki CA Region, file 091, subject: "Relations Between Civil Affairs Regions and Diplomatic Missions in Japan."

4. Now that CA has been made a staff section of GHQ it is understood that CA and its regions are willing to continue to handle such problems of a local nature concerning mission members, which do not involve policy matters, provided "prior arrangements" are made by DS.

5. DS would appreciate continued cooperation of CA in handling such problems and CA may consider that it has made "prior arrangements" with DS necessary to enable CA and its Regions to continue to handle administrative and routine requests of foreign mission members in the same manner in which this valued service has hitherto been performed by CA and its field units.

C.K.H.

Procedure for Release
of MIA/ Exhumation

1/3

AG 014.39 (13 Oct 49)CAS-L

Permission to Remain in
Japan

Alice R. Burke
26-5876

Civil Affairs

THRU: G-2

TO: G-1

Attn: Civil and Foreign Affairs Division

1. For information and comment on which to base a reply.

1 Incl
ltr fr Kyushu CAR
dtd 13 Oct 49 w/9 Ind,
w/2 incls thereto

1/1 forward
1 come back
1 file till come back is out.

----- W. P. S. -----

1/6

HDP

From: Civil Affairs

To: G-2, Japanese Liaison

Alice R. Burke 26-5876
Date:

1. Request that the Japanese Government be informed:

a. That the Supreme Commander for the Allied Powers has granted permission for the following individuals to remain in Japan as permanent residents:

1/3 forward (repend+3)
1 copy filed
1 X AB
1 come back copy

AG 014.39 (20 Sep 49)CAS-L

Permission to Remain
in Japan (cont'd)

4
cont'd

KIN Sadako
KIN Kitetsu

b. That it shall notify the subject individuals of this fact and process them as legal residents.

c. That information available at this headquarters indicates that the above named individuals are now being held at Hario Guard Section of Nagasaki Prefectural National Rural Police, as illegal entrants.

d. That permission for subject individuals to remain in Japan is not to be considered as a precedent, but an exception to established policy based upon the facts of this particular case.

1 Incl
w/d

----- W. P. S. -----

Ltr. Kyushu CA Region, dtd 20 Sep 49, Subj: "Petition for Release of Korean from Hario Repatriation Center"

PORTER/

OLA.39 (20 Sep 49)CAS-L 7th Ind

ARB

Civil Affairs Section, GHQ, SCAP, APO 500

WPS

TO: Chief, Kyushu Civil Affairs Region, APO 24-5

1. The Supreme Commander for the Allied Powers has granted permission to:

KIN Sadako
KIN Eitetsu

to remain in Japan as permanent residents.

2. The Japanese Government has been so informed and will take the necessary steps for their release from Hario Guard Section of Nagasaki Prefectural National Rural Police.

3. Permission for subject individuals to remain in Japan is not to be considered as a precedent, but as an exception to established policy based upon the facts of this particular case.

FOR THE CHIEF, CIVIL AFFAIRS SECTION:

2 Incls
n/c

J. A. O'BRIEN
CWO USA
Adm Off

1/3

2 forward

1 come back

1 filed till come back copy ret'd.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
APO 500

014.39 (

)CAS-1

SUBJECT: Procedure to be Followed on Petitions for Permission to Remain
in Japan

TO: Chief, Chugoku Civil Affairs Region, APO 248
Chief, Hokkaido Civil Affairs Region, APO 7
Chief, Kanto Civil Affairs Region, APO 500
Chief, Kinki Civil Affairs Region, APO 25
Chief, Kyushu Civil Affairs Region, APO 24-5
Chief, Shikoku Civil Affairs Region, APO 1050
Chief, Tohoku Civil Affairs Region, APO 309
Chief, Tokai-Hokuriku Civil Affairs Region, APO 710

1. The procedure to be followed in case a petition for permission to remain in Japan of a person subject to Japanese criminal jurisdiction held for deportation is presented to the Chief of a Region Civil Affairs Team.

a. The Japanese National Rural Police should be notified that the petition has been filed and that the person petitioned for is not to be deported until final decision on the petition has been made. They should be given pertinent data on the person or persons named in the petition, such as name, age, sex, and last known place at which held.

b. The facts stated in the petition must be investigated, such investigation normally being made by an appropriate Japanese authority. The character of the petitioner as a law abiding and reputable citizen in his community and his financial status must be established with the view that the person petitioned for will not become a public charge. On the basis of the investigation, the Civil Affairs Region Team must make a recommendation to this headquarters as to whether the illegal entrant should be, or should not be, allowed to remain in Japan.

c. After the petition has been approved or disapproved by the Supreme Commander for the Allied Powers, Region Civil Affairs Team forwarding the petition will be notified as to the action taken with the return of the papers. No further action has to be taken by the Civil Affairs Region. The notice is simply for its information so that it can inform the petitioner of the action taken should he request it.

UL4.39 ()CAS-L
Subj: Procedure to be Followed on Petitions for Permission to Remain in
Japan

d. The handling of the release or deportation of the person petitioned for is purely a Japanese matter. The Japanese Government will be informed by this headquarters of the decision on the petition made by the Supreme Commander for the Allied Powers.

2. In case the Chief of a Region Civil Affairs Team receives a petition for permission to remain in Japan of a person who is not subject to Japanese criminal jurisdiction, he should request information immediately by telephone as to disposition and procedure to be followed.

FOR THE CHIEF, CIVIL AFFAIRS SECTION:

J. A. O'BRIEN
CWO USA
Adm OFF

HEADQUARTERS EIGHTH ARMY
INFORMAL CHECK SLIP

Feb

(THIS CHECK SLIP IS RESTRICTED TO INTRAHEADQUARTERS USE)

FILE NO. _____

NOTE: USE THIS SLIP FOR NOTES IN CONNECTION WITH THIS PAPER. ALL NOTES WILL BE NUMBERED CONSECUTIVELY, TOP TO BOTTOM. ALL RECORDS NECESSARY FOR INTELLIGENT ACTION SHOULD BE ATTACHED. A LINE WILL BE DRAWN THE FULL WIDTH OF THE SLIP BELOW EACH NOTE. BOTH SIDES WILL BE USED BEFORE ADDITIONAL SHEETS ARE ADDED

SUBJECT: Reporting of Explosive Ordnance Targets

REMARKS Mr. McEnaney/aj/2-5774

| NO | DATE | FROM | TO |
|----|--------|--|---|
| 1 | 22 Dec | Ord | 8th Army Civil Affairs Attn: Legal & Gov't (Mr. Porter) |
| | | <u>BOMB DISPOSAL UNIT</u> | |
| | | 98th Bomb Disposal Squad, IX Corps Hqs. APO 309 | |
| | | 7th Bomb Disposal Squad Ikego Ammunition Depot APO 503 | |
| | | Bomb Disposal Office Ordnance Section 25th Infantry Division APO 25 | |

