SAKAGAMI made his regular inspection of the contagious ward area and on his way back to his quarters met OKUYAMA who asked SAKAGAMI for drugs.

Answer to question #38: "Commander OKUYAMA said to me, Dock officer, I hate to bother you but I wish you would get me some scopelamine and strychnine nitrate and a hypodermic needle and syringe. I was going to the pharmacy department to get these medicine but as Commander OKUYAMA seemed to be in a hurry I went to the first medical ward and get them."

SAKAGAMI testified he asked murse HATTORI, Kaede for scopelamine opium hydrochloride and strychnine nitrate and checking with Licutenant FUKUDA she gave SAKAGAMI the drugs, one box of scopelamine opium bromide and one box of strychnine nitrate and one hypodermic needle and syringe. The boxes were marked "Poison". (See questions and answers 39 - 56 inclusive.)

SAKAGAMI took the drugs and the needle and syringe and gave them to OKUYAMA.

the judge advocates have made much of the fact that they heard for the first time the names of these drugs. The testiment is clear, NAKAMURA should have known the name of at least one drug because he testified he himself injected one of the drugs into one of the prisoners. The judge advocate has had the names of the murse HATTORI, Keede and Lieutenant FUKUDA since at least the day SAKAGAMI testified Wednesday, July 23, 1947. There has been plenty of time to check this part of the testimenty of SAKAGAMI. Perhaps the judge advocate will inform the commission as to the results if he has checked with nurse HATTORI, Kaede, and Lieutenant FUKUDA since his job as judge advocate is to see that justice is done even in the case of these accused, Japanese and not only to gain a conviction.

SAKAGAMI was curious, too curious for his own good bocauso he followed OKUYAMA up the hill and there for the first time saw two prisopers, foreigners he said, and Commander OKUYAMA and another doctor he did not know at that time. This other doctor was NAKAMURA who had testified against him and then had committed suicide at the stockade, Guam.

SAKAGAMI testified the two doctors were filling the hypodermic needles with drugs, the drugs he had given OKUYAMA the drugs marked "Poison", scopolamine opium bromide and strychning nitrate. (See question and answers 73 to 75 inclusive.)

Each doctor injected 5 or 6 capsules of the drugs into the prisoners.

Question #77, "How much did Commander OKUYAMA inject into the prisoner?

A. I remember OKUYAMA filling his hypodormic needle and syrings with 5 or 6 capsulos of this solution and he injected it all into the prisoners."

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NAKAMUPA, inject into the prisoner? Did you see him?

A. Yos.

*Q. 79. How much did ho inject?

A. He filled his needle with five to six small glass capsules and injected all of it into the prisoner.

"Q. 80. Which doctor made the first injection?
A. I remember Commander OKUYAMA making the first injection.

*Q. 81. Did NAKAMURA made the next injection immediately?

"Q. 82. Did he make an injection on the same prisoner as OKUYAMA did?

A. No, on a soparate prisoner.

MQ. 83. What happoned then?

A. The one who had been injected second shock two or three times and fell backward on the ground.

"Q. 84. How long did you stay on the hill?

A. After the prisoner had fallon to the ground I became afraid and hurried to my quarters.

MQ. 85. Why did you become afraid?

A. At first I did not know for what reason the prisoners were being given injections, I was surprised to see prisoneus drugs being injected into the hearts of the prisoners. After one of the prisoners shock greatly and fell to the ground I became afraid."

This was what really happened three and a half years ago at Trui: but it is quite different that the story NAKAMURA told.

"Q. 91. Are you sure that Captain IWANAMI was not there?
A. No, he was not there.

"Q. 91. You testified that Commander OKUYAMA and Lieutenant NAKAMURA and two foreigners and yourself were there, was there anyone else there?

A. There was no one else.

On cross-examination the judge advocate tried hard to shake SAKAGAMI's story but he persisted in his story. Somethings which were very illuminating were however brought out on cross-examination,

The judge advocate asked SAKAGAMI the following question:

"In all the times that you have been questioned concerning this incident on the hill why have you never used the terms strychnine nitrate and scopolamine before? (21st day.)

The answer which SAKAGAMI gave is very interesting. He also said, "I was even told that my day of execution had been determined and that it was the 24th day of May at 10 o'clock in the morning and that I was going to be put to death. His entire answer is given:

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"When I was first taken into the stockade at Truk I was questioned that night. I was investigated and the investigator said, "You killed the prisoners and dug a hole close by and buried them in it." I said, 'No. In July of last year the investigation was again reopened and again I was told, You killed the prisoners and as you were in charge of the dynamitee you were responsible, and there fore I thought if Commander OKUYAMA andthe other surgeon lieutenant whose name I did not know, no matter what I said I would not be able to clean myself of suspicion and I was told that my day of execution had been determined and that it was on the 24th day of May at 10 o'clock in the morning and that I was going to be put to death and I pledged myself not to say anything until Commandor OKUYAMA and the other surgeon lieutement were located. Shortly after I was told that I was going to Guam for a trial and as I did not do anything I waited for that trial. After I arrived at Guam I was told that Commander OKUYAMA had died and that the other surgoon licutement could not be found and "therefore SAKAGAMI you have to take the responsibility. I asked why i had to take the responsibility, and was told that there was no one olse to do so, meaning to tell the truth at the trial I kept quiet up to this time."

By the judge advocate:

Q. Was it in March of this year that you were told that you had to take the responsibility?

A. Yos."

Q. "Who told you that?

A. It was Cormandor CURRIE."

Q. "What exactly did Commander CURRIE say to you?
A. Commander OKUYAMA is dead, the other surgeon licutement can not be located and you may have to take the full responsibility. I asked, 'Do I have to take the responsibility in place of Commander OKUYAMA?' and he said, 'Yos'. As I do not know English I do not know whether Commander CURRIE said this but what I was told from the interpreter is just as I have stated."

Q. "Who was the interpretor when you had this conversation with Commandor CURRIE?

A. SAVORY.

All the time that SAKAGAMI has been held in confinement he never once, admitted that he did anything to these two prisoners. He has always maintained his innocence.

On the 21st day he testified as follows:

Q. "You tostified that some one told you that you were going to be executed at 10 o'clock one day for this crime, did you believe this?

A. Yos, I believed it."

Q. "Did you over admit or confess to the investigators at Truk or at Guam that you killed by blasts of dynamite these two prisoners."

A. No, I did not say this because I absolutely did not do it."

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Q. ".Did you over confess or admit to the investigators at

JAMES P. KENNY Lieutenant, Wavy, Judge Adovcat "ZZZ(93) "



Truk or Guam that you strangled these two prisoners? A. No, as I absolutely did not do such a thing I did not say that I did." Q. "Did you over admit or confess at Truk or at Guam to the invostigators that you did strike those two prisoners? A. Up to now I have never actually touched a prisoners, therefor there is no truth in that." Q. "Did you over admit or confess to the investigators at Truk or at Guam that you did assault the two prisoners? A. I have never assaulted nor hurt nor helped to assault or hurt or helped in plotting concerning prisoners. I have no connections whatsoever with prisoners and I absolutely did not do the above things." These answere should have convinced even the judge advocate that SAKAGAMI was innocent. The judge advocate persisted in bringing up incidents that had occurred while SAKAGAMI was held in confinement so he continued to question SAKAGAMI as follows on recross-examination Q. "You have testified that you made two statements for

Q. "Did Commander CURRIE over tell you that you were going to be executed?

get a heavy sentence but if I told about the other persons it would

Commander CURRIE. Bid Commander CURRIE over tell you he was going

A. After I arrived on Guam I was told several times that I might

A. I do not remember,"

to have you executed?

be much lighter."

Q. ". Here is somothing that just happened recently and you can not remember that, but you can remember the other things that happened as far back as the hill incident. You can do better than that? Did Commander CURRIE ever tell you that you were going to be executed?

A. I do not want to say this but one day Commander CURRIE and the interpreter, SAVORY, came to question me. Commander CURRIE did not say much but the interpreter said that if I kept quiet about this incident and it goes along as it is I would be sentenced to death and I would be buried some place and my body would never reach my family. I listened to this and would not believe that Gommander CURRIE said this."

SAKAGAMI continued on the witness stand and just before adjournment on Thursday, July 24, 1947, the 21st day he gave a long answer stating in part: "In what I remember and what the investigators told me, there are many conflicting statements, and I took it when NAKAMURA came, he would clarify this. There was no one else who could say anything, and I could not say anything about it. The only one who could clear me only as a human feeling, he was the only person on whom I placed my hope of clearing me here. His false testimony, why he did this, I did not know, I was shocked and surprised and did not know what to say. Now NAKAMURA has committed suicide, and there was no one else who could clear me, so I made a special request to be put on the stand so I could tell

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SAKAGAMI continued under recross-examination the next day, the 22nd day of the trial, Friday, July 25, 1947,

While still on the witness stand SAKAGAMI made a statement in part as follows;: "all I answered to the judge advocate and the defense counsel, to the questions of the judge advocate and the defense counsel, are the truth, There were things I did not want to say. I ask the commission to understand and to consider what I have stated fairly. I will swear to this before God or anyone else."

It is for the commission to weigh the evidence of NAKAMURA, shigeyoshi, who committed suicide while still a witness and the accused SAKAGAMI, Shinji, who has always maintained his innocence while under confinement and stoutly denied any participation in the incident and denied all the things which he is charged with having done under specification 2 of Charge I.

We ask the commission to find as to the accused SAKAGAMI, Shinji, specification 2 of Charge I not proved and the accused SAKAGAMI, Shinji, is of the charge of murder not guilty and the commission does therefore acquit the said SAKAGAMI, Shinji, of specification 2 of Charge I.

There remains only specification 6 of Charge II. In that specification Captain IWANAMI, Commanding Officer of the Fourth Naval Hospital and OKUYAMA, Tokikazu, deceased, then a Surgeon Commander and NABETANI, Reijiro, deceased, then a Surgeon Lieutenant, and others unknown, did "wilfully and unlawfully prevent and cause to be prevented the honorable burial of eight American prisoners of war, by dissection and mutilation of the bodies of the said prisoners, in violation of the law and customs of war."

We object to this specification because it doesn't even state of cause of action.

It isn't enough for a pleader to plead a conclusion and thereby set up a cause of action.

The presecution can cite no case showing that such an act, a dissection constitutes dishonorable burial. They fail to even identify the prisoners of war or to offer any evidence that they were not buried. It is axiomatic that the burden of proof is upon the presecution and that it never shifts therefore the presecution must prove dishonorable burial in this case. We maintrain that a dissection performed at a hospital does not constitute preventing the honorable burial of an American prisoner of war.

We cite the address of Lioutenant Commander James J.

ROBINSON before the joint meeting of the Military and Naval Law
Committees of American Bar Association and the Federal Bar
Association at Washington, D.C. on April 20, 1945, in which he
defines a war crime:

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"A war crime is an act forbidden by the law of war and committed in any place in time of war by a person who is connected or acting with a belligerent nation and who acts with intent unlawfully to injure a person or property or government, connected with an opposing belligerent nation or with a neutral nation. The penalty is determined by the court in its discretion and may extend to the death penalty unless otherwise provided by law."

The prosecution has also failed to show any intent on the part of Captain IWANAMI and the charge must therefore fail.

As we have stated before the mere assertion that there is an offense in violation of the law and customs of war does not make it an offense. Proof is necessary and the presecution has offered no real proof.

Specification 6 of Charge II alleges IWANAMI, OKUYAMA, NABETANI, and others unknown prevented the honorable burial of eight prisoners.

Just what constitutes an honorable burial. Since that is the crux of this charge, it must be defined before the commission can docide whether the accused is guilty of a crime. The commission cortainly cannot take judicial notice of what constitutes an "honorable burial". I have searched through what few source books are available at this place and nowhere do I find anywhere the rites and rituals which would allow a definition of "honorable burial" to be set up. Is it required that a man be buried whole and unmarred? Gentlemen, this was war, and I submit that not one person killed in any battle was buried whole and unmarred. Must he be given the burial ritual of his own religion? I doubt that one Japanese buried by the American forces was given the rites of Shinto or Buddha. Until the commission has before it a propor dolineation of this term, it would appear impossible for you to decide judicially what acts do and do not constitute "provention of honorable burial".

Lot us review a little father this question of "honorable burial". Every race, every sect, has it's own ideas on what is necessary at the last rites. The ancient Egyptians built their elaborate tombs for proper burial. The Moslems along the Ganges roquire huge funoral pyres. A Catholic is not accorded a proper burial unless his body is laid in sanctified ground blossed by his own church. In Okinawa the bodies of the dead are laid in tembs for three years, after which the remaining bones are cleaned and stored in earthern jars. Yet there is not one of these that requires as a condition that the body be untouched, intact and whole. Such a requirement would prevent a post-mortem diagnosis and we all know that these are usual and proper wherever the practice of medicine has outgrown the mumbo-jumbo of the medicine man. Therefore, until it is shown what law has been biolated, this commission should not find IWANAMI guilty of the commission of a crime under specification 6 of Charge II.

The question is of honorable burial. We shall try to see what the law is on honorable burial.

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"What is an honorable burial?" There is no medical officer in our armed forces who has not seen an autopsy performed, in which parts of the body were removed, never to be replaced. The present miracles in eye surgery require that parts of the eye be removed from the body of the dead, for later transplanting to the eye of a living person.

Bouvier's Law Dictionary, at page 772 has this to say:

"The leaving unburied the corpse of a person for whom the defendant is bound to provide Christian burial, as a wife or child, is an indictable mis-demeaner if he is shown to have been of the ability to provide such burial; 2 Den, C,C, 325; or preventing a dead body from being buried; 2 Term 734; 4 East 460; 1 Russ Cr. 415 n. or interring one found in a river without first sending for a corener; 1 Ld Ken. 250; or to cast into a river; Kanavan's Case, 1 Greel. (Mo) 226. And every householder in whose house a dead

body lies is bound by the common law, if he has the means to do so to inter the body decently; and this principle applies where a person dies in the house of a parish or a union; 12 &£ 773. The expense for such burial may be paid out of the effects of deceased; 3 Camp. 298."

"It is the duty of the coroner after death by violence to cause an autopsy to be made; the surgeon who makes it can recover from the county for his labor; Alleghony County v. Shaw, 34 Pa. 301; Board of Comirs of Bartholomow County . . Jameson, 86 Ind. 154. If the work be done with ordinary care, he is not liable to the family for mutilation of the body, even the acting without their consent. Young v. Colloge of Physicians and Surgeons, 81 Md. 358, 32 Atl. 177, 31 L.R.A. 540; and though he removes and keeps in possession by direction of the coroner, portions of the body; Palmer v. Broder, 78 Wis. 483, 47 N.W. 744. Where the rule of a board of health requiros a cortificate as to the cause of death being issuing a burial permit, an attending physician is not liable for performing an autopsy without the family's consent; Moyers v. Clarke, 122 Ky. 866, 90 S.W. 1094, 93 S.W. 43, 5 L.R.A. (N.S) 727; so where a mete incision was made to ascertain the cause of death, as authorized by the board of health and city ordnance; Rushing v. Modical College, Ga. App. 823, 62 S.E. 563."

Clark and Marshall on crimes, Section 475, also states:

"Offenses with Respect to Doad Bodies. -- It is a misdemeanor at common law so to treat or deal with a dead body as to shock the public sense of decency."

Thus, it has been held a misdomeaner indecently to throw the dead body of a child into a river, instead of burying it, or causal it to be buried; inexcusably to leave a dead body exposed, instead of causing it to be buried; unlawfully to disinter a dead body for the purpose of dissection, or for any other unlawful purpose; to sell it, without lawful authority, for the purpose of dissection, or to take it with intent to sell it. It is not a misdemeaner to cremate a body instead of burying it, unless it is done for an unlawful purpose, or in such a way to amount to a

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public nuisance. To burn or otherwise dispose of a dead body to prevent the holding of a coroner's inquest thereon is a misdemeanor. This subject is now very generally regulated by statute."

Let us see how this summary of the law applies in this case. In the first place, you will note that the gravest offenses are no more than misdemeanors - not felonies. Moreover, it states that there is no liability to the family for mutilating of a body, even if acting without their consent, if the work is done with ordinary care; and this is true if he removes and keeps in possession, by direction of the coroner, portions of the body. There can be no doubt hore that the work was done with ordinary care; the testimony of the witnesses in this case confirms that; furthermore, the doctor sewed up the corpse and prepared it proporly for burial. There is of course, no coroner in this case, but surely the orders of a commanding officer in time of war at a place where invasion appears imminent and continual air attack is present would have the same force and effect on a subordinate as the directions of a coroner to a physician, so far as responsibility and liability for the act is concorned. For certainly, being of the military yourselves, you know botter than I that the force and absoluteness of orders rises materially in effect during actual combat conditions, as compared with peaceful, remote military installations. Since the courts of our own country have held so universally that the doctor is not guilty of mutilation of a doad body under the conditions described, would it not be ironical to hold an enemy surgeon guilty for the same thing?

Since it is not considered in the United States that the acts of which Captain IWANAMI, the doctor is accused of constitutes prevention of honorable burial or mutilation of the body of the doad, under the general conditions described, then it follows logically that they are not offenses under the laws of war-

NAKAMURA testifying on the 4th day said: "Q. 127. Do you know wnother or not the organs taken from these bodies were returned to the bodies?

A. As I rocall, they wore. "

NAKAMURA testified that four of the bodies were cremated. (See answer to question #138.)

NAKAMURA tostified that he was present at another time when four other bodies were dissected but he testified he did not know what became of those four bodies. (See answer to question #162.)

This was all the information that could be secured from NAKAMURA because he committed suicide Saturday afternoon, June 28, 1947.

IWANAMI tostified on the 24th day that he assisted in a dissection of two bodies only in the dissection room of the Fourth Naval Hospital. (See answer to questions #50 & 51.)

Captain IWANAMI found out about a second dissection when he looked in on the dissection room and saw dead bodies. He asked Commander OKUYAMA for a written explanation. (See answer to

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Captain IWANAMI ordered SAKAGAMI to despose of these dead bodies (See answer to question #90) and SAKAGAMI did see the bodies were properly buried.

Question #218 IWANAMI was asked about the other six bodies which he is charged with dissecting and answered: "The other six wore performed by Commander OKUYAMA and other persons and I do not know anything about them."

OKUYAMA gave Captain IWANAMI a written explanation to the effect: "(1) These dead bodies were brought to the hospital without anyone's consent, (2) the head of the hospital has been troubled very much by these dissections, (3) the corpses will be disposed of." (See answer to question #232.)

Question #235. "You testified you ordered SAKAGAMI to dispose of the dead bedies. What do you mean by "dispose of"?

Answer: "I saw a corpse in the morgue and I was very surprised to see it, and I wanted them buried, so I told SAKAGAMI to the meaning that he was to bury these immediately."

Question #236. "Did SAKAGAMI report to you that he had buried those bodies?

Answer. I do not recall definite y what time of day it was, but I think it was around lunch time of the day I ordered him, he reported to me.

On the 27th day July 31, 1947 IWANAMI answered as follows: "When I was called and went to the dissection room the bodies were cut open and one of the bodies was cut open and was on the right side of the dissection room and OKUYAMA was present and I am cortain NABETANI was not there, NAKAMURA was there and the notes were being taken by corpsmen. I am very regretful that not even one person testified to facts that were as clear as that and I remember there is no one who said when the head of the hospital came that is how it was. Concerning this I have told Commander GURRED how it was. At this time I regret how uncertain persons! recollections are. When I arrived the lights were on but there was no one who stated this, that stated there was light and when they called me I was making preparations to go out to dinner and I went there and it was no one who testified that the bodies were cut open and the lights were on and I felt very lonely. When I was there I assisted in the dissection of two bodies and after that I left the room."

The judge advocate also asked IWANAMI: "Did you aid in that second dissection at all?

Answer: No."

IWANAMI testified he cut off only one head from a dead body but including the three heads that OKUYAMA severed that he, IWANAMI, sent four heads to Japan.

The four bodies were burded.

Does the prosecution have any previous case or ruling at law by which they can establish the law under these circumstances or

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are they attempting to make new law out of the circumstances of the incidents which they describe. Is it enough for the prosecution to say that this incident was a violation of Article 76 of the Geneva (Prisoners of War) Convention of 27 July 1929. We hold this to be a mere conclusion of the pleader.

We repeat the same arguments as heretofore made regarding honorable burial. . As is stated in Court Martial Order 12-1925 "For an act to be unlawful it must have 'con committed in violation of some law, regulation, or order in force at the time of the commission of the act; if there be no law, regulation, or order prohibiting the act a mere statement of unlawfulness cannot create an offense.

We have searched in vain through the law books and the statutes, international law, and the laws of war, and nowhere do we find such acts prohibited by law. In the case of Dithmar and Boldt instituted under German law of March 24, 1920, Reichgesetzblatt, 1920, p. 341, the court states: "The fact that his deed is a violation of international law must be well known to the deer, apart from acts of carelessness, in which careless ignorance is a sufficient excuse."

We contend therefore that IWANAMI has not been proved guilty of specification 6 of Charge II, that the crime with which he is charged is not sufficiently defined to permit of a proper consideration by this commission, and whatever acts IWANAMI may have done he did such acts of dissection without any scienter that it was a crime if the commission held it to be a crime. Without scienter there can be no intent and without intent, criminal intent, there can be no crime.

We ask therefore that the commission find as to the accused, IWANAMI, Hiroshi, specification 6 of Charge II not proved and the accused, IWANAMI, Hiroshi, is of specification 6 and the Charge II violation of the law and customs of war not guilty and the commission does therefore acquit the said IWANAMI, Hiroshi, of specification 6 and of the charge of violation of law and customs of war.

This is the first case of medical experiments by Japanese doctors on American prisoners, tried in the Marianas Area. These experiments if we can believe the witness, were proved by NAKAMURA, Shigeyoshi, but he committed suicide when still a witness. He testified that Commander OKUYAMA, Tokikazu and Lieutenant NADETANI, Reijiro, were the two doctors that conducted these experiments on eight American prisoners. He, NAKAMURA, although he was supposed to be learning from OKUYAMA only took notes. NAKAMURA also testified how innocent the tests were when Captain IWANAMI was present, not at the hospital but at the Alst Naval Guard Unit, a separate command charged with the care, the safety and responsibility of prisoners of war on Truk. Here it was that these experiments were conducted,

However, not a single person from the 41st Naval Guard Unit is being tried for these atrocities. Both Commander OKUYAMA and Lieutenant NABETANI were dead before the charges were drawn and NAKAMURA committed suicide during the trial. IVANAMI, the

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Commanding Officer of, not the Guard Unit but of the 4th Naval Hospital was indicted for these offenses under specification 1 of Charge I.

Specification 2 of Charge I was another case of an experiment atrocity. In this case, IWANAMI is said to have acted with SAKAGAMI and OKUYAMA. But as in the case of specification 1 so in specification 2 we have shown that IWANAMI had nothing to do with these experiments. Noither did SAKAGAMI.

So this greatly publized hospital atrocity case turns out not ' to be an atrocity case at all because the two culprits are both dead. It is instead the killing of two American prisoners by stabbing.

For this stabbing IWANAMI is charged with murder in specificatio; 3 of Charge I and in specifications 4 and 5 of Charge II he is charged with neglect of duty.

This was also done in specification 1 of Charge I which is charged as neglect of duty on the part of IWANAMI in specification 1 of Charge II and it was done in specification 2 of Charge I which is charged as neglect of duty on the part of IWANAMI in specification 2 and 3 of Charge II.

This is a strange inconsistency. The accused IWANAMI is accused in one specification with having committed a murdor - a positive act - and then in other specifications charged with noglect of duty for the same act - a negative act. Naval Courts and Boards has this to say of the charge "neglect of duty". A person may neglect his duty by never entering upon it, in whole or in part, it is an ommission, rather than an act. So we have IWANAMI in one instance committing a murder, according to the charges, and in the same instance, omitting preventing a murder. Does this mean that he should have prevented himself from committing a murder? When the defense is confronted with such inconsistencies, it is indeed difficult to know just wherein the offense lies and causes untold confusion. It apparently resolves itself into the state that the accused is charged with a positively negative deed or a negatively positive act. There is this result, however it is difficult to see how the commission would find him guilty of both charges.

If these acts are in violation of the laws of war as laid down in Fourth Hague Convention 1907, the question is whether the lev of war imposes on a commanding officer of a hospital a duty to take such appropriate measures as are within his power to control the troops under his command for the provention of the specified acts which are violations of the law of war ... and whether he may be charged with personal responsibility for his failure to take such measures when violations result, General Tomoyuki YAMASHITA Nos 61 Miscellaneous and 672 Supreme Court, posed the same question rogarding the duty and responsibility of General YAMASHITA.

We hold that the prosecution has failed to show that there was an affirmative duty on the part of Captain IWANAMI to take measures to protect these prisoners of war-

> Lieutenant, Pridge Adovent



In General Orders No. 264, Hq. Div. of the Philippines, Sept. 9, 1901, it was held that an officer could not be found guilty for failure to prevent a murder unless it appeared that the secused had the power to prevent it.

As we have said before this charging of Navy officer, a doctor, with failing to act is most unprecedented. The prosecution must show a duty imposed upon Captain IWANAMI because he was Commanding Officer of the 4th Naval Hospital and the prosecution has not brought out any evidence as to what his duties as Commanding Officer were. Neglect of duty is an omission rather than act. Section 105, Naval Courts and Boards says: "A duty may be imposed by a law, regulation, order, or custom of the services in force at the time of the commission of the offense."

Mr. Justice Rutledge said of the YAMASHITA case, "Much less have we condemned one for failing to take action I have not been able to find procedent for the proceeding in the system of any nation founded in the basis principles of our constitutional domocracy, in the laws of war or in other internationally binding authority or usago".

"International law makes no attempt to define the duties of a commander of an army under constant and everwhelming assault; nor does it impose liability under such circumstances for failure to meet the ordinary responsibilities of command. The ommission is understandable. Duties, as well as ability to control troops, vary according to the nature and intensity of the particular battle. To find an unlawful deviation from duty under battle conditions requires difficult and speculative calculations. Such calculations are Qually highly untrustworthy when they are made by the victor in relation to the actions of a vanquished commander. Objective and realistic norms of conduct are then extremely unlikely to be used in forming a judgment as to deviations from duty. The probability that vengeance will form the major part of the victor's judgement is an unfortunate but unescapable fact. So great is that probability that international law refuses to recognize such a judgment as a basis for a war crime, however fair the judgment may be in a particular instance. It is this consideration that undermines the charge against the petitioner in this case. The indictment permits, indeed compels, the military and actions of the defeated enemy and to use its conclusions to determine the criminal liability of an enemy commander. Life and liberty are made to depend upon the biased will of the victor rather than upon objective standards of conduct."

