

To Dr. Fancherston
From Yamasa

The Shizuoka Prefectural By-law promulgated on 31 July 1948,
regarding the control of operation of entertainments business.

Article No. 11 Operators must abide by the following items.

Paragraph 2. Operators can not make the followings be engaged in
business:

Those whose antecedents in detail can not be clarified
(except those who obtained the approval of the Public
Safety Committee), those of loose character and those
under 18 years of age (except those falling under
Article No. 56 of the Labor Standard Law who are engaged
in a job which does not necessitate to contact directly
with guests)

Article No. 56 of the Labor Standard Law regulates the minimum age
of a laborer to be employed. (Full 15 years)

#29
Shizuoka

Translated by Y. Ito dtd, 31 Mar. 50
Y. ITO

Mr. Ema
Police Guard, Shizuoka N.R.P.
Contacted 1080, 14 Aug.

Laura

#29
Shizuoka

Going to Natoharu,
Chinese on road?

国籍 (street) (part)
119 Mompai, Fuyosai, Fuyoken, Kichirin-Sho
中野氏子東比九者吉中者杖跡
杖跡 杖跡
杯一一九

姓名 不定
MAN-A-SON (33 yr old)

葛西 守

12-3-14

職業 針行商

To Aug was asked by Jim Adams to contact Man-a-son
as to the Chinese fugitive can tell to him and to
clarify to status. Laura called Shizuoka Post on.

静岡地方檢察廳

KANTO CIVIL AFFAIRS REGION
Legal and Government Section

Suspense Matter No. 27 (Shizuoka)

Subject: Petition inre Tonarigumi by Taro Mochizuki.

Principal: Fujimiya-shi, Shizuoka-ken

Source: Petition

Action:

*nov. 25
Closed
gsh*

Handled by:

Investigator:

Date Closed: *25 Nov - 50*

#27

Sai Chi Reten to be
released on bond 9 Mar
'50 - a re-investigation
has been initiated.

copy to Sato

31 March '950 yk

No date

-shi, Shizuoka-ken

I am residing in Fujimiya-shi, Shizuoka-ken. In this city the Tonarigumi (Neighborhood Association) system still exists in spite of being ordered to dissolve after the surrender. The chief is appointed for a year in turns, therefore I was forced to be the chief of Tonarigumi against my own will.

The work of the chief is notifying all the families the ration goods, sending bills for water, tax etc. from the City Office and there are some other minor periodical work. The most difficult work among them is collecting donations for temples, shrines, public and private organizations. After a day's hard work, with my tired body I have to go round all the families of Tonarigumi telling the reason for donation gathering them and sending them with statement of accounts. The work of this kind give my physically weak body burden and mental torture. Furthermore, when a man dies it is accustomed to perform funeral by Tonarigumi since the war. Neighbors were forced to gather in the home of deceased and offer their services. The leading character of this service should be done by the chief. Collecting money for the wreath is another problem. Every time the unhappy incident happens in the neighborhood, I have to take two days leave for the occasion to fulfill my duty. I am a daily paid worker, therefore, I don't get paid for the day I take leave. My living condition is always threatened by taking too many leaves.

After the occupation of Allied Forces, the democratic idea spreaded all over Japan. Further the new constitution law came to an effect. Individual freedom has been recognized, but the Tonarigumi which was formed during the war and five years have elapsed since the surrender, still freedom of a person is unrecognized in this locality. This incident is most disagreeable to us, this hinders the development of democratism. There were no Tonarigumi in prewar, therefore demanding service without any compensation was not forced. When we think of Tonarigumi system itself we think we had more freedom before the war

1 copy to Sato

#307

31 March '950 yk

No date

SUBJECT: Letter from MOCHIZUKI Taro
 TO: Shizuoka Military Government
 FROM: MOCHIZUKI Taro, Tatejuku, Fujimiya-shi, Shizuoka-ken

I am residing in Fujimiya-shi, Shizuoka-ken. In this city the Tonarigumi (Neighborhood Association) system still exists in spite of being ordered to dissolve after the surrender. The chief is appointed for a year in turns, therefore I was forced to be the chief of Tonarigumi against my own will.

The work of the chief is notifying all the families the ration goods, sending bills for water, tax etc. from the City Office and there are some other minor periodical work. The most difficult work among them is collecting donations for temples, shrines, public and private organizations. After a day's hard work, with my tired body I have to go round all the families of Tonarigumi telling the reason for donation gathering them and sending them with statement of accounts. The work of this kind give my physically weak body burden and mental torture. Furthermore, when a man dies it is accustomed to perform funeral by Tonarigumi since the war. Neighbors were forced to gather in the home of deceased and offer their services. The leading character of this service should be done by the chief. Collecting money for the wreath is another problem. Every time the unhappy incident happens in the neighborhood, I have to take two days leave for the occasion to fulfill my duty. I am a daily paid worker, therefore, I don't get paid for the day I take leave. My living condition is always threatened by taking too many leaves.

After the occupation of Allied Forces, the democratic idea spreaded all over Japan. Further the new constitution law came to an effect. Individual freedom has been recognized, but the Tonarigumi which was formed during the war and five years have elapsed since the surrender, still freedom of a person is unrecognized in this locality. This incident is most disagreeable to us, this hinders the development of democratism. There were no Tonarigumi in prewar, therefore demanding service without any compensation was not forced. When we think of Tonarigumi system itself we think we had more freedom before the war

*#37
Shizuoka*

#307 (Cont'd)

than at present. I was strongly against this system and cried for abolishment of this system, but influential "Bosses" in our city told us to get out of the place if we don't care to stay here. They molested us in several ways. I cannot do anything with my weak influence, therefore I am asking your assistance.

I wish you would instruct to abolish the Tonarigumi system once for all the enforcing one to be a chief asking for services without freedom of any kind.

There were lectures given in our city by your official from Shizuoka last year, the above was one of the topic. Our city is still a very conservative city, still forcing ourselves to offer our services.

I have sent this petition under false name, because I fear that I, and even the Company where I am working, might get in trouble if they happen to know that I have informed the Military Government of their city administration.

Translated by: Y. Kawashima dtd 31 Mar 50
Y. KAWASHIMA

#27
Shizuoka



静岡市追分町

東京都芝居区内港区芝居町
一丁目 外務省内
国東連絡調整事務局中
青江信一
府

御中

Received
K. I. C. O.
[25. 3. 29]
TIME 14:00



静岡市追手町

静岡軍政府

御中

Received
K.L.C.O.
25. 3. 29
TIME 14:00

織

靜岡縣富士宮市立宿
望月太郎

858

Petition 307.

親愛なる軍政官様

私は静岡縣富士宮市に居住致して居る者であります。當市に於ては終戦後現に解体を命ぜられた隣組組織(或は町内会と呼ばれて居ります)が戦時中の隣組とそのまま引ついだものが、本質的には全然同じものであります。今猶嚴として存在して居つて、任期一年持廻り式と云ふ制度に依つて私はこの隣組の組長と私の意志に反して強制的にやらされてゐます。

隣組長の仕事としては、配給物等の各家への通達、市役所よりの税金、又毎月の水電料金の告知書の配布、並に當地市當局よりの市民に対する諸通報の傳達、この外この隣組を利用して、臨時的に行はれる仕事は、相當あります。中でも諸神社佛閣及公私団体其他の寄附金を割當つてくる事が非常に多いのです。それを集金する仕事は、組長の大きな仕事に成つて居ります。晝間の会社勤務を終へ帰宅後疲勞せる身体に

#2) Shuzocho

Inamata

Shuzocho

2

鞭打る隣組の一軒一軒と訪問して理由を説明し寄附金を集
 め更に計算書を作るとまともあげると言ふ仕事は生来視健が
 ない私にとっては肉体的に又精神的に酷からぬ苦痛をおたへて
 居ります。其且當市に於ては、人の死んだ場合隣組単位に一切の花井
 儀を營むと云ふ悪習慣が、戦時中より引つゞき行はれて居り、その
 場合同一隣組の人々と強制的に徴集して一死者あつた家に対
 してサービスを行はせる事になつて居ります。これを率先指揮する
 ことの組長の役目があり、其他隣組内の告喪も、集められたらな
 らずこの全隣組内の一死者あつた毎に勤務先を二日位は休んで葬儀
 関係の仕事に當らざるを得ず、日給者の私は給與も貰へず
 それが毎に自分の生活占もあかされてはる有様です。
 連合軍の進駐以來、民主主義は次第に普及され又新憲
 法も實施せられて、個人の自由が認められ何等故無くして
 侵襲されることは、ないことになつたにも拘らず戦時中に

3

組織を命令せられた隣組と云ふ遺物に依つて終戦後五年を
 経過せる今日個人の自由が公然として束縛され侵害せられてある
 と云ふ事實こそ我々にとって不愉快きはむるものがあると共に民
 主主義の發展と阻害してあるわけはき次第と考へます
 戦争以前は隣組の存在はなく従つて前述の如きサビスと個人に
 無報酬で強要する事は行はれてゐませんからこの隣組と云ふ
 制度を敢て取上げて考へる場合は現在よりも戦争以前の方が我々には
 遙かに多くの自由が与へられてゐたと云ふ事から考へるわけは
 私とてこの制度に反対して之を撤廢を唱へてゐたのはあります
 が却つて街の有力者たるボス共は依つてそんなには嫌なら他所の
 土地へ出て行けと云はれ種々な手段を以つて迫害を加へられてゐる
 と云ふ實状であつて微力なる私の方をもつては如何ともする
 ことができませんがこの半紙をもつて軍政官殿に御願ひ申し
 上げます様な次第です。何卒御命令によりまして隣組制度

No. 4

と完全に撤廃し、その組長になることを一方的に押しつけるものと云ふ
 粉砕手段方法によつて個人の自由を侵害し、或は個人のサービスを
 強要するの如き事は絶対に止めさせていたが、度々懇願奉ります。
 なり、當市は昨年静岡より軍政官邸の御来臨を仰ぎ、當市に於
 て公聴会を開催され、その時の議題に取り上げられる以前迄は個人
 に対して労働の提供や強制されたるたと云ふ至極封建的な街で
 あります。私の軍政府に市政の一部に付いて通報した事、万一
 判明した暁には、私は勿論の事、私の勤務してゐる会社にも迷惑が
 及ぶことを恐れ、匿名にて御願ひ申し上げました。何卒、御了候
 下さい。

KANTO CIVIL AFFAIRS REGION
Legal and Government Section

Suspense Matter No. 25 (Shizuoka)

Subject: Offenses Committed by GI's in Gotemba.