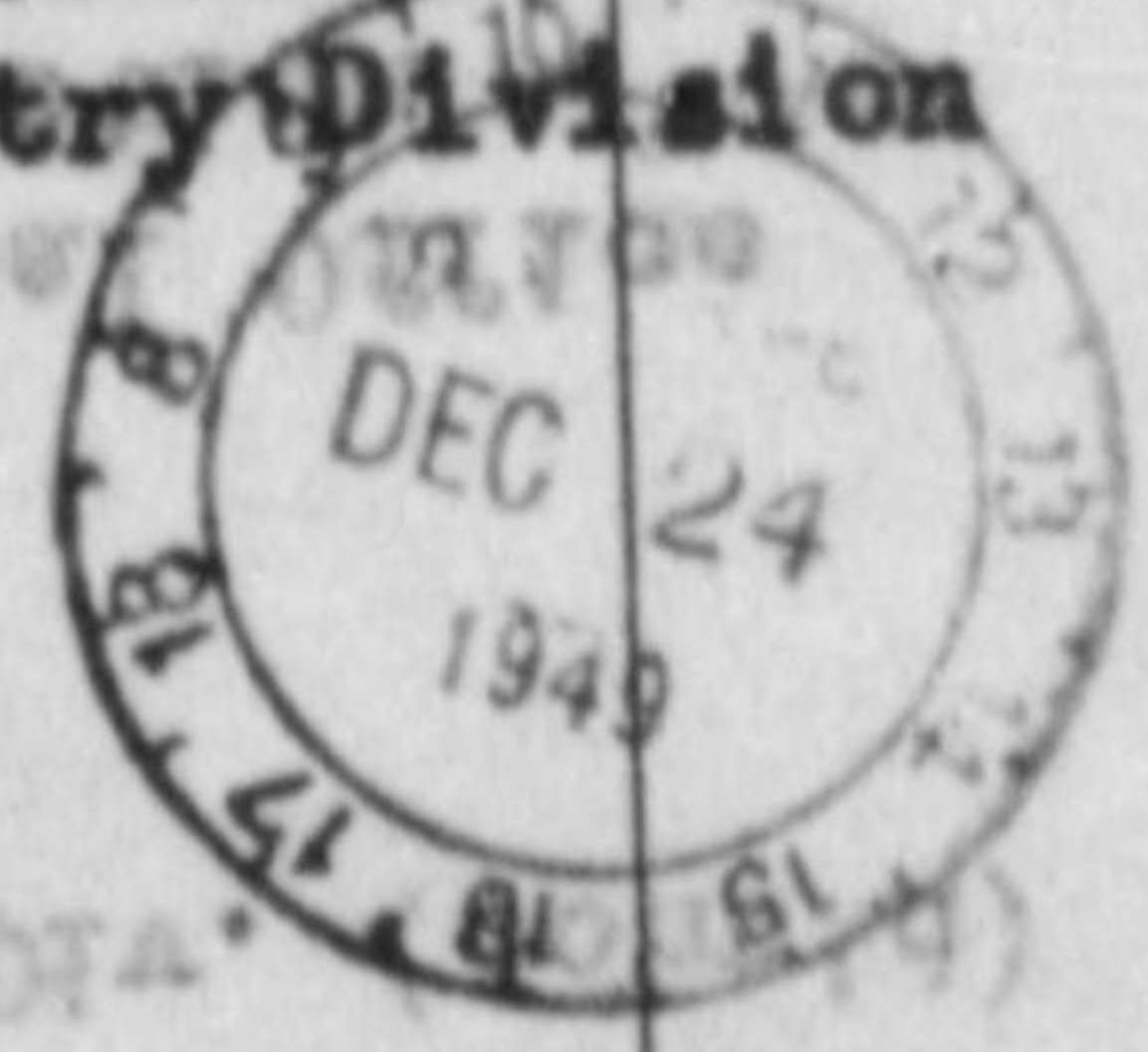
1. The Prefectural Japanese Police have recently been directed to report monthly to local Army Bomb Disposal units all explosive ordnance targets discovered within prefectural areas. The channels for reporting are as follows:

Police Section G-2 SCAP

Forwarded at etc

PREFECTURE

- Aomori
- Iwate
- Akita
- Niigata
- Fukushima
- Yamagata
- Miyagi
- Hokkaido
- Tokyo-To
- Nagano
- Shizuoka
- Yamanashi
- Goma
- Tchigi
- Ibaraki
- Chiba
- Saitawa
- Kanagawa
- Togama
- Ishikawa
- Gifu
- Aichi
- Fukui
- Kyoto
- Mie
- Wakayama
- Nara
- Osaka
- Hyoga
- Tottori
- Okayama
- Kagawa



Reporting of Explosive Ordnance Targets

SHIGA

(USE BOTH SIDES)

| NO. | DATE | FROM | TO | REMARKS | |
|-----|------|--|----|--|--|
| | | BOMB DISPOSAL UNIT | | PREFECTURE | |
| | | 25th Inf. Div. (cont'd) | | <ul style="list-style-type: none"> Kochi Ehime Tokushima | |
| | | Bomb Disposal Office Ordnance Section 24th Infantry Division APO 24 | | <ul style="list-style-type: none"> Yamaguchi Shimane Matsuyama Fukuoka Saga Osaka Kumamoto Nagasaki Kagoshima Miyazaki Oita | |
| | | Bomb Disposal Office, Corps of Engineers British Commonwealth Occupation Force Kure, Japan | | ← Hiroshima | |
| | | 2. The police have been supplied with forms to be used in submitting this monthly report. Information included is target location, police station having jurisdiction, information regarding target, etc. | | | |
| | | ----- VAUGHN ACTG O/O ----- | | | |
| | | <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>IX COLBA Hds. VEO 303</p> <p>IX COLBA Hds. VEO 303</p> <p>IX COLBA Hds. VEO 303</p> </div> <div style="width: 65%;"> <p>COAL, 4 (M.L.)</p> <p>V.L. 10000</p> <p>V.L. 10000</p> <p>STAFF</p> <p>STAFF</p> </div> </div> | | | |
| | | SUBJECT: Report of explosive ordnance disposal | | | |
| | | NOTE: THIS CHECK IS INTENDED TO INDICATE... | | | |
| | | INFOBVAL CHECK SHEET | | | |

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

AGMGL 471.86

SUBJECT: Reporting of Explosive Ordnance Targets

Burke
TILTON/ls

TO: Chief, Chugoku Civil Affairs Region, APO 248
Chief, Kyushu Civil Affairs Region, APO 24-5

ack
HDP

1. The Ordnance Officer, Eighth Army, has designated certain bomb-disposal squads to collect and dispose of all explosive ordnance targets discovered within prefectural areas. The Japanese police authorities have been informed by Public Safety Division, G-2, SCAP, to make a monthly report by mail direct to the designated squad, on a form provided by the Ordnance Officer, giving the target location, police station having jurisdiction, information regarding target and other pertinent information. In emergencies the Japanese police authorities notify direct the squad for the area concerned or the provost marshal of the area, by the fastest means of communication. In all cases the designated bomb disposal squad will collect and dispose of the target.

2. Any report of explosive ordnance discovered within your area shall be referred to the appropriate Japanese police authorities for disposition as they have been informed.

3. For your information the Bomb Disposal Office, Ordnance Section, 24th Infantry Division, APO 24, located at Kokura, is responsible for Yamaguchi, Shimane, Fukuoka, Saga, Kumamoto, Nagasaki, Kagoshima, Miyazaki, and Oita prefectures. The Bomb Disposal Office, Corps of Engineers, British Commonwealth Occupation Force, located at Kure, is responsible for Hiroshima prefecture.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

J. A. O'BRIEN
CWO USA
Asst Adj Gen

5171
30 Dec

WPS

LEG. & GOV'T FILE

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
APO 500

471 ()CAS-L

SUBJECT: Reporting of Explosive Ordnance Targets

TO: Chief
Chugoku Civil Affairs Region
APO 248

1. The Ordnance Officer, Eighth Army, has designated certain bomb-disposal squads to collect and dispose of all explosive ordnance targets discovered within prefectural areas. The Japanese police authorities have been informed by Public Safety Division, G-2, SCAP, to make a monthly report by mail direct to the designated squad, on a form provided by the Ordnance Officer, giving the target location, police station having jurisdiction, information regarding target and other pertinent information. In emergencies the Japanese police authorities notify direct the squad for the area concerned or the provost marshal of the area, by the fastest means of communication. In all cases the designated bomb disposal squad will collect and dispose of the target.

2. Any report of explosive ordnance discovered within your area shall be referred to the appropriate Japanese police authorities for disposition as they have been informed.

3. For your information the Bomb Disposal Office Ordnance Section, 25th Infantry Division, APO 25, located at Osaka, is responsible for Tottori and Okayama prefectures.

FOR THE CHIEF, CIVIL AFFAIRS SECTION:

J. A. O'BRIEN
CWO USA
Adm Off

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

Porter for
TILTON/ls

AGMGL 471.86

SUBJECT: Reporting of Explosive Ordnance Targets

HOG
HDP

TO: Chief, Tohoku Civil Affairs Region, APO 309
Chief, Hokkaido Civil Affairs District, APO 7

WPS

1. The Ordnance Officer, Eighth Army, has designated certain bomb-disposal squads to collect and dispose of all explosive ordnance targets discovered within prefectural areas. The Japanese police authorities have been informed by Public Safety Division, G-2, SCAP, to make a monthly report by mail direct to the designated squad, on a form provided by the Ordnance Officer, giving the target location, police station having jurisdiction, information regarding target and other pertinent information. In emergencies the Japanese police authorities notify direct the squad for the area concerned or the provost marshal of the area, by the fastest means of communication. In all cases the designated bomb disposal squad will collect and dispose of the target.

2. Any report of explosive ordnance discovered within your area shall be referred to the appropriate Japanese police authorities for disposition as they have been informed.

