

FOLDER # 30

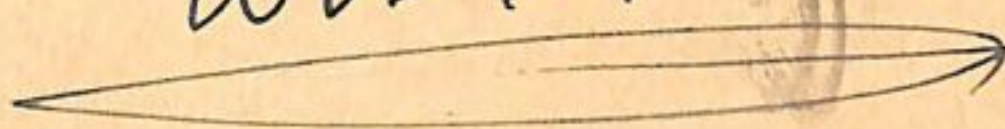
M/S "TITO"

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Authority NND 889078

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WU-10, 173, 240



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REPORT OF CLAIMS OFFICER, CLAIMS SERVICE, PHILRYCOM, APO 707

Forwarded to Commission No. _____ Date _____
Claimant See individual claim Type Wage Claim
Address " " " Amt. claimed See individual claim
Date filed Various dates

Date and Place of Incident From 1 March 1942 to 10 May 1942; Agusan, Mindanao

Nature of Damage Unpaid Wages

Statement of facts and opinion (attach additional sheets if necessary):
(LIST OF EXHIBITS ON SEPARATE SHEET)

FACTS: Claimants: 1. Epifanio Napalit -4-9337; 2. Ramon Narsolis - 4-9355; 3. Simplicio Patarata -4-9038; 4. Federico Taroza - 4-9037 were officers and crew of the M/S "Tito" from the outbreak of the war in December 1941 to May 1942. They filed this claim for alleged unpaid wages due them corresponding to the months of March, April and May 1942.

FINDINGS: The M/S "Tito" does not appear on either the Maritime Matters by Colonel Ward or on any recovered payrolls of the Visayan-Mindanao Forces available in Team #7.

However, the existence of the M/L TITO is shown in the file. It is a vessel listed in the Maritime Matters are incomplete. The majority of the vessels commandeered by the U. S. Army in Mindanao do not appear on the said Maritime Matters.

~~Recovered payrolls available in RPD are few and what was recovered is incomplete.~~

It is a known fact that at the outbreak of war in 1941, all available transportation, land and water, was commandeered or chartered by the U. S. Armed Forces in the Philippines and the services of the personnel were likewise procured.

Officers and crews of commandeered vessels were paid by the Quartermaster at Cebu, Cebu. Those who were unable to be present at Cebu, Cebu, due to the nature of their trips, were not paid until the time they reached Cebu.

OPINION: It is the opinion of this Investigator that ~~although proof of commandeering of the M/S "Tito" is not present in this case, the employments of claimants are strongly indicated in the file.~~ *Since the existence of* Claimants were Chief Engineer, Chief Officer, Second Engineer and oiler respectively.

It is believed that they were not paid for the months of March, April and from 1 to 10 May 1942. The latter date was the date of the official surrender of the Mindanao Forces.

Recommendation: It is recommended that claimants be paid the amount set forth opposite their names in the attached roster.

I (do) (not) concur.

RAYMOND B. LICUDINE
1st Lt., Inf.
Asst. Director, Team No. 7

Albino Z. Singlas
ALBINO Z. SINGLAS
XXXXXXXXXXXXXXXXXXXX
Claims Investigator

Action of Commission: : APPROVED _____ DISAPPROVED _____
Amount Date

Date _____ Commission No. _____

DISTRIBUTION:

Original attach to file; cc attach to file to be forwarded to CS by Commission; cc forward to DIS; cc to Branch Office.

Believed to be true.

This signed by Capt. Eldon L McKown, aide to Col. Chastaine of the Visayan-Mindanao Forces as per his 201 filed this date is available in Team 9)

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UNITED STATES FORCES IN THE PHILIPPINES
HEADQUARTERS AGUSAN SECTION
BUTUAN, AGUSAN

6 May 1942

Anakan Lumber Company
Anakan, Gingoog, Misamis Oriental

Dear Sir:

Present circumstances make it necessary for the military authorities to request that you turn over for military use two vessels owned by the Anakan Lumber Company, the M/S "Tito" and the M/L "Maria A". The appropriate requisition will be issued to cover any claim which may develop prior to the return of these boats to you.

A letter will be sent by this Headquarters to the Commanding Officer of the Air Corp on Mindanao at the earliest possible date, explaining the necessity for this action.

By order of Colone CHASTAINE:

/s/ Elden L. McKown
/t/ ELDEN L. McKOWN
Captain, Infantry
Adjutant

CERTIFIED TRUE COPY:

Raymond B. Licudine
RAYMOND B. LICUDINE
1st Lt., Inf., AUS

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XXXXXXXX
Address

HONORIA GEORGE CASIO in her behalf
and in behalf of her minor children
Kang-aktol, Dumanjug, Cebu

27 April 1948
Wage Claim
Not stated
24 June 1947

From 1 March 1942 to 10 May 1942; Mindanao

Unpaid Wages

FACTS: Claimant is the lawful wife of Catalino Casio who allegedly died while working under the employ of the United States Army as boatswain of M/S TITO. This motor ship was commandeered for use of the U. S. Army Transport Service at Mindanao at the outbreak of war in December 1941 (Exhibit F).

It is alleged in this claim that Catalino Casio was not heard of since the time he began working for the U. S. Army. However, there is nothing in the file to indicate that Catalino Casio died while serving with the U. S. Army Transport Service. Witnesses in Exhibits "B" and "C", Chief Engineer and First Officer of the M/S TITO at the time of the incident, respectively, indicate that Catalino Casio was member of the crew of the M/S TITO. They could not state, however, if Casio died while discharging his official duties as requested in Exhibits "G" and "G-1". Neither the claimant herself could secure witness to clarify the circumstances of the death of her husband.

The claims of other members of the crew of the M/S TITO under WU-10-173,940 were recommended for payment and were acted favorably by the corresponding Commission. Claimants in these claims were allowed payment from 1 March 1942 thru 10 May 1942.

OPINION: The employment of Catalino Casio as boatswain aboard the commandeered M/S TITO from 1 March 1942 thru 10 May 1942 can be deduced from the statements given in Exhibits "B" and "C". Basing on the award given in WU-10-173,940, above, Casio is entitled to receive payment for the same period. This opinion, however, does not construe that Catalino Casio did not die while in the performance of his official duties as boatswain. The claimant is not deprived of her rights to file a claim for compensation with the Bureau of Compensation where she will be required to file evidence relative to the death of Catalino Casio.

For the purpose of payment, Catalino Casio should be given a rate of ₱53.20 per month as shown in page 5 of the US Army Photostatic Pay Roll, available in Team 7 corresponding to the position of boatswain. This rate is doubled effective 1 February 1942 as per statement of Col. Rogers, also available in Team #7.

Recommendation: It is recommended that claimant be paid ₱123.56 in full settlement of her claim.

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