

Declassified E.O. 12356 Section 3.3/NND No.

785015

ACC

10000/100/186

2199

Declassified E.O. 12356 Section 3.3/NND No.

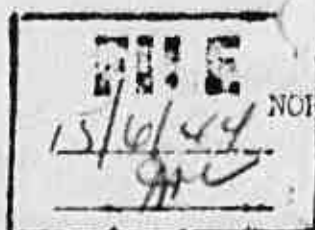
785015

10000/100/186

INVESTIGATIONS
JAN. - JUNE 1944

218

785015



HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 534



AG 533.5/397-P

10 June 1944

SUBJECT: Report of Investigation (ID AGO Form No. 51).

TO : All Concerned.

1. Letter, this headquarters, file and subject as above, dated 10 February 1944, is rescinded.

2. In order to facilitate the preparation and submission of Report of Investigation (ID AGO Form No. 51), the following information has been prepared as a reference and guide. It is apparent, from the number of cases this headquarters has found necessary to return for essential corrections, that difficulty has been experienced in the correct preparation of this important report.

3. Report is required whenever it is necessary to determine whether death was in line of duty and whether death was or was not the result of the deceased's own misconduct. Paragraph 18a (3), AR 600-550, dated 28 March 1944, the applicable regulation, is quoted hereunder:

"An investigation will be required in case death is due or is suspected to be due to foul play, violent or unnatural cause, misconduct, or gross negligence, or when death is sudden from unknown causes, except that cases of death which are battle casualties, or which occur while operating or riding in Government vehicles or airplanes, or while on maneuvers, or during authorized athletic exercises, or otherwise while engaged in the execution of military duty, will be considered to have been incurred in line of duty provided misconduct or negligence is not a contributory factor."

4. Every effort will be made to insure that the Report of Investigation is both complete and comprehensive. If possible it will be conducted immediately following death. It has been observed that, when the investigation is delayed; very often the essential witnesses have become separated from the unit or the locality. This serves to render the completion of the report difficult and consumes much time.

5. The Investigating Officer should continually bear in mind that the purpose of the investigation is to determine the line of duty and misconduct status of the deceased. Damage to property, and other factors should be brought into the case only if they have a bearing on the deceased's line of duty and misconduct status. In the event it is found deceased was under the influence of drugs or alcohol at the time of accident that led to death, it will be determined by the Investigating Officer whether such condition was the proximate cause of death.

Ltr, Hq NATOUSA, AG 333.5/397-P, dtd 10 June 1944, (cont'd).

6. The Report of Investigation will be submitted on WD AGO Form No. 51. The original and two complete copies will be forwarded thru regular correspondence channels to this headquarters. If this form is reproduced it will be a true reproduction of WD AGO Form No. 51. When preparing the form, particular attention should be given the following items:

- a. Item 2 The cause and date of death will be stated.
- b. Item 3 A brief summary of the circumstances leading to the death will be given.
- c. Item 4 Strike out the inapplicable parts. Attention is particularly invited to the fact that an individual cannot be both present for duty and absent with authority. One who is absent from his unit on a military or official mission is present for duty; one who is absent from his unit on authorized pass or furlough is absent with leave.
- d. Signatures . . The full name, rank, organization and title of the Investigating and Appointing Officers should appear on the form. All copies of the form will be signed by the Investigating and Appointing Officers.

7. It is essential that the certificate of the organization commander, setting forth the duty status of the deceased, be attached to the report. This certificate must state the duty status of the deceased at the time he sustained the fatal injuries that led to his death; that is, absent without leave (AWOL), absent with leave, or present for duty. (see also 6c) If the deceased at the time of the death or incurrence of the wound or injury which resulted in his death was absent with authority, the nature of the absence, the period for which it was granted, and the actual time of commencement and termination of the absence will be stated. If the deceased was absent without authority at the time of death or incurrence of wound or injury which resulted in death, that fact, with the date and time of commencement of the unauthorized absence, will be set forth. This certificate will state the deceased's duty status giving the date and time of day, and not merely state "was absent on leave on the day the fatal injury was sustained." The statement that "death was incurred in line of duty" or "was incurred not in line of duty" will not be made in this certificate. This determination is to be made by the investigating officer and not by the organization commander.