How applicable this logic of JusticeMURPHY's is to the present situation. The Commanding officer of the Fourth Naval Hospital at Truk had to be concorned not only with an increasing number of patients as the Americans and English planes bombed Truk but he had to be conserved with a safe place to take care of the patients. The hospital itself was subject to attack. IWANAMI was a doctor but he also was given the responsibility for the defense of the hospital and was ordered to and did set up a Self-Dofenso Unit at the hospitals

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During this time he has two doctors that are more interested in research and conduct a series of experiments on American prisoners at a nearby command. IWANAMI takes one of these doctors down thore to the Guard Unit and wondering what the doctor is going to do looks in on the prisoners. IWANAMI even goes as far as to show the doctors how skillfully even a drop of blood can be extracted from the lobe of the ear of a prisoner. That is all.

Two days later as he is on his way out to dinner he receives a hurried call to come to the dissection room. The same doctors are there and two bodies, the bodies of American prisoners are in there on the slab dissected. His opinion is requested and he assists in the further dissection of these bodies. But he suddonly realizes all is not well and leaves. There were many things he should have done.

Here he is the commanding officer of the hospital at Truk burdened to the breaking point with his responsibilities and greatly concerned with his command relationship with the commander Fourth Fleet whose hoadquarters were ashere on Truk.

IWANAMI should have done differently. However, international law makes no attempt to define the duties of the commanding officer of a hospital under almost constant bombing nor does it impose liability under such circumstances for failure to meet the ordinary responsibilities of command. Who is to say what is an unlawful deviation from duty by a doctor under battle conditions. Is our judgment of IWANAMI under such circumstances the basis of a You members of the commission are sitting in judgwar crime? ment upon the military actions of a defeated enemy and you are to determine the criminal liability of a doctor who was the commanding officer of a hospital for failure to act not as a doctor but as a disciplinarian who should have punished his subordinates or recommended them for punishment or should have stayed with them even while these subordinates were away from the hospital to which they were attached and were at the nearby Naval Guard Unit, to see that they did no unlawful act while at the Naval Guard Unit, Captain IWANAMI's life and his liberty now depend upon your will. Judgo him we ask by objective standards of conduct,

In the words of Junius to the people of England:

"One procedent creates another. They soon accumulate and constituto law. What yesterday was fact, today is doctrino. Examples are supposed to justify the most dangerous measures, and where they do not suit exactly, the defect is supplied by smalogy. Be assured that the laws, which protect us in our civil rights, grow out of the constitution, and they must fall or flourish with it. This is not the cause of faction or of party, or of any individual, but the common interest of every

Rospectfully,

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Identenant, . . Navy,

MARTIN E. CARLSON. Commander, United States Naval Reserve.

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FINAL ARGUMENT FOR THE PROSECUTION DELIVERED BY LIEUTENANT COMPANDER JOSEPH A. REGAN. UNITED STATES NAVY. JUDGE ADVOCATE.

Commander Carlson in his argument has attempted to convince the commission that a finding of guilty of the offense alleged in Charge I, specification 3 against Captain Iwanami will preclude the commission from also finding him guilty of specifications 4 and 5 of Charge II.

It is not alleged in this case that Iwanami is guilty here of both a willful and a negligent killing - and it is not inconsistent to find that a commanding officer is guilty of murder for having directly participated in a killing and also guilty of neglect of duty for failing to protect persons and also failing to restrain men under his command from killing persons. In the latter case, he is not found guilty of a negligent killing but for unlawfully disregarding, neglecting and failing to discharge his duty.

C.M.O. 11-1930:

Recent court-martial cases published in Court Martial Orders indicate the fact that no definite precedent has been established which prohibits conviction of one or more charges merely because they appear to have been based on the same act or commission. (CMO 2-1930, p3 - CMO 3-1930, p12.)

The recent action of the judge advocate in the Tachibana case does not contravene the statement made above. In the Tachibana case when two of of the three specifications were set aside - the only ground given was they all grew out of the same circumstances. There was not a statement that the original finding of the commission was error. Quite possibly JAG was merely exercising leniency for there is no claim that any error had been committed.

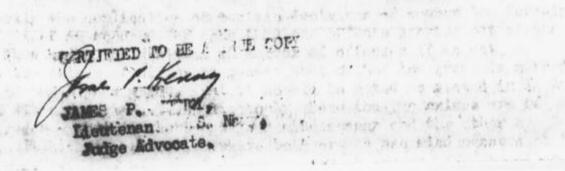
Ordinarily the application of certain doctrines of common law forestall the punishment of an accused for more than one offense growing out of the same act. Thus under the doctrine of merger of affenses if an act constitutes two crimes of different grades that of the low grade is marged in the one of the higher grade. But it should be noted as stated in 14 Am. Jur. p. 760 "This doctrine....applies only where the two erimes are of different grades - that is where one is a misdemeanor and the other a felony.... It has no application where both crimes are misdemeanors or both are felonies, though one may be of a much graver character than the other and punishable with much greater severity." (citing People ex rel. Sammons v. Hill, 345 Ill. 103, 177 N.E. 723, citing R.C.I.; Gilpin v. State, 142 Md. 464, 121 A. 354, citing R.C.L. State v. Cooper, 13 N.J.L. 361, 25 Am. Dec. 490.)

In international law there is no distinction drawn between felemics as misdemesnoss and the rule of merger would appear therefore to be insurdical.

also in an army case it wes held, "where one act of an accused constitutes a felonious assault under A.W. 93 and also an assault upon his superior efficer, in the execution of his office, under A.W. 64, it is not a duplication of charges to charge him, under the respective articles of wr, with both offenses, the first being an effense of a civil nature and the second a purely military offense." (G.M. 153372 (1922) p. 294, Dig. Op. Jag Army 1912-1940.)

The only duty to which the commission can be held is to weigh the evidence presented, to determine the facts, and to apply the law to those facts to re-ch its findings of guilty or not guilty.

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If the facts and the law so amplied by the commission warrant a finding of guilty under any specific specification and charge that specification must be found proved, as must all other charges and specifications which meet the same test. This is as far as the responsibility of the commission can go.

The commission cannot properly set aside a charge and specification which it believes has been proved. This is not within the province of the commission. The commission cannot say that an accused is not guilty of a charge and specification which it believes has been proven.

In an instance where a commanding officer is found guilty of murder and is also charged with neglect of duty to protect and restrain, the intense necessary to constitute murder does not obviate a finding of unlawfully disregarding, neglecting and failing to discharge his duty. Rather the intent to murder serves to show the commanding officer's intentional omission to perform his duty, and according to law, "An intentional omission to discharge a legal duty always constitutes culpable negligence."

It is argued by Commander Carlson that the failure to protect and restrain is a constituted element of the murder in Charge I. How can a commanding officer who has ordered the murder of prisoners argue that he has not violated his duty to protect these prisoners. He is obviously guilty of both murder and a Violation of the Law and Customs of War in that he neglected his clear duty. When charged with each separately, he may be convicted of both. Then if it ampears that the lesser charge is a constituent element of the greater, it becomes the duty of the convening authority to disapprove the finding on the less serious charge upon his taking action in the case. This is solely the duty of the convening authority because the commission could not find him not guilty of a disregard his duty if the evidence showed the contrary.

On this the forty-third day of the trial the last argumentative voice to be heard by the commission will be that of the judge advocate.

It has long been the personal opinion of the judge sdvocate that if a commission, as this one has, pays close attention to the evidence there is absolutely no need for closing arguments for the commission is perfectly capable of weighing the testimony heard.

While it may appear repetitious because my colleague has alreedy elucidated the points proven by the prosecution, nevertheless so many voice and so many arguments have intervened since the time that the judge advocate feels it necessary to again point out that all charges and specifications have been proved. Mr. Kuwata has made a long argument pointing out the application of the principles of Japanese law to the facts of this case. However, as the law to be applied is international law the arguments of Mr. Kuwata are not pertinent. In applying international law the court should have to the principles and examples expounded by the United States courts rather than to the principles that have grown up in Japan.

The principles of law involved in this case are relatively simple and by and large are taken from Maval Courts and Boards, Section 53, page 22 of Naval Courts and Boards defines the main issue of this case, namely, murder and defines it as the "unlawful killing of a human being with malice aforethought." The malice involved does not necessarily mean hatred or

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personal ill will toward the person killed nor an actual intent to take his life, or even to take anyone's life. The use of the word "aforethought" does not mean that the malice must exist for any perticular time before commission of the act, or that the intention to kill must have previously existed. It is sufficient that it exists at the time the act is committed. "Unlawful" means without legal justification. All of the defendants here are charged with murder. The principal accused, Captain Iwanami, is charge with three specifications of murder, in one of which, namely specification two of Charge I, he is joined with Lieutenant Sakagami, and in specificatio. three he is joined with the remaining 17 defendants. The propriety of joining Ivanami with 17 others has been questioned not only in closing argument by Commander Carlson, but also was questioned at the very start of this trial when Commander Carlson argued long against the charges and specifications being in due form and technically correct. The judge advocate is willing to admit, as he did prior to the court's earlier ruling that there is no conspiracy herein elleged, that this is a joint trial, and that all accused are properly charged as all had an active part in the deaths of the two Americans on 20 July 1944.

Concerning the experiment feature of the case as set out in specificat: one of Charge I, Captain Iwanami has denied his guilt, although he has admitted, and in fact has a little overdone, his part in the July incident. For some reason presently unknown to the judge advocate, and I am sure equally unknown to the commission, Captain Iwanami has persisted in refusing even in the face of overwhelming proof his complicity in the death of the six Americans charged in specification one. Captain Iwanani, while admitting that he was commanding officer of the Fourth Naval Hospital, has steadfastly insisted that his junior in rank, one Commander Okuyama, is solely responsible for the experiment feature of this case. He desires this commission to believe that Okuyama, only a commander, went to the Forty-first Guerd Unit and in some mysterious menner arranged and directed the disposal of six prisoners. This contention he urges - even in the face of Captain Tanaka's testimony, even in the face of Lieutenent Hasegar. testimony, and even in the face of the testimony of the unfortunate though truthful Lieutenent Nakamura,

Defense counsel have spoken much about the suicide of Lieutenant Nekamura and they would have this court believe that not only was Nakamura untruthful, but that possibly he was insane at the time he took his own life and during the time that he was testifying in this courtroom. Were we to admit, if only for the purposes of argumentation, that Nakamura actually was either untruthful or insene, it would still not exculpate Cantein Ivanemi, for Captain Tanaka tells us of the request made by Iwanami for prisoners to experiment on and tells us that he was informed by Hasegathat the prisoners requested by Iwanani were not only delivered to him but were also experimented on by him at the Forty-first Neval Guard Unit. Hasegawa not only tells us of the conversation in which the request was med He also tel's us of a subsequent conversation in which Iwanemi informed him that six of the prisoners were dead and that the two remaining prisoners were to be removed to the hospital for further experimentation. The occurission may remember that after Hasegawa told us of this he weakened a bit and informed the commission that he real'y wasn't sure whether or not Iwenami told him this or Okuyama told him. However, I am sure the commiss; will recognize that none of the prosecution's witnesses, though the prosceution wouches for their truthfulness, were really anxious to cooperat and took every available opportunity to weaken their statements. Even assuming that Hasegawa was not so advised by Iwanami, what does the commission make of Jwentshi's testimony concerning the dissections when four

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corpsmen - four subordinates of Iwanami - have all taken the stand and advised this commission of the ective pert played by Ivenami in the unlawful dissection and mutilation of the bodies of these eight prisoners. These four corpsmen, Odenaka, Takeheshi, Yemeda and Tamaki have advised the commission that not only did Iwaneni know of the eight bodies - he actually used a scalpel on all of them. Iwanami has denied participating in more than two dissections. Can the commission believe anything that Iwanemi has advised them when the defense has been mable to shake the totally centrary testimony of four of his subordinates and of four of his co-nationals. There is no doubt that Iwanami lied - lied, no doubt, just for the purpose of saving face - just for the purpose of not having it publicly admitted that a Japanese medical captain would engage in such stupid experiments, experiments which proved nothing, for surely even second-year Japanese medical students know that a tourniquet may only be applied for a limited period of time without causing harmful effects, and that injections of virulent strentococcus becteria without further medication will produce death.

As an interesting side?ight to Iwanari's testimony at the time that he was on the stand and under cross-examination when he was being questiona concerning the severing of the heads, he was quick to admit at the sight of one of his statements that he had told the investigators of the War Crimes Office that he himself had severed four heads. If the captain had had a better memory, or even had had a bit more petience, he would not have put himself in the position of having to admit that he had lied to the investigators. For in reality, the statement of Iwanemi's did not contain any admission that he had severed four heads. It merely did mention that he had severed heads without giving any specific number. He calimed from the stand that because Okuyama had been so nice to him - though the Japanese navy must be a strange one when superior officers find it necessary to compliment juniors upon their niconess - that he, Iwanami, had taken the blane for the severing of all four heads, whereas in reality he had only enoff one. Where is the truth of this? Isn't it more likely that Nakamura was telling the commission the truth when he said that he watched Iwanami cut off these four heeds not only to educate Nakamura in a difficult task, but also so that Japanese doctors in Japan could have four American skulls to observe, as intermarriage is supposed to have some effect upon the shape of one's head.

The testimony of Nekamura and of Iwanami is directly opposed concernitude of the Fourth Naval Accurred at the Forty-first Naval Guard Unit and also in the morgue of the Fourth Naval Hospital. Even under the strictest cross-examination, which lasted more than one court day, the testimony of Nakami was not shaken. We do not only have to rely upon the shilly-shallying statement of Hasegawa as to whether or not it was Iwanami who poked his statement of Hasegawa as to whether or not it was Iwanami who poked his head through a window and proclaimed that six were dead and there were two more to go. We have the testimony of Nakamura that Iwanami had agreed to experiments conducted by Okuyama and Nabetani. Not only had he made the arrangements but he had visited the very room in which the two survivors arrangements but he had visited the very room in which the two survivors of the tourniquet treatment were still present and that there Okuyama had advised him that the other two prisoners were dead.

It is true that Iwanami has never been placed upon that hill, by any of the prosecution witnesses but the judge advocate contends that Iwanami's responsibility conterning the death of these two survivors of the tourniquet treatment has been proven. Iwanami acquiesced in advance to the tourniquet treatment has been proven. Iwanami acquiesced in advance to the experiments. It may be argued that his permission to Okuyama conterning experiments. It may be argued that his permission to Okuyama conterning these four unfortunate Americans only extended to having rubber bands place

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around their various limbs and not to having sticks of dynamite placed at their feet. However, there has been no court testimony other than complete denial by Iwanami concerning this point of agency and it must be assumed that Iwanami accepted the results of the chain of circumstances which he himself set into motion. He agreed to shock experiments - and no one can deny that the dynamite used induced shock.

Iwanemi is the sole person charged under the violetion of the law and customs of wer of Charge II. A mere rereading of the various specification. and a recollection of the testimony produced in this court should be sufficient to convince this commission that all of the specifications of Charge II have been proven concerning Iwanami. While it is true that the Geneva Convention was never formally ratified by the Japanese Empire, nevertheless, the Japanese Empire, through the Swiss government, its intermediary and representative of the Second World War, agreed to be bound by the terms, and it ill behooves defense counsel to argue that Iwanami either controlled his men or protected the verious American prisoners of wer who were so unfortunate as to come within his custody. The prisoners were a'l murdered through his connivence. Wanton murder violates the law and customs of wer - which provide that helpless prisoners are neither to be mistreated nor murdered. Commander Carlson pretended difficulty in who law and customs were violated here even though the court had taken judicial notice of the Geneva Prisoners of Wer Convention,

In specification six of Charge II, Iwanami is charged with wilfully and unlawfully preventing the honorable burish of eight American prisoners of wer by dissection and mutilation of the bodies of said prisoners in violation of the law and customs of war. The first four prisoners had the heads removed in order that doctors in Japan might secure some dubious knowledge of the effects of intermarriage. Through the testimony of the witness Odenska the commission learned that some of the organs of these for prisoners were removed and kept as speciments, though there was no contention that these specimens would aid Japanese medicine in ascertaining the benefits of intermerriage. The second four prisoners were taken by Sakagami and some natives and thrown over a cliff. Even though it be true that Sekegami prayed over these bodies, prayers are no adequate substitute for decent interment with the graves properly marked and left at peace. The bodies of the first four were cremated. The judge advocate does not argue that this was unlowful since it was a Japanese custom, but these bodies were mutilated before they were finelly burned. The bones of the remaining four were not left in decent peace but, as was shown through the testimony of Admirel Sumikawa and through the testimony of Captain Iwanami himself, after the end of the mer these bones were dug up and cast into the sea so that there would be no evidence for the Americans in case, as it hapmened, the natives talked.

Now let us consider, and again the judge advocate apologizes for further taking up this commission's time, the charge against Sakagami. The commission has not only heard Makamura and the natives, but the commission has heard the testimony of Sakagami from the stand, has heard the statement of Sakagami at the close of the defense case, and has also heard the statement of Sakagami as argued and incorporated in the papers of his counsel, Mr. Akinote. The commission must make a choice between the testimony of Nakamura, who was the main prosecution witness against Sakagami, and the testimony of Sakagami. Their testimony is mutually exclusive. If Nakamurwas telling the truth, and the judge advocate can see no reason why he should not, Sakagami is guilty as charged. If Sakagami is telling the tru

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JAMES P. WORTH,

James P. WORTH,

Judge Advocate.



then Nakemura lied. It has been argued by defense counsel that the testimony of the Trukese natives has little or no bearing upon the case for ct the end of three years they are unable to state with certainty whether Sakagemi said "we" or "they" had dynamited prisners. Even assuming that the natives were confused in their pronouns that is no reason to disbelieve their statements that Sakagami had said prisoners were dynamited and that they themselves would be dynamited if they did not put more effort into their labors. Sakagemi in his testimony denied having made these statements to the natives, but for that matter he denied everything that Nakamura testified to. Let the commission remember as it has been pointed out to them in the argument on the various motions made by the defense, in common law a defendant was not permitted to take the stand in his own defense because it was assumed that he would be completely untruthful. Even today, while American procedure permits the defendent to take the stand, the textbook writers and also common sense advises that the testimony of an accused should be scrutinized carefully, for he of all witnesses has the greatest motive in exeggerating, distorting, or even denying the truth of the incident alleged.

The defense has made much of the suicide of Nakamura. The judge advocate confesses that he himself is unable to understand why Nakamura committed suicide or even why Nakamura chose the particular time to do this desperate act. The defense has argued that the suicide of Nakamura proves his testimony unsound. The judge advocate admits he knowslittle or nothing of the motives and the psychology of Japanese Nationals. But in reality, even though the Japanese are more prone to suicide than Americans, they do not differ so greatly that their actions may not be tested by Arcrican standards. Does this commission scriously believe that a person Sakagemi accused of murder would remain silent for over two years in the face of constant questioning? Sakagami has admitted that not only at Truk but on Guam he was interviewed on many occasions by different investigators. To none of them did he give any facts, other than cryptic utterances which led more to confusion then to clarity. Sakegemi from this stend has told how fervently he desired that Nakamura be found, but also from this stand he has told this commission how little information and encouragement he gave to the investigators. Had Sakagami been telling the truth concerning his participation, and had he been as innocent as he now claims, what greater incentive could be have given the investigators than to make a complete disclosure of what happened on that hill. It must be obvious to the commission that the sole desire of the Office of the Director of War Crimon Pacific Fleet, is to seek out and punish Japanese war criminals. The office has no particular theories which it distorts facts to serve. Had Nakrmura been as guilty as Sakagami alleges and had Sakagami been telling the truth, quite possibly Nakamura would be sharing a seat a little to the right of Sakagami. Does the commission believe that any sensible man - an surely from his appearance Sakagami is a sensible man - would have waited until he took his seat as an recused in court before disclosing what crimes two other individuals had committed?

Okuyema is dead and Sakagari know it. Nekamura is dead and Sakagari knows it. And now Sakagari comes forth with his version of the dorths of the two unfortunate American prisoners.

At the time the judge advocate introduced Makamura to this court he believed he was a truthful witness. The judge advocate has had no reason, even in the free of Makamura's suicide, to change his opinion. If the court is troubled by the thought that the only case against Salagard is Nakamura, let the commission semember that the truth does not lie is numbers but in persons, and if the commission balieves Makamura, the same is

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Indian Advocate.



Resonable doubt, which the commission has heard much of, does not concern itself with numbers but rather with the principle that if the facts lead equally to the belief of "not guilty" as they do to the belief of "guilty," the commission then has a reasonable doubt and the accused should go free, Does the commission believe that anyone, torn as he states by the thoughts of the family he has left behind him in Japan, could have remained silent if his statement would have disclosed anything other than his own personal guilt?

The ultimate decision, as has been known to the commission since the first day it met, concerning the weighing of the testimony, rests within the hands of the commission. The judge advocate has merely endeavored to point out that the probabilities of Nakamura having told the truth far outweigh the probabilities that Iwansmi, the self-confessed murderer of July, had no pert in the experiments of January and February. The judge advocate is willing to let rest in the hands of the commission the ultimate decision as to whether or not Sakagami, a man who had custody of the dynamite at the Fourth Navel Hospital, and the man confesses that he gave Okuyama the dynamite, also did not use that dynamite and also did not do what his perfectly capable, strong hands are alleged to have done, namely, throttle two presumably dying but not yet dead American priseners of war.

Iwanami, and the case seems completely his, has already admitted his perticipation in the butchering of the two avietors on the hill. In the July case, for some strange reason, he is more insistent upon securing the blame than he is of accepting his due responsibility in the January experiments. The commission is under no great duty to believe that even though he confesses to having instigated the July killing, that he is telling sny more the truth in this instance than he did in the January case. In January he was a weak man, much put upon by his subordinates, Okuyama and Nabetani, even though one was a full two-stripes below him in rank and the other a mere one, but now in July Iwanami is a roaring lion who inspires his men with such great fear that they would rether carry out en illegal order then face his wrath. In July he is a dynamo of energy, not only making all the decisions but also giving minute instructions to petty officers and seamon, and yet, even though his men insist he is such a volking terror and not to be thwarted, we have the interesting testimony that Kemikawa did force his unasked opinion upon him, and that Oishi did refuse in advance an order. Iwanemi in July must have been a great trial to his men - one minute a lion and the next a mouse, saying as if to himself, "I will have the defense unit do it," and then being too bashful to insist that they carry out his commands.

Why should this commission permit itself to be put upon by such a little man? The judge advocate believes that just as we pointed cut in the opening statement, every one of the 17 defendants played a part that day - a part that ultimately resulted in two alive Americans being turned into two dead, term bedies. Does the commission believe that Iwanami, the ranking officer not only of the Fourth Naval Hospital, but also the Chief Surgeon of the Fourth Fleet, would brook any opposition from his lieutementalsn't it more likely, just as the witnesses have testified, that each of the other accused was assigned and, however unwillingly, carried out his portion of the murderous deed?

For the first time in over two years the world hears that Iwanami actually thought he was carrying out a legal execution. He was able to contain a deep enger for over eight days. He himself testified that his act of killing was an ect of reveng, yet he would have the court believe

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The Advocate.



that when he secured these prisoners from the Forty-first Guard Unit he believed that they had already been properly sentenced to death. No one told him so, but he just assumed that because they were aviators, though that really has never been proven, and because the haspital had inadvertent been bombed, the two prisoners were proper subjects for execution.

Remember how truthful Iwanemi is - he testified from the stand that he visited the Guard Unit only once while Ito his chauffour tostified he drove him there twenty or thirty times.

To the question as to his knowledge of the present wheresbouts of the bones of these two men, Iwanomi answered that they were at the bottom of the waters of Truk Atoll. Let me read to the commission section 570, page 1136 of Underhill's Criminal Evidence:

"The perpetration of a homicide is well calculated to create a perturbation in the mind of anyone implicated in it that will ranifest itself by the agitation subsequently noticeable in his conduct. If the charge that the accused did the killing is disputed, or if it is supported by circumstantial evidence only, such evidence is peculiarly appropriate. Any act proving, or tending to prove, an effort or desire on the part of the defendent to remove or obliterate the evidence of a crime by hiding or destroying weapons.....by his hiding decedant's body.....is always relevent, for from these fects, if unexplained, the jury ray justly apprehend his mental condition and may infer that they indicate a consciousness of guilt on his part.

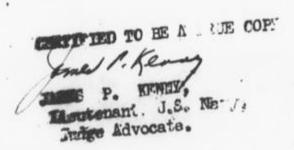
References"

Does the commission believe that if this execution had been legal there would have been any necessity not to mark the graves of the deed eviators, any necessity to consign their bones via the custody of Homme inte the sea? Isn't it much more likely that Ivanemi is lying about this phase of the case just as he lied about his executive part in the "experiment caso"?

The defense has argued that the act can be condened under internations law as an act of retaliation for an ille al bombing. The judge advocate denies that such a statement is a proper recital of the provisions of international law. However, even assuming for a moment that the thought in Iwanami's mind was not murder, could it really have been retalication when no publication of the act was given to the forces bombing the hospital? In fact - the retalitory murders were kept secret and all subordinates were werned not to speak. There is no demonstration here that this brutel slaying in any may lessened the attacks the American air force carried out so successfully against Truk.

Let us next consider Kamikawa, Iwanami's adjutant, the men who spoke for Imenemi in all matters not concerned with medicine at the hospital. Komikawa has steadily and all too modestly denied his importance at the Fourth Naval Hospital. He was Iwanami's adjutant and as his adjutant, he made the preparations for the incident on the hill. The commission itself through its years of living, and especially through its service in the various branches of the American armod forces, must know how difficult it is to get a squad of men from one place to another, much less the simultaneous moving of almost the entire staff of a hospital from their orderly activities to a precise location, unless this moving was coordinated and directed by some - and we will give Kamikawa his due - intelligent agency. Kamikawa upon the stand has denied everything. He was in a

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weakened condition due to a well-known meledy. Besides, he disapproved of the actions of Iwanami, and in fact had gone so far as to tell Iwanami of his disapproval, although he had also gone so far as to tell Oishi, the man who subsequently played a principal part in directing the stabbing, that Iwanami wished Oishi's organization to take care of the disposal of the Americans.

Kamikawa has denied the conversation with Captain Taneda and Iwanami has corroborated his denial. Iwanami, having accepted his responsibility for July, is going to be a good soldier and go right down the line for all the other offenders. Kamikawa has hinted that Taneda's part was even greater in the hill incident than his own, but the record is silent as to any conspiracy on the part of Captain Taneda. Captain Taneda has told us on the conversation with Iwanami concerning the actions of Kamikawa on that day, and he has told us of the report that was made to him by Kamikawa at the top of that hill just shortly before the arrival of Iwanami. Kamikawa has denied the entire arrangement. What reason would there be for Taneda to testify felsely against Kamikawa? If the commission remembers, Kamikawa was specifically asked that question but he gave no satisfactory answer.