3. For your information the 98th Bomb Disposal Squad, IX Corps Hqs. APO 309, located at Sendai, is responsible for Aomori, Iwate, Akita, Niigata, Fukushima, Yamagata, Miyagi prefectures and Hokkaido.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

J. A. O'BRIEN
CWO USA
Asst Adj Gen

5771
30 Dec

LEG. & GOV'T FILE

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

Brayke
TILTON/1s

AGMGL 471.86

SUBJECT: Reporting of Explosive Ordnance Targets

all
HDP

TO: Chief, Tokai-Hokuriku Civil Affairs Region, APO 710
Chief, Kinki Civil Affairs Region, APO 25
Chief, Shikoku Civil Affairs Region, APO 1050

WPS

1. The Ordnance Officer, Eighth Army, has designated certain bomb-disposal squads to collect and dispose of all explosive ordnance targets discovered within prefectural areas. The Japanese police authorities have been informed by Public Safety Division, G-2, SCAP, to make a monthly report by mail direct to the designated squad, on a form provided by the Ordnance Officer, giving the target location, police station having jurisdiction, information regarding target and other pertinent information. In emergencies the Japanese police authorities notify direct the squad for the area concerned or the provost marshal of the area, by the fastest means of communication. In all cases the designated bomb disposal squad will collect and dispose of the target.

2. Any report of explosive ordnance discovered within your area shall be referred to the appropriate Japanese police authorities for disposition as they have been informed.

3. For your information the Bomb Disposal Office Ordnance Section, 25th Infantry Division, APO 25, located at Osaka, is responsible for Toyama, Ishikawa, Gifu, Aichi, Fukui, Kyoto, Mie, Wakayama, Nara, Osaka, Shiga, Hyogo, Tottori, Okayama, Kagawa, Kochi, Ehime and Tokushima prefectures.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

J. A. O'BRIEN
CWO USA
Asst Adj Gen

5771

30 Dec

LEG. & GOV'T FILE

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

AGMGL 471.86

SUBJECT: Reporting of Explosive Ordnance Targets

TO: Chief
Kanto Civil Affairs Region
APO 500

Porter fa
TILTON/ls

HDP
HDP

WPS

1. The Ordnance Officer, Eighth Army, has designated certain bomb-disposal squads to collect and dispose of all explosive ordnance targets discovered within prefectural areas. The Japanese police authorities have been informed by Public Safety Division, G-2, SCAP, to make a monthly report by mail direct to the designated squad, on a form provided by the Ordnance Officer, giving the target location, police station having jurisdiction, information regarding target and other pertinent information. In emergencies the Japanese police authorities notify direct the squad for the area concerned or the provost marshal of the area, by the fastest means of communication. In all cases the designated bomb disposal squad will collect and dispose of the target.

2. Any report of explosive ordnance discovered within your area shall be referred to the appropriate Japanese police authorities for disposition as they have been informed.

3. For your information the 7th Bomb Disposal Squad, Ikego Ammunition Depot, APO 503, located at Ikego, is responsible for Nagano, Shizuoka, Yamanashi, Gumma, Tochigi, Ibaraki, Chiba, Saitama, Kanagawa prefectures and Tokyo-To.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

J. A. O'BRIEN
CWC USA
Asst Adj Gen

5171 30 Dec

LEG. & GOV'T FILE

COPY

GENERAL HEADQUARTERS
FAR EAST COMMAND

CHECK SHEET

(Do not remove from attached sheets)

File No:

Subject: Relationship between SCAP Sections
and Civil Affairs Organizations

Note From: CofS
No.

To: Civil Affairs Section Date: 9 January 1950

1. 1. Reference is made to G.O. #24, 29 December 1949, which established a Civil Affairs Section of this headquarters. The purpose of this check note is to provide a tentative guide covering the procedure which sections will follow in their dealings with Civil Affairs field units. As experience is gained in the use of this new organizational structure, it is expected that changes in this procedure guide will be proposed.

2. The Civil Affairs Section is, in effect, a headquarters for the Regions. The relationship of the Regions with the Chief of the Civil Affairs Section is similar to that existing between the divisions of any other SCAP section and its chief. It follows that the personnel of the Civil Affairs Section must continue to be thoroughly conversant with the activities carried on by its field units. The activities of the Civil Affairs Section will be operational in character, as opposed to policy making. The policy making responsibility of other SCAP sections in their respective fields will continue as heretofore. As a consequence, the Civil Affairs Section will have no cause for contact with Japanese Government agencies at the national level.

3. Functions of the Civil Affairs Section:

- a. Provide operational direction to the Regions.
- b. Maintain close liaison with appropriate SCAP sections in order to be familiar with the conditions which give rise to missions assigned to field units.
- c. Transmit information received from the field units to the appropriate GHQ staff sections.

4. Directives setting forth missions placed upon field units will receive the usual staff coordination, the latter henceforth to include the Civil Affairs Section. Such directives, after approval, will be finalized by the initiating section and dispatched through the AG.

5. Except under unusual circumstances, there should be no necessity for direct communication between SCAP sections and the Civil Affairs Teams in the field. Transmission of instructions, requests for reports, etc., will be accomplished through the Civil Affairs Section.

Distribution:

All SCAP Sections

/s/ E. M. A.

/t/ E. M. A.

COPY

23 Dec. 1949

Mr. Nolan, Kanto Civil Affairs Region, reported that a quantity of streptomycin had been found floating in Tokyo Bay. He requested information as to what disposal should be made of the streptomycin. He was told:

a. The streptomycin found in Tokyo bay and turned over to police should go to customs for disposal

b. Distribution should be made in accordance with Japanese law and regulations for controlled items.

c. Finder is entitled to:

(1) Up to 10% of amount realized from sale.

(2) In no case, can he receive more than ¥100,000.

Information relayed to Nolan was received from Dr. Band, PHW, SCAP.

Prepared by Control Unit

Tokyo
2.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION
Price and Distribution Division
APO 500

PD ENFORCEMENT MEMORANDUM NO. 20

UNITED NATIONS NATIONALS AND ECONOMIC LAWS

27 May 1949

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION
Price and Distribution Division
APO 500

27 May 1949

UNITED NATIONS NATIONALS AND ECONOMIC LAWS

1. The following is a reissue of a memorandum subject: Chinese Nationals (originally issued as APPENDIX I I to the perishable food program). It sets out the principles generally governing the arrest of United Nations Nationals for violations of Japanese law:

"1. Chinese Nationals are generally subject to Japanese law. However SCAPIN 756 19 Feb 1946 (par 6) provides as follows:

'The Imperial Japanese Government shall have no authority to arrest United Nations Nationals, except (a) in areas where Allied troops are not actually present on duty and there is a reasonable evidence that a serious crime has been committed by a United Nations National, or (b) when otherwise directed by the Supreme Commander for the Allied Powers or his authorized subordinates: provided that, when such persons are taken into custody, the apprehending authority will immediately report the incident to the nearest Allied Military Authority and deliver such persons upon instructions from such authority.'

2. It is noted that investigation and questioning of Chinese Nationals by Japanese police is not prohibited. However, in the event a Chinese National refuses to submit to questioning voluntarily the only recourse of the Japanese Police is to the occupation authorities for further action. In other words, the Japanese police must apply to the local occupational authorities and arrest and search is generally made in the company of an M.P. or any other occupational personnel authorized to make arrest. The appropriate commanding officer of any area may authorize any member of an M.G. team to make arrest.

3. Chinese nationals must be tried by an occupation court of which a Chinese national is a member. However there is no bar to holding a Chinese national in the custody of the military authorities until arrangements can be made to constitute such a court.

4. It is noted that there is no bar either legally or as a matter of policy to surveillance and arrest of Chinese nationals directly by M.G. teams.

5. Only Formosans who have proper documents from the Chinese Mission are treated as Chinese nationals for purposes of criminal jurisdiction.

6. This memorandum does not apply to Koreans as they are subject to Japanese laws and procedures."

2. In addition to the above, it is noted that United Nations Nationals are subject to the licensing requirements contained in economic laws to the same extent as Japanese and the licenses of such United Nations Nationals may be revoked by the appropriate Japanese Government officials without reference to Occupation authorities.

P.O.P. file

7 March 1949

MEMORANDUM FOR THE RECORD:

SUBJECT: United Nations Nationals in Japanese Prison

Mr. Bassin, Legal Section, SCAP, advised that he has a similar case on his desk. The Chinese legation stated that they would not issue certificates of nationality after 1946. However, there were 1800 persons claiming Chinese nationality who had to be checked on in China. Legal Section will check with Chinese Legation to see whether Ren Gaku Chu, the person involved in this case, was one of these 1800. If he was, then he will have to be transferred from the Japanese prison at Akita City to the Eighth Army stockade as a United Nations National.