8. The certificate of the medical officer will give the date and cause of death, and will include a complete medical diagnosis. It will also include the name, rank and serial number of the deceased. A statement as to the sobriety and whether or not the deceased was under the influence of drugs at the time of the medical examination will be made. In the event it is determined that deceased was under the influence of alcohol, a blood alcohol determination report will be made where practicable.

9. All statements of witnesses will be sworn and subscribed to.

785015

Ltr, Hq NATOUSA, AG 335.5/397-P, dtd 10 June 1944. (cont'd).

10. It is particularly desired that all statements and exhibits give the full name of the deceased and definitely show that the circumstances or facts related pertain to the deceased individual.

11. CID investigation, if made, may be included as a part of the investigation, but in any case the CID investigation will be forwarded with the letter of transmittal, if practicable. If the CID investigation has not been completed, the letter of transmittal will so state, and a copy of the CID report will be forwarded to this headquarters when completed.

12. It should be borne in mind that the letter of transmittal and endorsements thereto are not a part of the Report of Investigation. Any comments in explanation of the Report of Investigation, or having a bearing on the report, should be included in the report or exhibits.

13. A check list to assist the Investigating Officer in the completion of the report is attached.

By command of Lieutenant General DEVERS:

John W. Finn
JOHN W. FINN,
Major, AGD,
Asst. Adj. Gen.

1 Incl:
Check List.

DISTRIBUTION:

"Z" less Staff

3465

CHECK LIST FOR REPORT OF INVESTIGATION (WD AGO FORM NO. 51)

1. Is WD AGO Form No. 51 complete? _____
 - a. Have all necessary delineations been made? _____
 - b. Does Item 2 show date and cause of death? _____
 - c. Does Item 3 show date and circumstances of injury resulting in death? _____
 - d. Have all copies been signed by the Investigating Officer? _____
2. Is sworn evidence attached to sustain each finding by the Investigating Officer? _____
3. Is certificate of decedent's organization commander attached? _____
 - a. Does it show whether decedent was absent without leave, absent with leave, or present for duty? _____
 - b. Is it specific as to date and time of day? _____
 - c. Is decedent's name, rank, and serial number stated? _____
4. Is certificate of medical officer attached? _____
 - a. Does it state the cause of death (complete medical diagnosis)? _____
 - b. Does it give date and time of death? _____
 - c. Does it give the name, rank, and serial number of deceased? _____
5. Is each statement of witnesses complete? _____
 - a. Does it give the full name, rank, serial number and organization of the witness? _____
 - b. Does it give the full name of decedent and does it show that the facts or circumstances stated are connected with decedent or his injury? _____
 - c. Does it set out all facts to which the witness has knowledge? _____
 - d. Is it clear, complete and logical? _____
6. Are all statements and exhibits properly authenticated? _____
 - a. Does each statement show that the witness has been sworn? _____
7. Does each WD AGO Form No. 51 have attached to it a complete set of exhibits in proper order? _____
8. Is the CID report attached or a statement included in the letter of transmittal as to when it will be forwarded? _____

FILE UNDER NO. 333.5 - INVESTIGATIONS

**INDEX SHEET
SYNOPSIS**

Letter 20 March 1944. - Ref. 3135

From: Lt. Col. G. W. Quinsmith (Army Sub-Commission)

To: A. G.

"Please state authority for inclusion of words "Signed MacFarlane" in cables from this office."

DOCUMENT FILED UNDER NO. 311.22 - CABLEGRAMS

INSTRUCTIONS - Under «Synopsis» make brief entry showing date of communication and from whom received and synopsis sufficient to identify the papers. When these index sheets become numerous under a subject they will be entered on the consolidated index sheets and then destroyed.

785015

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

21 MAR 1944

REP/hft

21 March 1944

SUBJECT: Delivery of Special Order No. 36, Rear Hq ACC to Naples.

TO : Colonel R. H. Wilmer.