The commission need not rely solely upon the testimony of Taneda to evaluate the efforts of Kamikawa on that day. The commission need only remember the statement of Goro Kikuchi, a Japanese National, who testified that Kamikawa was on the hill that day. Hamada and Yamamoto corroborate Goro Kikuchi and specifically pointed out Kamikawa's person. Takahashi testified that Kamikawa directed the tying up of the two prisoners. Hayash saw Kamikawa give orders when Hayashi first arrived on the hill, and testified that after the prisoners had been tied Kamikawa left the hill and then returned a little before Captain Iwanami. Commander Okamura, a fellow surgeon efficer in the Japanese nevy, testified that he saw Kamikawa on the hill. Does the commission believe that Okamura, a fellow officer, Taneda, a fellow officer, Kikuchi, Hamada, Yamamoto, Takahashi, and Hayashi would all lie concerning the adjutant?

The defense has made much of the assumption that because Kamikawa was the adjutant he is being discriminated against, but the defense has brought forth no evidence that there is any grave conspiracy against the unfortunate prevaricator Kamikawa. Isn't it more likely that Kamikawa, the witness in his own behalf, the man who stends to gain the most by his continuing denial, is not telling the truth, and that any one of the others, if not all of them, are accurate in their testimony concerning the part played by Ivanami's right-hand man?

And now let us consider the enlisted personnel who participated so actively in the July incident. The defense has argued long, and much too long, that because of Iwanami's orders these men acted without any self-volition, without any melicious intent, and therefore their stabbing cannot be called murder. Section 255 of Wharton's Criminal Law, page 340, says:

"Where one assailant strikes a blow which is not fatal and a confederate follows it up with a fatal blow, both are principles in the homicide."

And that is exactly the situation we have here with the single difference that there are more than two people striking blows.

Mr. Suzuki and Mr. Kuweta have both insisted that because the enlisted personnel lacked a melicious intent, they are therefore incapable of being held responsible fully for their deeds. At the rist of boring the court it

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is necessary to quote from the U.S. Criminal Code, Section 452, page 327, the U. S. Code annotated Title 18, "The law fastens intent to every act that is not an accident. Every act that produces death that is outside of the definition of the word 'accident' is intentional in the law, whether it grows out of a specific design to take life, or whether it grows out of gross carclessness, or whether it arises from a condition of mind that prompts the possessor of that mind to be engaged in some other wrongful or criminal act and in the execution of it a life is taken But when he does an act which naturally or reasonably, and probably from its nature and the way it is done, produces a certain result, that is held to be an intentional result because the act as done in that way is intentional; and whenever the act is done, and it is an act that may naturally or probably produce a certain result, whenever the act is done intentionally, the result is intentional. When a man presents a gun or a pistol et another, and shoots it at him, the law says he intends to kill him, because the killing is a result of that is natural or probable or reasonable." U. S. vs. Boyd 45 F 851.)

If this commission will merely read a "spear", or a "bayoneted rifle," or a "sword" for the gun or pistol quoted above, it can understand that the individuals who used the spears, the bayoneted rifles, and the swords intended to kill the victims that they used these deadly weapons upon.

Let me quote further from the same source, Section 452, page 327. While it is shown that a person was intentionally killed, the law implies malice. (The U. S. vs. Travers, C.C. Mass. 1814.) Malice is defined in a general way to be the "doing of a wrongful act without just cause, or excuse in such a way and under such circumstances as to show that it was done wrongfully, and that it was done in the absence of that which would give the party the right to defend against it; or that it was done in the absence of mitigating circumstances." U. S. vs. Boyd 142 U. S. 450.

Melice as applied to murder, need not denote spite or melevolence, hetred or ill will to the person killed, nor that the slayer killed his victim in cold blood, as with a settled design; but a killing from an evil design and melignant spirit may be of malice, implied by law from the absence of lawful excuse. U.S. vs. Meagher 37, Federal 875. Again the circumstances attending a homicide may be such that the law deems it malicious. U.S. vs. Alstall, C.C. Mass. 1855.

"The crime will be considered to be committed with malice aforethought. however sudden the occasion, when the act is done with such cruel circumstances as are the ordinary symptoms of a wicked, depraved and malignant spirit." U. S. vs. Cornell C.C.R.I. 1820.

In this particular instance the use of bayonets, spears and swords is certainly within the purview of the term "cruel circumstances" as would indicate a melicious spirit.

Let me reed to the court from American Jurisprudence, Volume 36,
Section 4, "Since malice in law is predicated upon the doing of an unlawful
act or the doing of a lawful act in an unlawful manner, it follows that
malice in contemplation of law cannot exist where the thing done is lawful
and the means employed are lawful. Malice need not exist for any definite
neriod of time, nor does the law fix any time in which it must exist to be
recognized in law. For instance, malice, if clearly formed in the mind of
an individual, even though it exist only an instant, is as clearly defined
and constitutes malice in law as much as though that evil intent had been
cherished or entertained a much longer period of time." State vs. Lovell,
34 Caledonia 120,

JAME P. KRNET,
JACKE P. KRNET,
There Advocate.



Again, cannot the court appreciate the fact that this is exactly the malice that existed in the minds of these enlisted personnel? It is true they had no intent at the time they climbed the hill to commit murder. It may even be presumed that they had no intent at the time they were handed the bayonets and spears to commit murder, but once they grasped those weapons their actions indicate that between the time of accepting the weapons and the instant in which they plunged them into the bodies of the two Americans they did have a malicious intent. It is not the purpose of the prosecution to prove how longethet intent existed. But we have shown that it did exist, and that they did have a proper appreciation of what they were doing. Mr. Kuwata and Mr. Suzuki believe that because the enlisted personnel carried out Iwanami's orders they are not to be held responsible, for they presumably had no will of their own. Doesn't the court remember that the testimony of witness after witness, even the testimony of the defense witnesses, indicated that once the lines of stabbers were formed there was confusion in the ranks, a confusion brought about by the realization that murder was to be done that day and none of these individuals desired to be the first one to use his weapon upon the suspended bodies of the prisoners. However, even though they appreciated the act which they were forced to and which they accepted themselves, they made a choice that afternoon - a choice between defying Iwanami and possibly being faced with death themselves, or of carrying out his orders and causing death to the two prisoners. On that particular afternoon it was rather an easy shoice to make and they freely made it. Even though the defense essumes that in 1944 it was well known that the Americans were winning the war, it wasn't a fact so well known that a murder would become known, and now they are being called to account for their failure to show morey. In 1944 the Japanese did not believe that they were losing the war and even assuming that the fact was known to them, they still had the comforting thought that the American authorities would never learn what cruelties had been perpetrated upon those two prisoners in back of the Fourth Naval Hospital. We did win the var, and now today we are calling these people before this bor to enswer for the choice they made on that unhappy day of July in 1944, and now we are met with the defense that Iwanami could not be defied since he was a captain in the Japanese navy, since they had received his superior orders, and since they feared his punishment if they did not obey. As hes been pointed out in other cases and in many books, "The order of a superior military officer to an inferior will not of itself justify the willful killing of another." U. S. vs. Bevins. CC Moss. 1860.

Were we to accept the unproven allegations of the defendants, that their failure to carry out Iwanami's orders would have resulted in their death no one could ever have been punished regardless of how cruel his actions, for a cloak of superior orders would always shelter him from his just blame.

In almost every wer crimes case the defendants have insisted that their actions were the result of orders of a superior officer. And in almost every wer crimes tried this argument has been rejected by the court. It was so in the Nurenberg trials and it should be so before this commission. SCAP Regulations, basic letter SCAP 000.5, 5 December 1945, says, "The official position of the accused shall not absolve him from responsibility..... further action pursuant to the order of an accused's superior or of his government shall not constitute a defense but may be considered in mitigation of punishment if the commission determines that justice so requires."

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JAMES P. KOWAZ,

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Judge Advocate,



On Superior Orders - From the Decision of the Nurenberg Tribunal:

"The charter specifically provides in Article 8: 'The fact that the defendent acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment." The provisions of this article are in conformity with the law of all nations. That a soldier was ordered to kill or torture in violatic of the international law of wer has never been recognized as a defense to such acts of brutality, though, as the charter here provides, the order ra be urged in mitigation of the punishment. The true test, which is found in verying degrees in the criminal law of most nations, is not the existence of the order, but whether moral choice was in fact possible." Mr. Justice Biddle in reading the decision of the High Tribunal at Nurenber said: "Crimes against international law are committed by men, not by obstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced."

And so it should be before this cormission, the argument of superior orders has no bearing upon the guilt or innocence of the accused but mere? goes towerd the emount of punishment that should be mated out to them for their berbarous deeds. Mr. Suzuki and Mr. Akimoto would have this commission believe that Japanese society is responsible for the acts of these men - that they have been so ingrained with the belief that the order of an officer is the order of the Emperor - that merely because they actepursuant to such an order, they themselves should not be punished. The commission should remember that its decisions, like the decisions of any criminal court, are two-fold in nature. Their decisions are to restrain punish the individual or individuals present before it for their acts and also to show an example to society at large, so that no others will follow in their footsteps.

These men are guilty of murder, for these men used weapons upon the defenseless American Prisoners of War. Quoting Glucck, "Her Criminals, their Prosecution and Punishment," who quotes Groteus, the father of mode. international low, "There is no denger from prisoners and those who have surrendered or desire to do so. Therefore, in order to warrent their execution it is necessary that a crime shall have been previously committee Such a crime, moreover, as a just judge would hold punishable by death.

All of these enlisted men could have refused to act that day, for it was obvious to then through the confusion that reigned in their ranks the it was not proper to stab the prisoners, but they presumably feared Iwans more than they feared retribution. They took a gamble and they have los and new they should be held responsible.

It is interesting to note that all throughout the erguments of the defense counsel they have made much of the inability of military personal to refuse orders in the face of the enemy. What enemy was present that on Truk other then the two bound helpless prisoners? Truk was nover inveded - Truk hed not been inveded up to that time and we know for a fi that it was not invaded after that date. The only enemics who ever reaci Truk and in whose face these enlisted personnel could not have refused orders were rvintors abourd high speed airplanes who bombed and then who repidly flow away. For even until the very end of the wer American authorities considered Truk the strongest base the Japanese had in the Proific. There were no Allied land forces there that were in active com: with the Japanese. The commission should not let itself be misled by the simple statement that all discipline would fail if enlisted men were led question the orders of their superiors.

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The judge advocate is willing to admit that there might have been a difference had this been a case of soldiers refusing to advance in the face of the enemy, but here on a calm and perceful hillside on a day on which there were not even hospital planes in the skies, these enlisted men claim that in the face of the enemy they were unable to refuse Iwanami. While there has been no evidence before the commission, and the record is silent concerning Japanese court martial procedures, I am sure the commission recognizes the fact that even in the Japanese nevy no official may summarily execute a subordinate without going through the formality of a court martial

While the commission may believe that possibly this interesting information wasn't known to these petty officers, it cannot believe that Assmura, an officer and Oishi, an officer, did not know that were they to refuse this obviously illegal order they would be justified, assuming again that the members who formed the court martial that would try them were not as murderous as Captain Iwanami.

Mr. Suzuki, Mr. Akimoto and Commander Carlson are correct when they say that all of the accused did not deliberately plot the July incident, but they are incorrect in assuming that it has ever been the contention of the judge advocate that a conspiracy existed before the deed was done. Kamikawa is guilty of murder because he organized it. Assmura, Oishi, and Yoshizawa and the remaining enlisted men are guilty of murder because they actively participated in the killing. They either used a bayoneted rifle, a spear, a sword and it is for that reason that they are sitting here before this commission today, not because they all gathered together at some time prior to the event and discussed ways and means of doing it.

I wonder if the commission noticed how aptly the defense pyramided their testimony? First we have the spectacle of Iwanami on the stand, claiming full responsibility and insisting that even though he was a captain, he fealt directly with some unknown petty officers and seamen. He advises the commission that Kamikawa - in spite of the testimony of Captain Taneda, both concerning the conversation with Iwanami and Komikeva's report to Toneda at the top of the hill that all preparations had been made, and in spite of Iwanami's own statement made months before the trial that Kamikawa had made the preparations because Ivanami told him to do so - that Kamikawa had had nothing to do with the matter. After Iwanami, Kamikawa takes the stend and he edvises the commission that in spite of the testimony of Taneda, Kikuchi, Hamada, Takahashi, Okamura and Heyashi, that he, Kemikawa, was not on the hill that day and had nothin to do with the case. After proclaiming his innocence he advises the commission that Tenabe was sick and under his care, thus giving Tanabe the opportunity to take the stand and also deny his participation in spite of the testimony of Kikuchi, Takahashi, Yamamoto, Hasagawa, Hayashi and Hamada. Homma takes the stand, and as a pleasant change, admits that the Judge Advocate wasn't completely wrong in selecting these individuals to face the commission. For Homma admits - and how could be dany - that he participated in the stabbing. But then he remembers seeing Namatamo - and the commission surely remembers Nametame. Namatame, the man who was digging a hole all that afternoon! Namatame, the man with so little interest that he could continue digging when this exciting event was taking

Then Nemateme takes the stand to advise the commission that in spite of the testimony of Hasegava, Hamada and Takahashi he did not stab, but he remembers Kuwabara, thus enabling Kuwabara to ske the stand and deny the testimony of Hasegava, Hamada and the native Mesenibik Sanichi. Oh, yes,

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we musn't forget Mukai. Doesn't the commission remember that Oishi insisted that Mukai wasn't there? In fact, Mukai insisted that he wasn't there himself! He insisted that he wasn't there, even though Takahashi, Mesenibi' Sanichi, Hayashi and Hamada all not only saw him in the lines but a'l saw him stab.

The arguments of the defense counsel, particularly in reference to Mukai and generally in reference to all the others, have managed to throw the burden of blame on Iwanami's shoulders. First they insist that the acts of the enlisted men were done through the sheer iron habit of discipling drilled into all enlisted personnel. And they they argue that in the case of Mukai, the third ranking petty officer on the hill that day, that he, after hearing the order for petty officers to step out, didn't desire to participate in the executions he saw coming and therefore remained standing in his position. Does the commission really believe that all of these witnesses are wrong and that Mukai was the only man on the hill with sufficient poral courage to refuse to obey Oishi and Iwanami?

Defense counsel, as all good defense counsel should, after throwing themselves wholeheartedly into the case of their clients, are able to insist that because their clients dony complicity and are corroborated by fellow defendants, they should be turned free by the act of this commission.

The paymasters, Watanabe and Sawada, although admitting that they were present on the hill that day and even better accourted than the others, for Sawade of least had his beyonated rifle with him and Watenahe a sword, did not perticipate in the spirited stabbing that occurred that afternoon. The judge advocate admitted in his opening statement that there were gaps in the case, unimportant details which two years of investigation had been unable to bring to light. For the purposes of this trial, does it matter he Watenabe and Sawade got from the paymesters' line into the line of stabbers' The judge advocate admits that the record is silent as to how they took these few stens which separated the paymesters from the stabbers. However, Kikuchi, Yamamoto, Takahashi, Hasegara and Hamada saw Watanabe stab. Kikuchi, Younnoto, Takahashi, Hasegawa and Hamada saw Sawada stab. And a minst these witnesses we have the dubious testimony of the defendants themselves, and the more than dubious testimony of the warrant officer Ota who can remember only ne thing that happened on the hill that day, and that was that his subordinates, Watanabe and Sawada never left the paymester lines.

As the judge redvocate pointed out in his opening statement, it is for the commission to decide wherein the truth lies and the judge advocate will rest content to permit the commission to decide whether or not Watanabe and Sawada are telling the truth, even though their statements are directly contrary to the sworn statements of five of their fellow nationals and former conrades in arms.

Concerning Yoshisawa, he also benefited from the testimony of the defense. Assume took the stend and testified that after he had used the sword on the prisoners he became ill and asked Yoshizawa, who was there in a G-string, to hold his sword. Yoshizawa then takes the stand and advises the commission that purely because of the orders of Iwanami he used that sword. The defense has yet to explain away the testimony of Yamagishi, a sword. The defense has yet to explain away the testimony of Yamagishi, a specifically ordered him to go to his quarters and pick up his sword. The judge advocate admits that he is unable to show how Yoshisawa knew that

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JAMES P. KINNE,

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the prisoners were to be executed that day, but the judge advocate does insist that Yoshizawa knew before he went up that hill that his sword was not only needed but would be utilized as it was that afternoon on that hill

In view of the great length of all of the statements, and even the length of this one, the judge advocate has no intention of arguing in detail the guilt of Yoshizawa and Asamura. Suffice it to say they have taken the stand themselves and admitted their actions that day.

Dishi and Asamura's defense is the same tettored cloak that the enlist personnel attempt to utilize, namely, superior orders. Neither of them was willing to take a gamble that a correct action would be upheld, but they went along with Iwanami and the prisoners died. Asamura and Dishi argue now that the prisoners were dead long before their swords were used upon them. There is no evidence in this record as to just when those unfortunations. There is no evidence in this record as to just when those unfortunation of the prisoners did die, but the judge advocate has proven that they were alive when they were first taken on the hill and dead when they were buried alive when they were first taken on the hill and dead when they were buried and every man who performed an overt act such as using a sword or directing the stabbing is guilty of their murder.

The defense counsel has made much of the fact that the Director of Mar Crimes, Pacific Fleet, has utilized the discretion of his office to select the individuals to be judged before this cormission. They claim that Taneda and all of the prosecution witnesses should be here awaiting the decision of the commission alongside of, if not in place of, the defendants here today. It is bootless to argue whether or not a mark onlooker on the hill could be charged with some degree of killing for the acts that took place on that hill. While it is true that Taneda was not the adjutant. The judge advoctivenami's second in command, Taneda was not the adjutant. The judge advoctivenami's second in command, Taneda was not the adjutant. The judge advoctivenami as defendents before this commission, but he also insists that here today as defendents before this commission, but he also insists that the discretion of the Director of War Crimes, Pacific Fleet, has been properly exercised and that all of the defendants present here today before this commission are guilty of the crimes alleged against them.

It is interesting to note that when we used the corroborative statement of the deceased Ikeya the defense complained that Ikeya should have been produced rather than his statement, and now they hamper the prosecution by insisting that all of its witnesses should be defendants, an interesting insisting that all of its witnesses should be defendants, an interesting theory but one not likely to lead to the proper prosecution of wer crimes.

In the arguments of Mr. Kuwata, Mr. Karasawa and Mr. Akimoto much improper material has been utilized, even though the judge advocate has no objected. Sprinkled liberally throughout their arguments are the unsuppor statements of the various accused. We have not only had to hear the accus make their statements but this commission has been subjected to having the statements egain read to them as portsions of counsel's closing arguments. Mr. Akimoto has most grievously offended in that in even admitting that the alleged convergation between Tangbe and other petty officials and Mr. Savory at the stockade was not permitted into evidence over the objection of the judge advocate., he has consistently referred to that conversation in his closing argument and has drawn several conclusions based upon the evidence never properly before this commission. While the judge advocate no intention of pursuing the improper methods of Mr. Akimoto, he does feed compelled to advise this commission that Mr. Savory is a thoroughly capeb. and a most trustworthy employee of the Office of the Director of War Crime Pacific Flect. These accused are not suffering through the actions of Mr.

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Savory, who has most effectively translated not only the questions of the judge advocate during the investigation but also the evasive answers of the defendants. There is no conspiracy here against Kamikawa and the others. They are here because they deserve to be here. The gamble they took that day in July is now paying off. The fun they had that day at the expense of two helpless american prisoners of wer must now be paid for.

All throughout the speeches of the defense counsel much matter in mitigation has been referred to. We have heard of the hard life the relatives of these prisoners are leading in Japan. We have heard not only of the economic circumstances of their families, but also of the age of their children and the state of health of their vives and children. Nowhere in the record, nowhere in the statements or arguments of the defense counsel, is there any word of the families of the ten dead American Families whose economic circumstances may possibly be better than those of the families of the defendants, but whose heartaches are surely just as great.

If other armies and other leaders in future days are not to perform the bloody acts that occurred during this war, they must be varned by the action of this commission so that possibly on some future day on some other hillside, other men will refuse to do as these men did. And if this commission properly exercises its discretion and properly performs its duties, possibly in the future there will be no further need of any war crimes trial, nor of any military commissions.

JOSEPH A. REGAN

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DEATH CERTIFICATE

-	SOVENAME	FIRST NAME
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SEAL OFFICE OF THE PROVOST MARSHAL GENERAL

/s/ Joseph J. Kaufman (Signature of medical officer)

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Coumanding

A true copy. Attents

James P. Henry, Lioutenant, U. S. Havy, Judge Advecate.

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STATISEN

IKNYA, Kypichi, Petty Officer Second Class

Arrived TRUE 29 December 1943.
Assigned temperarily to Alst Guard Unit 29 December 1943 (same as above).
Assigned to 4th Hespital 17 April 1944.
Assigned to 3rd Contagious Disease Nord (Corpsens) 13 July 1944.

On that day in the last ten days of July 1944 I went to assemble for the after con's work. Because I had no duties as duty man of the word, I stayed over as usual as a worker. The duty officer (Lt. OISHI) told the senior petty officer (at that time Chief Fetty Officer) the plan of the work. I do not remember his name but I received orders from a 1gh ranking petty officer and was led by 'etty Officer TANAKA. I do not know with what object I climbed on a trubbe. At that time I was definitely not armed. I remember that fatty Officer TARLES was probably armed. The truck stopped in front of the Guard House of the 41st Guard Unit. Petty Officer TAMAKA went toward the administration building, returned and west to the stockeds. An officer of the guard unit also came and handed over two Americans. I could not see marks of rank, etc., of the two americans. I saw they were blindfolded and their hands were tied. They were looded on the truck. The truck stopped at the entrence to the bespital and Petty Officer TARAKA went into the administration building. Soon he came out with the adjutant. Petty Officer TANAKA climbed on the truck again and the truck came and stepped on the constste road at the entrance to the mountain to the rear. (T.N. of the officers' quarters). At that place several officers were waiting. I cannot recall definitely, but I think Adjutant MANIKAWA was there. I returned to the hospital ward and was washing myself when I heard an order for general ascembly. So I went toward the front of the hospital. As people were not there and as all were going toward the mountain, I also followed. Then I elimbed the mountain (as the position is shown in the diagram) the head of the hospital, the adjutent, and the duty officer including a group of officers were present. When all were assembled the head of the hospit I made a speech. When he finished and when I beard some sort of order from Lt. OIDE, the first two stab ed. The formation was a column composed of Petty Officers HOME A, TANABE, TANAXA, BAWADA, MATANABE, TAKAISHI, KAWASHIMA, AKADORI, TSUTSUI, MITSUHASHI, KUBABARA. I remember the line of the above persons did not become disordered in stabbing. When the stabbing was finished I saw a certain officer from the Forty-first Guard Unit out one of the head of the two mem but I do not know which, and after that I sew sentor petty officer YOS TRAMA out the head. As soom in the diagram the position of the three men-the head of the hospital, the adjutant and OISHI were not fixed in their respective places. I can remember they were in position approximately in front of the group of officers.

I swear the contents of the above statement is true.

1 July 1947.

INNYA, Kyoichi.

We certify the foregoing to be a true and complete translation of the original document, to the best of our ability.

Eugene E. Kerrick, junior, Sam Hedn Lieutenant, H. S. Haval Recerve, Interpreter Interpreter. Shigeo Yamanouchi Interpreter

IAMES P. KENNY,
Idoutonant, II.S. Navy,

Exhibit (2)".



ORIGINAL STATEMENT OF INSTA, KYCICHI, PETTY OFFICER SECOND CLASS, IMPERIAL JAPANESE NAVY, IN JAPANESE.

(appended to the original record)

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WEXHIBIT 3

CERTIFIED TO BE A TRUE COPY

MMES P. KERNY, Ideutoment, W.S. Mavy, Junge Advocate



ORIGINAL DEATH CERTIFICATE OF NABETANI, REIJIRO, SURGEON LIEUTENANT,
IMPERIAL JAPANESE NAVY, IN JAPANESE.

(appended to the original record)

CERTIFIED TO BE A PRIES COP

Meutonant, U.S. Navy, Judge Advocate

"Exhibit 4"



DEATH CONTINUES

Hebeteni, Toyojire, male, ego - 32.

Date first attacked: 24 November 1946

Date died:

24 November 1946 - 1 a.m. (presumed)

Place of death:

Toyana-kon, Shimo Araigava-gum, Vetsu-che, Omachi, 112.

Kind of deaths

Suicide
(a) Direct cause of death - less of blood
(b) Cause of (a) - Both arteries of neck out.
(presumed to have died within five minutes.

I emmined him as shows 24 November 1946

Rome - Dector Shindau, Kyclohi

I certify the above to be a true and complete translation of the original death certificate to the best of my ability.

encene e. Kerrzok, jr., Ligatement, USHR, Interpreter.



A CHARLES AND AND AND THE REAL PROPERTY OF THE PARTY OF T

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Cortificate of an registered item in the Family Registration Record (Except)

Personent Beniciles No. 20-1 Rekuben-che, Kejimeshi-ku, Tekye-te, Head of the Femilys Shinishi Okuyana.

Borns

1 January 2904.

Died in action in the Heriann Telands Ares on 2 August 1944.

Report received on 1 January 1946 by this office from Two Kauni,

Director of the Personnel Bureau, Second Demobilization Himistry.

It is hereby certified that the above fact was registered in the provisional Family Registration Record.

10 October 1946

Emji Shiho (signature) Chief of Kojimehi-ku (Tardan), Tokyo-to.

The original letter and translation of letter written by Kenji Shiho on file in Appro. Branch.

/a/ H_oP_o Hiroch Ma Hirocha

CERTIFIED TO BE A TRUE COFT

MARS P. REME.

SENSON ST





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	many shall make a film flowered on the Statement	- To. Janes
Name of Street	IF MARRIED, DATE AND PLACE THURBOF, IF	KHONH (Information required for Germans)
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OFFICE OF THE PROVOST MARSHAI GENERAL

(Signature of medical efficer)

CHRANATHD MUS COLA

/a/ R. G. OTLHORS

Second State

A CHIE COPE, ATTESE,

London Pa Brown,

Linchmond U. L. Bury,

States Advanta.

PRESERVE OF





To Your Honor, The President of the Military Commission, Case,

I am a Japanese women phermacist 25 years old,

I have been long familiar with Isanesi, Miroshi, former surgeon captal
of the Many, the head of the Truk Reval Hospital, who is confined as a war
original suspect on Guen, and I think I know his character better than one

of the Mary, the head of the Truk Neval Hospital, who is confined as a war oriminal suspect on Gum, and I think I know his character better than appears also. Hr. Imment is a man whom I admire most. So when I heard that he was staying on your island as a war criminal suspect, I was astonished and very grioved. In order to let you know that he is a mild, sincore man and is not like a war oriminal suspect, I would like to state his character from an objective point of view as I am not his relative. Howed by this irrestatible desire, I took the liberty of writing you this letter.

I am not any relative, but he happened to become aquainted with my father and we have been closely associated for the ten years since them. After my father became weak from illness, he was always anxious about him though he was living some hundred minles away from us. In spite of him busy position, he often visited us in his but little spare time till he went to Truk, and told us in detail how to treat my father's illness.

He is indeed a men of faithfulness.

Nothing can ever nove a per on more than faithfulness does. Anybody who knows him is touched by his fathful sharector.