Alice R. Burke
Legal & Govt Div

*(Basic - Ltr, Akita m&S team, dtd 19 Feb 49
subject as above. Forwarded to
Scap, Legal Section by 8th Army
3rd endorsement.)*

Ltr, Hq, Akita Military Government Team, subj: United Nations National
in Japanese Prison, 19 Feb 49

AG 095 (19 Feb 49) LS

4th Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS,
APO 500, 28 April 1949

TO: Commanding General, Eighth Army, APO 343

1. Reference basic communication from Akita, Military Government
Team.

2. Under the provisions of SCAPIN 1543, dated 25 February 1947,
legitimate bearers of registration certificates issued by the Chinese
Mission in Japan shall be presumptively considered as Chinese subjects
and hence United Nations Nationals for the purpose of criminal jurisd-
iction. The effect of this SCAPIN is to deprive the Japanese authori-
ties of power to exercise criminal jurisdiction, including arrest, trial
or incarceration over such persons from the date of issue of such cer-
tificate, but does not invalidate any action taken by the Japanese prior
to such issue.

3. In the subject case, REN GAKU CHU having obtained a registra-
tion certificate, would be presumptively considered a United Nations
National and hence the right of the Japanese authorities to continue his
imprisonment would cease although their prior acts of trial, conviction
and sentence are not invalidated. Therefore, REN GAKU CHU should be
transferred to an Occupation Forces prison to serve the remainder of his
sentence duly adjudged by a Japanese court.

BY COMMAND OF GENERAL MacARTHUR:

/s/ DONALD McLeod
DONALD McLEOD
Captain, CAC
Actg Asst Adj Gen

AGMGL 014.5

5th Ind

Headquarters Eighth Army, APO 343

TO: Commanding General, IX Corps, APO 309

*Sent to 8th Army PM for
rec action. PM sent to GA.
GA put on 5th Ind to CG IX
Corps stating prisoner should
be transferred to 8th Army
stockade.*

J. A. O'B.

Determination
of
Nationality

S.O.P. file

C O P Y

H-E-A-D-Q-U-A-R-T-E-R-S
AKITA MILITARY GOVERNMENT TEAM
APO 7 Unit 4

19 February 1949

SUBJECT: United Nations National in Japanese Prison

TO: Commanding Officer
Tohoku Military Government Region
APO 309

1. The prison officials of the Akita Prison have reported to this headquarters that a Formosan (Chinese citizen) is imprisoned in the Akita Prison.

2. According to information received, the person in question, Ren Gaku Chu, was sentenced to twelve (12) years penal servitude by a Japanese Court in Kobe on 31 January 1947 for trespass, attempted murder, robbery and possession of firearms. The sentence was approved on 28 February 1947 and the prisoner was transferred to the prison in Akita City, a long term prison, on 15 August 1947.

3. The person referred to above obtained a certificate of nationality (Chinese) on 18 December 1948 from the Chinese Legation in Japan.

4. According to SCAPIN 1543, 25 February 1947, the Japanese authorities cannot exercise criminal jurisdiction over persons who claim Chinese citizenship if they present a certificate from the Chinese Legation in Japan to the effect that they are Chinese citizens. Furthermore the local procurators office has received information that at a conference held by the Legal Division of SCAP in November 1947, the Japanese Justice Ministry was advised that the prisoner should be transferred to an Occupation Forces Prison in cases such as this one.

5. Request a decision be obtained from the IX Corps Judge Advocate and this headquarters be advised as to the appropriate action to be taken.

FOR THE COMMANDING OFFICER:

/s/ Gibson R. Finley
GIBSON R. FINLEY
Major, PA
Executive Officer

014

1st Ind

(19 Feb 49)

SUBJECT: United Nations National in Japanese Prison

HEADQUARTERS TOCHOKU MIL GOVT REGION, APO 309, 28 February 1949

TO: Commanding General, IX Corps, APO 309

Request information upon which to base a reply to basic communication.

FOR THE COMMANDING OFFICER:

/s/ Howard B. Dow
/t/ HOWARD B. DOW
Captain MEC
Adjutant

AG 014 (1)

2nd Ind

JHW/ehb

(19 Feb 49)

HEADQUARTERS IX CORPS, APO 309, 1 Mar 1949

TO: Commanding General, Eighth Army, APO 343

Attention is invited to first indorsement.

FOR THE COMMANDING GENERAL:

/s/ Robert J. Burns
/t/ ROBERT J. BURNS
1st Lt AGD
Asst, Adj. Gen

AGMGL 014.5

3rd Ind

Headquarters Eighth Army, APO 343

TO: Supreme Commander for the Allied Powers, APO 500
AFEN: Legal Section

Forwarded in accordance with telephone conversation with Mr. Bessin, who will furnish information upon which to base a reply.

FOR THE COMMANDING GENERAL:

/s/ Maurice N. Hiney
/t/ MAURICE N. HINEY
Major, AGD
Asst Adj Gen

1407

AG 014.39 (6 Dec 49)LS, 17 Jan 50 1st Ind
Subj: Administrative Deportation of UN Nationals not Accompanying or Attached to Allied Armed Forces

3. Therefore, in view of the criminal aspects of such deportation, the Japanese authorities cannot administratively deport UN nationals.

BY COMMAND OF GENERAL MacARTHUR:



C. D. CONLEY
Major, AGD
Asst Adj Gen



AREA OFFICE

of U.S. ...

AGMGL 014.393

SUBJECT: Administrative Deportation of United Nations Nationals not
Accompanying or Attached to Allied Armed Forces

transporting persons or cargo for illegal discharge into Japan, including illegal cargo, shall be subject to laws, regulations and/or memoranda promulgated by the Supreme Commander for the Allied Powers and the Japanese Government currently in effect or which may be hereafter promulgated."

5. It is requested that this headquarters be informed as to whether administrative deportation by Japanese authorities is a civil action or a criminal action; if a civil action, whether a United Nations National not attached to the Allied Armed Forces may be deported administratively by Japanese authorities, and the procedure to be followed in case it is necessary to detain such a person pending deportation.

8

FOR THE COMMANDING GENERAL:

J. A. O'Brien
J. A. O'BRIEN
CWO, USA
Asst Adj Gen

AG 014.393 (6 Dec 49)LS

1st Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS,
APO 500, 17 January 50

To: Commanding General, Eighth Army, APO 343

1. The action of a Prefectural Governor in ordering deportation of an alien who has violated the provisions of Ordinance 207 is a quasi-criminal administrative process.

2. As a preliminary to the deportation order, the Japanese police must obtain a warrant of arrest duly issued by a Japanese court and after execution of the warrant the case must be reported to the local procurator for further action. The procurator has two alternatives, either to prosecute the case in a criminal court or to request the Governor to issue a deportation order. Upon issuance of the order, the Japanese police are responsible for the custody of the alien until he is deported.

*Info on
this from
attorney
general's
office ac-
cording to Mr. Casner.*

AG 014.39 (6 Dec 49)LS, 17 Jan 50 1st Ind
Subj: Administrative Deportation of UN Nationals not Accompanying or Attached to Allied Armed Forces

3. Therefore, in view of the criminal aspects of such deportation, the Japanese authorities cannot administratively deport UN nationals.

BY COMMAND OF GENERAL MacARTHUR:

C. D. CONLEY
Major, AGD
Asst Adj Gen

AG 014.39 (6 Dec 49)LS

1st Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS,
I. APO 500, 7 Jan 50

To: Commanding General, Eighth Army, APO 343

1. The action of a Prefectural Governor in ordering deportation of an alien who has violated the provisions of Ordinance 207 is a quasi-criminal administrative process.
2. As a preliminary to the deportation order, the Japanese police must obtain a warrant of arrest duly issued by a Japanese court and after execution of the warrant the case must be reported to the local procurator for further action. The procurator has two alternatives, either to prosecute the case in a criminal court or to request the Governor to issue a deportation order. Upon issuance of the order, the Japanese police are responsible for the custody of the alien until he is deported.