1. Inclosed are two additional copies of Special Order No. 36, Rear Hq ACC, furnished for your convenience.

2. In connection with the delivery of copies of this Special Order to Naples, I understood you to say a few minutes ago that the Naples Hq Transportation Office had said no copies of this order had arrived at their Hq. Eight copies of this order did arrive at the Naples Hq and the facts are as follows:

Our Out Log "RA" No. 3053* on the evening of March 19 showed that 8 copies of our Special Order No. 36 cleared our distribution desk and were marked as follows:

- 2 copies - CO, 2675th Regt
- 2 copies - G-4 Main Hq ACC
- 1 Copy - S-1, 2675th Regt
- 1 Copy - Hq Comdt, Main Hq ACC
- 2 Copies - Adjutant, Main Hq ACC

Our dispatcher's Mine Out Log No. 978 shows that these documents left this Hq on the Naples courier at 1000 hours on March 20th. Receipt No. 212 of ours shows that Warrant Officer A. H. Picken received all 8 copies at the Naples Hq at 1400 hours on the 20th of March, yesterday.

ROGER E. DERRY
1st Lt A.G.P.
Adjutant

1 Incl- 50 236
In dupl

3453

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

File
10 MAR 1944
2506
RBD/hft

In reply refer to:
333.5

10 March 1944

SUBJECT: Inquiry about delivery of letter.

TO : Lieutenant Commander J. J. Lawler, USCGR.

1. This morning about 0945 hours, Pvt. Carter called from your office to inquire about as follows:

"Yesterday afternoon a letter was brought down to your office. It was addressed to Major Baxter, Provincia Building, Finance Section. We received a telephone call this morning saying that it had not arrived as yet and I am telephoning to inquire if it is lying around in your office."

2. The facts are as follows:

Sgt. Gengo brought down to this office at approximately 1330 hours yesterday afternoon the letter in question. It was given Log No. 153 and left this Hq at 1400 hours via the regular Naples courier. It was received and signed for in the Naples Hq. Message Center yesterday afternoon at approximately 1600 hours. (Verified by telephone call this morning as our receipt will not reach Salerno until approximately 1200 hours today.)

3. Papers are handled expeditiously in the Adjutant Section with as accurate as possible a "logging system" of receipts and dispatching of documents. If at any time you are interested in knowing how much time was consumed in the delivery of your documents, please again have someone from your office check at once as I take pride in showing the work my section is doing.

RBD
ROGER B. BERRY
1st Lt A.C.C.
Adjutant

X
333.5 -
31113 -
Investigating at Home
Conquering the South Sea

3452

785015

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

RBD/hft

In reply refer to:
333.5

6 March 1944

SUBJECT: Investigation of handling of 3 letters by this Headquarters.

TO : Brigadier G. S. Parkinson

1. On March 5th you informed me that there had been unusual delays in the handling of 3 letters from your office, and you asked that I investigate. The letters involved were as follows:

(a) "Transfer of Officer" dated 15 Feb. file No. 3006/PH, addressed to Regional Control and Military Government Section through the Administrative Directorate.

(b) 24th Feb. same file number, same subject as (a), addressed to RC and MG Section through Administrative Directorate.

(c) 24th Feb. file No. 3006/PH to Brig Lush through Administrative Directorate, subject "Medical Personnel for Displaced Persons."

2. In reference to paragraph 1(a), facts are as follows:

The Administrative Directorate did not receive this document as shown by their log. Although I understand the Administrative Directorate had asked your Executive Officer to send documents as this, requiring an indorsement, direct to them, in this case the document came directly to the Adjutant's office and was forwarded to Naples. However, this letter was received by the Adjutant's Section on the morning of Feb 16 and left our office as shown by our Out Log No. "1011-red." This document was received on not later than the 17th; for it was in the hands of G-1 British on the 18th. (Authority for this letter statement, Mr. Paken, British Warrant Officer).

3. In reference to 1(b), this document was also not received by the Administrative Directorate but came direct to the Adjutant's office. It was logged out of this office with Log number "1562-red" on the 24th and sent to Naples leaving on the official pouch on the morning of the 25th with the receipt number 387. It was signed for that morning in Naples by Staff Sergeant Cavanaugh in the Naples ACC HQ Distribution Center.