By his kind recommendation, my father entered the hospital attached to the Hagoya Imperial University. How often he wisited his sick bed at Hagoya by the might-train though he was very busy with his job. Without complaining about his tiredness from the long hours train trip, he sat by his bed and shock his hand. He is a very mobile figure of a doctor. I felt more easy with him than with a hundred of other doctors, and shed tears of thankfulness and emotion.

a military officer, he was furnished with an excellent hotel called Saishoshs. But he never put up at the hotel and whenever he can to Osaka he visited our humble house. He preferred our poor but warm extertainment to dignified treatment as a military officer. He preferred private clothing to military uniform. He digited to behave as an ordinary man of society more than to not magnificiently as a military officer.

Though he was in the military service, he was very faithful to his mission, as a doctor.

Once he visited us after a long interval. We were preparing to go to a hot-spring to entertain him when I unconsciously told him about my sistem-in-law's illness. He was very numious about that, He said to so, "If she is ill, I would like to call on her," He gave up going to the hot-springs, and went to the incovenient country side where she lived.

My sister-in-less was just graduated from a girl's higher normal school, me 23 years and had a great hope of entering the world. He said in beruset words that he had to save her on any assount for the sake of the sectory. He taught me in dotail how to sures her, and even after that day he often sent her letters asking how was her illason. So she was very

He had a strong belief and outbusions that he was sure to ours patients who were once treated by him.

Exhibit 7(1)(a)"

- (2) -





Therefore, he gave any patient a thorough medical treatment.

"Iom intending to leave the Havy and become a medical practitioner. As a doctor, I can not refuse poor patients or urgent cases who call me in midnight. So I sometimes wonder of my physical condition can endure the profession. But, anyhou, medical art is the art of benevolence."
He case said so to me. I can clearly recall it even now.

Once deague fover was prevalent in Osaka, and he came to Osaka to inspect the epidemic conditions. After viciting many patients of the city with his motor car, he came back to my house. Then he had a heartily talk with me, and I remember what he saids

"Today, I investigated the cases of dengue fever in Osaka, and stepped in a very poor district. I was surprised that there was such a miserably and poor district in Osaka. They do not know what to do even when they are on the verge of death, because they are poor. When I saw them I was filled with a feeling that I had to save them with love of humanity and without thinking of my profession."

He used to say, "I have no hobby. Hy hobby is to study." As you can understand from these words, he made every effort for the study. That is why he was titled a doctor of medicine when he was young. He was thorough in pharmacy, too. He tried to invent a good medicine in order to save those who could not consult a doctor, and was studing a specific medicine for serious disease such as heart disease, low blood pressure, etc. He was also writing an essay in his spare time in order to get a title of doctor of pharmacy.

I would like to tell you one instance which shows how he was a mild mam. In 1943, when the Facific War came to its climax, he received an order to be the commanding officer of a hospital in the southern base. He called on me to say good bye. Although he had only several busy days before his departure, he desired to climb lit. Keyasan as a memory when he was going to leave Japan, and asked me to condust him.

About 2,000 years ago, when Kobodaishi introduced Buddhism from Chima, he established a temple on the top of the mountain. He spent a day at this sacred place of Buddhism which was away from the dirt and noise of towns and was a meateand clean place. He said to me:

when I recall about an ancient sage in this place far away from the busy world and when I think that there is no boundry in religeon, I forget the war and think of the love of humanity. Why we must fight each other though we are all men? Still fight is frequent even between brothers, so it might be unaviodable if there is conflict between different races. I think there is no difference in the feeling of faithfulness of men in any place of the wold."

Them he left for the South with a spirit of the Red Cross which saves both the enemy and our forces with love.

family and I often easy him. His wife must keep the family and educate her three children. Therefore, her exertions were beyond description especially after the end of the war. Not only his family but also all people of Japan are oursing those who began this aggressive war.

They lost their father, and were reduced to a very poor condition. His wife is toiling hard for their living in the furious wave of the inflation.

Exhibit 7 (2)(a)

8 4 9 9

MARS P. KENNY.

MARS P. KENNY.

MARS P. KENNY.

MARS P. KENNY.

I beg you from my heart that you will release him as soon as possible for the sake of his wife and young children, for the reconstruction of Japan and for his contribution to the society with his medical art.

I can not understand why he was accused as a war original.

He was mild and sincere to anybody's eyes. He can not occumit a brutal act of his our accord. I swear it by God.

It was the war which made him act so. By the leaders of Japan, I think he was obliged to carry out the superior orders,

I beg that you will consider various instances which proves his character and that you will repatriate him whom I respect as my benevolent father.

This may be a poor testimony of a Japanese woman, I think you will understand the true voice of me which comes out from the bottom of my heart.

Under the rule of General Mas Arthur, Japan has regained peace. I beg again that you will repatriate Immand to Japan and give him a chance to endeavor for the establishment of eternal peace.

Respectfully,

/a/ Tamura, Eiko, 88 of 3, Yamasaka-cho, Rigashi.sumiyoshi.eka, Osaka.

I certify the above, consisting of three (3) typowritten pages, to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lioutement, USHR, Interpreter.

CERTIFIED TO BE A TRUE COPY

MAES P. REME!

Thought 76 Yal

- (3) -



FORETON MISSIONS CONFINENCE OF NORTH AMERICA 156 Fifth Avenue, New York 10, N.Y.

Tokyo, June 12, 1947.

Chairman of the Wer Triels Commission Island of Guem.

Sire

Lest night I was startled by the announcement over the radio that Dr. Hiroshi Ewenerd is being tried in your court. The announcement was of the most unfavourable neture as if the accused had already been adjudged guilty of the crimes mentioned.

This ennouncement was startling to me because I have known the accused for many years as boy and young man. I first knew him when he used to come to my home in Yamageta Ja on for instruction in the Christian religion. He was at that time a student in the Middle School. Later on, as a medical student he used to stor in so etimes on vacations to visit my femily. Through him I become acquainted with his mother and father who had also been Christians for some years.

Since my return from America to visit Japan last year I have resumed acquaintance with the family through a brother Dr. Michi Mukojima. He, like his elder brother had been compelled to serve with the Jaranese armed forces es a physician. When stationed in Shanghai he gained the respect of the Chinece community because in emergencies he save his medical services to the Chinese as well as to is own troops. His defence was that "a doctor knows no nationals, only patients." After the war the respect of the Chinese resulted in his receiving a commission in the Chinese eir force as Captain and served them as an army doctor.

He has since gone up to the northern part of the northern island of Hokkaido where hi is doing self sacrificing work among some Javanese repetriates, though he might have had any more lucrative post in the capital.

I mention these things merely to show the background of Twanerd. Enouing this background I find it difficult indeed to believe the charges a minst him.

I essure you, I have no desire to obstruct in the slightest the course of justice. But I should feel a sense of guilt if in this crisis in his life, I did not contribute what informati n I have of him and his character. Further, it seems to me a great tragedy that a men of such ability with many useful years of service to society in a field so desperately needed should become unaveilable. I feel sure that if he should be declared innocent of the charges and be released, he would render to society the same sort of secrificial service that his brother is now rendering in Holdwide.

Trusting you will pardon this unmarranted insertion of myvelf into this situation, and that you may give some consideration to this testimony to character,

I remain, Sire

CERTIFIED TO BE A TRUE COPY

Sincerely

JAMES P. KEME

/s/ Carl D. Erists RevoCarl D. Eriote

Ideutement, V.S. Mavy, Judge Advocate

"Baithet 8 (1)(a)"



F.S. I am now serving with the Commission of Six Missioneries sent out to Japan last year by the Foreign Missions Conference of North America.

I certify the foregoing, consisting of two (2) typewritten pages, to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenant, USHR, Interpreter.

CERTIFIED TO BE A TRUE COFT

JAMES P. REMEY,
Ideutement, U.S. Navy,
Judge Advocate

"Enddhit Q(2)(a)



AFFIDAVIT FOR CHARACTER

/s/ HAYASHI, Kasu,
Aoki, Homjonura, Muko-gum,
Hyogo-kem.
Teacher of the Imperial Girls
High School,
Sango-machi, Kitakawachi-gum,
Osaka-fu.

To Your Honor, the President of the Military Commission, Guam.

I was once under the kind care of Mr. Hiroshi Iwanami, the Head of the former Truk Hospital. I would like to write this letter recalling his dear old memories.

Whenever I think of Mr. Iwansmi, I recall his gentle smiling features and his fine character which everybody will admire.

From the time I met him for the first time, tell he went to the front, he gave me the impression that he was a doctor who treated others with benevolence and that he was a kind teacher. Although he was a Nawy Officer, I could not call him Captain Iwanami, because it seemed to me that he was not like a military mam. I feel that the name Mr. Iwanami was fitted him well. He was really such a gentle, kind and affectionate mam.

When I was to graduate from the Osaka Girls Medical College, I had so high an ideal that I could not find a suitable job in Osaka, and I was complaining about it. At that time, he was friendly with the family of my friend, Miss Eiko Tamura. He placed confidence on me for the reason that I was a friend of Eiko, and he recommended that I enter a laboratory, although, at that time, there were no women in Laboratories.

Even though I had not known him before that time, he looked after me in a very kindly way since then. Then I think of it I feel very grateful to him. He found a house for me, and even looked after my daily necessities, before my luggage arrived.

He often invited me to his home saying that I might feel lonely being away from my home. He entertained me with delicious dimers, and I could emissy a nice time with his family, his wife, his daughter and his sons. Therefore, though I was in a strange place alone, I came to forget my lonliness.

When I was graduated from the Nedical College and entered the laboratory, I had many things which I could not understand. Feeling awkward about asking my chief, I consulted him every time, and he taught me anything in a kindly way. Imagine, how relieved I felt.

It was not only I who looked to him as a kind person but all nurses, so far as I knew, did so. Many girls who were working at the Medical Section used to visit him often. Although I was working at the laboratory, I was living in the quarter of the Medical Section, so I had a good many chances to know how the people of the section felt. In the section, every-admired and loved Iwamemi. In my recollection, there is still remaining an impression that all persons of the section was united with warmness of the heart with Iwamemi as its center.

This atmosphere was not seen in any other sections. This was becomes in least the such and it was Iwanami who was suitable to such an atmosphere.

Therefore we had no gloomy atomosphere which was usually common in hospitals, and we all bright, gentle and courteous. We used to say, "This is what a hospital is." to Iwanami. —(1)

Exhibit 9 (1) (a)

MANES P. MEMES, Mavy
Mentenant, W.S. Mavy
Judge Advocate



In the evening before he went to the front, he invited me to his home. He was listening with a smile to the songs of his wife and aughter. I thought that he was really a good husban' and a good father, and I do not forget it even mow.

Mr. Imament, was really a good doctor. I can not imagine that such a good doctor should commit a horrible act. He was a doctor in every respect. He believed that medical art is am art of benevolence, and treated every patient with that belief. I am firmly convinced of that, and I can not think in a different way. Mr. Imameni was very kind to me as if he had been my father. I think that a real man of character is a man like Mr. Iwamami. My old recollection of Mr. Iwamami will not end. I cam not help praying that he will be well; that is my sincere hope.

Hayashi, Kasu.

14 July 1947

To Your Homor, the President of the Military Commission, Ouss.

I certify the above, consisting of two (2) typewritten pages, to be a true and complete translation of the original petition to the bestof my ability.

> EUGENE E. KERRICK, jr., Lieutement, USER, Interpreter.

SERTIFIED TO BE A TRUE COPY

MAMES P. KEMME, Ideutement, W.S. Mavy, Judge Advocate

9 (4)(6)"



AFFIDAVIT FOR CHARACTER.

In behalf of Ivenesi, Hiroshi, Dector of Medicine, former Surgeon Captain, Imperial Japanese Mavy, 51 years old.

- 1. I sweer that I shall tell the whole truth.
- 2. My personal history: I have devoted syself in education since 1916. I built a school and have been a president of a school.
- 3. By relation with Iwanami: I suffered from heart disease from the spring of 1942. I consulted famous doctors of Tokyo and received their medical treatment, but my illness grew worse and worse.
- 4. At last I thought that I might die on secount of the illness. Just at that time, I consulted Dr. Estsumu ma, Sekizo, professor of the Medical Department of the Magoya Imperial University who was one of the femous destors in Japan. He teld me that he knew an excellent doctor my my illness and introduced me to Dr. Iwanami, Hiroshi.
- 5. Then I visited Dr. Iwanami at once and asked his medical treatment. Be told me that I should completely recover my health after I had a certain medicine for three days according to his treatment. I did as I was told and had the medicine for three days. I was surprised that I completely recovered from the illness which could not be cured by other famous doctors of Japan. I was very thankful for him.
- 6. After that I introduced Ivanami to those who were suffering from the same disease, and all of them were restored to health. They admire Ivanami now just as if he were God.
- 7. At that time, Iwaness was studying about how to treat heart disease, and his way of treatment was as excellent as I stated. But he went to the front, and he could not publish it for the medical world. Namy patients were disappointed when they heard that. In fact there are many heart disease cases. It seems to me that the disease was remarkably ingreased after the end of the war. But now that Iwaness is not in Japan, these patients will hot be helped. It is really a pitiful thing.
- So Namy ill petients are waiting for the day when Iwanami will be repetirated.

PE:

- l. Heart disease is thought to be en incurable illness in the Japanese Medical world. So many patients visited Imanasi from all parts of Japan and were delighted with their immediate recovery.
- 2. Dr. Remark never received fees for these consultations and for the medicine he gave. He was content only to see that his patients were glad of their complete recovery.
- 3. Immenits characters I admire Dr. Runned very much as my benefactor as I have already explained, because it was his only confort to neve, resome and lead others. Runned saved others not only with his medical art but also in other aspects of his life.

CERTIFIED TO BE A TRUE COPY

MMES P. KENNI,

Ideutonant, U.S. Navy,

"Fachthit 10 (1) (a)"



4. Dr. Ivenesd was a welfare worker and was also a good politician. He worked before he talked, did enything quickly and devoted himself in anything. He was such a gontleman. Because, as I have stated, he enjoyed saving, rescuing, and leading others.

5. Although Dr. Iwanami looks like an ordinary man, he has many fine points in his character wiich are rare for a Japanese. He was not only an important being for the medical world, but also a distinguished philospher of acciety. I regret very much now to hear about him.

6. I think be is not fit for enterprise, but he is virtuous and fit for education.

7. I believe that he is a man of character, a religious man, who is necessary for the rehabilitiation of Japan.

1 June 1947

To Your Honor, the President of the William Commission, Gumm.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

> EUGENE E. KERRICK, jr., Lieutenent, USER, Interpreter.

SERTIFIED TO BE A TRUE COPY

MAMES P. KENNY,
Ideutoment, W.S. Mavy,
Judge Advocate

1 J(2)(a)0



AFFIDAVIT FOR THE CHARACTER OF IMANAMI HIROSHI.

1. His character is mild and sincers, and he is a man of affection and faithfulness. He is friendly, generous and responsible. He often takes the responsibility of others, pretending that it is his responsibility. I believe that he owes his good character to the instruction of his father who is an except Christian.

2. He is an earmest, academic person.

I am one of the professors who taught him when he was a medical student. I have been in friendly relations with him till today and know his character better than any persons. I certify that what I have mentioned is true.

1 June 1947

/e/ HATTA, Zennoshin.

Doctor of medicine,
Former member of the Privy Council,
1633 of 3 Tkebukuro, Toshima-ku, Tokyo

To Your Homor, the President of the Military Commission, Guam.

I cetify the above to be a true and complete translation of the criginal petition to the best of my ability.

EUGRNE F. KERRICK, jr., Lieutemant, USNR, Interpreter.

SERTIFIED TO BE A TRUE COFY

Idoutonant, U.S. Movy,

Fodge Advocate GATETO

"Butthet 11(a)"



AFFIDAVIT OF CHARACTER

I came to know Doctor Iwenand about ten years ago. It was just when I received a patent from the government and was selling the drug for hergrowing (Hetsunoru) which had just completed after a long period of experiment. One day suddenly a doctor called on me handing me his name card saying that he was Surgeon Commander (at that time) Ivenami, Hiroshi. He said to me that he wanted to prize the effectiveness of my medicine which I produced and said that he wanted to meet me came and as he had some to Osaka he had stopped over to see me. He also west on to say that for the good of the persons who are suffering from this sickness, to go on with my experiments fullheartedly. I was very much inspired in my experiments by his words and my whole family felt very much moved and strengthened by it. This meeting progressed so that we were making constant contact with his family and since then we have been the best of friends. At that time owing to overwork and an irregular life, I was sick with heart and stomach trouble and on top of this I was suffering from sudden crasss. I consulted several docture but its original could not be found. I got weaker day by day and just went on living, fighting this incurable sickness. And fortunately at this time I was called on by this doctor and while telking, being an authority he noticed my pale face end somehow asked me if I was sick. I replied that I was suffering from stomach trouble. Therefore the doctor examined me from various angles, but could not get results as to its origin. He stayed several days and examined me and one day he said that he would examine me as a certain famous doctor would and so saying we both took baths together at the batroom, he ammined me thoroughly and as a result found that I was suffering from a lump in the ducderum and he stated that this was the cause of my sickness. I received an introduction to the foremost sutherity of the Japanese medical group, M.D. Saito of Manoya, Imperial Universay. With the doctor I went to the Nagoya Bospital and was hospitalized there. With his kind suggestion since then I have regained my heelth and have lived very happily. I have had it in my mind to repay this obligation sometime.

The dector was very humble and was not like a military man, but was wery popular and did of like to wear the military uniform, He was very gentle with a strong sense of responsibility. Furthermore in regard to his duties as a doctor, he would use all known eys and would not stop no matter how hard it might be until he had completely cured the illness. And in regard to petients he does not make any distinction between righ and poor. He had a greater sense of love than ordinary persons have and had a friendly sttitude toward neighbors in need and always treated sick persons fairly and earnestly. A person who has been treated by him never forgets his kindness and his way of treatment. He himself used the words "Medicine is magic". To my knowledge those whom I know all respect the great character of the doctor. In ordinary life the doctor is a leveble head of the family, and is a very kind father to his children. Fr m my frequent visits to his home, I was able to see his werm and gay family life. Again when he came over to our home, he was very he hushle (a military person is usually very proud) and has never shown any attitude of being proud. When food is served he is very grateful and always expressed his appreciation of the food to please my wife and family. Because of this our femily greatly respected his kindness. For two years since the end of the wer I have not yet received any word of his return, so I have written often to his home, but could not obtain any details because it was kept silent. The other day I sent a friend to his home and from what he was told, his family did not speak of this because they did not went to trouble others any further. We were very surprised to hear that he is held at Guam

SERTIFIED TO BE A TRUE COPY

MAMES P. KEMET,
Ideutonant, W.S. Mavy,
Judge Advocate

"Ex 1516 12 (1)(a)"



If he wer closer at hand my family and small would be willing this before.

If he wer closer at hand my family and small would be willing to speak

for him on the stand. I cannot possibly know why a kind pers n as he can be
a criminal. The Doctor's going South was a superior military order and he
could not help but go. I am worsying of the doctor's present position. If
by chance the worst is to come to the doctor, the doctor's wish for
visualizing the great medical study in his late years will not materialize and
I firmly believe that it will be a great loss to Japanese Medical Society.

And at this time thinking it rude, but from the feeling over the loss of
Iwanami, Hiroshi, a men of character, I have written these words.

10 July 1947

Caska-shi, Higashisumiyoshi-ku, Yemasaka-cho 3-88. Tamara, Eiji.

I certify the foregoing, consisting of two (2) typewritten mages, to be a true and complete translation of the original petition to the best of my ability.

EUGRIE E. KERRICK, jr., Lieutenant, USWR,

7074 " " " 7

DERTIFIED TO BE A TRUE COFT

Ideutonant, W.S. Navy,

"Batter 12 (a)(a)"



APPIDAVIT OF CHARACTER

Des Immend has been very kind to me and I am obliged to him for saving my life.

In the year 1942 as a result of fatigue, I became ill with acute peritonitis, and had been treated, but my condition became worse day by day. I was treated by a country doctor, but my outlook for recovery was very bed and I had lost all hope for the future leading a miserable life. Fortunately at t is ine I heard that Dr. Iwanemi had come to Osaka; so through my relative I was fortunete to have the doctor who was very busy come to the ort of the way country to exemine me. He was in as we had heard rumore. I received a very minute exemination and received very pleasing instruction. It was just as if I had been struck by sternal light in the darkness and my family were all very grateful. As the result of the examination, if I were left as I was there was no hope of recovery. I was advised to go to his hospital for treatment; so following the doctor's mivice, I went to his hospital to be treated. When I entered the hospital, I received treatment several times a day and he also gave directions for my treatment to the murse who took care of me. By the dector's kind handling I recovered day by day, and with three months I was well enough to get out of bed. I believed that this was all due to the doctor's love for humanity, and I made up my mind to repay this obligation. By this treatment I regained my health end now I am healthier than I used to be for which I am very happy. I firsly believe that I am still slive today because of Doctor Twensmi's advanced learning and experience and his love toward his patients. The doctors ections while I was in the hespital was not that of an ordinary men. He did not give orders for everything to be dome. He himself set the stendard by taking the broom in his own hand and smept to keep eleculinees. To his subordinates he was like a father mingling with his children in leading and educating them. To the patients until they are completely recovered, he would find the direct cause of the illness and gave the best treatment for it. In regard to the sense of responsibility of the dogtor, he treated all the patients he had undertaken with all responsibility in him, and he would even make an examination himself on patients with contagious diseases. He would always inspect the patients records and always had in his mind the condition of the patients. And in treeting severe patients he would treat them day and night, and this sttitude of his was respected by all the persons who worked in the hospital. Everyone who had once not the doctor would praise his character.

When I heard that the doctor was to stand trial as a war crimes suspect on Guam, I was so very surprised and I cannot express this surprise of mine in words. I cannot believe that a fatherly like doctor Twansaci came to be secured of a crime such as this. I do not know what crime the doctor who has given my happiness and sternal light has committed, but for the sake of the doctor I try to mourn but I commot; so I took this opportunity to write this.

MASUI, Sheishi

I certify the above to be a true and emplote translation of the original petition to the best of my ability.

EDGENE E. KERRICK, jr., Lieutemant, USHR, Interpretor.

SETTFIED TO WE A TRUE COFT

MAMES P. KENNY,

Jodge Advocate

"Ent-13(a)"



1 July 1947

Your Honor, the President,

I would like to write about the character of Mr. Deansmi, Hiroshi who has been secused been secused and is being tried.

He, the heed of the hospital, taught me for about two years.

He mlways looked smisble. His character we mild, obedient, benevolent, upright, clear, considerate, and pecceful, and he had a good taste. He was a religious honest, conscientious and polite, and did what was right. He was a religious man and was always meditating scenthing.

But, on the other hand, he was timid and rentless. When he arrived at the hospital as its commanding officer, he made a speech before his men. I recall he was trembing a little at that time.

After that, we came to be attacked by air raids, and he looked as if he had been afraid of the war. After that we had many air raids a day. In the middle of Pebruary and April, there were big air raids, and in April he had awankali with him. In Herch, we were bombed by some scores of incendiary shells. A patient was hit in the atomach by a bomb and died then and there. Several patients who recovered their health and were leaving the hospital were seriously injured by a bomb which emploded in front of the administration building and entered the hospital again. On the night of May 2, the second internal ward was bombed and twelve were injured. One of them died later. Some other bombs exploded in the hospital, and we were also swent by machine-gun fire several times. In such circumstances, he went made. His short body became thinner, and when I left Truk for Japan after the end of the war he was ill in bed.

He was a good man before he became afraid of the war. Since he was a weak-willed person, he worried too much and fell ill.

But before he fell sick, he was a good leader. I beg that you will understand his good character. I beg your kind consideration for him.

Respectfully,

/s/ HATACKA, Hideo at the Guam Stockade.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. RERRICK, jr., Lieutement, USER, Interpreter.

DETERMINED TO THE TENT

SERTIFIED ' " TE A TRUE COL"

MANES P. KEINT

Ideutoment, U.S. Navy, Judge Advocate "Exhibit 14 (a)"



Is Notoke Eveneri, wife of Hiroshi Evenemi hereby wish to take the liberty to address you this humble petition for mercy, and I shall indeed be grateful from the bottom of my heart if enswered fevourably.

My husband was, ever since his childhood, brought up in Christian atmosphere at home by his Christian perents and used to attend Sunday School regularly where he learned the Love of God, and was taught to love goodness and hate evils and above all to be always kind to others.

All who knew my husband during his long career of naval medical officer, can testify that he was kind and considerate to all suffering patients who came under his care, and tended to their suffering with kindness and utmost energy.

He was a very studious man and obtained the degree of Doctor of Medicine about ten years ago on account of his meritorious research on heart diseases and discovery of special remedies of the disease. It was indeed a great boom to many patients who were restored to health and activity, and also to society in general.

It was his cornect wish to establish a practice, after resigning from the Havy to relieve the suffering of rationts from heart disease, but his wish was not realised on account of the outbreak of China Affairs and the Great Fast Asiatic Wer.

At home, he was a good husband and kind father to children to whom he ever inculcated Christian teaching and exhorted them to work honestly throughout their life.

To give an instance to show how he loved his subordinate in the Navy, Nr. Hitaro Toyota (6-13 Tamachi, Shibaku, Tokyo), a worken who was repatriated from Truk Talend last year visited me and told me how my husband, head doctor of the hospital in Truk was very kind and considerate to him while he was hospitalized there, and how all the patients under his care called him "our daddy."

Hrs. Teru Chhashi of Ryoto received a letter, about six months prior to the end of the war, from her brother Mr. Tehiro Hegeo at the front, in which he teld her sister how the head doctor, my husband, was good to him and that he was ready to die emytime if he were with such a good wan as my husband. This letter is now in my possession.

From the foregoing, I can well realise hos he worked hard as head doctor at the front in Red Cross spirit and treated all his patients with kindness.

I sincerely pray that you will, in Christian spirit, have mercy upon us and allow my husband to comfort his aged nother.

/a/ Kotako Iwaneni Kotako Iwaneni

I certify the shows to be a true and complete translation of the original petition to the best of my ability.

SERVICE TO BE A TRUE COPY

MAMES P. REME,
Identonant, M.S. Mavy,

Jage Advocate

EUGENE E. EEFRICE, jr., Licutoment, UTIR, Interpreter.

"Exhibit 1 (a)"



Is Nobuke Inei, sister of medical officer Hiroshi Imenemi, hereby prey to you, Sir, that my brother now in Guam be allowed to return to Japan as soom as ressible.

Ever since he was called to the front, leaving behind his held and inform parents to his brothers and sisters, very little news was received by us and we are very anxious about him.

He has never been a filial son to his father and nother, and a very good doctor to his friends and clients.

Is sgain, humbly pray to you to great him rematriation as soon as possible.

NOBUKO BIAI

I sertify the above to be a true and complete translation of the original petition to the best of my shility.