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

AGMGL 014.393

SUBJECT: Administrative Deportation of United Nations Nationals not
Accompanying or Attached to Allied Armed Forces

TO: Supreme Commander for the Allied Powers
APO 500
(Attn: Legal Section)

1. References:

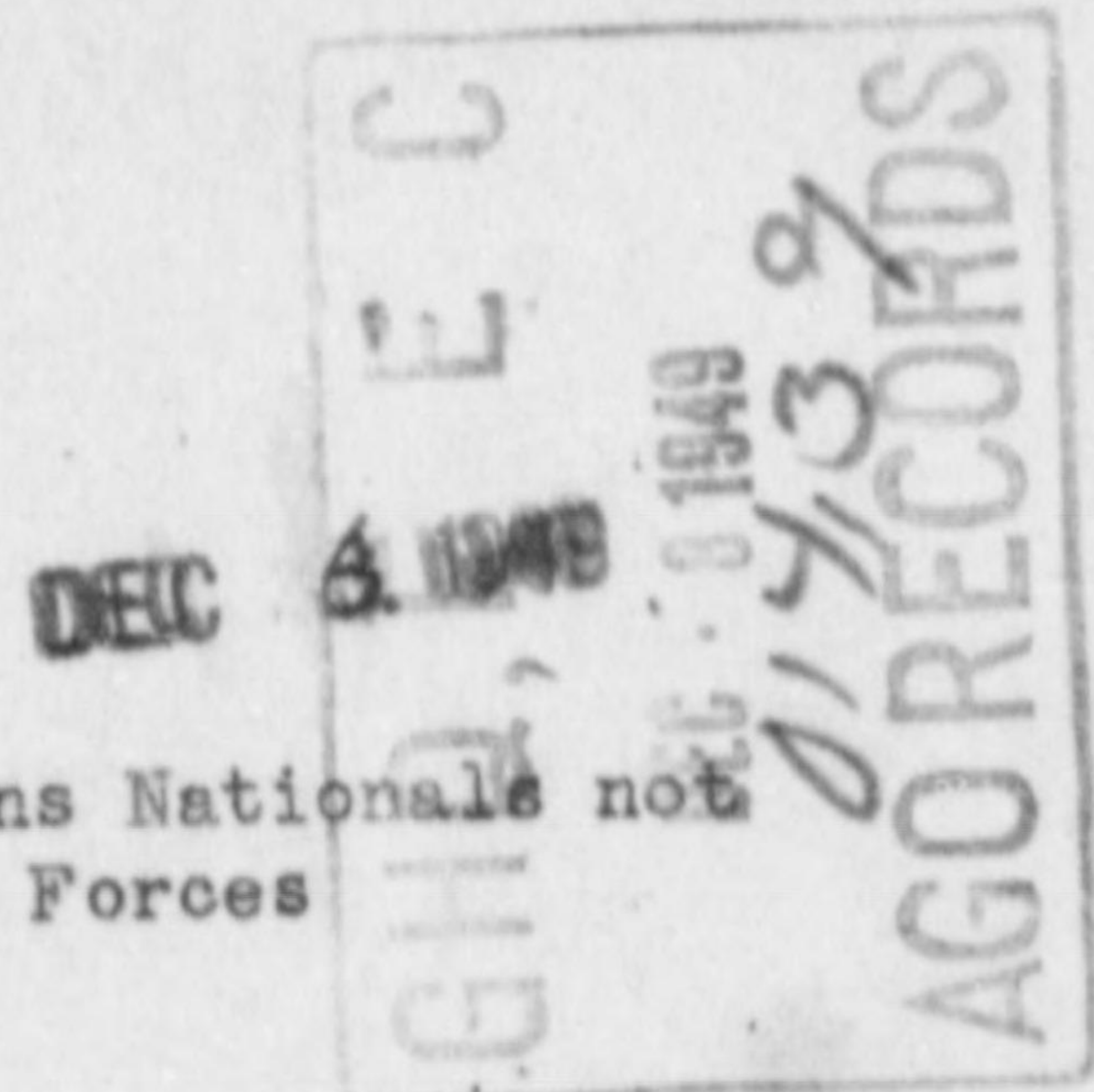
- a. SCAPIN 756, AG 015 (19 Feb 46)LS, subject: "Exercise of Criminal Jurisdiction."
- b. SCAPIN 777, AG 015 (26 Feb 46)LS, subject: "Exercise of Civil Jurisdiction."
- c. Imperial Ordinance No. 207, 2 May 1947, subject: "Ordinance Governing Registration of Aliens," as amended.
- d. SCAPIN 2055, AG 000.5 (21 May 49) GB/CIS/PSD, subject: "Suppression of Illegal Entry into Japan."

2. Under reference a, the Japanese Government has no criminal jurisdiction over United Nations Nationals. Under reference b, the Japanese tribunals have civil jurisdiction over all persons except United Nations Nationals or organizations attached to or accompanying the Allied Armed Forces.

3. Under reference c, the prefectural governor may order out of Japan any alien who comes into Japan except those who have entered Japan with SCAP's permission.

4. Paragraph 3, reference d, provides:

"3. The Japanese Government is reminded of its responsibility for the prevention of illegal entry of individuals, vessels, crews thereof and cargo into Japan. All persons apprehended as illegal entrants or, as individuals who are authorized in Japan without authority and/or any vessels



C O P Y

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

AGYO 250-53

4 Mar 1949

SUBJECT: Deportation of Koreans by Order of Occupation Courts

THRU : Commander-in-Chief
Far East
APO 500

TO : Supreme Commander for the Allied Powers
APO 500

1. References:

a. Letter, GHQ SCAP, APO 500, dated 11 October 1947, file AG 014.33 (11 Oct 47) GA, subject: "Repatriation of Koreans."

b. Letter, GHQ SCAP, APO 500, dated 10 February 1948, file AG 014.33 (10 Feb 48) GA, subject: "Deportation of Koreans."

2. In accordance with reference 1b above, this headquarters has communicated directly with the Commanding General, United States Army Forces in Korea for the purpose of effecting the re-entry into Korea of Koreans sentenced to deportation by occupation courts. Records of trial in the case of Kin Zui Ko, alias Kin Seki Sho; Rin Mei Sho; Haku Cho Un; Hiranuma, Jinshoku, alias Hiranuma, Kojiuo; Kin Ki Sen; Ko Kyo Ko; Bun To Gyoku; and Kin Seki I, alias Ri Ki Chu, who were sentenced to deportation by a provost court under the command of the Commanding General, 25th Infantry Division, for their participation in the rioting which occurred in the Osaka Prefecture Building on or about 23 April 1948, were forwarded to the Commanding General, United States Army Forces in Korea on 13 September 1948. No reply to this communication has been received, and it is understood that deportation cases involving nationals of Korea must be referred through diplomatic channels.

3. The reviewing authority in this case, the Commanding General, 25th Infantry Division, requests authority to transfer these prisoners to the reception center at Sasebo, Honshu, Japan, for the purpose of being deported to Korea at which time the unexecuted portions of their sentences will be suspended.

C O P Y

AGYO 250.53

SUBJECT: Deportation of Koreans by Order of Occupation Courts 4 MAR 1949

4. Request instructions to be followed in the cases referred to in paragraph 2 above and in future similar cases.

FOR THE COMMANDING GENERAL:

/s/ Charles A. Hull.
CHARLES A. HULL
Captain T. C.
Actg Asst Adj Gen

AG 014.39 (4 Mar 49)GA 1st Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS, APO 500,
5 May 1949

TO: Commanding General, Eighth Army, APO 343

1. Information available to the Supreme Commander for the Allied Powers indicates that reply has been received from Korea and subject personnel are now in Sasebo Reception Center awaiting repatriation.

2. The Supreme Commander for the Allied Powers has now been notified by the American Mission in Korea that individual clearances are no longer necessary for Korean deportees, however, information concerning their arrival is desired prior to departure from Japan. In view of this change, the following procedure will be followed:

a. As soon as practicable after Koreans have been sentenced to deportation, Commanding General, Eighth Army will forward to the Supreme Commander for the Allied Powers (Attention: Legal Section) the deportees' names, a summary of the Occupation Court charges and sentences, a summary of any leftist sympathy or activity, and the expected date of arrival in Korea.

b. Thirty days after submission of the report outlined in the preceding paragraph, if no instructions otherwise have been received, the Koreans involved may be deported, provided they have been released as provided by law.

c. Complete trial records of each deportee will be forwarded to the Supreme Commander for the Allied Powers (Attention: Legal Section) through command channels for later transmission to the Korean Government.

BY COMMAND OF GENERAL MacARTHUR:

/s/ Donald McLeod
/t/ DONALD McLEOD
Captain, CAC
Actg Asst Adj Gen

2460
18 Feb 49

PROCEDURES ON DEPORTATION OF ILLEGAL ENTRANTS

Spring
8 Jan

AGMGL 000.5

1st Ind

Headquarters Eighth Army, APO 343

TO: Commanding General, I Corps, APO 301 Also IX CORP.