Principal: 2 GI's

Source: Petition Shizuoka NRP

Action:

*Closed.
Spoke to NRP
in April about this
jsm*

Handled by:

Investigator:

Date Closed:

#25

#299

25 March 1950 yk

Translation of a report received at 7 p.m. on 24 March 50

SUBJECT: Robbery case of G.I.s

TO: Kanto Civil Affairs Region

FROM: Night-duty official of the Shizuoka Prefectural Headquarters of N.R.P.

Date: Around 9.30 p.m. on 22 March 1950

Place: KATSUMATA Takajiro's (44 years old) house, 1392, Gumizawa, Tamaho-mura, Sunto-gun, Shizuoka Prefecture

Police official who received a notice:

MURAYAMA Shun, police sergeant of the Gotenba-cho despatched police office received a notice at 1 p.m. on 24 March.

Details

Around 9 p.m. on 22 March, 2 G.I.s forced their way into the house, opening a door facing a road. Putting two cartons of cigarettes "Lucky Strike" on a mat, they said "Buy this cigarettes. Yen 1,000 per one carton".

KATSUMATA rejected to buy them saying "I have no money". Then 2 G.I.s threatened him to surrender money saying "Down with your money!" In this way they plundered him of Yen 2,000 and cigarettes.

KATSUMATA requested to go to the police. Then one Nisei and one white threatened him with pistols saying "If you move, I will shoot you!"

Steps taken

After the investigation, we informed it to the Military Police

KEEP FILE OF
this incidents in
or near
Gotenba

JK

#25
Shizuoka

#299 (Cont'd)

of Gotenba.

Effect

Inhabitants in the neighborhood are in fear.

Others

4 G.I.s (2 white and 2 Nisei) were in a working dress.

We are keeping a close watch to prevent these matters from coming out again.

Translated by:

Y. Ito
Y. ITO

dtd 25 Mar 50

Crimes committed by Occupation Personnel

24 March 50 1900

Shizuoka-ken N.H.P.

#299
Kamada

進駐関係犯罪発生報告 (三月二十四日 一九〇〇。接受(夜警係)

静岡県静岡警察本部 当直 原田

死因東民部

一、事件発生日時

三月二十二日 二一、三〇頃

二、場所

静岡県駿東郡玉穂村グミ沢一三九二 勝岡田高次郎(当直)

三、原因

進駐軍、強盗

四、通達取得日時及通報役者氏名

三月二十四日 一三〇〇 巡本部長 村山俊

五、署(職)

駿東地区御殿場町警部隊事務所

六、被害状況

三月二十二日 二一〇〇頃前記勝岡田方表道より突然進駐軍人

御殿場ケテ侵入煙草「ラッキーストライク」二本(一箱ニ備ヘテ来シ

入口、疊上ニ置キ之ヲ買入ヘ一本一千元ト言フタ処同人ハ

「金ガナシト断ヤ、金ヲ去セト脅迫畏怖セシメ同人ガ現金ニ〇〇円

ヲ出シ名処失庭ニ差去リシ金ト煙草ニ本ヲ強奪セリ

依ツテ「警察」行ツテモラヒタイト言フト四名ノ内ニ世一名白人一名

ガピスヒヲ取り去シ「動ト對ト脅迫逃走セリ

七、処置

一、検分ラテ直ニM.P.(御殿場)ニ通報

八、予測

尚カル事起リ起モトミテ警戒中

九、概、影響

附近ノ住民ニ恐怖シテ

一〇、警務方針

M.P.ト協力シテ犯罪ノ防犯セザル様最モ望成ス方針ナリ

二、備考

進駐軍人ノ名(白人兵ニ、二世兵ニ)

イワレモ作業服着用

以上

KANTO CIVIL AFFAIRS REGION
Legal and Government Section

Suspense Matter No. 24 (Shizuoka)

Subject: Separation of Villages, Fujinomiya and Tomioka.

#24

Principal: Fujinomiya-shi and Tomioka-mura.

Source: Petition

Action: *Nov. 25
dead file
JBN*

Handled by:

Investigator:

Date Closed:

Shizuoka

Subject: Separation of Villages

Fujinomiya City and Tomioka
 (Tomioka was a town and during
 the war was forced to merge
 with Fujinomiya).
 June 1941

Reasons for separation:

Was sent to Nolan on 10 or
 12th of this month.

#24
 Shizuoka
 Art. 179 of L.A.L. — Tomioka
 won election. City rejected Shizuoka
 Pny. assembly rejected (Aug. 1 last
 year on ground

Par. 2 of art. 179 of L.A.L.

Parag 5 of art 2nd Supplement of Law # 179, July 20, 48

WRITTEN COMPLAIN

Plaintiff:

Plaintiff's representatives:

Defendant:

Mr. T. KOBAYASHI, Prefectural
Governor of ShizuokaAppeal for the abolition of the administrative disposition
concerning City area alteration.

Signification of the Appeal

We appeal to the Court for a judgment to the following
effect:-

The administrative disposition of the defendant concerning
the area of Fujinomiya City per No.793 (Chi: Shizuoka Prefecture)
of the 2nd August 1949--"Fujinomiya City area is not altered"--is
abolished.

Cost of action should be born by the defendant.

Cause of Complain

1. Plaintiffs were the residents of Tomioka village till
the annexation of the said village to the town of Ōmiya on the
1st June 1942, and are the citizens of Fujinomiya City since the
annexation.

2. Since the plan of militaristic city of Fujinomiya lost
its meaning by the termination of the War, the plaintiffs and
their associates became very anxious to regain the village-ship
of Tomioka Mura.

The "Shizuoka Shimpō" of the 19 July 1946 reported in
its article the announcement of Ministry of the Interior, Ōmura
concerning the annexation and separation of city, town, or vil-
lage, which was made at the Local-system Committee on the 17 of
the same month that "separation should be granted according to the
circumstances in case of being so desired by annexed area of city,
town or village."

Being encouraged by the above mentioned article, they
started to manoeuvre for the realization of their wish to re-
establish Tomioka village and they are now the representatives

Mike gave copy to Mr. Morse

*YK from
McM's notebook*

*#24
Shizuoka*

of the Tomioka Village Reestablishment Realization League, which is composed with residents of old village area of Tomioka. (Number of present members are 2,256.)

3. The annexation of Tomioka village to the town of Omiya was projected and carried out in 1942 according to the plan of militarist Government to establish some factories for militaristic demand for War operation.

It was understood the duty of the residents to co-operate with the promoters, and those, who opposed the execution of so-called national policy, traitors.

Mr. Torazo OKAYA, Superintendant of Omiya Police (He became the first Mayor of Fujinomiya City when the annexation was concluded) and Mr. Kumaō Muto, Department chief of Special Service of Omiya Police were the centre figures. Policemen, Minoru ISHIKAWA, Takashi MOCHIZUKI, Kiyoharu TONOOKA, Matsunosuke WATANABE etc. were assistants. They made a strong campaign for the success of the plan.

Whenever there was any meetings concerning the annexation problem, many uniformed policemen were in attendance and noted down those who expressed objection. They summoned the noted persons either to the Police Station in the town or in the village and threatened the villagers by immediate arrest.

4. As mentioned above, the plaintiffs fully endeavoured for the separation of former village area of Tomioka from Fujinomiya City after the announcement of Minister of the Interior, Omura at the Local-system Committee and so far succeeded that the Law of amendment of a part of Local Autonomy Law, Law No.179 was propagated on 20 July 1948 and put in force on 1 August the same year.

Being animated by the said issue, they negotiated times and times again with the Fujinomiya City Authority without any achievement.

The plaintiffs and other 87 persons, as the representatives, (all League members) were obliged to submit the demand of changement of area as follows to the Fujinomiya City Returning Officers on 5 February 1949, with the joint signature of 2,048 persons, exceeding one third, in number, of the whole residents in the area of old Tomioka village, who were registered in the poll-book.

The area of former village of Tomioka has every topographical condition to be functioned as an autonomous body on

agricultural base. There was no difficult question ever arisen in the long past and its existence was well reputed as of a model village.

The Government Authorities during the War said that they could hardly expect the victory unless Tomioka and Omiya were amalgamated into a city, so that one militaristic town would be established. They oppressed the villagers and paralyzed their will by dogmatic conclusion that the villagers should not absolutely oppose the plan as long as they were Japanese nationals. The annexation was thus carried out.

While they were still planning the setting up some factories, the War was terminated to our complete defeat. The construction work of factories for military demands was either suspended or given up. The dreamy plan of establishment of militaristic mighty city was disappeared like morning dew.

We have every doubt if Fujinomiya City has enough elements for further development owing to the abrupt changement of whole situation of our country and all circumstances after the surrender.

The old villagers of Tomioka, who never thought of annexation, have realized that the living conditions in the annexed commercial city is not in accord with the simple farmers' ideal, either in administration, or in economy, or in ideology.

In this occasion, without sticking to the vain name of city, as rather wish to return to the former autonomous body of the pre-war time, which was in entire harmony with natural surroundings, limiting its area on farming zone, and reestablish the village of Tomioka, the name of which still sounds quite touching to our heart.

According to the intensified wish of the residents of the concerning district to form a bright autonomous body and to contribute to agricultural production increase for the reconstruction of Japan, keeping closed connection with the neighbouring city of Fujinomiya, we hereby appeal to you for the separation of old district from the city of Fujinomiya."

5. Fujinomiya City Returning officers accepted the said application on 17 February 1949. The vote was taken on 18 March. The Returning officers announced that: total number of voters--3,923; valid votes--3,692 (2,026 for; 1,666 against)

Thus separation was decided by the majority of more than half of voters. This result was reported to the defendant.