EUGENE E. KERRICK, jr., Lieutenent, USNR, Interpreter.

"Buhilde 1 g(a)a

SERVIFIED TO BE A TRUE COPT

The Advocate



AFFIDAVIT OF CHARACTER OF IMARAMI, HIROSHI, SURGEON CAPTAIN, IMPERIAL JAPANESE HAVY.

The above person is gentle, sincere and a man with a spirit of inquiry. With kindness, he has made great efforts in the premotion of canitation and health. He is a man of responsibility and scalously devoted to his work. He is honest and a man of science. He has achieved outstanding records in the various posts which he has held in the past.

I hereby certify that the foregoing is a true extract from the above person*s service sheet.

KAWAI, Iwao (seel) Chief of Perronal Affirs Dept., Second Demobilization Bureau.

June 4, 1947

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutement, USNR, Interpreter.

SERVIFIED TO BE A TRUE COPY

Ames P. Kenny
Leutonant, W.S. Navy,
Judge Advocate

"Reddhie 17(a)2



Havy Captain Twansmi, Hiroshi was a kind end polite person. I wish from the bottom of my heart that his sentence be held to the minimum.

One who has worked for a long time under him.

Navy Lt. Minato, Tadao

I sertify the above to be a ture and complete translation of the original petition to the best of my ability.

EUGENE E. FERRICK, jr., Lieutement, USNR, Interpreter.

"Entitled 18 (a)"

MES P. REMY,
Judge Advocase

7.575



4 Hovember 1946.

MEMORANDUM FOR: Your Excellency, the presiding judge.

SUBJECT : Petition for Iwanami, Hiroshi about returning home.

1. I beg to say the following. I had been serving with Cap ain Iwanami from February 1945 to April 1946 and was deeply touched by his high character. Iwanami was a ran of great character. When he examined the cases, he made it a rule to change the patient's trouble into his own trouble.

- 2. He had devoted himself to increase the production of feed in critical times at Truk Island until the end of this war. And he had done much in promoting the heath of insufficient cases by day and night.
- 3. I was admired in his suidying for the reason of undernourishment thinking new medicines. When he wanted to try to test the medicine he at first tried them on himself lest he should hurt cases. He often talked to me hout his idea, "He dares to secrity himself in order to help others."
 - 4. These send back him as quickly as you can under your best judge.

TCHTRO Negeo c/o Ohashi Shimokyoky Kyto Japan.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenant, USNR, Interpreter.

CERTIFIED TO BE A TRUE COLT

Identicant, 11.5. Navy, Judge Advocase

"madde 19 (a)"



I have heard that Reamend, Miroshi, Medical Captain, is to stand before the court, and as one of Captain Reamend's subordinates, I would like to state in part his ordinary character and ask from the bottom of my heart for the sympathy of the commission.

In stating it in one word, I believe he is gentle and full of love in his heart. Whenever I was with Captain Iwanemi, I always felt his wereness just as I would feel the wereness of a father or a teacher. As a senior medical doctor I have seen Captain Iwanemi many times pushing saide his committees and learning on a stick visiting the dispensary of each unit and looking at the ill ones with sympathy and gently consoling them. And at times looking at the ill ones with sympathy and gently consoling them. And at times I saw Captain Iwanemi gather about him the native children and give them candy and smiling when he saw how glad the children were.

To me, who believes in the ordinary gentle character of Captain Twansed, I cannot help but think that if he has committed a crime, it happened just at the moment when he was lost.

It is my utmost desire that a high regard for Captain Iwanemi's ordinary character be given and it be weighed, and that he be given a minimum centence.

14 December 1946

Medical It. Watanabe Takao, IJM.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. FERRICK, jr., Lieutement, USHR, Interpreter.

MES P. KENNY,

Judge Advocate

"Bettet 20 (a)"



4 Nov. 1946

Hemorandum For s Your Excellency, the presiding judge.

Subject : Petition of Hiroshi Iwanami about returning home.

1. I had been sending hopeless days from 1934 suffering by phthisis, but after 4 years, having been suffered by also heavy heart disease, I was under the treatment of almost famous doctors, but all in wain, When I got the only light on my life, hearing Dr. H. Iwamami's lecture on sanitation, struggle against disease and remedy.

2. Very soon I was under his treatment and got well. I hear, people say, "Dr. Iwanami is a helper of people." Indeed, he is a man of high character, learning and much experience especially he had been respected like the god by the lower class people. I have many cases and poor people

3. He was not only a reliver of cases, but also a social worker who had helped and led the poor and the weak. I believe Dr. Iwansmi is the very man who can devote himself to help many cases on the burnt place in Japan.

4. What is better, he has many good friends among financiers and pol-

5. I beg you that you will send back Dr. Iwamani, formerly the chief of the Japanese "aval Hospital by your will to help Japanese.

Yasuji Susuki Principal of Business School in Japan

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Licutement, USNR, Interpreter.

Acutonant, F.S. Bavy,
Judge Edvocate

mana - 1 (a)



4 Hov. 1946

MEMORANDUM FOR a Your Excellency, the presiding judge.

SUBJECT

s Petition of Hiroshi Iwansmi about returining home.

1. Iwanami was a good, typical person of character from his school age and I could not help to respect him. Since them I have been making my best acquintance with him. After his entering into the medical society, he has been making the way on the relief of the people and the gratuitous dispensation of medicine, promoting the extension and the development of the public samitation.

2. He devoted himself to enforces it among the government and the people and made his merit. I believe him to be the most important person

in the present medical society in Japan.

3. Would you please send him to Japan under you special consideration.

SE IZO KATSUNUHA

Medical Doctor

Professor of

The Nagoya Imperial University

In Japan

I certify the above to be a complete and true translation of the original petition to the best of my ability.

> EUCHNE E. KERRICK, fr., Lieutenant, USHR, Interpreter.

CERTIFIED TO BE A TRUE COLT Leutonant, F.S. Navy,

"Hadda 2 (48)"



4 Nov. 1946

Hemorandum : Your Excellency, the presiding judge.

Subject : Petition of Hiroshi Immani about returning home.

1. A Japanese, Hiroshi Iwansmi, who had been a chief of the Japanese Naval Hospital at Natsusima of Truk Island is the man who convinced of the warship of the transcendental love for humanity from his y uth. And he warship at a rule to advocate that his poor mite should relieve a precious life.

2. That the reason why he devoted himself into a medical society was from this passion was known by his acquaintances.

3. Since then he had been attending to his duties with diligence for the public samitation-especially for the betterment, extension and prometion of the mass-samitation of the laborer's class in the mines and factories and for the public good that was the remedy about the poor class.

4. I believe I can guess the sanctity of his idea of life by it. I also believe his contribution to the present medical condition of Japan in which we have many difficulty because his medical art is profound not only in the study of heart, but also in tuberculosis.

5. I submit the matter for your disconcersment to send back him to

Zenmoshin Hatta

Japanese Medical Doctor

I certify the above to be a true and complete trumslation of the original petition to the best of my ability.

EUGENE F. KERRICK, jr., Lieutemant, USNR, Interpreter.

SERVIFIED TO BE A TRUE COPY

Acutorant, U.S. Mavy,

"Bublist 23 (a)"



We, Tetsunosuke Nukojima and Sode Nukojima, father and mother of Hiroshi Iwamami hereby humbly petition for clemency for our son Hiroshi who, we are informed, in now being tried as war criminal suspect.

He, now old and infirm, have been, bereft of job and income, are now patiently awaiting the repatriation of their son Hiroshi to lean upon in our old age.

His mother being of very delicate health wished her som to become a medical doctor of high order so that he may be able not only to attend to his mother but to alleviate the ills of others. He has been a very dutiful som to us, and whenever he had a furlough, he made it a rule to visit us in our country house to attend to his mother's illness and to send regularly to her the necessary medicines whenever he could.

We are now very eagerly and patiently looking forward to his return to us, and pray God that boundless mercy be shown by you so as he may be allowed to repatriate to his home country in the very near future.

Ne are,

very humbly yours,

/s/ TETSUNCSUKE MUKOJIKA

/s/ SODE WUKOJIMA

deutonant, W.S. Nervy,
Judge Advocate

"Established (a)"



AFFIDAVIT FOR THE CHARACTER OF KANIKAWA, HIDENIRO, FORMER SUPCEON LIEUTERANT COMMANDER. IMPERIAL JAPANEE E HAVY.

Remikawa, Eidehiro is my brother-in-law. He was two years younger than I, and he was closest to me in age among my brother-in-lews. And when he was a student of the Tokyo Medical College, he was lodging at my house. So and he were in most close relationship, and I believe that I am one who knows his character most.

His father had long been the head of the village and the president of the primary school at Shimackimura, Nemi, Hiroshima-ken, and had a good reputation among people of his village. His mother had been a daughter of the Seiritauji Temple of Hiroshima City, and was religious and benevolent. She was especially famous in the wallage for her kindness toward the poor, but died when Hidehiro was young.

He was brought up by these parents and when he was a student of the middle school he went to school from the Sciritsuji Temple, the home of his mother. So he was influenced by Buddhism and became a man of religious, benevolent character. He was filial, too, and more failed to worship his family tombs in his vacation.

He was well-behaved and righteous, and was brave in what he was convinced. But, on the other hand, he was a sentimental and benevolent person. Wherever he found people in distress, he used to ask them if there was any method to relieve them. When a men in his neighborhood was choked by gas, he volunteered to go to the spot and cure him. After he was graduated from the school, he servied for the medical troatment of the poor people in his leisure time without any pay.

When I think of his character and behavior as I have mentioned above, I cannot think that he should commit any strocity. I rather feel that he would have tried to stop such atrocities.

I swear and certify that the above mentioned about his character is true.

10 June 1947

/s/ WIZOGUCHI, Hidekszu, Bachelor of technics Manager of the Japanese Konge Cilatone Mfg. Co., 37 Mioi-cho, Nakano-ku, Tokyo.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

> EUGENE E. KERRICK, jr., Lieutement, USER, Interpreter.

SERVIFIED TO BE A TRUE COPY

AMES P. KEMEY deutoment, H.S. Mavy,

Jadge Advocave



PETITION

Lt. Comdr. Kamikawa, Hidehiro, IJH, was a very gentle and earnest person. If by chance he is found to be guilt/, I wish for the lealence of the sentence.

One who worked with him at the 4th Naval Hospital.

Lt. (MC) Minato, Tadao, IJH

I cortify the foregoing to be a true and complete translation of the original document, to the best of my ability.

> MUGINS . KINGICK, Junior, Lieutement, J. S. Maval Reserve, Interpreter.

CERTIFIED OF THE A TRUE COPY

deutement, ILS. Navy, Judge Advocate

" |X | INT 26 ...



PETITION

APPIDAVIT FOR THE CHARACTER OF KANISAWA HIDERIRO, PORMER SURGER LICHTENANT

To: Your Honor, the President of the Military Commission, Marianes Area.

1. Invironment of his home-

KAMIKAWA, Hidebiro was born in 1910, at Okimura, Saeki-gun, Hiroshima-ken as the third son of KAMIKAWA, Tutaka.

the village for more than twenty years, and after that he become the head of the village and served for the administration of the village for more than tem years. He was very faithful, good and able and had the best reputation in the village. Hidehire's nother had been a daughter of a temple, and was an extrest believer. She devoted herself to the charity work of the village, and died at the age of 36 on account of her too earnest exertion. When she died, everybody of the village grieved very much. She was such an affectionate and good person that she was called the goddese of the village.

Some of his relatives has more than ten temples, and his family is a very religious one.

Being brought up in such an environment, he was plous and benevolent from the time he was young, and hated what was wrong and brutal. That is the reason why he intended to be a doctor. When I think of such an environment of his family and his character when he was young, I am firmly convinced that he can not count what is brutal and wrong under any circumstances.

2. His observator after he greet up, and his behavior in his native village.

When he was a student of the Tokyo Medical College and after he became a surgeon in the Navy, he distinguished his good character further. Themsees he came home in his vacation, he did as best as he could to cure poor, weak patients in his neighborhood and willingly worked at the neighboring hespital and gave medical treatment to the sick people. His unknown good deeds are too many to enumerate. He was filial to his parents at home, and kind to his sister. So he had a good reputation.

As I have mentioned above, he was of very good character. He had courage and exertion to save others even at his own sacrifice, so he was admired by the people of his village.

3. His shillty and service as a surgeon

Several friends of the same village who worked with him as gargeons unanimously says He is very righteous and affectionate as a surgeon, self-secrificing for the cure of patients and his surgical ability is a very distinguished one.

He was so carnest in protecting his patients that he sometimes rem against his commanding officer. It is said that he was yearned after by patients as if he had been theirfather.

SERTIFIED " " TE A TRUE COF"

Ane 1. Kenny

deutonant, E.S. Mavy,

Jodge Idvocave

Exhibit 27(1)(a)"



His excellent surgical ability is clear by the fact that he was an able surgical executive of the Tayakawa Mosho Hospi al.

When he was working at the Toyokswa Hospital, he served for the relief of poor patients of his neighborhood in his spare times, and was deeply thanked by his neighbors.

Die subordinates and commades say that he was a fine surgeon and that he was especially the most righteous and benevolent surgeon.

4. His present family condition.

He married the eldest daughter of HaRA, but all the sons of HARA died and she, Kasuke, is the only one remaining at HARA's family. So he was to succeed the family. The parents of HARA were living during the war in Hirshina where the at mic bomb was dropped. Their house was burned and the parents died. His wife with two children went to the country where she is living a poor life by helping a farmer.

The family of his father, KANTHANA, Tutaka, was also living in Hiroshima at the time when the atomic bosh was dropped. His mother and sister died in the flame, and their house was burned. Only his father who is suffering from paralysis is living under the care of his raltive in the country.

Thus, both his official and private life has been seriously damaged by the war. Especially, his wife who has few persons to rely and his two children are looking forward to his return.

I have just stated about the family and the character of KATKAKA, Midchiro. He is a very good homest person and is especially religious and benevolent. He is not a person who commits atrocities. And his family is in a miserable condition.

I certify that the above statement is true.

6 June 1947.

/s/ SASAKI, Terubumi.
representative of the friends of KAMIKAWA.

I certify the foregoing to be a true and complete translation of the original document to the best of my ability.

Eldentenant, U. S. Naval Reserve, Interpreter.

CERTIFIED TO THE A TRUE COPT

deutement, U.S. Mary,

" ENIETT 2'7(m) (a)"



PETITION FOR RELEASE

Pobruszy 10, 1947

TO CHIEF JUDGE OF U.S.A. COURT MARTIAL OF GUAR TELAND

Former mavel staff-surgeon Manikawa, Ridehiro, who was detained as a suspected war criwinal on charge of having been involved in the punishment of U.S.A. pilots in Truk Island while he was in service at the former naval hospital of Truk Island during the war, is going to be committed for tiral at the U.S.A. Court Martial of Guam Island.

He was born on July 20, 1910 in Oki-mura, Aki-gum, Hiroshima Prefecture as a third son of Kamikawa Hoberu. On leaving Shade Middle School he entered Tokyo Medical College and on graduation he joined the navy as a surgeon and was premoted to the said position.

he a school master his father Kamikawa Noboru was engaged in the education for the children of his village. He was respected by the villagers for his noble personality and later he administered excellently as village headman. His nother Kamikawa Ume, born as a daughter of Buddhist Temple Seiryuji in Hiroshima and bred from early childhood in religious training for her children.

Kanikawa, Fidebiro being bred by such educator father and Buddha worshipping mother, has been very charitable and sympathetic. This may be attested by his having chosen as a professionmedicine which as been regarded as a benevolent art. We entreat you to render your reconsideration upon this point.

We, who know personally his breeding in such pure atmosphere and humanitarian spirit of Buddhism, firmly believe that he would never commit inhuman acts for himself or make others do so even though he was placed under such extraordinary situation as war.

The undersigned were greatly surprised and could hardly believe the act when they heard that Espikawa Hidehiro will be tried before U.S.A. Court Hertial as a wer suspect.

But now that we know the fact that he was detained for trial the undersigned believe in the rightful judgment to be given by U.S.A. Court Martial and sernestly entrest you to maquit him.

/s/ Dr. Torufumi Sesski (Seal)
Physician in Hiroshina Red Cross Hospital
and 153 others.

CERTIFIED TO HE A TRUE COPY

Acutorant, E.S. Nevy,

"Enhibit 28a)



AFFIDAVIT AS TO THE CHARACTER OF FAMIKAWA, HIDERIRO, SURGEON LIEUTENAME COSUANDER. THP RIAL JAPANEER MAYY.

The above person is chearful and a man of progressive spirit. His character is noble. He is a man who is zealous in study and he is devoted to his duty. He is an excellent doctor with fine conduct and high sense of precision.

I hereby certify that the foregoing is a true extract for the above person from his service sheet.

> KARAI, Iwao (seel) Grief of Personnal Affairs Department. Second Demobilization Dureeu

June 4, 1947

I certify the above to be a true and complete translation of the original petition to the best of my ability.

> EUGENE E. HERRICK, jr., Lieutement, USMR, Interpreter.

SERTE LANDE TO

CERTIFIED WE A TRUE COFT

dout mant, H.S. Mavy,



B NUL W (S

We have been close to Kestkawa, Hidehiro as his classmates or as his friends since he was a student of the Technical Department of the Tokyo Nedical University. We talked with him without reserve after we played sports or on the other occasions and know his true words, behavior and character in his daily life.

Speaking in short, Kamikava was a man of mild, virtuous character, was religious, loved creatures in nature and had a tender character. He had moderate principles. When he was a student, he was carnest at study, close to his friends and was willing to help poor students in his lower grade. He was such a humane person that he was loved by people in contact with him and was admired by us.

We heard that he is to be tried as a war criminal suspect on a small island in the southern sea. We sincerely hope and beg that on will deal leniently with him.

12 June 1947

Classmates and friends of the Tekyo Medical School (signed by 35)

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. RERRICK, jr., Lieutement, USNR, Interpreter.

Acutoment, F.S. Brvy,

Trigo Advocate

"Emiddet 30 (a)"



CERTIFICATE

KANTKAVA, Midehiro

Pormer Surgeon Lieutenent Commander, Imperial Japanese Nevy.

Born in Hiroshime-ken on 25 July 1910 (Age 38.)

This is to certify with my responsibility that the abovenamed person is a graduate of the Technical Department of my school on 15 Merch 1936 and that when he was a student he was not only serment at study but also obedient to his superiors, close to his friends, moderate in his usual behavior and not of brutal character.

12 June 1947

/s/ OGATA, Tomosaburo, President of the Tokyo Medical University, Higashiockubo, Todobashi-ku, Tokyo

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE R. FERRICK, jr., Lieutenanth USHR, Interpreter.

SERBIF IED TO THE A TRUE COPT

Acutomant, T.S. Nevy,

matte 31(a)



AFFIDAVIT FOR THE CHARACTER OF KANIKAWA, HIDERIRO, FORMER SURGEON LIEUTENAWY COMPANDER. TEPERTAL JAPANESE BAYY.

I heard that Hidehiro is to be tried as a war original and I am very unessy as to what punishment will be imposed upon him. If the reason for his trial is the strocity he committed, I feel very doubtful whether he committed such an not.

He is the son of my sister who is older than I by three years, so he is my nephew. I believe that I know very well his character when he was young and when he has grown up. His character when he was young was very tender as if he had been a girl, and I often scolded and encouraged him, "You be more manly." During his middle school days of five years, he went to school, from the Seiritsuji Temple, Hiroshime-City, the house when I was born. At the Temple, all members of the family used to practice worship every morning. Of course, he was one of them. So it is quite natural that he was influenced by religion. We found that he was of mild, tender character and we intended to make him a religious men. However, he tried to be a doctor.

After the end of the war, he was demobilized from Truk Atoll and spent one hight at mi home. Them I said unintentionally, "I hear some surgeons have been accused as wer criminals. You haven't any uneasiness about that, have you?" Don't mind about that" he replied "I have never done anything wrong. As the matter of fact I am not of such character as to dare to commit inhumane acts." He sugmered vigorously, and his words are still remaining in my recollection.

I don't know on what ground he was accused. But if he is alleged to have committed etrocities, I cannot but think it is a misunderstanding when I think of his cher cter from my point of view. I am convinced that he cannot commit such an act of is own accord.

Sweering before God and Buddha, I certify that what above is the truth.

13 June 1947

/a/ KIHARA, Haramaka, (65 years old) 32 Aloi-sho, Nakansku, Tokyo,

I certify the above to be a true and complete translation of the original petition to the best of my shility.

> EUGENE E. KERRICE, ir. Lieutenant, USER, Interpreter.

CERTIFIED TO BE A TRUE COPT

deutomant, U.S. Mavy,

Jedgo lávosnie

32 (4)0



PETITION

AFFIGAVIT FOR THE CHARACTER OF LT. (SG) BAXAGAMI (SUNGHOM):

He is of moble character and is righteous and mild. I have known him for five years from the time we worked at the Yekosuka Maval Hospital and the 4th Fleet Hospital, and during that time I observed his daily behavior as a military men and as a doctor. He helped weak people a great deal to oversome any difficulty, and was very kind and polite in handling patients.

Thinking of his character, I can not believe that he has any connection with the incident for which he has been accused. If he has any connection with the incident, I think he was obliged to assist his superior on account of urgent orders and inevitable circumstances. I believe that there were many pitiable circumstances in his state of mind at that time.

For the reason I have above mentioned, I petition you to mitigate his sentence or to exporate him.

14 December 1946

/s/ Hurnissed, Chiharu Lt. Commander, M.D., IJN, Manher of the 4th Floot Hospital.

I certify the foregoing to be a true and complete translation of the original document, to the best of my sbility.

MUGINE A. KERCIC, Junior, Lieutement, U. S. Naval Beserve, Interpreter.

CERTIFIED TO THE A TRUE COLT.

LINES P. REST.

Louis Pants, 18. Mays,

Judge Advoor.

BESTREET 33 am



The President of the members of the American Hilitary Commission, Marianas.

In behalf of SAKAGAMI, Shinji

He was very carnest in his work and was very good in scholastic work. He was very obedient to the orders of his superior, level his superdinates and understanded throughly the Imperial Script about the Hilitary personnel. He was respected by his superiors and his subordinates, and had a strong ensect responsibility. As a civilian he is a man of very high character. There are many more things to be saif of his character, but what I have said above I swear befor God to be the truth.

4th. April, 1947

TANIGUCHI, Unde, Former P.O., IJN. Hobetsuksku Hospital.

I certify the above to be a true and complete and translation of the orginal petition to the best of my ability.

EUBENE E. REFRICK, junior, Licutement, U.S. Maval Reserve, Interpretor.

Ante P. KENNY DOLL TOUR STATES OF THE STATES TO SERVE STATES T



PATTION

Sakagami, Shinji, Lt.(jg) Curgeon, LJN, is a faithful, honost and kind man. I beg you will deal leniently with him if you find him guilty.

I am one who once served at the 4th Fleet Hospi al with him-

Minato, Tadao Lt. Surgeon, Line

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

MGCHE . K.REIGK, Junior, Identement, U. S. Naval Reserve, Interpreter.

TARGE ACTOOR A TRUE COFT

PERHIBIT 35mg



AF IDAVIT AS TO THE CHARACTER OF TANAHE, MANORU. CORPSMAN W. O. . IJN.

Record at the end of regular corpsuan course: 17 among 81 persons.

Unhealthy duty: Attached to Tuberculosis Ward from Feb. 24, 1941 to April 13, 1941.

Granted the 8th Order of Merit, and the Order of Paulownia, with 220 yea, for merit in the China Incident.

Granted the 7th Order of Herit and the Order of the Sacred Treasure.

Two stripes on his Good Conduct Badge.

I hereby certify that the foregoing is a true extract from the above person's service sheet.

/s/ SAITO, Naboru (Seal) Chief of Personnel Affairs Dept., YOKOSUKA Local Demobilization Bureau.

Jume 4, 1947.

I certify the foregoing to be a true and complete translantion of the original document, to the best of my ability.

> EUGENE E. KERRICK, Junior, Lieutement, U. S. Naval Reserve,

CERTIFIED TO TE A TRUE COPT

AMES P. KEMING. Navy, Identificant, 18. Navy, Indige Advocate

MXHIBIT 36 (a)a



PETITION FOR TANADE MANORU

He served in the 4th Maval Hospital for a long time, and was trusted and loved by his superiors. He was a benevolent man upon whom I relied most and who loved me much. He was diligent in his work, and he had deep affection as if he had been our father or mother. He was a men of integrity, and loved his men and was kind to the patients. He was a man we could admire most. He strictly observed orders, and was a reliable, faultless person.

I beg you will deal him lemiently if he is found guilty.

/a/ HEMMI, Yasuo.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

> EUGENE E. KER ICK, Junior, Lieutenaut, U. S. Naval Reserve, Interpreter.

CERTIFIED " " TE A TRUE COF?

MES P. KEMIN,
Meutomant, M.S. Navy,
Judge Advoca &

"EXHIBIT 37(a)"



Subject: Petition for Gracious Judgment.

11 November 1946.

Sire

We have an earnest petition for you. We are the mother, brother end wife of the suspect, Mamoru Tanaba.

The information below mentioned are the matter of fact. The suspect has well learned, had the good records in his school days from the youth, served in the family obediently to his parents who sloo have loved him, and kept the good brotherhood with his brothers. The level of his living is rether of a middle class farmer but we have never made him short of the food and money. He was held in good companionship with his friends who also have leved him. His father died in the last year. He nursed his sick father as kind as he could, never leaving for a moment from his bed, and was admired by his neighbors. We is gentle in his nature and innexious at all. His perents were the farmers assentially, good health, diligent in their works, admired by the villagers and also good-natured.

He has been inhereited this nature from his parents. He had not a courage brevely to avoid the unjustice after discussing the reason of the matter with his upper class officials. This is supposed to be oved to his nature and his femily circumstances.

He got back to his former profession after being demobilized and soon married a female teacher of the primary school and made a family, sweet and lucky. We, symmathizing with his mind, feel as if our heart were breaking. He completed the primary school course of the village, studied by himself of the middle school learning, passed the test of being a staff of the national railway service and served in this position until emlisted for the military service.

If you are generous for his recovering and coming future of life, referring to his nature and circumstances and on the charitable judgment, we shall be extremely blessed. We sincerely beg youte be specially generous and greatous on judging him.

> Note Tanabe, Nother of the suspect.

Noberu Tanebe, Brother of the suspect.

Rimiko Tanaba, Wife of the suspect. Onna-Kamanata, Shimo-cono-mura, Migashi-ibaraki-gun, Tharaki-Prafesture.

I certify the above to be a true and complete translation of the original petition to the best of my skility

EUGENE E. KERRICK, jr., Moutement, WHR, Interpreter

CERTIFIED TO BE A TRUE COFY

MAMES P. KENNY, Ideutement, U.S. Mavy,

Jodge Advocave

"Eshibit 38(a)"



TANABE, Hamoru, Corpenan, Marrant Officer, LJN, was very honest and obscient, and was very kind to his subordinates. He was very much trusted by his superiors and was liked by his subordinates as if he had been their brother.