3461

785015

4. In reference to 1(c), this document was received by the Administrative Directorate on the 25th and indorsed the same day to the RC and MC Section in Naples through the Adjutant's Office. It was logged out of this office on the evening of the 25th, Log No. "1613-red". On the morning of the 26th, it left Salerno in the official pouch and was signed for on the morning of the 26th by Staff Sergeant Cavanaugh in the Distribution Center in Naples Hq ACC.

5. To sum up, none of the 3 documents about which you inquired took more than 24 hours in going from the office upstairs in the Justizia Building into the hands of the Distribution Section in the Naples Hq ACC. The unusual delays in these cases have taken place after arriving in Naples Hq.

R 13 W
ROGER B DERBY
1st Lt A.G.D.
Adjutant

3469

785015

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 534

BFB/fg/ent

20 FEB 1944

Adgt (Rear Hq)
6 copies

10 February 1944

File AG 333.5/397

SUBJECT: Report of Investigation (WD AGO Form No. 51)

TO : All Concerned.

1. In order to facilitate the preparation and submission of Report of Investigation (WD AGO Form No. 51), the attached model has been prepared as a reference and guide. It is apparent, from the number of cases this headquarters has found necessary to return for essential corrections, that difficulty has been experienced in the correct preparation of this important report.

2. Report is required whenever it is necessary to determine whether death was in line of duty and whether death was or was not the result of the deceased's own misconduct. Paragraph 18 a (3), AR 600-550, dated 14 May 1943, as amended by Change 2, dated 1 January 1944, the applicable regulation is quoted hereunder:

"An investigation will be required in case death is due or is suspected to be due to foul play, violent or unnatural cause, misconduct, or gross negligence, or when death is sudden from unknown causes, except that cases of death which are battle casualties, or which occur while operating or riding in Government vehicles or airplanes, or while on maneuvers, or during authorized athletic exercises, or otherwise while engaged in the execution of military duty, will be considered to have been incurred in line of duty provided misconduct or negligence is not a contributory factor."

3. Every effort will be made to insure that the Report of Investigation is both complete and comprehensive. If possible it will be conducted immediately following death. It has been observed that, when the investigation is delayed, very often the essential witnesses have become separated from the unit or the locality. This serves to render the completion of the report difficult and consumes much time.

4. The Investigating Officer should continually bear in mind that the purpose of the investigation is to determine the line of duty and misconduct status of the deceased. Damage to property, and other factors should be brought into the case only if they have a bearing on the deceased's line of duty and misconduct status. In the event it is found deceased was under the influence of drugs or alcohol at the time of accident that led to death, it will be determined by the Investigating Officer whether such condition was the proximate cause of death.

⊗ ⊗

333.5-
a 191

*Investigations
Reports -
M. J. H. H.*

3459

5. The Report of Investigation will be submitted on TD AGO Form No. 51, and will be forwarded thru regular correspondence channels so as to reach this headquarters in triplicate. If this form is reproduced, it will be a true reproduction of the form attached hereto. When preparing the form, particular attention should be given the following items:

- a. Item 2 The cause and date of death will be stated.
- b. Item 3 A brief summary of the circumstances leading to the death will be given.
- c. Item 4 Strike out the inapplicable parts. Attention is particularly invited to the fact that an individual cannot be both present for duty and absent with authority. One who is absent from his unit on a military or official mission is present for duty; one who is absent from his unit on authorized pass or furlough is absent with leave.
- d. Signatures . . The full name, rank, organization and title of the Investigating and Appointing Officers should appear on the form. All copies of the form will be signed by the Investigating and Appointing Officers.