6. The defendant, who received the said report, should have decided the establishment of Tomioka village after the case being passed through the Shizuoka Prefectural Assembly. This disposition is clearly mentioned in the above mentioned law Art. 2, 5 paragraph.

When the bill No.84, presented to the Assembly by the defendant, "The problem of establishment of Tomioka village by separating certain area of Fujinomiya City" was registered by the Assembly on 1 August 1949, the defendant took the measure on the following day, 2 August that the area of Fujinomiya City would not be altered and submitted the due report to the Prime Minister.

7. Concerning the solution of Prefectural Assembly, mentioned in the said law Art. 2 Paragraph 5, its clear, precise interpretation was forwarded to all Prefectural Governors by the chief of Autonomy Section, Prime Minister's Secretariat on 12 April 1949, prior to the above mentioned disposition of the defendant, as follows:-

Despatch No.405, Autonomy Section: Re the solution of Prefectural Assembly, mentioned in Law No.179 of 1949, Supplemental Regulation Art. 2 Paragraph 5 "This solution is understood to be carried out on the base of the voted result of the residents of the concerning district according to the purport of legislation of this regulation. I, therefore, specially notify you that you would give perfect instruction to all concerns with this understanding."

Furthermore its ground was stated:-

"Concerning the function of Prefectural Assembly, mentioned in the Supplemental Regulation of 1948 Art, Paragraph 5, this Section has classified a specific principle concerning its handling per actual administration factors. Recently, in some prefectures, resolution was passed to the opposite effect, of the will of residents of concerning district, which was indicated by the vote of residents, based on the said law Art. 2, Paragraph 3.

The legislation of this law is due to the fact that the altered area of some cities or towns is still remaining unadjusted, while the alteration was partially forced during the War.

Its aim is to remove the difficulty of applying the usual means, mentioned in Local Autonomy Law Art. 7 owing to the lack of sufficient representing power in the Assembly, and also to fix a special procedure as a redress measure. Namely, this legislation is of temporary nature with the limited date for enforcement and

to provide the means of readjustment of the absurd situation by the direct will of the residents of concerning district. Profound consideration, therefore, is needed in these points when you interpret this function.

The direct function, provided in the Local Autonomy Law can be decided into:-

(1) The right of proposal is only given to the resident (Right of setting up ordinances, Right of discharge demand for Vice-Governor of Prefecture, Deputy Mayor, Chief cashier).

(2) The right of proposal and decision is directly bestowed to the resident (Right of requests for discharge of assembly member:)

In the latter case, the right of decision is bestowed in the form of general vote. Namely, the result of general vote has the right of fiscal decision.

Under the area alteration function, not only the right of proposal, but the right of decision should be considered to be also attached to the direct will of the resident of concerning district, according to the fundamental aim of the concerning law.

General voting, which is provided in this function, should be understood to have the same power to the general vote under the direct demand function.

The function of Prefectural Assembly per the said Article, Paragraph 5, resembles to the case per Local Autonomy Law Art 7, Para. 1, in appearance. The solution of the Prefectural Assembly per said law should be understood to be carried out in conformity with the intention of the residents of concerning district, which is indicated by the result of general vote according to the legislative purport and to the authorities power of general vote under the said function. (Moreover I can mention that the Legal and Government Section of 8th Army Headquarters possesses the identical opinion)".

Thus clearly and precisely was interpreted.

8. Furthermore, the Government presented the bill of partial revision of Local Autonomy Law to the 6th Congress. The Local Administration Committee of House of Representatives has decided to

realize the proposed amendment.

The present law requires the solution of Prefectural Assembly besides the vote of resident for the separation or abolition of cities, towns or villages. This is to be revised that the solution of the Prefectural Assembly is not required.

9. Supposing the interpretation of the chief of Autonomy Section of Prime Minister's Secretariat has no binding power and even though the bill was not yet discussed at the 6th Diet owing to the lack of time, during its session, the case of the above mentioned law Art 2, Paragraph 5 can be clearly understood according to the existence of these factors.

Namely, the defendant is a public employee, who serves the public, while the residents of local public body or electors are the persons who execute the administrative power as the whole. Consequently the vote of electors of local public bodies has the final effective power like the people's election, mentioned in the National Constitution. As long as it is not illegal, this cannot be upset by the solution of Prefectural Assembly and the defendant is also bound by the result of vote.

Nevertheless, the Shizuoka Prefectural Assembly has illegally rejected the result of vote and the defendant has carried out disposition, not to alter the area of Fujinomiya City, as that he has opposed against the will of 2,026 persons who supported the separation of the area of former Tomioka village including the Plaintiff and moreover ignored the fact of separation being decided by the majority of valid votes, thus he has hurted the right of the residents of former Tomioka village district.

The defendant has not done anything, though he should have withdrawn his administrative disposition and should request the Prefectural Assembly for revision.

We are thus obliged to appeal to the Court.

DEFENCE

Plaintiff:

Defendant: Takiji Kobayashi, Prefectural Governor

Hereby I submit the defence to the Court against the plaintiff's appeal for the withdrawal of administrative disposition, administrative case No.22 of 1949.

Purport of my statement

To get a judgement to the following effect:-

Dismissal of the case. The cost is to be born by the plaintiff.

Grounds of my statement

1. I acknowledge the existence of the following factors, which are mentioned by the plaintiff.

- (1) Former town of Omiya and former village of Tomioka were annexed on 1 June 1942. Fujinomiya City has been existing upto this day.
- (2) Vote was taken on 18 March 1949, and the majority supported the separation of Tomioka district from Fujinomiya City. Fujinomiya City Returning officers reported the result to the Governor of Shizuoka Prefecture.
- (3) The Governor of Shizuoka Prefecture requested the Assembly for decision per Local Autonomy Law, Supplement Regulation Art 2, Para 5. The case was rejected by the Prefectural Assembly on 1 August 1949.
- (4) The notification, mentioned at No.7 of the cause of complain, was destatched by the Autonomy Section Chief, Prime Minister Secretariat per No.405 of 12 April 1949.

2. The Plaintiff insists that a judgement should be given for the withdrawal of administrative disposition, as a notification was done by the defendant that the area of Fujinomiya City was not to be altered. The defendant has never done such notification. The case, therefore, lacks object, as no claim can be made.

3. Supposing there was such satisfaction, it would be no administrative disposition.

According to Law No.179, Supplemental Regulation Art. 2 of 1948 (hereafter simply called Supplement Regulation Art 2) the residents of concerned district request the due measure to Returning officers of city, town, and village when joint signature of certain number is obtained for separation, but not to the Prefectural Governor. If the result of vote, which is based on this request, shows that the case is not supported by the majority of valid votes, the claim itself spontaneously disappears, so there is no necessity for the Prefectural Governor to express any opinion.

When the case is supported by the majority of votes, the Prefectural Governor must request the solution of Prefectural Assembly. Even in this case, this obligation is not originated on the direct demand of the resident, but spontaneously comes out from the result of vote. The Governor has, therefore, no obligation to express any opinion, either negatively or positively to the direct demander.

If the case is passed through the Assembly and alteration of area is necessiated, the administrative disposition for area alteration should be made. But if it is rejected and the concerning area should be left unaltered, it is quite enough to make it clear that the separation problem is abolished by the announcement of Assembly's decision, so the expression of Governor's intention is not required.

The Governor's disposition, in case of rejection by the Assembly, shall not be interpreted as a negative manifestation, not to alter the area, namely not a negative disposition against separation claim.

It is only a public announcement of Assembly's decision, so that the separation problem is drawn to end; non-alteration of area is not its effective will. The provision of Supplemental Regulation Art.2 "Prefectural Governor shall decide the alteration of boundary" means that the Governor's administrative disposition is required when area alteration is necessary, but no administrative measure "area is not altered" is necessary when the area is left untouched.

As above stated, in case of the area being unaltered, there is no disposition by the Governor existing, either positively or negatively. The claim of the Plaintiff, lacks its object, so this appeal for the withdrawal of administrative disposition has no stand.

4. For argument sake, if the Governor's measure were considered as administrative disposition, the Plaintiff and the associates have no right of legal action. The alteration of area of city, town or village is the alteration of area, which is one of the elements of public body, such as city, town or village, and also is the alteration of administrative jurisdiction.

This measure, therefore, has no direct relation to the residents. Needless to mention that there is no violation of right or interest of the resident, as the area is left unaltered.

Consequently the residents have no object, which shall be protected by law. Besides, there is no clear provision in law, which recognizes the right of legal action, so this case should be dismissed, as there is no interest existing which requires the protection of law.

5. Supposing if there is some administrative disposition existing, which would be considered as the object of this claim and if the Plaintiff has proper interest to demand the withdrawal, the decision of Assembly or the disposition of the Governor are not at all illegal, so the appeal for its withdrawal has no ground whatsoever.

The Plaintiff quote the notification of Chief of Autonomy Section of Cabinet Secretariat and insist the illegality of Assembly decision.

The notification is, however, the interpretation of the Chief of Autonomy Section and has no legal binding power.

This notification seems to indicate that the result of general vote of resident of concerning district has the final power of decision.

Such conception is not admitted, as the law brings the Assembly in the case and the disposition for the area alteration has special characteristics. (refer (7)).

This is why the said notification states merely as follows at the end, "it is interpreted that the Assembly decision should be done on the base of people's intention," but it never indicates that other decision is an illegal decision, which ignores the final decisive right of people. This notification is

understood as of advisory nature that the voting result if people should be respected. This cannot be the base for the illegality of decision of rejection.

6. The Plaintiff say that the amendment of Supplement Regulation Art 2 is decided at the Local Administration Committee of House of Representatives to the following effect,--"The decision of the Prefectural Assembly is not required after the vote being taken". In fact, the matter has not been decided.

The intended amendment aims at the bestowment of final decision right to the residents, as it is lacking under the present law.

This proves that the general vote of residents has no final decision power at present.