/s/ MINATO, Tadao Surgeon Lieutemant, IJN.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. KERRICK, Junior, Licutement, U. S. Haval Reserve, Interpreter.

EXHIBIT 39 (a)



To Supreme Commander, Mariana Area.

Excellency.

We consider it a great homor to submit a letter of petition to your Excellency. We should be immensely indebted to you if you could be so king as to take into consideration the following points in regard to TANABE, Memoru, formerly medical warrant officer attached to the Fourth Naval Hospital at Truk.

- 1. TANABE, Mamoru was a peace-lowing person and im the employ of the Railway Department of Japan before he entered the Navy.
- 2. As a result of the physical examination enforced by the Conscription Law, it was suggested that he should enter Mito Regiment but he preferred the service in the maval medical corps, for he did not like a fighting unit.
- 3. Since he joined the naval barracks at Yokohama, he was in military service all through eleven years in spite of his wish to go back to his civilian life as arailmay employee.
 - 4. Since childhood he was of a shy and sympathetic character.
- 5. Japanese militarists had exercised strong pressure against personal convictions of an individual, so we thought any man had to oboy the orders of his superiors, however wrong they might be. Thus we fear that he might have committed some illegal acts.

We can never believe, Your Excellency, that TANAHE, Namoru could be up to any misdeeds. If there was any offence committed, the officer who issued an unjust order should be held responsible.

6. When he left for Truk he lamested about this war, Saying; Why on earth we have to fight against the United States who had given such a relief to our people at the time of the Great Earthquake in Telyo?

Cloricus Commander, the Japanese people were never am intrinsically bad mation; they were simply misled by the instigations of militarists. We sincerely crave for your mercy in dealing with the people of lower class who were led by higher authority.

In concluding this letter of petition, allow me to pray for the blessing as to the future of Your Excelency.

Yours truly,

WIFE, KINI TANABE MOTHER, MOTO TANASE

I cortify the foregoing to be a true and complete translation of the original document, to the best of my ability.

CERTIFIED TO HE A TRUE COFY free 1 Henry

deutchant, W.S. Mavy,

Jonge Advocate

EUGENE E. KERRICK, Junior, Lieutenant, U. S. Enval Reserve, Interpreter.

EXHIBIT 40 (a)



Your Honor, the President,

I would like to state about the character of Mr. TANABE, Memoru who has been accused and is being tried.

At the 4th Naval Hospital, Mr. TANABE was the chief of my room for about half a year, and I was under his instruction.

Mr. TANABE was unusually hones, polite and considerate. He meditated carefully, reflected on what he had done and tried not to make a mistake. His character was mild, obedient, benevolent, especially conscientious, righteous and upright. He was gentle, honest, find, considerate and peaceful. He loved humanity, respected religion, believed in God and Buddha and had good taste. As a corpsman, with the spirit of the Red Cross, he received people taste. As a corpsman, with the spirit of the Red Cross, he received people with cheerfulness and joyousmess and carried out his duty with kindness and with cheerfulness and joyousmess and carried out his duty with kindness and politeness. He loved creatures and was thankful for Nature. When he instructed no, he never gave us trouble although he was in trouble. He was patient and never made grinaces. He was always amiable, never showed his pain in his face and he worried himself with other peoples distress. He was a man who face and he worried himself with other peoples distress. He was a man who face and he worried himself with other peoples distress. He was a man who face and he worried himself with other peoples distress. He was a man who face and he worried himself with other peoples distress. I beg you will understand his character when you will try him. I beg you kind consideration for him.

Respectfully,

/s/ HATAOKA, Hideo. at the Guam stockade.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. KERRICK, Junior, Lieutenant, U. S. Naval Reserve, Interpreter.

CERTIFIED THE A TRUE COPY

JAMES P. KEMET

Ideutonant, U.S. Mavy,

EXHIBIT 41 (a)



CHARACTER OF MUTAL YOSHIHISA.

He and I were born approxicately at the same time, and we have been friends since we see children. I ment of the same school with him. He was centle, wormhearted and benevelent. He shared hardwhipe, joys and sadnesses with others, and he was an indispenshle men to his friends.

20 May 1947 fel M. Fal, Kariichi, Hino, Hinoharumura, Kitakoma-gum, Yamamashiken.

I certify the above to be a true and complete translation of the orginal petition to the best of my ability.

EUGERE E. KERRICK, Lichtenant U.S.N.R. Interpreter.

CERTIFIED TO BE A TRUE COFT.

AMES P. KENNE,

deutonant, U.S. Navy,

Jodge Advocate

"Exhibit 42(a)"



AFFIDAVIT AS TO THE CHARACTER OF MUKAI, BIRYN, CORPSMAN W.O. ISN.

Record at the end of the special training for N.C.O.: 17 among 60. Unhealthy Duty: Attached to Tuberculesis Ward,
From: Oct 6, 1941 to Doc 21, 1941
Granted the 8th Order of Werit and the Order of the Paulownia, with 220 year for merit in the China Incident. Granted the 7th Order of Herit and the Order of the Sacred Treasure. Three stripes on his Good Condust Badge.

I hereby certify that the foregoing is a true extract of the above person's service sheet.

SAITO, Nobre (seal) Chief of Personell Affairs Dept, YOKUSUKA Local Demobilization Bureau.

Jume 4, 1947.

I certify that the above is a true translation of the orginal petition to the best of my ability.

> EUCENE E. KERRICK, Lieutenant U.S. Harry, Interpreter.

CERTIFIED " WE A TRUE COFY

Idoutorant, U.S. Judge Advocate



APPIDAVIT FOR THE CHARACTER OF MUKAI YOSHIRISA.

Place of Residence: 645 Hime, Himchardmura,

He had been my pupil for 8 years at the primary school, and he was peaceful, kind and mild. Once when he was in the Mavy and was serving at Tokosuka Haval Port, I ment there with my pupil on our school journey. At that time, Yoshihisa kindly came to see us at the station, conducted wu who were not familiar with the place and we enjoyed our nice school journey.

After he was demobilized, he never forget men, his teacher. He often visited me at my house and told me stories when he was at the front. He said, "There is no enemy or ally, when we are kind each other. Even if peoples are different in race, there is no difference in their human feelings. That is why I have worked with kindness." I also heard many instaces of his kindness.

As an individual, he was earnest to his duty. When he was in our village, he worked hard as a farmer and he was admired by resple of his village. I recall he once gave me many potatoes which he harvested.

/s/ MUKAI, Mitayoshi,
Progident of the Metchinoharu Primary and Junior
High School,
352 Hino, Hinoharumura, Kitakowa-gun, Yamanashi-ken,

To Your Honor the Presedent of the Military Commission of the war crises trial, Marianas Area.

I certify the shows to be a true and complete translation of the orginal petition to the best of my ability.

EUGENE E. KEFFICK, Lt. U.S.R.R. Interpreter.

"Enthibit 44(a)"

CERTIFIED TO BE A TRUE COPY

JAMES P. KERNY,
Leutonant, V.S. Brvy,
Jage Advocate



I was his classente in the primary school till in the seventh grade. Up till he became a fourth grade pupil, he was so mild, that no one recognised him. When he was a fifth grade pupil, he suddenly began to make excellent records. At the same time, he became very bright and cheerful and be came to be loved by his classmates. When he was in the sixth grade, he became a chempion in baseball, track and field. Since then he became humorous and chivalrous, and he loved younger pupils and they relied upon him.

After he was graduated from the primary school, I met him again at the physical examination for conscription, when I f und that his mild and moderate character of the past became much more elevated.

Then he entered the navy. He never forgot our friendship when he was serving at Yekosuka and when at the front. He never failed to write me letters in his spare time although he was very busy in his service.

When he was demobilised, he visited me before he arrived home without forgetting our old friendship.

These are only a part of his character. I am convinced that he was always considerate and benevolent, and was trusted and loved by others.

/s/ ONO, Tadayashi, Hagasaka, Hinoharumura, Kitakom-gum, Tempaghi-kon,

I certify the above to be a true and complete translation of the original petition to the best of my ability.

RECEME E., KERRICK, Jr., Lieutement, Tenn, Interpreter.

CERTIFIED " "BE A TRUE COFY

deutonant, U.S. Navy,

"Bubildt 45 (a)"



APPIDAVIT FOR THE CHARACTER OF MIKAL YOSHIBISA.

Flace of Residence: 645 Hino, Hinoharumura.

I would like to certify in behalf of Mukai, Woshihisa, former corpsmen werrant officer, IJN.

His character and behavior.

Whenever he finds others in distress, he helped them without thinking of himself. He took the initiative in any difficult work. After he was demobile ised, he engaged in agriculture. He was not rich and was in a difficult position both materially, and sparitually. Not he shared his but little leisure time for the relief of repatirates and evacuated people, and to enable them to suppor themselves, he relieved poor people, too. Japan is now under reconstruction. These, his sets, are a symbol of humanity and contribute much to society. So the people of his village placed confidence in him and his future.

I would like to show you another instance which shows his character.

Once when I was in military service, I fell ill and entered the hospital. At that time, he had also been on military service only a few months, so he was very busy in his unit. In spite of that, he visited we by my sick bed several times, consoled me and encouraged my low spirit. I had many friends from the same province when I was in the military forces, but no other men were ever so kind as he, and I was very thankful to him.

His deeds when he was in my village were as I have stated above.

30 May 1947

/a/ MUKAI, Yoshiyasu, Former Lt(jg), LJK, 298 Hino, Hinoharusura.

To Your Honor, the President of the Military Commission of the wer crimes trial, Marianas Area.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenent, USMR, Interpreter.

CERTIFIED TE A TRUE COF

JAMES P. KEMES,
Leutenant, V.S. Mavy,
Judge Advecate.

"Behilbit 46 (a)"



AFFIDAVIT FOR THE CHARACTER OF MUKAI, YOSHIMISA (33), 645 Mine, Mincharumura,

He is my brother. He is the third son of Mukai and I am the eldest son. He and I had the same hope; that was to go to the fereign countries, and we used to talk about that to each other. When we became men, he pessed exeminations and enlisted in the Navy, and I was living in Japan as an official. I was delighted that he had entered the navy. When I thought that he was a man of mild character and kind to his friends, I got an idea. So I called on him just before he finished the preliminary training at the nevel barracks, and advised him, "You have been mild since you were young and have been loved by people. You are a Navy man now. But I think that you are fir for the jeb to save your energy then the one to kill them. Have you any intention of volunteering to be a corpsman?" He replied that he had been thinking of it, and since then he has been a corpsman. After that I was despatched to Kores and worked there for several years. When I was repetriated to Japan and met him, he was as mild and kind as before. He organized the Hinosura Kino Association (TN - Kino meens to begin the life of farmer) for the poor people such as those who were repatriated from abroad or who were evacuated from the city during the wer. He assumed the leadership and endeavored hard for us. His neighbors said in edmiration of him, "The proverb "Child is the father of man' is saying of Yoshihiss." Anyone could guess from his usual speech and behavior that he was a mild, well-behaved man, but no one could imagine that he had been a military man. I think that when he was a petty officer of the Navy, he was trusted by his superiors and loved by his subordinates.

I heer that he was taken to the South as a war criminal after the end of the war. But I cannot imagine that he should commit such inhumane acts as ill treatment of the enemy or had behavior. Any people of his village who know his character and behavior will say the same. I, as a friend who know his character best, certify that you cannot commit such acts.

30 Ney 1947

/s/ MUKAI, Sukemasa, 604 Hino, Hinoharusura, Mitakomagun, Yamanashi-kan.

To Your Honor the President of the Military Commission of the war erimes trial, Marianas Area.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenant, USAR, Interpreter.

CERTIFIED TO THE A PRUT COP!

James P. Remer, Identement, U.S. Nevy, Judge Advocate

"Bathes 47 (a)"



In Behalf of MUKAI, Yoshihisa.

After he was repartiated, I met him overy day and we used to talk about our lives. He was a kind, mild an benebelent man. He was also obedient. He was a kind, carnest counsalor for repatriates and sympasses.

/s/ MUKAI, Teumoshigo, Himo, Himoharumura, Kitakoma-gum, Yamanashikoma

I certify that the foregoing to be atrue and complete translation of the orginal to the best of my ability.

EUGENE E. KERRICK, U. S. Havy, Interpreter.

JAMES P. KEMEY,

Ideutonant, U.S. Navy,

Judge Advocate

"Behilbit 48 (a)"



AFFIDAVIT FOR THE CHARACTER OF MUKAI YOSHIHISA (33), Hingharing a.

He was a man of pure-minded character, faithful to everyone and was honest. He was an honor pupil when he was at school. He was kind to his friends and his family was peaceful. He was filial to his parents and devoted himself to his work day and night. He was a man of energy and was looked on as a promising young man of his district.

31 May 1947 /s/OMORI, makin, Himaharumura, Kitakoma-gun.

JAMES P. KEMEY,

Judge Advocate

methats 49(a)



35 AT PERSON

I live near the house of thances, Shomped and wish to may a few words about his character.

His fathers news is ASANTER, Chotard. His father is a big public work contractor and is very prostorous. He has contrabuted a great deal to the public works of this district, and had contributed a great deal to the welfare of this district. Hadis a benefator to our PURATSU town. Shummed is the only child of this family. He has grown up under such circumstances and has always been cheffent to is parents, friendly to him neighbours, sizays centle and had always lead a regular life.

We have great trust in him, and exemplary your man, and expect great things from him in the future. I wish to add that he is a good, kind and "trong moung man.

> TAHAKA, ASSO OShina-cho, Funatou-cho, Yoshi-shiro-gun, Gifu-ken.

I certify the above to be a true and complete translation of the orginal petition to the best of my ability.

EUGENE E. KERRICK. Lt. U.S.N.R. Interpreter.

CHRYTPIND SO BE A TRUE COFT

ames P. Kenny

Loutenant, U.S. Bavy, Judgo Advocate.

"Exhibit 50(a)"



1 3019 1947

Your Honor, the President,

I would like to state about the character of A AMURA, Shumpai who has been accured and is being tried.

I was in contact with ANAMORA for 6 months at the Ath Naval Hospital on Truk.

A AMUMA was homest and courteous and was not a shallow person. He was considerate and retrospective of what he spoke and what he did. Although he was living in a battle field, he was upright, fine and cheerful. He was also a religious person. He understood the realequality and the real distinction, had an unright heart and tried not to run off from what a man should do. He always taught the truths believed in God and Buddha and was and honest believer. He mer r souried avout lonescremess and sadness, and never forgot to thank to people everything. He was free from avarine, and it was his croed to live for the sake of mankind, friends and himself by carrying out his own duty. His heart was moble, clear, beautiful and upright. He loved peace, was thankful to Nature and was benevolent. He was oblinging, kind and polite, and his fine character was greatly admired. He came to the hespital from the other organization, but he was more faither ful to the orders of the Head of the Hospital than any person of the hospital. No one could be more horest than him. He was full of sense of. responsibility and was patient.

I beg you will understand his character when you will try him. I beg your kind consideration for him.

/s/ HATADKA, Hideo. at the stockade of Guam.

I certify the above to be a true and complete translation of the orginal petition to the best of my ability.

EUGENE E. MERRICK. Lt. U.S.N.R.
Interpreter.

LANGE P. KENT,
LEGUTOMENT, U.S., MINY,
Jungo Advocate

"Exhibit 51a)"



LETT R OF PETITIO.

Blinded by the love of my son, I might think the character of ASANURA, Show of better than it actually is. But I have frought him up since he was born till now, and I would like to state what I believe and what I know about his character.

However, strange to say, he was timid, obsdient, not selfish, and was very thoughtful. Although it was common knowledge of neople in general that a son who was brought up with blind affection is careless and selfidh, he had not a bit of such characters. He had no brothers. Under such circumstances, he had no postive will to be in existance which is natural instinct for children who have many brothers and sisters. Even when he was a public of a primary school, he feared to go to the teilet at night. On the other hand, he yearned after and thought of his parents better than children in general.

In his childhood, he played cheerfully with his friends and went to school with joy. It seems to me that he had a good reputation among his friends. He never tortured or quarreled with others, and I had never seen him coming home crying. So I had no unessiness about him.

As he grew up, he entered the Toyama Middle School. He left our home and lodged near the school. He came to be out of the supervision of his parents. Het he was very hencest, diligent and studious, and never feeled away his money. When I cojpared him with other students, I thought he was too simple and plain and gave him some packet money. But he was quite indefferent about it, and was very honest. Therefore, although he is not at home, I had never felt any uneasiness arout him. If he is not too proud as his father is, he is really a good boy.

painful life and that he might go to the front. But he never said to me anything about that. On the contary, he was anxious to his parents and was hoping that we were well. He had never troubled me concerning his personal affairs. Lately, he was summoned as a war criminal suspect. When he was leaving our home, I was paralytic and my wife was suffering from high blood pressure. In such condition, we were going to love our dearest son! We were alarmed. He was very envicus to us and consoled us as best as he could. I am convinced that I have never find out even a bit of inhumanity in hid character.

His personality throughout his 26 years life are approximately as I have just mentioned. Now, I would like to sum up them as follows:

1. Character.
Mild, Obedient, plain and pure. Although he is a man of few words, he is benevelent and is loved by people.

CERTIFIED TO BE A TRUE COAT

MAMES P. HEME,

Ideutonant, U.S. May,

Julies Advocate

Exhibit 52(1)(a)"



2. Principles

He holds a first principles. He has firstness of purpose and if he was convinced anything was right he never failed to carry it out. He throughly and faithfully fulfils any appointment whether it is ordered or entreated.

3. Behavior. Good and Mederate.

4. Habit.
He had no bad habits. He does not like drinking or emoking.

It seems to me that he has a fairly good reputation among the people of his town.

As to his life in the Navy, I know nothing. So I hope you will emaine it from the people who were with him at that time. But when I think that his character is as I have mentioned, I imagine that even when he was in the military service he would be a man of such character as a person. I am afraid that I wrote too well of him. But as a matter of fact I can not find any defect or fault in his character. I have stated as I have been feeling.

/s/ ASANURA, Chotero, father.

I certify the above to be atrue and complete translation of the orginal petition to the best of my ability.

EUGENE E. KERRICK, Lt. U.S.N.R. Interpreter.

CERTIFIED TO THE A TRUE CONT.

Identonant, U.S. Navy, Judge Advocate Thehibit 52 (2) (a) 1



ATTIDAVI -42 TO THE CHARACT R OF ASAMINA. "humped. Rt. IJH.

The above parso is gentle and trustmorthy. He is sincere and faithful to his duty. I acknowledge that he is a mosest and mild man, respected and loved by his sup sions and subordinates.

As the above person's service sheet could not be had, the foregoing was concluded by summarising the words of his friends.

KAR I, Iwao, (seal) Chief of Personell Affairs Dept, 2nd Demobilization Bureau. June 1, 1947.

I certify that the above is a true translation of the orginal petition to the best of my ability.

EUGENE B. KANAICK, Lieutonant U.S.H.R. Interpreter.

CERTIFIED " E A TRUE CO."

doutonant, U.S. Zevy,

"Bobd bit 53 (a) "



C RTIFICATE FOR SCHOLASTIC RECORD.

ASAMURA, Shumpei, born Merch 10, 1922. Entered Rrimary School in 1928. " 1933. Finished "

State of Mind: His memory, reasoning and thinking powers are excellent, Their development is harmonious. He has a strong sense of friendship and love. He is careful, patient and courageous.

Matures He is modest, gentle and frank. He is trustworthy and precise. He is cheerful and progressive and a hard worker.

Conduct: His speech is clear. He is calm but hir action is swift. He id sociable and practicall, always withm a word of numer.

Other characterestic: Likes sports Studies: Record of 3rd term of 6th year, Primary School.

Morals 9, Reading 9, Composition 9, Writing 9, Arithmetic 9, History 9, Geography 9, Science 9, Drawing 9, Music 8, Physical Ed. 9, Manual Work 8, Average 9 Deportment A. Attendence 245 day. Absent 10 day.

I certify the foregoing.

KATO, Fyosuko Principal fo Funatsu Prinary School Funatsumachi, Yoshi-shiro-gum,

May 30 1947.

I certify the above to be a true and complete translation of the orginal petition to the best of my ability.

EUMENE E. KERRICK, Lt. U.S.N.R. Interpreter.

CERTIFIED TO TE A TRUE COPT

Identorant, U.S. Nevy, Frage Advocate



As a classmite of Assure, Shuppei, and as his best friend, I beg to write this humble statement as to his character and nature which I have to this day known; and if you should take this into consideration, we would appreciate it very much, since we have received his unchanging kindness and we think it is our duty now to repay it in some way.

I came to know Asamura when we were yet small. We became acquainted with each other because his father and mine were friends and they both had commection with each other in business. Assuurs and I have been like brothers ever since then. Assaure and I were more than just friends, we were like brothers, so I believe I know his character better than anyone else. He was a mild and gentle boy. Up to this day, I do not recall any instance when he had quarreled with another. So you may see how gentle a boy he was. If his opponent got amgry with him, he would on the contrary laugh, and moreover he wes very diligent. During his school days, when examinations drew near, all the other rupils would study busily even during recess, but not Assmura, even during examinations he would rest and play during recess and when the classes began he studied most scalously. So his marks in school were always excellent. Moreover he was a pupil who carried out whetever he planned. When we all got together and started on something and when it lasted more than a week most of us would drop out or lose interest. But not Assaure, he was there to see it to the end. He also has a strong sense of responsibility. When we asked him for some article and he would accept the request and would not feil us in getting it. Thus, he was a man of responsibility and practice.

He had a were feeling of friendship. Assesure, I and two others, called ourselves the group of four and promised that we would encourage each other to become great ment. Then the wer broke cut and I was wounded. He was then attending the Navel Academy. Sharing a moment from his busy hourse he would frequently write to me and whenever he had leave to go home he would drop by at the respital and visit me. When one of our group died, he wrote home saking to do something for his decessed classrate. Not only his classrates, but all who knew him, had nothing but respect and love for him. He was most popular and not even one person resented him.

I can go on writing many more things shout him, all in all he was gentle, friendly, prectical, diligent and a man of strong sease of responsibility. This, I wough for his fifty elescentes and numerous friends.

We all are waiting for him to come back soon.

In closing I wish to pray for his health and his return home.

SAKATA, Shigeyoshi representing classmates and friends.

I certify the above to be a true and complete translation of the original netition to the best of my ability.

> ENGENE E. KERRICK, Jr., Identement, USRR, Interpreter.

CERRYTED OF TE A TRUE CO.

Leutonant, U.S. Mavy,

Jage Advocate



Testsuo Oishi

He loved his men, had a strong sense of resposibilities, and was kind and loving to the patients.

Of all the Medical Corps officers, he was the one to be most sincerely respected and revered. My one regret is that I am not capable of expressing my thoughts fully.

I cornectly pray that his contence be light.

Yasuo Hayumi

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutement, USHR, Interpreter.

MES P. KENNY,

Identenant, U.S. Navy,

Juige Advocate

"madde (a)"



I worked at the same place with the above mentioned person for about one year and a half and as I will know his character and his personality, I hereby swear by my conscious and do certify the following.

1. He has a very levemble and gently character and in social life he showed kindness and gaylety to us his juinors.

2. He went about his duties as an doctor very carmostly and faithfully and worked hard in saving and treating patients.

3. He greatly praised honesty and huminity and in corrying out an

objective he proceeded with love.

This in other words shows he was a man of fine character consisting of honesty, love and humanity.

I certify the above. 21st July, 1047

Bank Clerk, SHIRATCRE, Tetauo

I certify the above to be a true and complete translation of the erginal petition to the best of my sbility.

EUGENE E. MERRICK, jr., Lieutneant, USIR, Interpreter,

Wathfirst 57 (a)

MAMES P. KERNY,
Ideutonant, U.S. Navy,
Judge Advocate



We hereby submit petition, with reasons added hereto, that all consideration be given to the circumstances in the trial of the war criminal suspect, the former Lieutenent SG Tetaus Cishi, LJH, Nedical Corps.

REASCHE:

No had seen service together with Lieutenant SG Tetsue Oishi, IJN, Nedical Corps at the Akijima Detachment of the 4th Construction Unit, and we are firmly convinced that everyone of the unit had deep reverence for his character, and that he was a devout follower of the principles of the Red Cross. As a manifestation, this fact could be mentioned that he had diligently performed his duties in the relief work showing no discrimin tion among the Koreans, the natives and the Japanese. As a show of appreciation, the Koreans, not only those attached to this unit but also others, expressed their gratitude for his services.

Everyone had recognized his cheracter, as passessor of a warm heart, love of mankind and true devotion. We hereby send in a plea for leniency.

Masayoshi Uyeno

Hiroshi Isosaki

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. FERRICE, jr., Lieutement, USHR, Interpreter.

CERTIFIED TO HE A TRUE COFT

Ideutonant, U.S. Navy,

"medde 58(a)"



Tetsuo Oishi

I should think it unwise to make statements concerning a person's character. On what grounds I do not know, but I had learned that the abovementioned had been detained as a war criminal suspect, and it grioves me so. I had been often in contact with him, mursing many a petient.

I shall hereby make a brief statement on his character, end I pray that his return will be as speedy as possible as the result of your esteemed judgment. He had performed his duties, forgetting day and night, had encouraged the downhearted patients, and had almost played the role of a parent to the patients. The patients all revered his sympathetic love. He was also looked upon favorably by the orderlies, and wan of other departments, and was a model medical corps man. I am sincerely praying for your good judgment.

14 December 1946

Yeshiichi Okita

I sertify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutement, USER, Interpreter.

Identonant, U.S. Nevy,

"Bubilité 59 (a)"



Totous Cishi, Licutement SD, LJN. Medical Corps

Being thoroughly familiar with the character and the daily life of Lieutenant Cishi, I could not be helped but he firsty convinced of his innecence upon hearing that he had been detained to be tried as a war criminal suspect.

He had a strong sense of absolute obslience to the superior's orders; he was very kind to his subordinates; he hald nothing back within his powers to help them like their parents. Furthermore, there are not few, whose lives he had saved through his sacrificial works as a medical corps man at that time when malnutrition cases were rampent because of the critical food shortage.

Furthermore, his passions were not limited only to benefit the Japanese; and the fact that the Moreans were all in accord in offering words of praise to him is a strong manifestation of his personality.

I am firmly convinced of his immosence, and at the same time I pray in the event of his being found guilty, that he be granted laniency.

TOSHIHIKO TODA

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EGGENE E. KERRICK, jr., Lieutenant, USHR, Interpreter.

CERTIFIED TO TE A TRUE CONT.

SAMES P. KERRY,

Identonant, U.S. Ravy,

Judge Advocace



That Tetous Cishi, Lieutement SG, LJH, Medical Corps, was always bright and sheary and a possessor of a noble wind and straightforward character, I am firmly convinced. Any person who same in contact with him would respect and become attached to him.

14 December 1946

Takao Watenabe, Lieutenant SG, IJN, Medical Corps.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. FERRICK, jr., Identement, USNR, Interpreter.