6. It is essential that the certificate of the organization commander, setting forth the duty status of the deceased, be attached to the report. This certificate must state the duty status of the deceased at the time he sustained the fatal injuries that led to his death; that is, absent without leave (AWOL), absent with leave, or present for duty. (see also 5 c) If the deceased at the time of the death or incurrence of the wound or injury which resulted in his death was absent with authority, the nature of the absence, the period for which it was granted, and the actual time of commencement and termination of the absence will be stated. If the deceased was absent without authority at the time of death or incurrence of wound or injury which resulted in death, that fact, with the date and time of commencement of the unauthorized absence, will be set forth. This certificate will state the deceased's duty status giving the date and time of day, and not merely state "was absent on leave on the day the fatal injury was sustained." The statement that "death was incurred in line of duty" or "was incurred not in line of duty" will not be made in this certificate. This determination is to be made by the investigating officer and not by the organization commander.

7. The certificate of the medical officer will give the date and cause of death, and will include a complete medical diagnosis. It will also include the name, rank and serial number of the deceased. A statement as to the sobriety and whether or not the deceased was under the influence of drugs at the time of the medical examination will be made. In the event it is determined that deceased was under the influence of alcohol, a blood alcohol determination report will be made where practicable.

785015

8. All statements of witnesses will be sworn and subscribed to.

9. It is particularly desired that all statements and exhibits give the full name of the deceased and definitely show that the circumstances or facts related pertain to the deceased individual.

10. It should be borne in mind that the letter of transmittal and endorsements thereto are not a part of the Report of Investigation. Any comments in explanation of the Report of Investigation, or having a bearing on the report, should be included in the report or exhibits.

11. A check list to assist the Investigating Officer in the completion of the report is attached.

By command of Lieutenant General DEVERS:

B. B. Bell
B. B. BELL,
Major, AGF,
Asst. Adj. Gen.

2 Incls:
VI AGO Form No. 51.
Check list.

DISTRIBUTION:

"2" less Staff

(Under provisions of: (~~LAT~~/~~LE~~/~~XX~~)/~~LSA~~/~~AV~~/~~0XB+XLB~~) (par 21, AR 600-550)*

1. Person (~~XXXX~~) (deceased)* Kelsey, Michael J., 10000000, Pvt, Co "L",
(Name, ASN, grade, and organization)

2. (~~XXXXX/XX/XX/XXXX~~) (cause of death)* Death resulted on 1 January 1944
(medical diagnosis)

3. How incurred Death occurred when soldier attempted to strip and clean
(Complete details as to how, when, and where (~~11/1/47~~) (death)*
a .30 caliber carbine which was loaded. The gun was discharged and bullet
was incurred, including hour and date)

entered the left side of head. Death occurred at 0930, 1 January 1984,
in the bivouac area of 900th Inf, APO 900, U.S. Army.

4. Investigation of the circumstances surrounding this (~~12/11~~) (death)* has been made. All available witnesses were interrogated. The following pertinent facts were found to be correct:

- (a) Present for duty (yes) (~~no~~)*
- (b) Absent (with) (without)* authority Not applicable
(1) Hour and date of commencement of absence Not applicable
(2) Hour and date of termination of absence Not applicable
- (c) (Was) (was not)* within the territorial limits indicated by the authorization to be absent. Not applicable
- (d) (~~Was~~) (was not)* under the influence of intoxicants. The use of intoxicants (~~was~~) (was not)* the proximate cause.
- (e) (~~Was~~) (was not)* under the influence of drugs. The use of drugs (~~was~~) (was not)* the proximate cause.
- (f) (~~Was~~) (was not)* exercising reasonable care for his own safety.
- (g) (~~Was~~) (was not)* violating a civil, moral, or military law, nor military orders or instructions, written or verbal. The violation (~~was~~) (was not)* the proximate cause.
- (h) (~~Was~~) (was not)* due to gross carelessness or negligence.
- (i) (Was) (~~Was~~/~~Was not~~)* mentally sound.

5. REMARKS: The test where the shooting occurred was inspected by WFA 157

785015

Investigating officer at 1000 on 1 January 1944. The carbine was leaning against the cot as it had fallen from soldier's hand. A clip of thirteen rounds of ammunition was still in the gun. There was one cartridge in the chamber. The ejected cartridge was lying nearby. A cleaning rag, soaked in oil, was found on his cot.

FINDINGS

(In line of duty) (~~XXXXXXXXXXXX~~)(Not due to his own misconduct) (~~XXXXXXXXXXXX~~)*Lester C. Morris*
LESTER C. MORRIS,

Major, 900th Inf.