7. The Plaintiff insist also that the residents or electors of local public body are those, who exercise the sovereignty right as a whole, so the vote of electors of local public body has final effectiveness like people's vote, which is confirmed by the National Constitution, so it cannot be upset by the decision of Prefectural Assembly as long as it is not illegal.

Even though the people are rulers, they do not always directly participate the administration. They only do so in the limit, which is specially recognized by the law.

The will of residents, which is indicated by vote is the direct announcement of the will of rulers, so it must be well respected, but it has no final decision power according to this mere fact. It should be classified according to the individual nature and also by the written law. Generally speaking, therefore, the Plaintiff's opinion cannot be accepted.

Needless to mention that the Constitution of Japan makes the theory of people's sovereignty as its basic principle.

The theory of sovereignty being in the people does not necessarily mean that the people directly exercise their sovereignty right.

We can divide the actual exercising of sovereignty right of people into two.

One is the direct administrative decision by the people

and its own participation. Another is to do so through the representatives. The former is said "direct democratic administration" and the latter "representative democratic administration".

In case of state, the main items, which take the form of direct democratic administration are the approval of revision of Constitution, People's reexamination of judges of the Supreme Court, referendum of residents per special law, which is applied to certain designated local public body etc. Other administrative function of state is executed by the representatives of people. People's own function is to elect their representatives. Namely, nearly all function of sovereignty is carried out by the people's representatives, even though the sovereign right is said rested in the people. We can pacificly say that the representative democratic administration is the foundation of Japanese Constitution. And the direct administration participation takes the form of people's referendum, so the intention of rulers is indicated by the result of vote and it has the final decisive power.

In the administration of local public bodies, the representative administration is its base, but, the relation between the autonomous body and its residents being put into consideration, more chance is given to the direct administration participation than in case of state, by setting up the direct demand system of many kind. In such cases, however, the residents cannot always directly participate the autonomous administration in general. They have the right of direct participation of autonomous administration in the limitation of law.

The main direct administration participation, which is recognized by the Local Autonomy Law, is the legislation of ordinance, Inspection demand, Desolution demand of assembly, Dismissal demand of assembly members or assembly chairman.

Under this function, some only give the right of proposal to the residents and some the right of decision as well. The right of decision is given to the residents in the form of general election.

The attribution of final decisive power to the result of vote is not due to the result being of general vote of the residents, but to the direct demand system itself, which aims at the decision by the direct intantion of residents and is the special meaning of the existence of this system, so the principle of this system will be destroyed

if other organ is brought in for final decision. The law, therefore, clearly mentions that the result of vote has final decisive power.

The direct demand system per the provision of Supplemental Regulation Art. 2 concerning the alteration of area is a possible means of making application for separation, as the towns, villages, which were partly forced to be annexed during the War, cannot easily apply for separation according to the ordinary procedure, mentioned in the Local Autonomy Law Art. 7 owing to the influential distribution in the Assembly.

Hithertofore, the problem of area alteration of City, town, village, was treated as a state problem, so the Minister of the Interior or Prefectural Governor unilaterally dealt with the problem, referring the opinion of concerning body.

The autonomous right of local body being respected, the new Local Autonomy Law makes the application of concerning city, town, village as the element of disposition, but it provides that the Prefectural Governor finally decides the matter after the decision of Assembly.

Thus the problem of area alteration of city, town, village is not only the question of concerning city, town, village, but of Prefecture or state.

The area alteration per Supplemental Regulation Art. 2 is similar to the above case in its nature, so there is no necessity to attribute the final decisive right to the residents of concerning area. This is rather too excess. The meaning of Sup. Regulation Art. 2 is to give a chance directly to the residents of concerning area for separation, which cannot be obtained by the Local autonomy law Art 7. This is quite enough and necessary as the interest of residents to be given concerning area alteration.

You may say that what is the use to set up voting procedure, while the residents of concerning area have only the right of proposal.

As stated above, the area alteration of city, town, village is not a problem if certain part of residents, but of the whole city, town, village. It is, therefore, to pass through the decision of the body and not to be entrusted to the intention of some residents. At least, the intention of the whole of the concerning district should be ascertained. This is why the general vote of resident of the concerning district is carried out as the means for ascertaining the intention of the resident concerning

separation problem.

When there is no support of more than majority of half of voters, the question is spontaneously abolished. When the case is supported by the majority, the Prefectural Governor gets the responsibility of taking the due procedure according to the intention of the resident of concerning district.

By thus interpreting, we can understand the Local Autonomy Law Art 7 and Supplement Regulation Art 2 under common conception. The meaning of Supplemental Regulation Art 2 and its relation to Local Autonomy Law Art 7 will become also clear.

Supplement Regulation Art. 2 does not give the final effect to the result of vote. It must not be interpreted otherwise. In the sametime the decision of the Assembly is free and will not be necessarily bound by the result of vote. This is the reason why the Assembly is introduced into the case of separation.

8. Supplement Regulation Art 2, Paragraph 5 simply mentions "passing through the decision of the Assembly," but does not provide any restriction how to carry out decision. There is no doubt, therefore, that the said decision means the exercise of decision right, basing on the free judgement of its functioned members according to the general principle of majority vote.

The expressed intention of resident shall be sufficiently respected. It is, however, unconceivable that the decision is illegal if it is not in accord with the result of vote as the Plaintiff insist.

If the decision is understood absolutely bound, this means the destruction of the basic idea of democracy, i.e. the exercise of decision right by free judgement, which is the base for deciding the will of representative body. The meaning of the existence of assembly in the law will be also lost.

The legislative purport of this provision which requires the assembly decision, is to avoid the risk of spoiling the main issue by egoistic interpretation of narrow mind of insularism. This is quite clear per the minutes of the House of Representatives when this law was legislated.

On 19 June 1948, when the partial revision bill of Local Autonomy Law was under discussion during business session of the

House of Representatives, Mr. Bando, Chairman of Public Peace and Local Function Committee made it clear, as the report of process of discussion and result at the said committee, that there were the following questions and answers exchanged between the committee members and Government delegates.

Against the question "What happens if the Prefectural Assembly reject the result of vote, provided for the separation problem of city, town, village, which was annexed during the War, per Supplement Regulation Art. 2, the Government's reply was "The Prefecture Assembly, being not concerned party, investigates the number of valid votes, number of support and opposition etc. under cool judgement, and decides the case without prejudice, standing on one step higher with every consideration for the whole situation. The decision of Prefectural Assembly, therefore, shall be final"; (Government Gazette Extra of 20 June 1948 Second Diet Session, House of Representatives, Minutes No.67, p. 674.)

The decision of Assembly, therefore, is not of confirmative character, i.e. bound by the result of vote, and is entirely free. In case decision is taken against the result of vote, it may be considered to be improper, but never be illegal.

9. The Plaintiff, furthermore, insist that the right of residents of former Tonioka Village district was violated when the separation case was rejected, which had been decided by the majority vote.

As stated above, there is no question of violation of right, as the resident has no function concerning final disposition of separation case. Moreover, there is neither violation of right of individual resident.

10. The Plaintiff further say that the defendant should withdraw his disposition which was carried out by the notification and should also request the Prefectural Assembly for revision. Such notification, however, has never been put up.

Local Autonomy Law Art 176 makes the Prefectural Governor to bear the responsibility of requesting the Assembly for revision when he recognizes the first decision is illegal.

There is no ground to demand the revision in this case,

as there is nothing to be recognized illegal in the decision of this case.

As stated above, the Plaintiff's claim looks either legal ground or litigation element.

We, therefore, appeal to you for the dismissal of this case.

We thus protest.

Defendant :

Tokiji KOBAYASHI
Governor of Shizuoka Prefecture

KANTO CIVIL AFFAIRS REGION
Legal and Government Section

Suspense Matter No. 23 (Shizuoka)

Subject: Request inre: Cashing of US Treasury Bond posted by illegal entrant
to US in 1946

#23

Principal: Japanese National

Source: Liason Section, Shizuoka Pref. Govt.

Action: Investigated and recommended

Handled by: Dr. Featherstone

Investigator: "

Date Closed: 1 March 1950

Hill

Closed 1 Mar 50

Advice given on Call from Mason,
Shizuoka - Mr. Endo.

Japanese Nat'l an illegal
entrant into U.S. before 1940.

Discovered in 1942 and required
to put up a bond. Paid money and

received a \$1,000 bond labeled -

U.S. Treasury Bond. Shipped

back to ~~States~~ ^{Japan} in 1946 but

r/c bond while waiting on ship
in S.F. to return to U.S.

23
Shizuoka

I Called Mr. Mayall

CPC SCAP and he said that

SCAPIN 927 requiring such

property, bonds etc. to be turned in is now

rescinded. Believes that

bondholder can give good title

to a purchaser from him. Says

best way would be to send to U.S.

Treasury asking that credit be

placed in Japanese Bank
J22.

Mr. Endo, Masao and Covid
Shuzooka City
351

~~U.S. Treasury Bond~~
Repatriated
U.S. Treasury
Bond.

927 has
rescinded
from

U.S. Treasury Bond

Illegal entrant before 1940
Discovered in 1942 and
was required to put up the bond.
Query -

Mr. Meyall
26-7054

Scap Dir. to JAPANESE govern on
Soliciting.

Harry EVANS
2-5413

already in Sendai -

What prefectures have laws on
Pandering and Soliciting with regard
to prostitution.