1. References:

- a. Letter, GHQ, SCAP, file AG 015 (19 Feb 46) LS, 19 February 1946, subject: "Establishment of Military Occupation Courts," as amended.
- b. SCAPIN 75b (GHQ, SCAP), file AG-015 (19 Feb 46) LS, 19 February 1946, subject: "Exercise of Criminal Jurisdiction."
- c. SCAPIN 1391 (GHQ, SCAP), file AG 000.5 (10 Dec 46) GC, 10 December 1946, subject: "Suppression of Illegal Entry into Japan." as amended.
- d. SCAPIN 1543 (GHQ, SCAP), file AG 014.33 (25 Feb 47) LS-L, 25 February 1947, subject: "Registration of Chinese Nationals."
- e. SCAPIN 1912 (GHQ, SCAP), file AG 312.4 (21 Jun 48) DS, 21 June 1948, subject: "Definition of United, Neutral, Enemy, Special Status and Undetermined Status Nations."
- f. GHQ, SCAP Circular 19, dated 23 June 1948, subject: "Control of Entry and Exit of Individuals, Aircraft and Surface Vessels Into and From Japan."
- g. Radio Z.21543 from CinCAFPAC, Commanding General, Eighth Army, 15 October 1946.
- h. Operational Directive 38, Headquarters, Eighth Army, 14 May 1948, subject: "Military Occupation Provost Courts," as amended.
- i. Imperial Ordinance No. 207, 2 May 1947, subject: "Ordinance Governing Registration of Aliens," as amended.
- j. SCAPIN 1950 (GHQ, SCAP), file AG 014.33 (6 Oct 48) GA, 23 December 1948, subject: "Termination of Repatriation for Ryukyans."

2. All alleged illegal entrants into occupied Japan are subject to trial in occupation courts for violations of directives named in 1f and/or 1i above. However, by references 1a and 1b above occupation court authorities have exclusive criminal jurisdiction over United Nations nationals as defined in reference 1e. The Japanese authorities may by administrative action deport Korean illegal entrants into occupied Japan under the provisions of reference 1c and Ryukyans under the provisions of reference 1j above.

DEPORTATION OF
ILLEGAL ENTRANTS

3. The following policy will govern deportation of United Nations nationals and non-United Nations nationals:

a. If a United Nations national is apprehended in the act of illegal entry and he admits it, there is no need for adjudication. He may be deported administratively by occupation authorities without resort to the courts.

(1) Reference 1b provides, "6. The Imperial Japanese Government shall have no authority to arrest United Nations Nationals, except (a) in areas where Allied troops are not actually present on duty and there is a reasonable suspicion that a serious crime has been committed by a United Nations National, or (b) where otherwise directed by the Supreme Commander for the Allied Powers or his authorized subordinates; provided that, when such persons are taken into custody, the apprehending authority will immediately report the incident to the nearest Allied Military Authority and deliver such persons upon instructions from such authority."

b. If a United Nations national is apprehended in Japan and is not in the act of illegal entry, his case should be referred to an occupation court for trial and disposition whether or not said illegal entrant admits his illegal act.

(1) Reference 1i in addition to prohibiting illegal entry also makes failure to register as provided an offense for which a general provost court could adjudge deportation.

4. Since many illegal entrance cases involve Koreans, Ryukyans, and Formosans, the following procedure will be adopted in said cases:

a. Koreans and Ryukyans

(1) Koreans are not United Nations nationals as defined in reference 1e above. Korea is classified therein as a "Special Status Nation"; thus the protective immunity against Japanese criminal jurisdiction defined in references 1a, 1b and 1h above does not apply. It is not the policy of the Eighth Army to require that Koreans or Ryukyans who are illegally in Japan be tried and sentenced to deportation by an occupation court for illegal entrance.

b. Formosans

(1) Formosans are not in the same category as Koreans. According to the policy of the Executive Yuan of the Republic of China, all persons of Formosan birth or extraction were declared to be citizens of China as

of 25 October 1945. Reference 1g above directs that: "Formosans will be examined for identification recognizing them as Chinese nationals in which case they will be tried as Chinese. If they have no such identification, their names and pertinent information will be submitted to this headquarters for clarification of their status before any action is taken." Pending clarification they will be treated as United Nations nationals.

- (2) Reference 1d above provides that the Chinese Mission in Japan has undertaken the registration and documentation of persons in Japan who claim Chinese nationality and has issued registration certificates and further that the legitimate bearers of these registration certificates will be presumptively considered as Chinese subjects and considered United Nations nationals for the purpose of the exercise of criminal jurisdiction by the Japanese authorities.
- (3) Cases involving Formosan illegal entrants will be reported to the occupation authorities for disposition. If Formosan is a bearer of registration certificates or passport issued by the Chinese Government or a registration certificate issued by the Chinese Mission in Japan, his case will be disposed of in accordance with either paragraph 3a or 3b above, depending upon the facts. If a clarification of a Formosan's status is necessary, the matter should be referred through channels to SCAP, who will request verification of citizenship through the Chinese Mission.

c. Other Persons

- (1) All cases involving illegal entrants other than those covered above should be referred to this headquarters for disposition.

BY COMMAND OF LIEUTENANT GENERAL WALKER:

S. O. P. FILE

HEADQUARTERS I CORPS
APO 301 (Kyoto, Honshu)

AG 015 - 0

23 Nov 1948

SUBJECT: Monthly Reports on cases tried by Japanese Courts.

TO : Commanding General, Eighth Army, APO 343

Monthly reports on the cases tried by Japanese Courts under Imperial Ordinance 311, for month of October 1948, as required by the provisions of paragraph 5, SCAPIN 1740, inclosure No. 7, to Operational Directive Number 33, Headquarters Eighth Army, dated 14 May 1948, are forwarded herewith.

FOR THE COMMANDING GENERAL:

18 Incls:

1. Report of Kyoto
2. Report of Hyogo
3. Report of Shiga
4. Report of Fukui
5. Report of Nara
6. Report of Wakayama
7. Report of Aichi
8. Report of Gifu
9. Report of Mie
10. Report of Ishikawa
11. Report of Toyama
12. Report of Fukuoka
13. Report of Oita
14. Report of Miyazaki
15. Report of Kagoshima
16. Report of Kumamoto
17. Report of Nagasaki
18. Report of Saga

CHARLIE RAMSEY
C.W.O. U.S.A.
Asst Adj Gen

(1st Indorsement attached)

311

Monthly Reports
Cases tried under
Imp. Ord. 311

S.O.P. FILE

BASIC: Ltr, Hqs I Corps, APO 301, dtd 23 Nov 48, AG-015-0,
subj: Monthly Reports on cases tried by Japanese
Courts.

AGMGL 000.5

1st Ind

Headquarters Eighth Army, APO 343

TO: Supreme Commander for the Allied Powers, APO 500

Reports of cases tried under Imperial Ordinance Number
311 in the I Corps zone of responsibility are forwarded for
your information.

FOR THE COMMANDING GENERAL:

18 Incls:
n/c

MONROE N. HINEY
Major, AGD
Asst Adj Gen

COPY

EIGHTH ARMY HEADQUARTERS
SIGNAL DISTRIBUTION CENTER

MSG NO. 02720
MEANS TT
Cite: Z 23784

ROUTINE - CLEAR
ACTION: JA (2)
INFO: G-1
DC/S

FROM: SCAP

TO : CG EIGHTH ARMY

(PASS TO ARMY JUDGE ADVOCATE)

SUBJECT: Appointment of United Nation Representatives on Provost Courts.

PARA 1. TO EXPEDITE APPOINTMENT OF REPRESENTATIVE OF A UNITED NATION TO A PROVOST COURT IN TRIAL OF A UNITED NATION NATIONAL THE FOLLOWING PROCEDURE WILL GOVERN: RADIO WILL BE DISPATCHED BY THE REQUESTING AUTHORITY TO CG EIGHTH ARMY WITH INFORMATION COPY TO LEGAL SECTION SCAP GIVING THE FOLLOWING INFORMATION: NAME OF ACCUSED, BASIS FOR HIS CLAIM TO UN NATIONALITY, GIST OF OFFENSE, DATE OF ARREST AND LOCATION OF COURT. SCAP WILL EMPLOY MOST EXPEDITIOUS MEANS TO INFORM YOU OF REPRESENTATIVE MADE AVAILABLE FOR ISSUANCE OF NECESSARY ORDERS.

PARA 2. PRESENT PROCEDURES WILL GOVERN IN CASES INVOLVING CHINESE NATIONALS WHERE REPRESENTATIVES OF CHINA HAVE BEEN MADE AVAILABLE FOR PRESENT AND FUTURE CASES EITHER BECAUSE OF THE CLOSE PROXIMITY OF A REPRESENTATIVE OF A CHINESE MISSION BRANCH TO THE COURT OR THE DESIGNATION BY THE CHINESE MISSION OF A PERMANENT MEMBER TO A COURT FOR THE TRIAL OF ALL CHINESE NATIONALS.