Investigating Officer

APPROVED:

James L. Johnson
JAMES L. JOHNSON,

Lt Col, 900th Inf.

Commanding Officer

*Strike out inapplicable words.

(Additional sheets may be used for extension of remarks under par 2, 3 and 5.)

WD AGO Form No. 51.

6 Exhibits - "A to F"

785015

(MODEL)

COMPANY "L", 900TH INFANTRY
APO 900, U.S. ARMY

3 January 1944

CERTIFICATE

I certify that Private Michael J. Kelsey, 100000000, Company "L", 900th Infantry, was present for duty at the time of his death, approximately 0930, 1 January 1944.

Stanley L. Hillerson
STANLEY L. HILLERSON,
Captain, 900th Inf.
Commanding

EXHIBIT "A"

2156
(MODEL)

785015

(MODEL)

HEADQUARTERS 900TH INFANTRY
APO 900, U.S. ARMY

3 January 1944

CERTIFICATE

Michael J. Kelsey, 10000000, identified by me by his identification tags and statement of his company commander, was examined by me at 0945 on 1 January 1944 in the bivouac area, Co "H", 900th Inf. Examination revealed gunshot wound of head; projectile entering cranium at inner angle of left eye, emerging from cranium in the mid-line, occipital region. Area surrounding point of entry of projectile revealed powder burns, severe hemorrhage and moderate amount of brain tissue extruding from point of emergence of projectile. Death ensued at approximately 0930 hours, 1 January 1944. In my opinion deceased was not under the influence of alcohol or drugs at the time of his death.

Diagnosis: Death, resulting from gunshot wound of brain.

Henry G. Norman
HENRY G. NORMAN,
1st Lt., Medical Corps,
Asst. En. Surgeon, 3rd Bn, 900th Inf.

EXHIBIT "B"

3456
(MODEL)

785015

(MODEL)

HEADQUARTERS 900TH INFANTRY
APO 900, U.S. ARMY

3 January 1944

A F F I D A V I T

Personally appeared before me the undersigned, authorized by law to administer oaths, one OSCAR G. BALLENTINE, Captain, C-7777, Medical Detachment, 900th Infantry, who being duly sworn, deposes and says:

At about 0930, 1 January 1944, I was sitting in Lieutenant Dickson's tent reading a letter when I heard a shot. I looked over at the next tent and could see nothing so I got up and went over there. I saw a soldier who I identified by his identification tags and statement of his company commander as Private Michael J. Kelsey, 100000000, lying across his cot with blood spurting from his head. There was no other person in the tent. I felt of his pulse and soldier was dead.

Further deponent sayeth not.

Oscar G. Ballentine
OSCAR G. BALLENTINE,
Captain, Med Det,
900th Inf.

Subscribed and sworn to before me this 3rd day of January 1944.

Lucas C. Morris
LUCAS C. MORRIS,
Major, 900th Inf,
Investigating Officer

3451

EXHIBIT "C"

(MODEL)

785015

(MODEL)

HEADQUARTERS 900TH INFANTRY
APO 900, U.S. ARMY

3 January 1944

AFFIDAVIT

Personally appeared before me the undersigned, authorized by law to administer oaths, one JAMES A. REMINGTON, O-1111, Second Lieutenant, 900th Infantry, who being duly sworn, deposes and says:

About 0930, 1 January 1944, I was sitting in my tent talking with Lieutenant Robertson, when I heard a shot from the direction of Company "D" bivouac area. I got up, along with Captain Ballentine and Lieutenant Dickson, and rushed over to where the shot had been fired. I saw Private Michael J. Milroy lying across his cot with blood spurting from his head. Captain Ballentine examined him and said he was dead. I then picked up his feet and put them on the cot and then straightened his head around.

Further deponent says to not.

James A. Remington
JAMES A. REMINGTON,
2nd Lt, 900th Inf

Subscribed and sworn to before me this 3rd day of January 1944.