Raffle

関東民事部司令部長代理

昭和二十五年三月三日

佐々木 佐吉

静岡縣駿東郡長泉町下土将字三軒屋

久保善太郎殿

拝啓 昭和二十四年十二月二十日附貴翰のニ落字

左ノ通り仰回答申上ケマス

本件ハ不動産ニ關ル件ニシテ、日本側裁判

所ニ於テ受理サレルヘキモ、テ、當部ニ於テハ何等

決定ヲスルコト加出スルマセシ。耕作人右屋加共謀、

騙取シタルモノトシテ、當該土地ノ所有權ヲ確保、

スルヲメ、民事訴訟ヲ提起スルヘキナシ。

#32
Shigemitsu

以上

0 *Com in 28 Feb. 50*

#239

2 March 1950 ✓ yk

20 December 1949 ✓

SUBJECT: Petition on Farm Land
 TO: Kanto Civil Affairs Region, Legal & Gov't Section
 FROM: Zentaro KUBO, Aza Sangenya Shimotsuchikari Nagaizumi-mura Sunto-gun Shizuoka-ken ✓

Name of Petitioners: Joint buyer Zentaro KUBO
 " " Kameichi IGARASHI
 " " Shusaburo KIMURA
 Cultivator: " " Sadao FURUYA

Address: Aza Sangenya Shimotsuchikari Nagaizumi-mura Sunto-gun Shizuoka-ken

Name of Opponent: Former landlord Eitaro NAGAZAWA

Address: Aza Sangenya Shimotsuchikari Nagaizumi-mura Sunto-gun Shizuoka-ken

Name of Defendent: Cultivator Sadao FURUYA
 " Nakataro KAWAGUCHI

Address: As above

#22 Shuzishi

1. Purpose of Petition

- (1) Eitaro NAGAZAWA sold part of his land, 3 se of farm land at 103, Shimotsuchikari Nagaizumi-mura Sunto-gun to Zentaro KUBO, Kameichi IGARASHI, Shusaburo KIMURA and Sadao FURUYA, but later again sold the said farm land to Sadao FURUYA and other Nakataro KAWAGUCHI.
- (2) FURUYA and KAWAGUCHI insist that he bought the above piece of farm land from landlord NAGAZAWA.

Therefore, NAGAZAWA should cancel the above.

FURUYA and KAWAGUCHI should return the land to former joint buyers, KUBO, IGARASHI and KIMURA.

#239 (Cont'd)

- (3) The above land should be altered to residential land from farm land on the registry.

2. Reason of Petition

- (1) KUJO, IZARASHI, KIMURA and FURUYA rented a house owned by NAGAZAWA. On January 1947 they bought the house together with the land from NAGAZAWA making payment on 7 March 1947, signed and sealed an application for registry.
- (2) There were 3 se of farm land among the above land.

~~At that time we were unaware of the new law for farm land and cultivating right.~~

The above farm land was cultivated by FURUYA and KAWAGUCHI for vegetables which made them gradually insisting for their cultivating rights, neglecting us monopolizing same until this date.

- (3) The defendant conspired with others borrowing his name of farm land and by frauding farmers right for two years, finally getting NAGAZAWA to sign and seal the said land as sold. They are really men with no virtue.

The defendant FURUYA again bought to get the right of ownership. His plot is most inhuman.

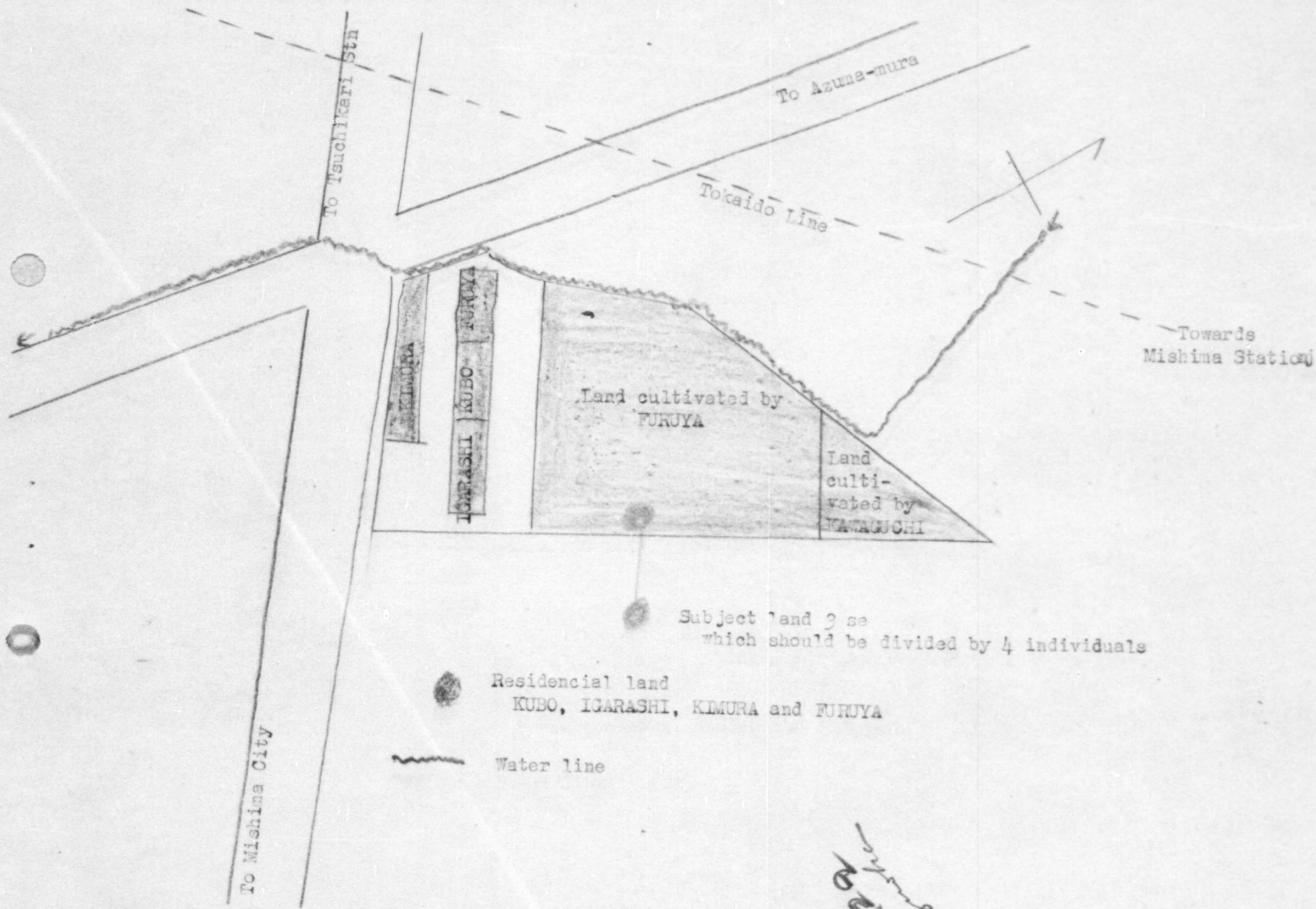
As stated above we wish for your approval as we applied in paragraph 1.

#22
Shizuko
Translated by:

Yoshiko Kawashima dtd 2 March 1950
Yoshiko KAWASHIMA

#239

SUBJECT: Petition on Farm Land



Subject land 3 se
which should be divided by 4 individuals

Residencial land
KUBO, IGARASHI, KIMURA and FURUYA

Water line

Handwritten signature

239

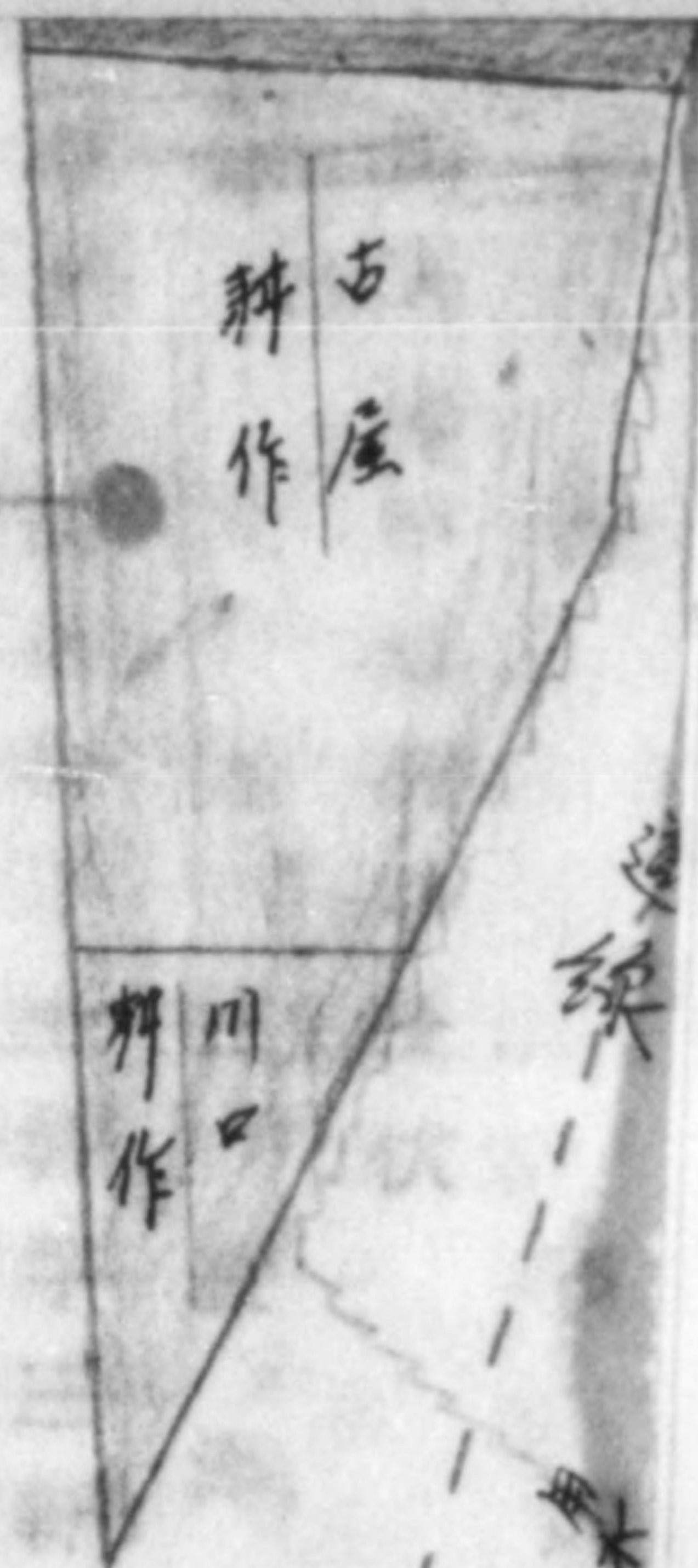
621

Petition (land case)

Zentaro Kubo, 103, Sangenya,
Nagayama-mura, Saito-gun,
Shizuoka Pref.