TOO: 10/030225/Z
TOR: 10/030355/Z
THI: 030530

COPY

RADIOS SENT TO MG SHOULD BE REROUTED TO ~~JA~~
FOR ACTION H&G 26 APRIL 49

FOR UN NATIONALS
COURT

HEADQUARTERS EIGHTH ARMY
Civil Affairs Section
APO 343

MEMORANDUM FOR RECORD

SUBJECT: Rules and Regulations Governing Operation of Police Bureaus

The Rules and Regulations Governing the Operation of Police Bureaus and Stations prepared by Public Safety Division, SCAP, are purely suggestions for the various assemblies to use and are in no way compulsory. The city, town or village assembly can or can not accept these proposed bylaws as they see fit.

A complete examination of the Rules and Regulations was made and it was found that they in no way contravene Law No. 196, the Police Law, or Law No. 23, which amends Law No. 196 and requires that appointments and dismissals by the Chief of Police be made with the approval of the Public Safety commission of the city, town, or village.

Article 9 of the Rules and Regulations provides that the Chief of Police shall have the sole authority to appoint and employ all members "of the police organization." The Rules and Regulations, in conformance with the Public Service Law, sets up the procedure for the examining etc., of the applicants and provides for those that can be appointed, so that any approval that the Public Safety Commission might give could only be perfunctory. This can be interpreted to mean that the Police Chief can only appoint those approved by the Public Safety Commission as eligible in accordance with procedures set by the Public Service Law. Since all the Public Safety Commission can do is approve, the Chief of Police is actually the sole authority to appoint and employ.

It was recommended that Article 9 of the proposed Rules and Regulations be changed to include "with the approval of the Public Safety Commission" in order to conform to Law No. 23 and to avoid any misinterpretation of Article 9.

SOP file

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 013 (7 Jul 48) LS-LJ

21 January 1949

SUBJECT: Procedure for Obtaining Warrants of Search, Seizure
and Arrests

TO: Commanding General
Eighth Army
APO 343

1. Reference is made to 2d Ind, this Headquarters, dated 7 September 1948, to letter, Headquarters I Corps, APO 301, dated 7 July 1948, file AG 014-BA, subject, "Procedure for Obtaining Warrants of Search, Seizure and Arrest".

2. Reference 2d Ind stated that conferences with the interested Japanese agencies were being held to establish a uniform procedure for issuance of warrants: that, upon agreement, joint instructions would be issued to courts, procurators and police. Agreement was finally reached and the attached instructions issued 31 December 1948 to the procurators by the Attorney General's Office and to the National Rural Police by the Director General of that organization. Information copies will be transmitted to the police of Local Autonomous Entities by the National Rural Police Troop Commanders. The Supreme Court has been furnished copies of these instructions and will inform the lower courts of their content. The instructions are based upon Article 193 of the new Code of Criminal Procedure (Law No. 131 of 1948).

BY COMMAND OF GENERAL MacARTHUR:

- 2 Incls
- 1. Kenmu #40254, Attorney General's Office
- 2. Publication No. 1, National Rural Police

J W WILLIAMS
Major, AGD
Asst Adj Gen

Commanding General
Eighth Army
APO 343

KENMU No. 40254

Date: December 31, 1948

From: TAKAHASHI Ichiro, Director of Prosecution Bureau,
Attorney-General's Office

To : Procurator-General
Superintending Procurators (of High Public Procurator's
Offices)

Subject: Concerning Requests for Warrants through a Public
Procurator

With reference to the matter above captioned, the following provisions shall be carried into practice as from January 1, 1949. It is requested that the contents of the present instruction should be conveyed immediately to the chiefs of District Public Procurator's Offices under your jurisdiction. This instruction is issued by the order of the Attorney-General.

I. In case a judicial police official has made requests directly to a judge for the issuance of a warrant, he shall, immediately after the warrant has been issued, inform a public procurator of the public procurator's office corresponding to the court to which the judge belongs, of the fact that the warrant has been issued, the name of the suspect and of the suspected fact.

II. In regard to the following offences, requests by judicial police officials to a judge for issuance of warrants shall be made through a public procurator of the public procurator's office corresponding to the court to which the judge belongs:

- (1) A specific criminal case which is being investigated or is about to be investigated by a public procurator himself, and of which the public procurator has informed the judicial police officials beforehand to that effect;
- (2) One or several specific criminal cases in regard to which the public procurator deems it necessary to coordinate criminal investigations and has informed the

judicial police officials beforehand to that effect.

The cases when investigations are to be coordinated as mentioned above are as follows; but coordination of investigations is not limited to such cases. However, such other cases of coordination of investigations must be of like nature:

- (1) When a specific investigation of one or several offences is carried on in more than one police jurisdiction, either of National Rural Police or of police of autonomous local entities;
- (2) When a specific investigation of one or several offences is carried on in more than one procuratorial office's territorial jurisdiction;
- (3) When a specific criminal investigation being carried on by judicial police officials is directly and closely related to another specific criminal investigation which is about to be or is being carried on by public procurator

In all other cases in which procurators state that investigations are being coordinated, other than the three specific cases listed in the preceding paragraph, the police and procurators shall confer with each other.

DRAFT INSTRUCTIONS

Publication No. 1, 4 January 1949

TO : Directors of Regional Police Headquarters.
To, Do and Prefectural Police Troop Commanders.

FROM : Director-General of the Headquarters of National Rural
Police.

SUBJECT: Concerning Requests for Warrants of Arrest and others.

Concerning the request for warrants of arrest; search, seizure inspection or examination of person, we have, after conferring with the Attorney General's Office and other authorities concerned, come to the following conclusion, and you are instructed to deal with your business upon this basis in the future.

You are also instructed to inform the police of Autonomous Local Entities concerning this matter.

1. Except as provided in Par. 2, police officials may make requests directly to the court for issuance of warrants of arrest, search, seizure, inspection or examination of person, to be executed by these police officials. The public procurator's office corresponding to the court which has issued the warrant shall be informed immediately after the warrant is issued of this fact, of the crime involved and the name of the person or juridical person against whom the warrant was issued.

2. In the following cases, requests by police officials to a judge for issuance of warrants of arrest, search, seizure, inspection or examination of person shall be made only through the public procurator's office corresponding to the court to which the judge belongs:

a. A specific criminal case which is being investigated or is about to be investigated by a public procurator himself, and of which the procurator has informed the police officials beforehand to that effect;

b. One or several specific criminal cases in regard to which the public procurator deems it necessary to coordinate criminal investigations and has informed the police officials beforehand to that effect.

The cases when investigations are to be coordinated as mentioned above are as follows; but coordination of investigations is not limited to such cases. However, such other cases of coordination of investigations must be of like nature:

- (1) When the investigation of one or several specific criminal cases is carried on in more than one police jurisdiction, either of National Rural Police or of police of autonomous local entities;

- (2) When the investigation of one or several specific criminal cases is carried on in more than one procuratorial office's territorial jurisdiction;
- (3) When the investigation of a specific criminal case being carried on by police officials is directly and closely related to another investigation of a specific criminal case which is about to be or is being carried on by public procurators.

In all other cases in which procurators state that investigations are being coordinated, other than the three specific cases listed in the preceding paragraph, the police and procurators shall confer with each other.

Sent to HQ for information
by TO

AGJO 014 3d Ind
SUBJECT: Letter of Transmittal

Headquarters Eighth Army, APO 343

TO: General Headquarters, Supreme Commander for the Allied Powers, APO 500
Attn: Maritime Safety Section

Forwarded for whatever action may be deemed necessary.

FOR THE COMMANDING GENERAL:

1 Incl:
n/c

W. H. DICKERSON
CWO USA
Asst Adj Gen

AG 091.1 (11 Mar 49) GB/CIS/PSD 4th Ind

GENERAL HEADQUARTERS, SUPREME COMMANDER FOR THE ALLIED POWERS,
APO 500, 19 April 1949

TO: Commanding General, Eighth Army, APO 343

1. Recommendations forwarded by the Wakayama Military Government Team requesting the establishment of three additional stations under the Kobe Maritime Safety Headquarters to provide necessary rescue facilities and intensify the control of smuggling and black market activities in that area have been discussed with Japanese Government officials concerned. Establishment of recommended stations is not practical at this time due to limited funds available for the coming fiscal year which necessarily restricts current activities of the Maritime Safety Board to the present level.

2. The Maritime Safety Board has been directed to coordinate patrols out of Kobe and Nagoya, to intensify off-shore patrol of Wakayama Prefecture, and to provide all possible coverage in this area commensurate with the facilities now available.