Lester C. Morris
LESTER C. MORRIS,
Major, 900th Inf,
Investigating Officer

EXHIBIT "D"

3453

(MODEL)

785015

(MODEL)

HEADQUARTERS 900TH INFANTRY
APO 900, U.S. ARMY

3 January 1944

A F F I D A V I T

Personally appeared before me the undersigned, authorized by law to administer oaths, one HAROLD J. DICKSON, Second Lieutenant, O-6666, Company "L", 900th Infantry, who being duly sworn, deposes and says:

At about 0930, 1 January 1944, I was sitting on my bunk when I heard a shot in the company bivouac area. Captain Ballentine, Lieutenant Remington and I got up immediately and went to where the shot was fired. I saw Private Michael J. Kelsey, 10000000, lying across his cot with blood spurting from his head and his carbine leaning against the cot. Captain Ballentine examined Private Kelsey and said he was dead.

I had known Private Kelsey for about seven months and have censored his mail. Private Kelsey did not at any time appear to be depressed or mentally unsound and there was nothing in his mail to indicate that he contemplated suicide. I had seen Private Kelsey about an hour before his death and there was nothing in his behavior to indicate he was depressed or under the influence of intoxicants or drugs.

Further deponent sayeth not.

Harold J. Dickson
HAROLD J. DICKSON,
2nd Lt, 900th Inf

Subscribed and sworn to before me this 3rd day of January 1944.

Lester C. Morris
LESTER C. MORRIS,
Major, 900th Inf,
Investigating Officer

785015

(MODEL)

HEADQUARTERS 900TH INFANTRY
APO 900, U.S. ARMY

3 January 1944

AFFIDAVIT

Personally appeared before me the undersigned, authorized by law to administer oaths, one WAYNE M. NELSON, (123456, Pvt, Company "H", 900th Infantry, who being duly sworn, deposes and says:

About 0845, 1 January 1944, Private Michael J. Kelsey, 100000000, asked me if I knew how to strip a carbine because he wanted to strip his down and give it a good cleaning. I told him I didn't know and he said he was going to try it anyway. I then left him to go to work.

I have known Private Kelsey for about six months and I have never noticed anything in his behavior to indicate that he was depressed or mentally unsound. At the time I talked to him on the morning of 1 January 1944, he appeared cheerful and was not under the influence of drugs or intoxicants.

Further deponent sayeth not.

Wayne M. Nelson
WAYNE M. NELSON,
Pvt, Co "H", 900th Inf

Subscribed and sworn to before me this 3rd day of January 1944.

Lester C. Morris
LESTER C. MORRIS,
Major, 900th Inf,
Investigating Officer

3451

EXHIBIT "A"

(MODEL)

785015

CHECK LIST FOR DEPT OF INVESTIGATION (WD AGO FORM NO. 51)

1. Is WD AGO Form No. 51 complete? _____
 - a. Have all necessary delineations been made? _____
 - b. Does item 2 show date and cause of death? _____
 - c. Does item 3 show date and circumstances of injury resulting in death? _____
 - d. Have all copies been signed by the Investigating Officer? _____
2. Is sworn evidence attached to sustain each finding by the Investigating Officer? _____
3. Is certificate of decedent's organization commander attached? _____
 - a. Does it show whether decedent was absent without leave, absent with leave, or present for duty? _____
 - b. Is it specific as to date and time of day? _____
 - c. Is decedent's name, rank, and serial number stated? _____
4. Is certificate of medical officer attached? _____
 - a. Does it state the cause of death (complete medical diagnosis)? _____
 - b. Does it give date and time of death? _____
 - c. Does it give the name, rank, and serial number of decedent? _____
5. Is each statement of witnesses complete? _____
 - a. Does it give the full name, rank, serial number and organization of the witness? _____
 - b. Does it give the full name of decedent and does it show that the facts or circumstances stated are connected with decedent or his injury? _____
 - c. Does it set out all facts to which the witness has knowledge? _____
 - d. Is it clear, complete and logical? _____
6. Are all statements and exhibits properly authenticated? _____
 - a. Does each statement show that the witness has been sworn? _____
7. Does each WD AGO Form No. 51 have attached to it a complete set of exhibits in proper order? _____

3450

0050

0050