三島

保古屋
村古屋



此二重書、不正ヲ答
 目ノ宅地名目ニ変更
 者、念秋ニ叶リトテ切望ニ耳



主人名目ニ記

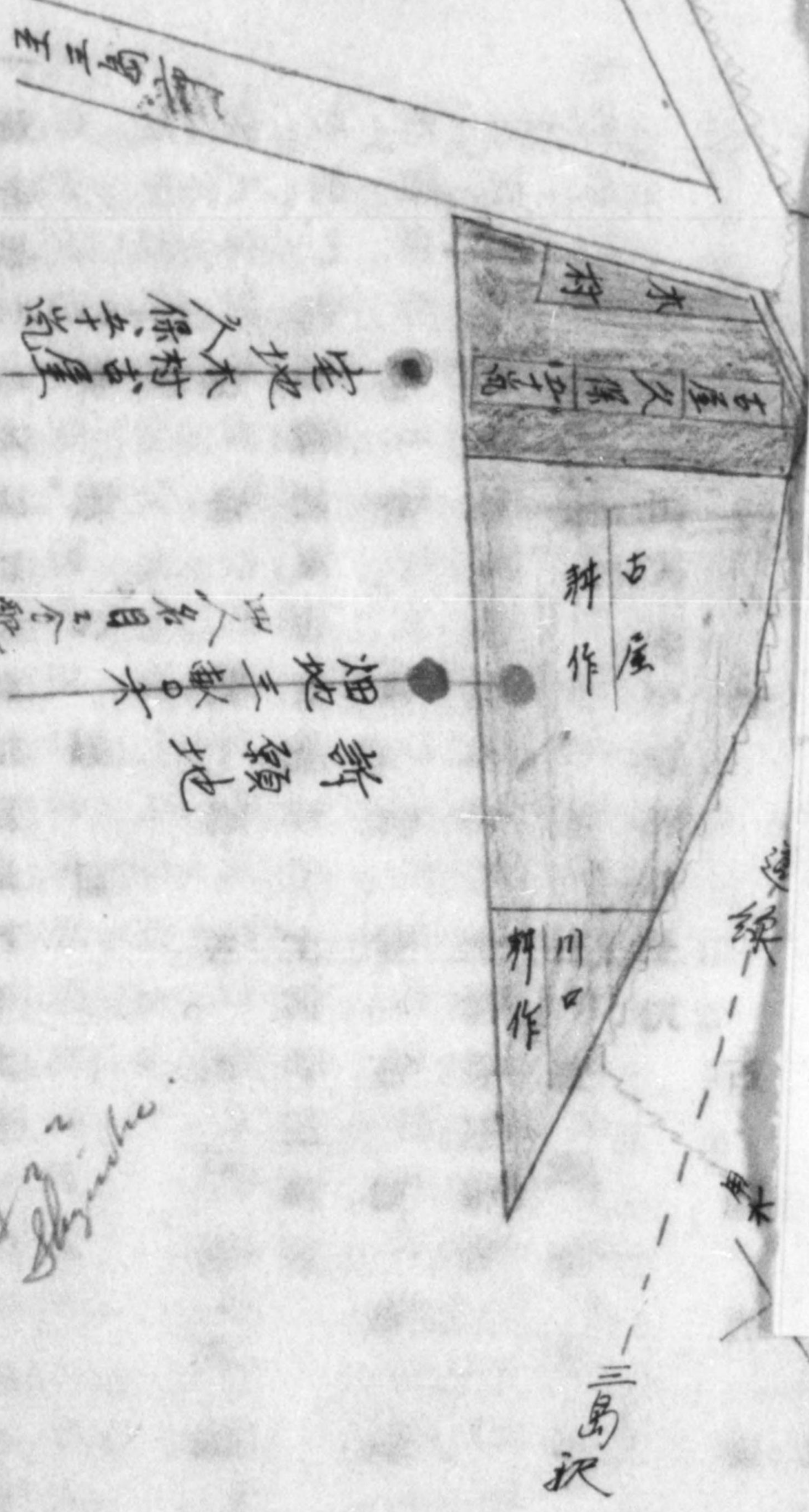
田舎三軒水
新領地

Shizuoka

三島沢

知三郎歩共、親水久保善太郎、五十嵐金市、河野秀三郎、古屋貞雄

239



No. _____

新領地、要目
 相手人(元地主)ニ重膏ノ不正ヲ答テ
 本件ヲ白紙ニ改ム。
 然レ上、畑地名目ヲ宅地名目ニ変更
 兼ニ共同買収者ノ念狀ニ付、了上ヲ切望スル耳

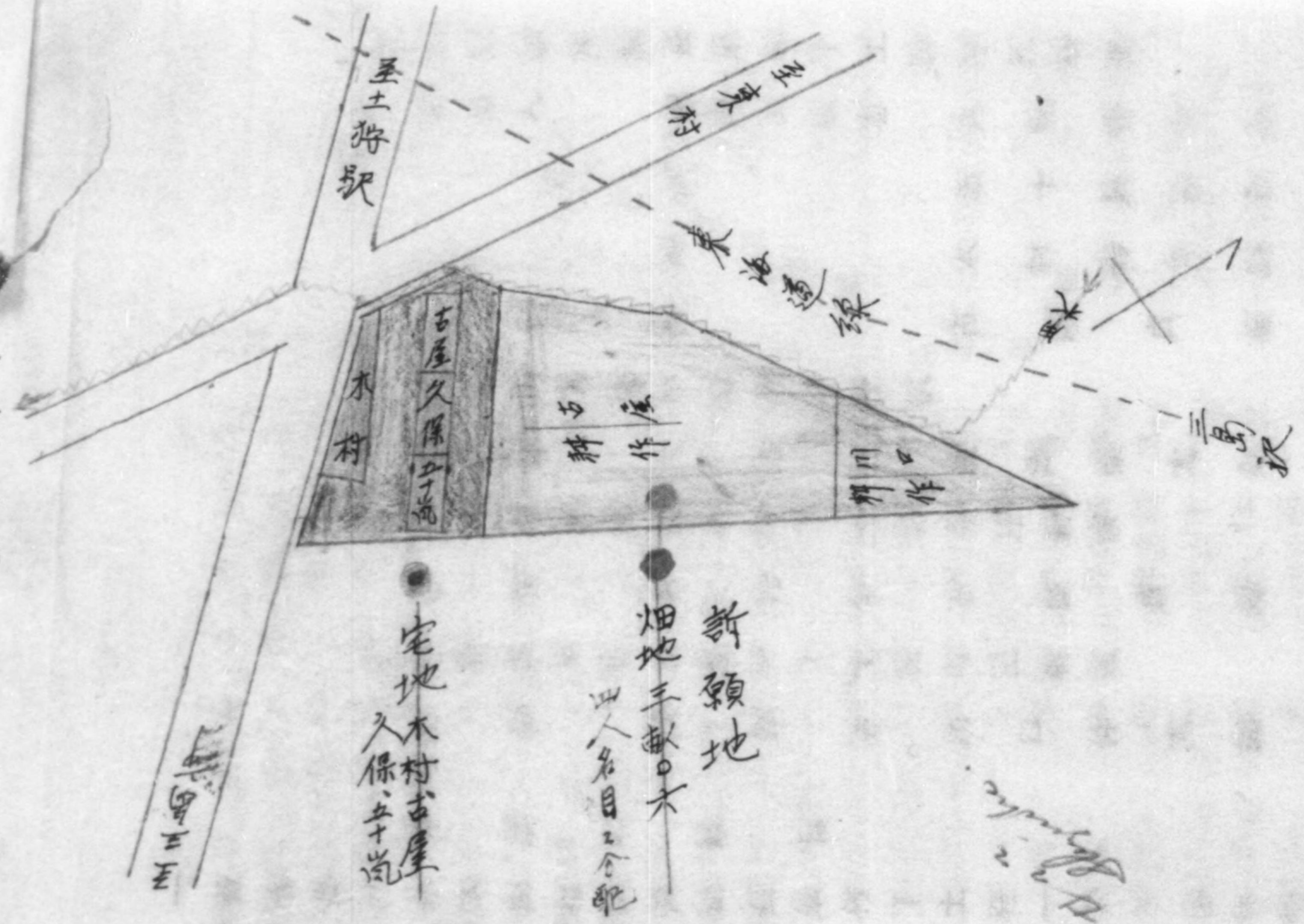
知三郎、歩共、幾、元、保、野、太、知、五、十、風、金、部、三、郎、古、屋、貞、雄

Shimizu

775 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO.