TERRITED TO TE A TRUE COF

Jess P. KENNY, Loutenant, U.S. Nevy, Jodge Advocate

"Radiable 61 (a)"



PETITION FOR COMMUTATION OF SENTENCE

NAME OF . C HVICTED:

Cishi, Totsuo Licutement SG, IJH.

Hedical Corps

SUBMITTED BY .

Harada, Kenshiro

Captain, IJN. Chief, 4th Hevel Construction Unit.

I em thoroughly familiar with the dispositions of It. 80 Totano Oishi.
IJH, Medical Corps, for he had been rerving under me as a member of the Unit for about a year from about March 1945 to until his repatriation after the War.

He was of a mild disposition, sincere, importurbed, tesiturn, and was faithful to his duties. He gave his utmost, forgetting to cat and sleep, in corrying out his medical duties, and showed extreme kindness in taking care of the patients. For this reason, the patients had looked upon him as a Seviour.

The members of the 4th Construction Unit cannot believe that It. Oishi had been detained as a war ariminal suspect, and we have strong conviction that he shall be exonerated and released. We have profound server for him, living an unconfortable life of a suspect. We are hoping that lendency be grented to him in view of his personality.

Renghiro Herada

I certify the above to be a true and emplote translation of the original petition to the best of my ability.

EUDENE B. REFRICK, jr., Idoutement, USIR, Interpreter.

CERTIFIED TO BE A TRUE COPY

JAMES P. KENNEY Meutonant, U.S. Navy,

0557

We hereby submit petition, with reasons added hereto, that all consideration be given to the circumstances in the trial of the war criminal suspect, the former It. SG Tetsuo Dishi, IJN, Medical Corps.

REASO/S:

We had been the subordinates of It. Cishi for the paried ranging from 15 October 1945 to 4 January 1946 while with the Akijima Detachment of the 4th Mayol Construction Unit. The Lieutenant is of mild disposition, sincere, and of high morel character. He is very religious and had fulfilled his duties with the true spirit of the Red Cross, Love of Mankind, showing no recial discrimination among the Moreans, natives and the Japanese.

It is of profound regret, that Lieutenant Cishi, who had won our most profound respect of all the navel personnel in Truk, had been susmened as a war criminal suspect.

Ah! To think that this should happen to a man of his high morel standing. We are once who are most firmly convinced of his innocence.

We have stated an example of his personalities and characters given recognition by all, and pray that lemiency be granted him.

Seiso Hongo

Mususyush:i Okti.

I costify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KFRRICE, jr., Identement, USNR, Interpreter.

CHRITTED TO BE A TRUE COFT

Ideutonant, U.S. Mary, Judge Advocate

"Meditate 63(a)"



CERTIFICATE OF CHARACTER Tetapuo Oishi Former Lieutenant SG, LJH. Medical Corps. During the last three months of his stay at Truk, I have been together with him at our unit and had shared tables. As for as known to me, he is a warm-hearted and true gentleman, and a devoted and loving medical-sorps man. He always came into contact with other sen with a benevolent heart, was a firm observer of the code "Wedicine is a humane art"; was not class conscious; showed no recial discrimination; and was a possessor of a warm embracing heart. I am firmly convinced that he could not have esused humiliation nor injuries to the American citizens on his own will. Should be be convicted of a crime, I beg of you, Your Recellency, the Chief Commissioner, that he be made to pay for his error with the minimum penalty. MASAO KOBAYASHI 15 Docember 1948 I certify the above to be a true and complete translation of the original petition to the best of my ability. EUGENE E. KERRICK, Jr., Interpreter.

MES P. KEMET,
Lideutonant, D.S. Nevy,
Judge Advocate

0559

Totouo Cishi

Identement SG Cishi, IJH, Medical Gorpe, was with the 4th Maval Hospital as a physician. He waskind to the patients, and exemined them with the utmost care. He trained the orderlies as if he was teaching his sons.

We are deeply grieved that he is presently confined as a wer criminal suspect. We sincerely pray that the day of his release will be realised as soon as possible.

Anreku Noguehi

I certify the above to be a true and complete translation of the original petithm to the best of my ability.

EUGENE E. KERRICK, Jr., Lieutenant, USNR, Interpreter.

Autorant, U.S. Nevy, ...
Judge Advocate



THISTO OUSTRY

The abpresentioned is bright, cheery and an active nam. His earnest medical enumination, which helped brighten up the dispirited patients, were the object of gratitude to the patients and respect to us.

When we had heard that he had been detained as a war criminal suspect, we could not believe that it was true. There are many besides me, I am convinced, who upon retrospection of his relief works will swear to their beliefs that it could not be true of him, of all men.

Should one be laid down while playing his part in the rehabilititation of Japan, it would not only be the fortune of the patient to have more non like the accused to look after him, and I am firmly convinced that all non engreesed in rehabilitation works are of the same opinion.

Finally, I husbly pray that he be exconstated of all suspicion and that he shall be able to play his part as soon as possible.

14 December 1946

PRTT

MASAKATSU SHIMTZU

I estify the above to be a true and complete translation of the original petition to the best of my shility.

EUGENE E. KERRICK, jr., Lioutonant, USHR, Interpreter.

CERTIFIED TOTE A TRUE COL

doutement, Il.S. Mavy, Indge Advocate

manua 68a



APPIDAVIT FOR THE CHARACTER OF CISHI TRISHO FORMER SURGEON LIGHTERANT AND THE PARTY OF T

I was his class-mate and have been close to him for seven years from the time we were students, so I know his character very well. Sworn by my conscience, I would like to certify as follows:

- 1. He was brought up in a blossed environment and a happy peaceful fundly, and his character was very mild and benevolent, He was always loved by his classmates.
- 2. During my college life of T years which I spent with him, I have never seen him behaving badly. I would like to stress it especially. Besides, he had mobility of spirit and dared to fight against anything wrong.
- 3. He was a bright sportman, I dem recall numerous instances of fair-play on his part in the games of baseball, temple, etc.

In short, he is a typical gentleman who honors rightsousness, humanity and bemovolence, hates meanness and vice, and loves peace.

7 June 3947

/s/ ITO, Takas,

21st graduate of the Hedical Department of the Keiye University,

Dostor of the Saiseikai Hospital, Kanagama-kan.

To Your Honor the President of the Hillitery Commission, Murisman Area,

I cortify the above to be a true and complete translation of the original petition to the best of my ability.

BUGENE E. HERRICK, \$0.0

CERETY IED TO TE A TRUE COL

1463 P. KENT

TO TO TE . TELT CO

Jodge Advocate



APPIDAVIT FOR THE CHARACTER OF CIGHT THISHO PORMER SURGEON LICHTERANT

I was his classmate for 11 years when we were students, and know his character and nature very well. Sworn by my conscience I would like to coptify as follows:

- 1. His character was mild and peaceful.
- 2. He was a man of exertion.
- 3. He was very consciousious and kind to his friends.
- 4. When he was a student of the Military Dostors' School, confidence was placed in him who took charge of supervision of military discipline and novality.

Shortly speaking, he is a righteous, humane, benovelent and promiseing person.

I courtify the above.

8 June 1947

/s/ HAKAMURA, Shigeru, friend.

To Your Honor, the President of the Hilltary Commission, Marianas Area.

I cortify the above to be a true and complete translation of the original petition to the best of my abitity.

ENRIE E. HERRICK, jr., Lioutenant, USIR,

Acutomant, Tale Ray,



APPIDAVIT FOR THE CHARACTER OF CISHI TETSUO PORMER SUMMED LABOUR LABOUR DESCRIPTION

He and I have been in close intimacy for 17 years from the time we entered the Shisuoka Middle School till we were graduated from the Medical Bepartment of the Keiyo University, so I know his character, thought, ability and personality very well. I hereby swear by my conscience and would like to state as follows:

- 1. He was peaceful, diligent and steady in nature and was leved by everybody.
- 2. When he was graduated from middle school, he was the 5th student from the top. When he was a student of the university, he never failed his examinations.
- 3. His thought was moderate and sound. Never being affected by the violent, narrow-minded current of thought during the war, he firmly honored the sacredness and liberty of the person and observed his views of the world based upon charity and humanity.
- 4. Whenever he treated the patients, he was considerate and careful and applied many new devices. He was a promising, respectful and able doctor.
- 5. Being a sportman, he had the spirit of fair-play, and was faithful to his friends.

In short, not only he is an able doctor but also as a man he is thoroughly democratic and is an important person for today.

6 June 1947

/s/ ISHIZUKA, Hisao, friend.

To Your Honor, the President of the Military Commission, Marianas Area.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICE, jr., Lieutenant, USNR, Interpreter.

JAMES P. KEMP,
Identorant, F.S. Mavy,
Jungo Advocace

-- 69

ALL CONTRACTOR I was his class-mate for seven years from the time we entered preliminary course of the Entre University till we were graduated from Hedical department of the University, and I worked with his at the I hai Hospital of Kanagama-kan as a dester from May 1946 till Hovester same year, So I know his character and perconnality very well. Sur my conscience, I would like to cortify as follows: l. He was foud of sport when he was a student, and was especially ood at baseball and tennie. He was bright as a sportmen and had a spirit of fair-play. He was mild and had thick mountache, so he was called "De and was intimate to his friends. Even now, after he graduated from the university, we still call him "Baddy", Rospital, Kanagame-bon, in May 1946 whole he endogwood to recetablish the hospital which had been burnt by an air-raid during the war. The hospital is one of a Charity Association, and this fact seemed to have stimulated his expect devotion for its recetablishment. He was kind to his patients and never made distinction between the rich and the poor, and the noble and the humble. In November 1946, the Read of the Nospital full ill, and he took charge of its surgical department and worked hard, but he was seen arrested by the inerican Forces. Since such an emplicant doctor as he left the hospital, we were hard put to find his successor. Not only the numbers of the hospital but also patients were decaply grieved when they heard of of the hospital but also patients were deeply grieved when they heard of his arrest. 3. Then he become a member of the hospital in May 1946, the food exists of Japan was in a terrible condition. He took the initiative in cultivating the yeart of the hospital, raised vegetable and distributed then among his comrades and surcess. During July and August of 1946, four students of the Imperial Cirl's Medical College were staying at the hospital as apprentices students. One day, when they were estanding in the sea, one of them was going to be drowned. He was then on the beach, As seen as he saw it, he seried to the spot at the risk of his life and he was successful in resouring. This is an episode which shows his love for his pupils and his ane character. rusmoos, humanity and charity. I cortify that that I have mentioned in true. 6 June 2947 /o/ KUBAYASKI, Shis or, the Freeldont of the Ellitary Consision, Marienas Area. I cortify the above to be a true and complete translation of the inal patition to the best of my ability. BRICK, SPop CERRETFUED + "E A TRUE COF." Leutonant, II.S. Bavy, Adige Advocate 0566

APPINATE FOR THE GHARAGIER OF GIBEL TRIBUTE FORMER AND ALLEGEMANN.

I was his directing professor and was close to him for 9 years when he was a student, so I know his character very wall, Sween by my conscience, I would like to certify as follows:

1, when he was a student, he had mild, mederate principles, and was a clover student.

2, After he was freducted from the school, he became a humane, benevolent dector, and was always admired by parents.

In short, he is a man of righteous, humane and henevolent spirit, and is a reliable, man,

I certify the above.

5 June 1947

/a/ HUSANA, Yoshio,
Prefessor of the Medical Department of
the Eglyo University.

To Your Honor the Procident of the Military Commission, Harianas Area.

I costify the above to be a true and complete translation of the original potition to the best of my ability.

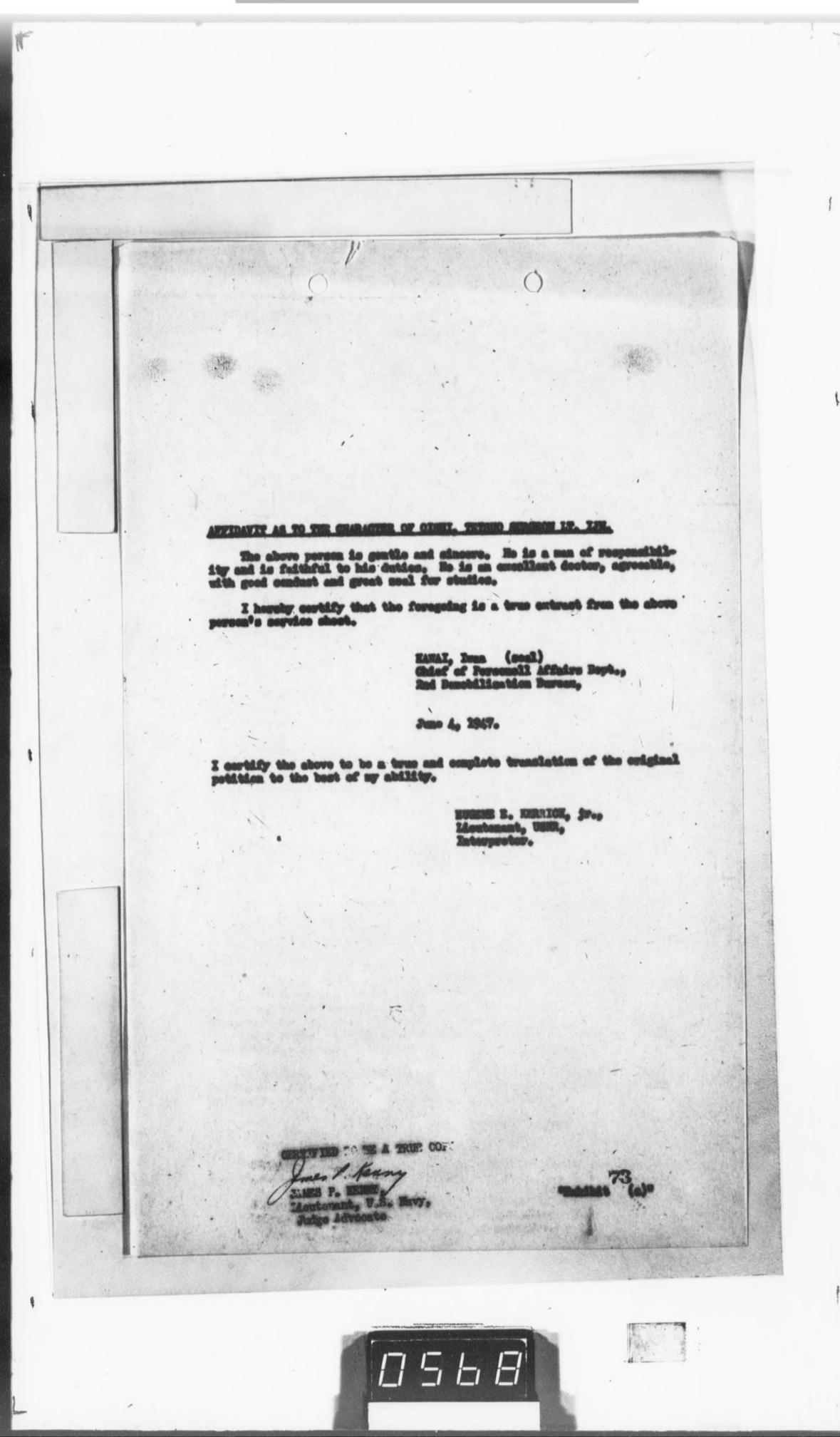
EUGENE E. MERRICK, jr., Licutement, USHR, Interumeter.

JAMES P. WESSE,

James

72





Affidavit for Character

For Cishi, Tetsuo

nuch hearing that he is charged with the responsibility of excuting prisoners and is now standing trial as an accused. He is of very pure, honest, and gentle character, and as to the questioning his responsibility in this act, as a person who knows him very well, I firmly believe that he did not do it of his own will, but was made to do this unwillful act by the position he held.

He was well respected by his equals as well as from his sub-rdinates. The reason his subordinates respected him as a father came as a result of his character as a human. Even in his ordinary life without any good deed to others, without knowing, he is aware of Dishi's character and is made to respect him. In other words it can be said that it is the result of his moral being without any question.

Furthermore he acts as he says in a honest way, and his actions as a dostor brings out his character very well. His very earnest attitude toward the patients is known by all. During the war he had to take to bed from fatigue, but on finding out that the patients under his care were in a critical condition, he would stay awake all might to treat these patients. This was done often by him and only him. This also shows his strong sense of responsibility.

If the crime which is being questioned as to his responsibility is true, and I have no doubt and firmly believe that he repents very much of the grave crime of his act. At the same time he is a person with greater sense of responsibility and a more beautiful conscious than amyone. He is suffering very much from his responsibility.

At this time let us go back and review this act. Supposing that he was responsible person for the crime of which he is being accused and suppose the crime he committed was very grave, and there is no way out for him to escape the law, I believe without doubt that he is a person whom we would regret very much to lose forever only through this one act.

Especially when thinking that this crime was not originated by him, I can not help but feel this.

Everyone knows from many actual facts that a person who regrets the past and renews himself has in him great moral conduct, a strong will, and beautiful feelings.

Right now every Japanese national regrets deeply his past crime big or small, and is making himself begin, a new life from his burnt and decspoiled land, and is trying to make Japan become a nation of peace and humanity by trying to obtain that eternal light from within his poor live ing conditions.

If a little light is given to Cishi who was born with great morals, who has a strong sense of responsibility, and who regrets his past, I firmly believe without doubt that he will work with all his might to compensate for his crime for there are great many things for him to do in his mother country who regrets her past and is trying to rebuilt a peace-ful nation.

By your moreiful and warm judgement I beg you to give him a chance to work for humanity forgetting himself so that he can contribute greatly to the reconstruction of a peaceful nation.

IMAI, Kassmari

Iconstitue to the business appeted to the original resistance to the business appeted to.

MAMES P. REMME, Licutement, W.S. Brvy, Judge Advecate, EUGENE E. KERRICK, 3r., Lioutenant, USHR, '74 Interpreter. "Exhibit (a)



Tos The President and the Hembers of the American Hilitary Commission, Marianas Area.

Fort SISHI, Tetsuo, Former Surgeon Lt., IJH.

I am the father of OISHI, Some, the wife of OISHI, and as OISHI'S father went from our family and was adopted by the OISHI family, we are related to each other; therefore I have been in contact with Tetsus from the time he was born and an the one who knows his character. Therefore I hereby swear to God and certify the following:

(1) From the time of his childhood he was very bright and healty and was gay, happy, and obedient without any worries in his heart. He also had great sense of sympathy and was well liked by his friends. (2) As he grow up this characteristic became more obvious. In selecting his life long occupation as his father was a doctor, from his childhood he had seem and heard of the many who were suffering from illness; therefore he believed that to save these persons was a fate given to him; sp he decided to become a doctor and took up the art of doctoring. (3) When we became ill while he was in school, he would come to treat us not withstanding rain or snow and give us various preceutions and futhermore he sympathised with my wife who was ill for a long time with a illness which all young men do not like to treat, but he found time between his studies to come to treat her and give advice which he had obtained by asking for opinion from his seniors and classmates. He also mursed and consoled her and through this the patient was deeply consoled and deeply moved by his sympathyles thought that a man with such great character would be a ideal husband for our daughter and as our elder daughter, SONO too desired him for a husband, their marriage was planned, (4) After he was sent to Truk, we were very much worried because we did not receive any letters from him, but fortunately we heard from persons who had been sent back to Japan from this area that since OISHI became the chief official of the hospital on that island, he distributed to all patients without discrimanation of rates or nationality the stored provisions and medical supplies which was formerly given only to the higher official and not to the lower ranking men. On account of this the matients with malautrition which formerly accounted for the many of the victims showed distinct recovery and that the patients expressed their grattude to him by saying this was the help of God. On hearing this we thought it was only natural, but we were very glad that he showed his idea of humanity by carrying it out and desstroying the bad reputation of the Japanese military personnel. After the end of the war, the persons who were demobilized before CISHI by letters or in person came to me to my home in the country and expressed their sincere thanks to me. Futhermore when he was repatriated he accompanied the Dorean evacutees and that they were very grateful for his undiscrimenting treatment toward them on the island and on the ship and we were stinfied to know that we did not make

any mistake as to his great character which we had ex ested. In other words he is a person with great love for humanity and

understands justice.

I certify the above to be true. 21st. July, 1947

MAKASHIMA, Kohed Alchi-kem, Hachina-gum, Namago-muro, Casa-hosogawa

I costify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Licutement, USNR, Interpreter.

CERTIFIED TO BE A TRUE COFT

MARS P. REME, Moutenant, V.S. May, Judge Advecate, 75



APPTDAVIT FOR THE CHARACTER OF CIGHT TETRIO PORMER SURGEON LIEUTERANT

I was his directing professor and was in contact with him for 9 years when he was a student, so I think I know his character and nature well. Sworn by my conscience, I would like to certify as follows:

- 1. When he was a student, he made a good record,
- 2. He had gentle, moderate thoughts.
- 3. He was courteous to his superiors and faithful to his friends.
- In short, he is a righteous, humano, benevelent and reliable person.
- I cortify the above.

Jumo 1947

/s/ ABE, Katouse, Head of the medical Dept., Keyo University.

To Your Honor, the President of the Hilitary Conmission, Maddanas Area.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUCHME E. KERRICK, jr., Licutement, USHR, Interpreter.

JAMES P. KENNY,

JAMES P. KENNY,

Judge Advicate.



APPIDATET FOR THE CHARACTER OF CISEL TETRIO FORMER SURGEON LEGITEMANT MINERS

I am his elder brother. I have been with him for 30 years from the time he was born till now, and I think I know his character and personality very well. Suora by my conscience, I would like to certify as follows:

1. The foundation of his character is righteousness and benevolence. During my long years of life with him, I recognize that every single thought and action his is based upon righteousness and benevolence.

On the other hand, he had a nedest heart. He was courteous to his superiors and well understood and respected what others intended. He was open willing to save others at his sacrifice.

Therefore, I have never heard from any people that he was blamed for his action.

2. He loves liberty and peace. Our parents were of mild character and loved liberty and peace. Since he was brought up by their affection, it seems to se that he inherited the character. I think that there was a considerable ground for him to have determined to enter the Keiye University which had been established by FUKUSARA, Tukichi.

3. His bright nature makes people feel close to him. He loved sport. Through his sportmanship which was cultivated in practicing various sports in his college, life has elevated his nature. Owing to this character, he had many good friends, and their friendship with him is unchangable in beauty and understanding.

4. From the time he was a boy, he was very intelligent. He was an honor student both when he was in primary school and when he was in the middle school. After that he intended to study medical science and was graduated from the university with a good record. I think being a dector is the most appropriate profession for him as a man of the scalety. He had an excellent medical talent and an affectionate character, so he had great confidence placed in him by the patients and was successful in curing many serious diseases. He was studious, too. On every occasion, he behaved with his love of study, and endeavored to increase his knowledge. If he is able to work as a dector from now on, I am convinced that he will contribute to the happiness of the scalety and do good for the welfure of the people.

In short, he is an excellent young doctor who behaved in accordance with rightecumess and benevolence and loves peace.

I certify that the above statement is true,

7 June 2947

/a/ CISHI, Tochic, elder brother, Doctor, Graduate of the Tokyo Imperial University.

To Your Honor, the Bresident of the Hilitary Commission, Marianes Area.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

CERTIFICATO TE A TRUE COLT

Mins J. Ever Mins J. Ever Mortonant, Ed. Savy, Judge Advisorte, EUGENE E. ERREIGE, \$r., Licutement, USIR, Interpreter.

The salate



I on a younger brother of his wife, and before the marriage of my sister, I was his relative. I was in close contact with him for 17 or 18 years. Especially in 1936 and from the time when he was demobilised till Hormber of the same years, we lived in the same house together, so I know about his character and personality. Suora by my conscience, I would like to testify as follows:

1. He was very mild in nature and I mover saw him being angry. I have experienced the feeling of having my sadness go amay and I feel delighted whenever I am with him.

2. He was affectionate to others. Especially when my elder sister

was ill before she married him, he looked after her more affectionately than her parents could do. Also when my parents fell ill, he nursed them as best as he could with his excellent medical knowledge.

3. He was cheerful and liked sport, but, on the other hand, he was carmest at study. Not only when he was a student but also after he was demobilised and was working at the hospital, he was studing at his deak till late at night.

4. I scootines had liquor with him. But he restrained himself and never lost his reason.

5. When he was at the front, I received many letter of thanks from his subordinates. I was delighted to find that his fine character was maintained without change in the military life.

In short, he is an able man who is sympathetic, charitable, reasonable and diligent.

I certify that what I have mentioned above is true.

5 June 1947

/s/ HAKAJIMA, Morio, brother-in-les. Graduate of the Tokyo Esperial Univerity, Backler of literature, Lecturer of the Tokyo Prefectural High School.

To Your Honor, the President of the Military Countselon, Marianas Area.

I contify the above to be a true and complete translation of the original potition to the best of my shility.

EUGENE E. HERRICK, jr., Lioutement, USER, Interpretare

CERTIFIED TO TE A TRUE COL

MANN P. HEMME, Lieutement, U.S. Hevy, Judge Advecate.

C TENTS

The 178 (a)



APPIDAVIT FOR THE CHARACTER OF OISHI TETSUO FORMER SURGEON LIGHTENANT

I was his class-mate and have been close to him for 12 years from the time we were students, so I know his character and nature very well. Swom by my conscience, I would like to certify as follows:

- 1. He was faithful and sincere and received persons with a warm heart.
- 2. He was excellent at study, and his class-mates admired him.
- 3. His thought was moderate.

In short, he is righteous, humans, and benevolent, and is a reliable resonendable person.

7 July 1946

/a/ OSHIMA, Takita, friend.

To your Homor, the President of the Hilitary Commission, Marianas Area.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lioutenant, USIR, Interpreter.

JAMES P. KENNY

Moutenant, U.S. Mavy, Judge Advocate. 79



Tetous Clabd, Lieutement SG, LJH. Medical Corps

Being thoroughly familiar with the character and the daily life of Lieutenant Cishi, I could not be helped but be firmly convinced of his innocence upon hearing that he had been detained to be tried as a war criminal suspect.

He had a strong sense of absolute obedience to the superior's orders; he was very kind to his subordinated; he held nothing back within his powers to help them like their parents. Furthermore, there are not few, whose lives he had saved through his sacrificial works as a medical corps man at that time when malemutrition cases were respent because of the critical fred shortage.

Furthermore, his passions were not limited only to benefit the Japanese; and the fact that the Ecreans were all in accord in offering words of praise to him is a strong manifestation of his personality.

I am firmly convinced of his innocence, and at the same time I pray, in the event of him being found guilty, that he be granted limitate.

TOSHIHIKO TODA

I cortify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutement, UNER, Interpreter

MARS P. REME,
Moutenant, V.S. Havy,
Judge Advecate,

80 (a)*



We hereby subsit potition, with reasons added hereto, that all consideration be given to the circumstance in the trial of the war original suspect, the former Lt. SG Tetsuo Oishi, IJH, Nedical Corps.