BY COMMAND OF GENERAL MacARTHUR:

Incl 1 w/d

DONALD McLEOD
Captain, CAC
Actg Asst Adj Gen

BASIC: Ltr, Wakayama Mil Govt Team, APO 25, subj: "Letter of Transmittal",
dtd 11 Mar 49

014

1st Ind

RFS/km

Hq Kinki Mil Govt Region, APO 25,

TO: CG, I Corps, APO 301

1. Letter prepared by the Senior Military Government Officer, Wakayama-ken and addressed to the Director, Maritime Safety Headquarters Tokyo, is forwarded herewith.

2. Concur with analysis of the situation and recommendations stated in paragraph 3, basic letter.

FOR THE COMMANDING OFFICER:

1 Incl:
n/c

GEORGE MINARIK
Captain, CE
Adjutant

AG 014 - BA

2nd Ind

SD/mo

Hq I Corps, APO 301,

TO: CG, Eighth Army, APO 343

This headquarters concurs with 1st indorsement.

FOR THE COMMANDING GENERAL:

1 Incl:
n/c

A. SEIPEL
Lt Col, AGD
Asst Adj Gen

HEADQUARTERS
WAKAYAMA MILITARY GOVERNMENT TEAM
APO 25

ELS/mm

11 March 1949

SUBJECT: Letter of Transmittal

THROUGH: Commanding Officer
Kinki Military Government Region
APO 25

TO: Commanding General
Headquarters Eighth Army
APO 343

1. Transmitted herewith letter addressed to Mr. Takio Ohkubo, Director, Tokyo Maritime Safety Headquarters, Subject, "Coast Guard Station".
2. Request attached letter be forwarded to addressee for consideration.
3. Further request this headquarters be advised of action taken by addressee on recommendations of subject letter.

EARL L. SCOTT
Lt Col., Inf
Commanding

AGHGL 091 (Jap)

Removal from Office
Local Autonomy Law

Removal of Kansji Yoshida from Public Office

1 7 Feb 49 MG

JA

Concurrence.

DC/S

Approved.

MG

For signature and dispatch.

1. The Local Autonomy Law was passed by the Japanese Diet as Law No. 67, dated 17 April 1947. Article 20 provides that a person who has been sentenced to imprisonment with or without hard labor and has neither finished the execution of such punishment nor has ceased to undergo the same shall be ineligible to vote or to be elected at an election. Article 127 provides that a local assemblyman shall be ineligible to continue holding his office if he has been sentenced to imprisonment without hard labor or to a more severe punishment.

2. The Attorney General of Japan rendered an opinion on 12 January 1949 that sentences imposed by occupational Provost Courts should not be recognized as imposing restrictions prescribed in the Local Autonomy Law. This opinion also stated that SCAP concurred of which this headquarters has no knowledge.

3. Recommendation is made that SCAP direct the Japanese Government to place Japanese nationals and other persons subject to Japanese criminal law convicted by Provost Court and Military Commission in the same status as if convicted by a Japanese court.

-----Filton (2-1701) ----- SHEPARD -----

S. O. P. File

2391
C O P Y

C O P Y

AGMGL 091 (Jap) 3rd Ind
SUBJECT: Removal of Keneji Yoshida from Public Office (19 Jan 49)

Headquarters Eighth Army, APO 343

TO: Commander in Chief, Far East Command, APO 500

1. This headquarters concurs in the conclusions as set forward in par 2, 2nd indorsement.
2. This headquarters received informally in January 1949 from Legal Section, GHQ, SCAP, an opinion rendered by a member of the research and opinion section of the Attorney General's Office of the Japanese government, a copy of which is attached as inclosure 4. It appears that this opinion is in conflict with the opinion rendered by the Attorney General's Office of the Japanese government on a similar question dated 12 January 1949, (Inclosure 3).
3. Reference par 2, Inclosure 3, this headquarters has no formal or informal knowledge of any opinion of SCAP in the case referred to in the inclosure.
4. It is recommended that a directive be issued to the Japanese government to provide that the status of all Japanese nationals and other persons subject to Japanese criminal law convicted by a Provost Court or Military Commission be the same as any person who has been convicted by a Japanese court for the commission of an offense.

FOR THE COMMANDING GENERAL:

4 Incls
Added 1 incl

MONROE N. HINEY
Major, AGD
Asst Adj Gen

C O P Y

C O P Y

S. O. P. File

5 Feb 49

014

1st Ind

(19 Jan 49)

SUBJECT: Removal of Kaneji Yoshida from Public Office

HEADQUARTERS TOHOKU MIL GOVT REGION, APO 309, 31 January 1949

TO: Commanding General, IX Corps, APO 343

HBD

3 Incls:
n/c

AG 014 (D)

2nd Ind

(19 Jan 49)

HEADQUARTERS IX CORPS, APO 309, 31 January 1949

TO: Commanding General, Eighth Army, APO 343

1. Reference inclosure 3, to basic communication, it is the opinion of this headquarters that the Attorney General's Office has rendered an opinion that is not sustained by the content of Articles 20 or 127 of the Local Autonomy Law. While it may be inferred that it was the intent of the framers of the Local Autonomy Law to provide that the right to vote or stand for election might be denied to persons "who have been sentenced to imprisonment with or without hard labor and has neither undergone the execution of such punishment nor has ceased to undergo the same" only if the sentence was imposed by a Japanese court, the language of the Article does not so state.

2. It is conceivable that, if the interpretation placed on Article 20 and Article 127 by the Attorney General's Office is sustained, felons committed by provost courts for heinous crimes against the occupation and society in general may run for election and be elected while serving sentences or may continue to serve out unexpired terms of office if convicted and sentenced while in office. A situation of this kind is highly undesirable not only from the standpoint of efficient and honest government but also from the standpoint of maintenance of the prestige of American Military Provost Courts and Military Tribunals in general.

3. It is therefore recommended that the Japanese Supreme Court and the Japanese Attorney General's Office be advised that the decisions and sentences of the Provost Courts and Military Tribunals will be accorded full faith and credit by the Japanese government and that persons determined to be criminals by those authorities will be so regarded by the Japanese government in determining their status and restrictions as to their rights.

WILLIAM CL CHASE
Major General, USA
Commanding

3 Incls:
n/c

SOP.

HEADQUARTERS
NIIGATA MILITARY GOVERNMENT TEAM
APO 547

19 January 1949

SUBJECT: Removal of Kaneji Yoshida from Public Office
THROUGH: Commanding Officer, Tohoku Military Government Region, APO 309
TO : Commanding General, Eighth Army, APO 343

1. In accordance with the provisions of Operational Directive Number 8, Headquarters Eighth Army, dated 3 February 1948, it is recommended that Kaneji Yoshida, Assemblyman of Sanjyo City, Niigata Prefecture, be removed from office.
2. Kaneji Yoshida was convicted by IX Corps Provost Court on 27 October 1948 for violating the provisions of SCAPIN number 16, dated 10 September 1945. He was sentenced to confinement at hard labor for two (2) years, with the confinement suspended during his good behavior. Complete copy of record of trial is attached as inclosure 1.
3. On 23 November 1948 correspondence was forwarded to Hq Eighth Army requesting an answer as to whether or not the provisions of articles 20 and 127 of the Local Autonomy Law applied to Kaneji Yoshida. This correspondence and answer received is attached as inclosure 2.
4. In compliance with the 3rd indorsement, of inclosure 2, the matter was referred to the local public procurator for interpretation. He referred it to the Attorney General of Japan who replied that articles 20 and 127 did not apply to persons convicted in Occupation Forces Courts. See inclosure 3.
5. Kaneji Yoshida could have been prosecuted in the Japanese Courts for violating Ordinance Number 311, but the Commanding General of Eighth Army desired that the matter be handled in the Occupation Forces Courts. If he had been tried by a Japanese Court and received the sentence imposed by the Provost Court he would have been ineligible to hold public office. The mere fact that he was tried and sentenced by a provost court should not act as bridge to keep him from losing a right to which he is not justifiably entitled.
6. Kaneji Yoshida made the statements as alleged in the charge sheet, inclosure 1, in an attempt to prejudice members of the City Assembly and Mayor against the Occupation Forces. He knew or should have known that the statements were false. These statements were a part of a false propaganda program sponsored by the Communist Party to retard the rice collect-

tion program in Niigata Prefecture in 1948 and to undermine the confidence of the people in the integrity of the Occupation Forces. His retention in office as a public official is considered highly detrimental to the objectives of the occupation.

3. Incls:

1. Copy of Provost Court Record.
2. Copy of correspondence initiated by Niigata M.G. Team.
3. Translation of attorney General's Ruling.

LOUIS H. COXE III
Lt. Col., Inf.
Commanding