239



如三畝三共、幾此久保山太郎、五十嵐金三、三島秀三郎、古屋貞雄

44 14 73 75

239

訴 願 書

静岡県駿東郡長泉村下土狩字三軒家
訴願人 共商買収者 久保善太郎

同

耕作人 同 古屋貞雄

静岡県田方郡中郷村字長伏
訴願相手 元地主 長澤榮太郎

静岡県駿東郡長泉村下土狩字三軒家
被告 耕作者 古屋貞雄

静岡県駿東郡長泉村下土狩字三軒家
被告 耕作者 川口仲太郎

訴 願 の 趣 旨

一、被告長澤榮太郎は駿東郡長泉村下土狩一〇三番地宅地内一部、畑三畝歩共、義に久保善太郎、五十嵐金市、
五十嵐金市、川口秀三郎、古屋貞雄

四名に買渡して置きなから、後日古屋貞雄及別人川口仲太郎に二重賣した事は、全く不當である、

被告古屋貞雄、被告川口仲太郎は地主長澤榮太郎に取入り右の土

239
44 14 20 75

訴訟の趣旨

一、被告長澤榮太郎は版東郡長泉村下土狩一〇三番地宅地内一部、畑三畝歩共、義に久保善太郎、五十嵐金市、木村秀三郎、古屋貞雄

四名に買渡して置きながら、後日古屋貞雄及別人川口仲太郎に二重賣した事は全く不當である、

二、被告古屋貞雄、被告川口仲太郎は地主長澤榮太郎に取入り右の土地を單獨に買受たと稱して獨占せり、

依て長澤榮太郎は古屋貞雄及川口仲太郎に右土地を賣渡した事を取消しする事

三、被告右土地の公簿面畑を宅地に變更せられたい、
古屋貞雄、川口仲太郎は右の土地を義の共同買受人である久保善太郎、五十嵐金市、木村秀三郎の三名に返還する事

地を單獨に買受たと稱して獨占せり、
 依て長澤榮太郎は古屋貞雄及川口仲太郎に右土地を買渡した事を
 取消しする事
 古屋貞雄、川口仲太郎は右の土地を義の共同買受人である久保善
 太郎、五十嵐金市、木村秀三郎の三名に返還する事
 三、歎願右土地の公簿面畑を宅地に變更せられたい

訴 願 の 原 因

一、元 久保善太郎、五十嵐金市、木村秀三郎、古屋貞雄四名は長澤
 榮太郎所有の家屋をかりて居た昭和廿二年一月に至り家
 屋及宅地共全部を長澤榮太郎より共同で買受の契約なり立ち同年
 三月七日右買受代金を支拂て登記申請書に捺印を受け得り

訴願の原因

一、元 久保善太郎、五十嵐金市、木村秀三郎、古屋貞雄四名は長澤
 榮太郎所有の家屋をかりて居た處昭和廿二年一月に至り家
 屋及宅地共全部を長澤榮太郎より共同で買受の契約なり立ち同年
 三月七日日本銀行から金を支拂て登記申請書に捺印を受け得り
 一、際る處籍を地籍法に畑三畝歩あり
 當時吾々三人は農地法や耕作権など新法律は更に全く知らなかつ
 たのであります

處かこの畑を古屋貞雄及川口仲太郎は家庭菜園になして居た關係
 上追々とその單なる耕作権を主張して共同互の面々を侮蔑して渡
 さす頑然と獨佔して今日に及んで居る
 一、被告等は他面と相通じ詐謀の上古屋貞雄は狡猾にも他面の農地名
 義をかり入れて農業者の資格を偽作して二ヶ年間の謀計熟極終に
 石畑地を本年一月長泉村農地安員會に被告長澤榮太郎出頭して更
 にまた買却の捺印をなせりこれ正に不徳者である
 被告古屋貞雄も亦更に買受け所有権を取得したる者である之れ全

0

及右
 人の次
 だ次
 和次
 廿八
 四年
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 月
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 古
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 月
 日
 本
 訴
 願
 人

連合軍民政部
 御中

関東地区民事部
 司法行政課
 御中

一、八府管太...
 二、十...
 三、...
 四、...
 五、...
 六、...
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 九、...
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KANTO CIVIL AFFAIRS REGION
Legal and Government Section

Suspense Matter No. 21 (Shizuoka)

Subject: Petition for Support of Child Allegedly by T/Sgt Howard Evans.

Principal: "Jury" alias KOJIMA, Kyoko

Source: Petition from KOJIMA, Kyoko c/o Katakawa, 1-chome, Hondori, Shinada-shi,
Shizuoka Prefecture.

Action: Investigation and recommendation

Handled by: Dr. Featherstone

Investigator: "

Date Closed: 17 March 1950

SHIZUOKA PREFECTURAL HEADQUARTERS
NATIONAL RURAL POLICE

GK / yf

TO: KANTO CIVIL AFFAIRS REGION
Att'n: Legal-Government Section
FROM: Criminal Affairs Division, Shizuoka Prefectural Headquarters,
National Rural Police
THRU: Liaison Unit, General Affairs Division,
Tokyo Regional Hqs., N.R.P.
File No.: SR-sz-sc-shc-454

April 3, 1950

SUBJECT: SPECIAL REPORTReport of investigation about Kyoko KOJIMA

In accordance with your request, the police have investigated as to descriptions of the person, Kyoko KOJIMA, as follows:

Seeker:

Name: Jury, alias Kyoko KOJIMA
Permanent Address: #100, Morikawa-cho, Bunkyo Ward, Tokyo-to.
Present Address: c/o Katakawa, 1-chome, Hondori, Shimada City, Shizuoka Pref.
Date of Birth: April 19, 1929.

Person who is being sought:

Name: Evens Haward, sergeant, a M.P. official.
Name of Unit attached: Unknown, but wearing a yellow mark signed with a horse.
Features: 5.6 ft. height, grey eyes, umber hair, medium flesh. His nick-name was "Jimmy."

Characteristic: Figures of a dancing-girl and a heart were tattooed on a humeral region.
His friend has said that there is a scar on Jimmy's left cheek.

He was born in California, U.S.A. His father is managing a motor-car company. He said he has parents and two younger sisters.

Friendly relations:

Jury, alias Kyoko KOJIMA was employed to a U.S. Officer, Mr. Baten TOMSON, attached to Yokohama Motor Pool, residing at #9-3, Yukinoshita, Kamakura City, Kanagawa Pref., as a house-keeper, in the spring 1948.

In those days, KOJIMA became intimate with Jimmy who had been Mr. Tomson's friend and attached to the Takayama Regiment, because Jimmy had often visited Mr. Tomson.

In June 1948, Jimmy and KOJIMA rented a house in Hayama-cho,

Miura-gun, Kanagawa Pref. Later, KOJIMA was pregnant.

At about 11 a.m., January 24, 1949, Jimmy left their home, saying that he should go back to U.S.A. to prepare for marriage with KOJIMA, but she did not see off Jimmy as she had conceived. And she has thought Jimmy had gone on board on that day. At the start, Jimmy said that he would come back to Japan in around May of the last year.

On May 26, 1949, KOJIMA was delivered of a female baby named "Eriko."

Thereafter, she met a M.P. officer at Kamakura Station, and she heard that Jimmy had come back to Japan.

At about 2 p.m., November 23, 1949, she boarded out her baby to her friend, a woman. When that woman had gone out, she came across with Jimmy on a platform of the Kamakura Station while she had been waiting a train, but she had no chance to tell Jimmy KOJIMA's address and to guide him to KOJIMA's house.

It is true that Jimmy is in this country now.

Remarks:

Jimmy had sent clothes and money 10,000 yen for the use of bringing-up, to his friend Mr. Merrix attached to the Zushi R.T.O.

KOJIMA promised that she will attend to the R.T.O. Office to receive the money and clothes at 7 a.m., March 24, 1949. On that date, however, she was late 30 minutes to the appointed time. And she could not meet Mr. Merrix, because he had been transferred.

At present, she is desiring to go through the auxiliary procedures for her baby, as a "Nisei."

Mrs. Sato

All me.

gy J.

#293

24 March 1950 yk

23 March 1950

SUBJECT: Request to search a G.I.

TO: Major Geo. B. Niblock, Kanto Civil Affairs Region

FROM: KOJIMA Kyoko, c/o KATAGAWA Nobuhei, 1 chome, Hon-dori, Shimada City, Shizuoka Prefecture.

Thank you for your kind arrangement you gave me when I visited you on 20 March (Monday).

According to your letter, a man who you searched out is Corporal Howard Evans, But a man who I am searching is M.P. Sergeant Ebuns Haward (Translator's Note: spelled as she wrote in Japanese), 24 years old, who returned to America on 24 January 1949 and, I think, came back to Japan, May.

I am sorry to trouble you so much but I entreat you to search him once more.

Translated by: Y. Ito dtd 24 Mar 50
Y. ITO

EI

#21
Shizuoka

Could be
EVANS ✓ HAYWARD
Possibly or HAWARD
or HAYWOOD
or Howard

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 095 (4 Feb 48)CPC/FP
SCAPIN 2091

3 April 1950

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Release of Blocked Deposits of Companies with Head Office
Abroad

1. Reference is made to following memoranda for the Japanese
Government from General Headquarters, Supreme Commander for the Allied
Powers:

- a. AG 004 (4 Feb 48)CPC/FP, SCAPIN 1356, 4 February 1948,
"Preservation of Assets of Branches in Japan of Concerns with
"

HEADQUARTERS
KANTO CIVIL AFFAIRS REGION
APO 500

HP/yk

KLG 333.5

12 April 1950

SUBJECT: Request for Information on Sgt Evens Haward, Military
Policeman

TO:

Commanding Officer
5th Cavalry Regiment
Camp Mc Gill
APO 201 Unit H-1

1/34

1. A request has been submitted to this headquarters seeking aid in locating Sgt Evens Haward, ASN unknown.
2. Subject individual was attached to ^athe Military Police ^{unit} of Camp Mc Gill from the early part of 1948 until 24 January 1949. On ^{at}this date he was ^{that} returned to the Zone of Interior at which time he expressed his opinion that he would soon return to this theatre.
3. Sgt Haward was seen in Kamakura 23 November 1949.
4. ^aDescription of Sgt Haward as stated by petitioner is as follows:
 - (1) Height: 5' 6"
 - (2) eyes: Grey
 - (3) Complexion: Fair
 - (4) Hair: Brown
 - (5) Nickname: Jimmie

#2
Shoyaku

 - b. He has a tatoo on forearm of a dancing girl and a heart. He wore a 1st Cav patch and claims to have been a native Californian. He is alleged to have a scar on his left cheek.
5. If subject individual can be located or identified as a member of your command it is requested that he contact the Legal and Government Section of this headquarters.

FOR THE CHIEF:

#293

24 March 1950 yk

23 March 1950

SUBJECT: Request to search a G.I.

TO: Major Geo. B. Niblock, Kanto Civil Affairs Region

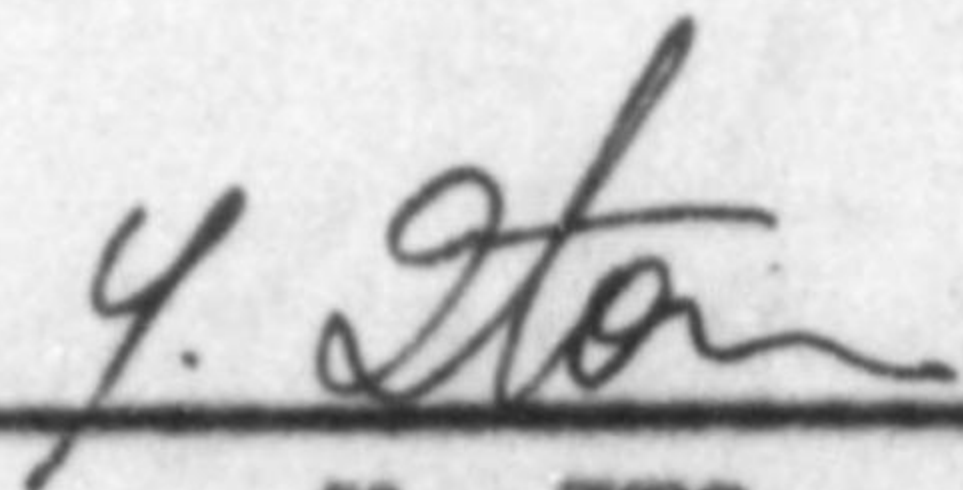
FROM: KOJIMA Kyoko, c/o KATAGAWA Nobuhei, 1 chome, Hon-
dori, Shimada City, Shizuoka Prefecture.

Thank you for your kind arrangement you gave me when I visited you on 20 March (Monday).

According to your letter, a man who you searched out is Corporal Howard Evans, But a man who I am searching is M.P. Sergeant Ebuns Haward (Translator's Note: spelled as she wrote in Japanese), 24 years old, who returned to America on 24 January 1949 and, I think, came back to Japan, May.

I am sorry to trouble you so much but I entreat you to search him once more.

Translated by:


Y. ITO

dtd 24 Mar 50

#2!
Shizuoka

Legal govt

293

translate

拝啓

先日は静岡縣廳海外課を通じて此面倒を依頼
 びを申上げ此手数を相かりまして申訳ありませんで
 した。尚三日二十日(月曜日)民事部へ出頭の際は此
 親切な取扱いに御礼有難う存じました。文面は
 よりますと此捜査下さいました方は「ホワード」
 エバンス佐長とあります。私の方で捜査を依頼
 いたしました方はM.P.、軍曹、(昭和二十四年
 一月二十四日)歸國され五月に日本へ歸つた(佐古)の
 エバンス、ホワード(年令二十四才)と見て存じますので
 此多甲中まことに恐縮で存じます。何か何等の
 事情は御案を賜り、もう一度此面倒でも
 此捜査下さいます様持に懇願申し上げます。

昭和二十四年三月二十三日

敬具

静岡縣島田市本道一丁目

片川信平方 恩島恭子

関東民事部長代理

片川信平方 恩島恭子

Closed 17 Mar 52

関東民事部公長代理

吉屋子佐 4114 101 1212

昭和二十五年三月十七日

静岡県島田市本通一丁目

片川信平様方

見島恭子殿

Shimizu
101

仰申越、件ニテ、次ノ通り仰返事申シマス。

ホワード エバンス 伍長ハ目下 キヤレポ マックギルニ駐屯シテ

居マス。本人ハ最近合衆国ヨリ日本へ歸リテ来タモノ

デハアリマセン。尚本人ハ三十三才オカト云ツテ居リマス。

シカレ作ラ同人デアルカトウカラタシカメンタメニ キヤレポ マックギル

へ行テ見ラセタラ如何デセウ。

右

~~copy~~

HEADQUARTERS
KANTO CIVIL AFFAIRS REGION
APO 500

JGF/hu

KLG 333.5

17 March 1950

MEMORANDUM FOR: Kyoko Kojima, c/o Katawa^(KA) Nobuhei, 1-chome, Hondori,
Shimada City, Shizuoka Ken

SUBJECT: Search for Cpl Howard Evans

In answer to your request the following information is provided:

A Corporal Howard Evans is now stationed at Camp McGill. This person has not recently returned to Japan from the United States. Moreover he claims to be 33 years of age. However we suggest that you visit Camp McGill in order to properly establish identity.

FOR THE CHIEF:

GEO. B. NIBLOCK JR
Major, Infantry
Deputy Chief

*Its please translate make 2 copies
& envelope - Mrs. Payne*

3 March 1950 rm

23 February 1950

#245

SUBJECT: Request to search for GI.

TO : Dr. Featherstone, the Legal and Government Section, KCAR.

FROM : KOJIMA Kyoko, c/o KATIKAWA Nobuhei,
1-chome, Hondori, Shimada City, Shizuoka prefecture.
(born on 19 Apr. 1929)

Evans Howard

Evans Howard, 24 years, MP Sergeant, Takayama (I do not know what unit he is belonging to)

Spring of 1948, while I was working as a house keeper at Baton Thomson's, Kamakura, I knew him.

June, I rented a house at Hayama. Meanwhile I became pregnant.

He returned to America to prepare for marriage. He came back again to Japan and ~~is~~ searching for me. I also ~~am~~ searching for him. But we can not meet up to today.

I gave birth to a girl Eriko on 26 May 1949 and am now living at the above address.

I am weak after the delivery and hard up in bringing up my baby.

I entreat you to take some step for me.

Translated by

Y. Ito
Y. ITO

dtd, 3 Mar. 50

#21
Shizuoka

SHIZUOKA PREFECTURAL GOVERNMENT

27 February 1950

SUBJECT: Request for Expense for Child

TO : Kanto Civil Affairs Region
Legal and Government Section
(Attn: Dr. Featherstone)

1. Concerning the case, which was telephoned to your office on the 18th of this month, involving the expense for bringing up a baby born to an American soldier and a Japanese girl, the attached Petition in Japanese was submitted to this office by the said girl. The content of the petition is as translated in the following.

2. The name of the girl is KOJIMA, Kyoko, born on the 19th of April 1929, living at present with Mr. KATAKAWA, Nobuhei, 1-chome, Hontori, Shimada City, Shizuoka-ken. Her permanent domicile is located at No. 100, Morikawa-cho, Bunkyo-ku, Tokyo-to.

3. The name of the soldier is T/Sgt. Evans Howard, age 24, and was stationed at Camp McGill when they were associating. The name of his unit at that time is not known neither is his present unit known.

#2/
Shizuoka
4. In spring 1948, when the girl was working for Mr. Bayton Thompson in Kamakura as a housekeeper, she started to associate with T/Sgt. Evans Howard. In June she rented a house and when she became pregnant Sgt. Howard went back home to make arrangements to marry the girl. He came back to Japan again and he seems to be finding the girl. The girl, of course, is looking for the sergeant too. But they have not met each other yet.

During this period, to be exact, on the 26th of May 1949, the girl gave birth a girl (named her Eriko) and she is living at present with Mr. Katakawa in Shimada City. The girl claims that she is badly in need for bringing up the baby and also for her daily livings as she has been weak since she became a mother, and requests for some kind of compensations.

Inclosure:
Petition from
Japanese Girl

I. Kameyama
I. KAMEYAMA
Director,
Shizuoka Liaison Office

3 March 1950 rm

23 February 1950

#245

SUBJECT: Request to search for GI.

TO : Dr. Featherstone, the Legal and Government Section, KEAR.

FROM : KOJIMA Kyoko, c/o KATAKAWA Nobuhei,
1-chome, Hondori, Shimada City, Shizuoka prefecture.
(born on 19 Apr. 1929)

Camp No. 111

Evans Howard, 24 years, MP Sergeant, Takayama (I do not know what unit he is belonging to)

Spring of 1948, while I was working as a house keeper at Baton Thomson's, Kamakura, I knew him.

June, I rented a house at Hayama. Meanwhile I became pregnant.

He returned to America to prepare for marriage. He came back again to Japan and ~~is~~ searching for me. I also ~~am~~ searching for him. But we can not meet up to today.

I gave birth to a girl Eriko on 26 May 1949 and am now living at the above address.

#21 Shizuoka

I am weak after the delivery and hard up in bringing up my baby.

I entreat you to take some step for me.

Translated by *Y. Ito* dtd, 3 Mar. 50
Y. ITO

902

245

#21
Shuzooha

願書

一、女の氏名住所年令

本籍地 東京都文京区森川町百番地

現住所 静岡県島田市本通二丁目

^{カタカワ}片川信平方(同居)

鬼島恭子

昭和四年四月十九日生

二、男の氏名及部隊名

MP 軍曹 エブンス・ハワード (年令二十四才)

交際当時

(1) 部隊名は不明なるも兵舎は武山

(2) 現在の部隊名も不明

三、交際の状況及経過

昭和二十三年の春鎌倉のベイトン・トムソン方にハウス、

Beaton Thomson

キーパーとして雇われておる内にエブンス・ハワード氏と

902

二、男の氏名及部隊名

M P 軍曹 エブンス・ハワード (年令二十四才)

交際当時

(1) 部隊名は不明なるも兵舎は武山

(2) 現在の部隊名も不明

三、交際の状況及経過

Robert Johnson

昭和二十三年の春鎌倉のベートン・トムソン方にハウス、

キーパーとして雇われおる内にエブンス・ハワード氏と

親交になり六月には葉山に家を借りて別居生活を

しておる内私が妊娠しましたのでハワード氏は結婚

準備に一時帰国されましたがその後再度日本に帰る

此先方は私を私は先方を捜しておりますが互に連絡

がつかず今日に至っております

その間私は昭和二十四年五月二十六日女児(エリ子)


を分娩し現在島田市の片川宅に同居してあり

ますか分娩後病弱であり亦子供を養育するため

毎日の生活に非常な困窮をいたしております
から右事情を賢察下されまして何分の配慮
を賜ります様特に懇願申し上げます

昭和三十五年二月二十三日

右

児島恭子 

関東民事部 司法行政課 次長

フエガー・ハストーン博士 殿