REASONS:

I have been on duty together with Lieutement Cishi from 20 Nevember 1945 to 4 Semmery 1946 at the Akijima Detachment of the 4th Nevel Construction Unit. He was of a mild disposition, sincere, and of high moral standing. He emjayed the confidence of his was as well as his superiors, and in relief work, he worked very diligently without any recal discrimination smong the Koreans, native and the Japanese.

That the Lieutenant had boarded the repatriation ship for the Koreans by their request as their physician is a worthy manifestation of this fact.

This is but one of the examples, but his personality and character are given recognition by all. I hereby ask for the utmost leniency in his

Jisaku Notaud

I cortify the shows to be a true and complete translation of the original petition to the best of my ability.

EUGHNE H. RENGIGE, jr., Ligutement, USBR, Interpreter

CERTIFIED TO ME A TRUE CO.

MARS P. REME, Identement, U.S. Mavy

"housed 81



2 July 1947 Your Honor, the President, I would like to state about the character of CISHI Tetsue who has been accused and is being tried, IA. OISHI was my Division Officer and was the chief of my ward, and I was under his instruction for about a year. Lt. OISHI was always regular and bright, kind to other people and easoful and polite. He pleased others. He worked always with a smile as though he had had nothing to suffer, feel lenely or grieve. He was upright and homest, and anyone felt close to him. He was a man of mild character and did what was right. He was a man of few words. He worked and learned together and shared hardships and pleasure with us rather than instructed us. He was chivamlous and bemovient, had a firm will and trusted his men. He respected morals, believed in God and cultivated himself. He worked for his friends and for the people, and was free from avarise. He loved others, was thankful to Mature and endeavoyed to create a happy life. He was patient. He reflected upon himself before he blamed others' faulte. He observed humanity when he did anything at all. His heart was as clear as the blue sky without a bit of cloud or as so-called "mone" in Buddhism. He led the way of uprightness, seeking the truth. He has nothing of which to be ashaned and he is a man of fine character. He held a strong sense of responsibility, and he senetimes took the responsibility of others and admonished them to be good people. I beg that you will honor his character when you try him. I beg your kind consideration for him, /a/ HATACKA, Hide I certify the above to be a true and complete translation of the orig inal petition to the best of my ability. EUGENE R. KERRICK, jr.,

APPIDAVIT FOR THE CHARACTER OF CISHI TETSUO FORMER SUREON LIBUTEMANT INFEREN

I am the wife of OISHI, Tetsue. As I was his relative, I was close to hom for about 20 years when we were young, and I well know his nature and character. Sworm by my conscience, I would like to certify it as follows:

- l. By husband was bright and cheerful and had a steady, mild character, so he got along with anyone, made then feel merry, and was loved by everybody. I have never heard him speaking ill of others.
- 2. He was easily moved to tears and shared pain and salmess with others, so he was loved by patients at the hospital. I received many letters of thanks from those who had been demobilized from Truk which said he had treated them as best as he could as a doctor when they were sick. I was delighted to know that my husband was always affectionate under any violent circumstances.
- 3. He was studious. Hot only when he was a student but also when he was working at the Saissikni Hospital, Kanagawa-kan, after he had been demobilized, he studied till late at might with reference books about the discortions he performed at the hospital.
- 4. He was a bright sportman. He never forget sportmanship not to speak of his study. He loved baseball, tennis, ping pong, swimming, hiking, skiing, etc., and he was especially good at baseball.
- 5. He was very sympathetic. Once I was seriously ill before I married him. He visited me every day although it was snowy and nursed me as kindly as if he were my father or mother. He was also very ancious when my parents were ill, and looked after them very considerately.

After our wedding, when I was with child, he helped me to keep our house even if it was a troublesome work for a man, and he never complained about it even once.

In short, my husband is a pure-minded, benevolent, diligent and intelligent man.

I certify that the above statement is true.

5 June 1947

/a/ OISHI, Scnoko, wife.

To Your Henor, the President of the Military Commission, Marianas Area.

I certify the above to be a true and complete translation of the original petition to the best of my shility.

EUENE E. KERRICK, jr., Lioutenant, USMR, Interprotor.

TE A TRUE COF

Mas Po KERRY

Identoment, W.S. Mary,

"medias 83 (a)"



CERTIFICATE OF CHARACTER

SUBJECT: Totous Oishi

It was in March 1945 that the above-mentioned had assumed his post of duty with the 4th Construction Unit. That was just at that moment when malnutrition cases were respent, because physical labour had been forced on the sen in spite of the critical food stortage. His sermest and kind treatment of the putients under such circumstances was one which I had respected and povered and tried to live up to. I had personally experienced during my duties at the said Unit from December 1944 the unusual difficulties of handling more than 200 such patients alone under the abovementioned circumstances. The fact that Cighi had not lost his personerence and kindness in treating the patients and had susmounted all obstacles is manifestations of his high character. It is also the manifestation of his pure imute Love for Hankind, which is reminiscent of Saint Francis of Asiente, and his practice of self-improvement in seeking the Hely Truth as common of a nonle.

Braryons of the more than 2,000 Herean labourers were identical invoicing their opinion of the Lieutement as being "a nem like a God", and revered and worshipped him. And as the outburst of their sentiment, it was he that they had asked for to accompany them on the repatriation ship as their physician in charge.

In the name of God, I hereby certify his character as being pure and noble like that of a God, the conception of which I had gained through our days tegether as a colleague with the 4th Naval Construction Unit. And I also soleanly pray that the decision re-ched against the Lieutement be lemient.

15 December 1946

Makerto Touges
Pormer Lieutement St, LSE,
Hedical Corpe,
Ath Naval Comptruction Unit.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EMBRIE E. RERRICK, 37-, Licutement, WHR, Enterprotor.

AMES P. KEMET.

Lautonant, W.S. May,

Judge Advocate.

"mands 84 (a)"



PETTTON

Sneign, Corponen, Yoshisama, Henseburo, LJH, was very kind and was a person who looked after others from the bottom of his heart.

Licutement (Medical Corps) Minato, Tadao, LJM.

I certify the foregoing to be a true and complete translation of the original document, to the best of my shility.

Hugeno E. Ferrick, junior, Licutement, E. S. Haval Recerve, Interpreter.

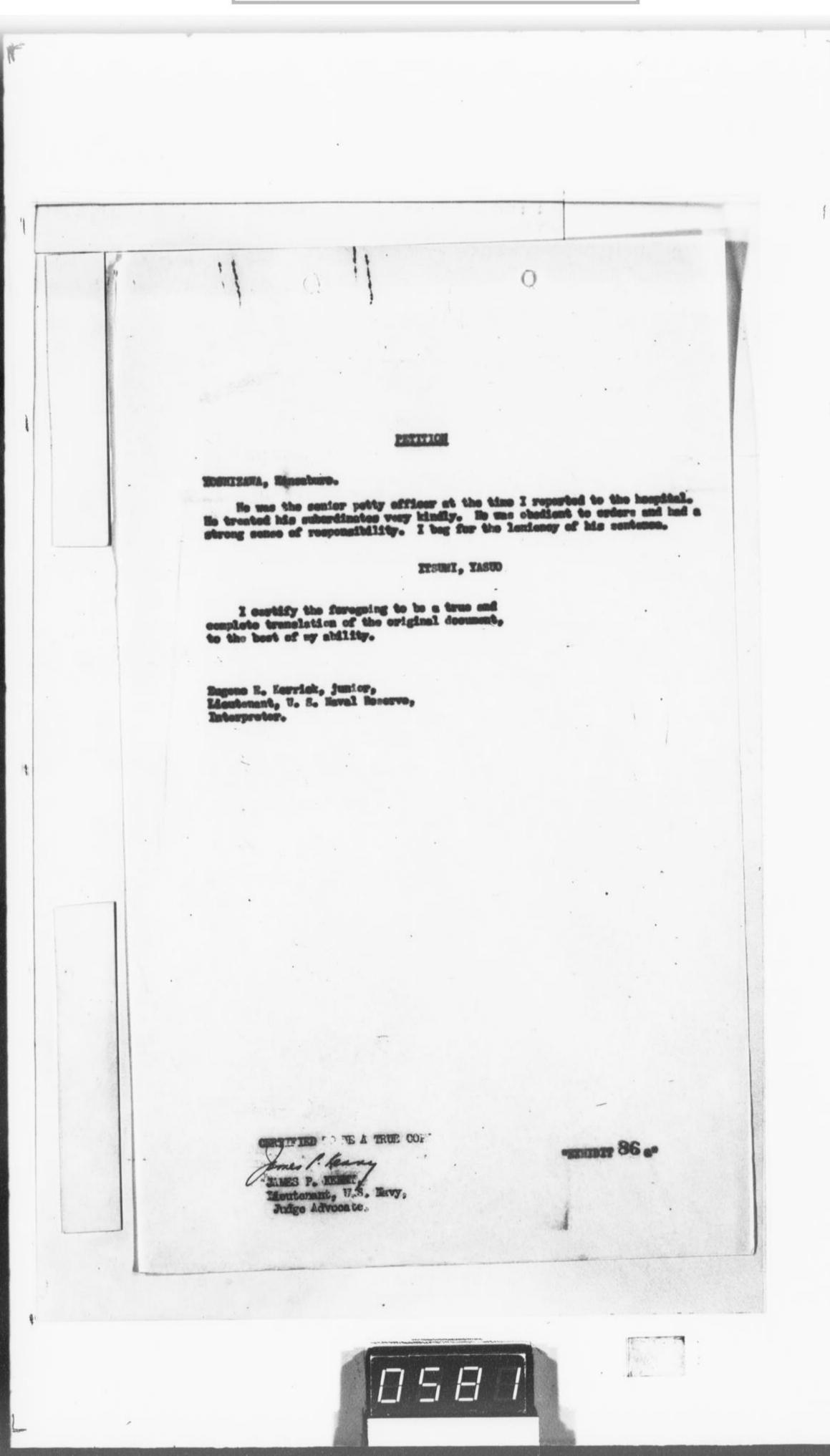
-mmm.85 ...

JAMES P. HEMET.

LACUTORANT, U.S. Bavy,

Judge Advocate.





PERM

YOSHIZAWA, Kensaburo

When I was transferred to the hospital, the person who made the best impression on me was Yeshingam. He was very faithful and obedient and those who received kindness from him were all grateful to him. He was also trusted by the matives and was always bright and cheerful. But when I heard he was put into the stockeds as a war orises suspect, I felt sorry for him.

I wish for your wise judgment so that he may be set free as soon as possible.

14 December 1946.

OKITA, Yoshikama

I cortify the foregoing to be a true and complete translation of the original document, to the best of my ability:

Bageno H. Kerrick, Junior, Licetoment, U. S. Revel Roservo, Paterrentes.

CERTIFIED TE A TRUE CO.

Identonant, 17.8. Mary, Judge Advocase ____ 87.



Your Honor, the President.

I am am uncle of Yoshisawa, Konsaburo.

I was very such delighted when the war was over and he was demobilized and came back because I missed him so much. Hy joy was very great at that time, but I was seen thrown into the abyse of grief.

What had happened on him? What had he done? Why must he be courtemartialed? I can not imaging anything about these questions, because I knew that Kenesburo is a man of sincore character. I am eager to know, but I can not.

Housever, I am convinced that he will be given a happy outcome before the fair judgment and humanity of the people of the world.

Your Honor the President, please bear in mind that my confidence toward Konsaburo is such a strong, right one.

Kensaburo has young wife and a child at home. His social position is wary good both for him and for society. It is expected that he will work for the benefit of people.

Stressing that Kensaburo has such ability, I am begging for your leadent judgment.

Please give his a happy fature.

/a/ YOSHIZAWA, Februichi. 2728 Casselshii, Haraishisura, Kawachingun, Techiginkan.

I certify the foregoing to be a true and complete translation of the criginal document to the best of my ability.

EUGENE E. MERRICK, Junior, Lieutement, U. S. Naval Reserve, Interpreter.

JAMES P. REMET.
Jungo Advocate.

"(a) 88 (a)



Your Honor, the President,

1

The accused, YOSHIZAWA Kennabure, is a man of our village, and we have known him for a long time. He is a pleasant, gentle and elever person, and we think that he will understand democracy which is advecated now.

Years ago, he repaired the reads of our village, and he worked hard for the people in distress without thinking of himself. So all the people of our village are waiting for him to come back. At present, his wife is under the care of his elder brother and she is very pitiable. If he did wrong acts, we beg that you will benevolently forgive him. We feel that he is the most useful man for the reconstruction of our village, and we submit this petition before you in behalf of all the people of our village.

> /a/ GZAKI, Tasaburo Head of Ishiimemoto village, Ishiimemoto, Hiraishimura, Kawachigum, Tochigi-kem.

/s/ HAKAZATO, Shigeru Chief of Nemoto Ward.

I certify the fewegoing to be a true and complete translation of the original document to the best of my ability.

EUGENE E. KERRIUK, Junior, Licutement, U. S. Naval Reserve, Interpretare

JAMES DE RESERVE L'ACTION OF A TRUE COF.

------ 89. w



550000

Hos The President of the Commission.

I am a relative of Teshisawa, Kemsabure. He has been held all this time as a war crimes' suspect, but when he was young, he was very kind to his parents, sympathetic towards his playmates, and very good in his studies, and was not a person to hurt anyone. I think he will never counit a crime against any one even though of different nationality. His mother died early and after that he looked after my nother kindly as if she were his own mother. Everyone of the family was very much surprised to hear about the war crime. He also has a wife and a small child and if he does not some back, she will not be able to work with this baby in her arms; so they will have a hard life. Please respect his character and I beg you to release his so that he may return to his wife and child and make them happy.

Pakuda, Yoshitemo Tochigi-ken, Kaunchi-gum, Hirashi-mura, Ishii.

I certify the foregoing to 'm a true and complete translation of the criginal document, to the best of my ability.

EUGENE E. MERRICK, Junior, Licutement, U. S. Havel Reserve, Interpreter.

a TELD --

CERTIFIED TO THE A TRUE COFY

LINES P. REMEN

THE PO (4)



Your Honor, the President.

I am the father of the wife of Yoshisana, Remeabure who is a vercriminal suspect. When I married my daughter to Remeabure, I investigated his character carefully. He was mild and obedient in nature and was never blamed by others when he was in his family. When he was a student, he made a good record and was never consured by others. That was why I gave my daughter to him.

But when we unempertedly heard that he was accused as a criminal suspect, we were all very much astonished. I cannot know what crime he countted, but I can not hear to see my daughter, wife of kensabure, in deep grief.

Especially, he has a son named Osamu. Everytime he asks his mother when Kensabure will come back, his mother is quite at a loss as to how to answer.

Your Honor, the President, I beg your kind consideration for his wife end had only son, Osema, and that you will deel lemiently with him.

31 October 1946

/s/ KAWAKANI, Gerkuro
Age-Wichitekshashi, Misuhashimura,
gum, Tochigi-kon,

To Your Honor, the Fresident.

I certify the above to be a true and complete translation of the original petition to the best of my shility.

EUCENE E. KERRICK, jr., Lieutement, USIR, Interpreter.

CERTIFIED TO BE A TRUE COFY

JAMES P. KEMET, Lieutement, E.S. Mavy, Judge Advocate

---- Offer



SELL LAND

entered the seventh grade of the 2nd Hiraishi Primary School with now hope for his future. At that time, I was the tereher of his class. Although it was more than ten years ago, I can recall Nowhissum clearly. He had a good physical constitution, but he was rather mild and timid in nature. Not he is clearly impressed on my recollection. He held sound, peaceful principles, and he always gave a good impression to his friends, elder students and teachers. He made a good record and I regarded his future as premising. After he was graduated from my school, I did not see him for a long time. Several years ago, he came back to his village and I happened to meet him again. We chatted together about our stories since we parted, and I found that his character when he had been a schoolboy had not changed a bit although he grow up and his knowledge advanced.

I connot think that a man of such a character should commit a crime. I especially feel that he is one who is i amount become I believe in his character. He has his dearest wife and child at home who are looking forward to his return. If he will not come back forever, his family will be unable to maintain their living. I om firstly convinced that he cannot commit a crime. But if there he some sumplaism about him, I beg that you will investigate the real circumstances carefully and that you will deal lamiently with him.

30 October 2946

/a/ SUZUKI, Taro.

Member of Hireishimura Assembly,
Chief of the Hireishimura Fermer's
Association, Fermer teacher of
Yoshimura, Fermer teacher of
Yoshimura, Fermer teacher of
Yoshimura, Tomashiredo, Hireishimura,
Enuschi-gum, Tochigi-ben.

To Your Honor, the President.

I certify the above to be a true and complete translation of the original petition to the best of my shility.

EUCENE E. RESERICE, jr., Lieutenant, USHR, Interpreter.

GERTIFIED TO BE A TRUE COFY

JAMES P. KEMEY,
Ideutonant, E.S. Mavy,
Judge Advocate

maries 92(a)



PETTER

Your Honor, the President.

I am the head of the village of the accused Yoshisama, Remeabure. I am very much astonished that he is to be tried in your court for the crime he committed, and I would like to beg pardon for the trouble he has given you.

Although I cannot know what crime he committed, I know that he was filial since he was a child, made a good record at school, was benevelent and was a fine man. We are hoping for a promising future. I connot think that such a fine was should commit a crime. I think it might be a mistake.

I beg that you will investigate the fact carefully and that you will forgive him if it is possible to do so. All people of our village, not to speak only of me are waiting for his release. He has a wife of 27 years old and a child of 4 years old. They are looking forward to his return more engarly than we do.

I beg that you will consider these circumstances and that you will deal lemiently with him. I am appealing to your benevolence and humbly place this patition before you.

30 Oatober 1946

/u/ ISHTHARA, Keikichi.
Heed of Hireichimure,
Ishii, Hireichimure, Kewneki-gun,
Tochigi-ken.

To Your Honor the President.

I certify the above to be a true and complete translation of the original potition to the best of my shility.

EUGINE R. KERRICK, jr., Lieutenant, USHR, Interpreter.

CERTIFIED TO BE A TRUE COPY

JAMES P. KEMER,

Ideutement, U.S. Mavy, Judge Advocate.

"Behilds 93 (a)"



PETITION IN BEHALP OF THE PETTY OFFICERS AND ENLISTED MEN OF THE FOURTH HAVAL HOSPITAL INCLUDING YOSHIZAMA, NOW AN ENGIGH, ETC.

These perty efficers and enlisted men of the Fourth Raval Hospital worked hard at their duties in medical work, medical treatment, prevention of epidemies, supply of medicines, preparation for the defense of the hospital in case of the attack of the ensuy's task force, etc. They obeyed faithfully the orders of their superiors and worked hard day and night under the intense air raids. We senetimes were moved to tears when we saw their exertions. All of their actions were done under the commands of their superiors. If some persons smong them he accused for their eximes in the July incident, it ought to be noticed that they carried out the orders under the supervision of the head of the hospital and other officers. As the petty efficers and enlisted men of the Japanese military forces, especially under the pressing circumstances of air raids at that time, what they did some to be a necessary act in such circumstances. If any of their superiors had ordered them to look after the prisoners kindly, I am convinced that they would have done their best in marsing, feeding, taking care of and treating the prisoners.

For the reasons I have mentioned above, I eagerly home that these petty officers and enlisted men will not be charged with their crimes and if they are, I hope they will be acquitted.

13 December 1946

MURAKANI, Chiharuki, M.D., It.Condr., Imperial Japanese How. Number of the former Fourth Naval Hospital.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. RERRICK, jr., Lieutement, USBR, Interpreter.

BERTIFIED TO BE A TRUE COPY

JAMES P. KEMME,
Lideutenant, U.S. Mavy,
Judge Advocate

********* 94 (a)



Your Honor, the President.

I am a reletive of Yoshisava, Kensahuro. I am very much astonished that he is to be tried as a war criminal. I do not know what crime has been committed, but I beg that you will consider his good character after fully examining the case and that you will deal lemiently with him. I herely appeal to your benevolence and place this petition before you.

31 October 1946

/s/ TAZAKI, Yoshihei 3285 Ossa-Tshii, Hireishimura, Kawachi-gum, Toshigi-ken.

I certify the above to be a true and complete translation of the original petition to the best of my shility.

EUGENE E. KERRICK, jr., Lieutenant, USBR, Interpreter.

CERTIFIED TO BE A TRUE COP!

JAMES P. REMAY,
Ideutement, U.S. Mavy,
Judge Advocate

"Ratidate 95 (a)"



Affidevit as to the character of TOSHIZAWA, Kennebure, Corponent Enelgy,

Record at the end of Recruit training: 15th among 53.
Record at the graduation of the 45th regular corponan training:
2nd among 20.
Record at the end of the special training for N.C.O.'er Top among 29.

Unhealthy Duty:

Disease Inspection Room: Dec. 15, 1934 - Jan. 22, 1935.
Tuberculosis Ward: Dec. 27, 1940 - Oct. 1, 1941.
Yangtse Operation Unit which participated in the Hankow Operation, was commanded by the Commander in Chief of China Area Floot. (on board SHIMI).

Granted the 8th Order of Merit, and the Order of the Pauloumia, with 450 yea for serit in the China Incident.

Granted the 7th order of merit and the order of the Secred Treasure.

Three stripes on his good conduct badge.

I hereby certify that the foregoing is a true extract from the above person's service sheet.

Chief of Personnel Affair's Dept. YOKOSUKA Local Demobilisation Buresu.

June 4, 1947.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

E. E. KERRICK, JR. Lieutement, U.S.W.R.

CERTIFIED TO WE A TRUE COPY

JiMES P. MEMER,
Identerant, U.S. Havy,
Funge Advacate.

"Entitlet 96(a)"



To: The President of the Commissions

I am a relative of the accused Tochianne, Kensebure. I was very surprised to hear that accused Kenneburo was going to be tried by your commission for a grime. I do not know what kind of crime Kenneburo committed mor have any way to find out, but I wish to appligine for all the trouble we have caused you, the Honorable Provident of the Counteston. Kensebure was very kind to his parents and brother and received good grades in school; so we all had hopes for his future. I do not know what kind of a crime he has countited, but please investigate as to the facts and if you are able please let him free. Furthernore Kommabure has a wife and a bely boy who is writing for his fathern return along with his wife as soon as possible. Please take the above into your consideration and I appeal to your beasvolest sinds for a just judgment.

Yoshizama, Yoshiso

Yoshisawa, Yotara

Hirdshi-mure, Sub-division leader of the Southern Young Non Association.

I certify the above to be a true and complete translation of original potition to the best of my ability.

Identoment, F.S. May, Judge Advocate



Your House, the President,

The accused Yoshinson Kenselure is my most reliable friend. I have been in close friendship with him from the time he was yound, and we were in the case school for eight years. I an very much actualshed that he has become a suspected purson. He was so mild, so sincere and so kind that he was respected by his classmates. He made a good record at school, too.

He lost his parents when he was young and he has few persons on whom to poly. He was a pasifist even when he was in the military service, and when he came back to our village he used to talk about the friendship of each nation. He is really a precious parson for the reconstruction of democratic Japan, and people of his village are expecting his fature. I cannot believe that he should count a crime. He has his descreet wife and child at have who are looking forward to his return. If he countthed a crime, I beg you will importigate the real circumstances carefully and that you will deal landously with him.

/a/ MAKAZATO, Manago.

/e/ IZAMA, Yoshimeri.

Onso-Ishiinessto, Hiraishisura, Kamashi-gun, Tochigi-bon.

I coutify the above to be a true and complete translation of the original potition to the boot of my ability.

E. E. KERRICK, &R.

REFERENCE OF

MMES P. KEMPT, Moutovant, P.S. Mivy, Judge Advocace

98 (a)°



Your Honor, the President, we are relatives of Yoshingun, Kensubure. Wehear that he is suspected as a war original. But, from the time he was a boy, he has been filial to his parents, homest, and upright. He was born in a family of a poor possent, lost his parents when he was young and lived a leastly life. During that time he was a possecul man among his relatives. He was a man of very mild, homest challenger will had w good reputation among his relatives.

After the termination of the war, he came back to our village, and we, his relatives, were very delighted. It was really unsuperted to hear he was suspected as a war criminal. However, considering his usual character, we can not think that he should counit a crime. At his home, his dearest wife and child are looking forward to his return. If Yoshisawa will not come back forever, his family will be unable to maintain their living. If he is a criminal suspect, we beg that you will investigate real discussioness care-fully and that you will mitigate his punishment. We beg that you will deal landantly with him.

/o/ WATAMAHR, Rinno, relative 536 Higashigyebn, Misuhana gun, Tochigi-kun.

TATABE, Kame, relative TAKAHASHI, Yulohi Higashigyobu, Mauhonomure, Kamehirg Toohigirkun.

> WATANABE, Shigeo TAZAKI, Heikichi TAXAKI, Chutero, relatives

To your Honor, the Procident.

I certify the above to be a true and complete translation of the original potition to the best of my shility.

FI

TY F.

CERTIFIED TO BE A TRUE COPY

JAMES P. KENNY Mes P. Kenny, 17.5. Mivy, "Radible 99 (a)"

BEST COPY AVAILABLE

PERSON

I om the claim brother of Remembers. I on now filled with deep contion thinting of him and I really deep's know how to write this letter. But, as also claim treather, I may claim think I of him. I think I can not describe even a ten-thronousable of what I as feeling now, but I should be vary children to my plan. I would be very delighted if you would about that he is my only worther, that he has his wife and child, that we is a sen of human weeksnesses and that if he does not came man, his paredice will be look furever or bitter traggery will fail upon him.

The may seem secretical mesonational that I state such private mathers before the state law, but I must down to do it. Secretic I as secretared that the small happiness of one pursue is a prescript framework for the construction of the larger happiness of society and that even a small happiness such as to secretare for the sale of larger same. It seems to us that the decire for beguiness in the right of any buses being in any december of the world. From this paint, I should say that if my brother did same mindood in the pure which made some person unbeging he should be punished by the fair law. In that case, I would like to set your kind consideration that you will let my brother same, I would like to set your kind consideration that you will let my brother go have as soon or possible and give him a chapter to create his one are

I shall wait for him to come back even if it be many years, and I shall look after his wife and child. I shall be very chligad if you will tell my

I have nothing further to say before your fair trial; this is the best I can state.

How that I have finished my listter, what I can to for him now to only to ask the elementy of Your Honor and to pray before God.

I wish that the tragedy will not come, that we shall be happy and that we shall forget abominable war and the people on the earth will be happy.

Your Honor, I sinesrely bog that you will deal londently with him.

1 Royanber 1946

101

TOTHELMIA, Turnishi, shier brother of Econoluro, 3267 Come-Inhilmanto, Mirelshiestra, Econoli-gua, Tushigi-bon,

west of the top to the top the

CERTIFIED TO TE A TRUE COL

JAMES P. KENNE,
Identerant, U.S. Bavy,
Juige Advocate.

"Bohibit 100 (a)"

0595

BEST COPY AVAILABLE

The Honorable Chief Justice War Tribunal in Guen.

Hovember 11, 1946 3287 Homoto, Ishii, Hiraishi-mura, Kamachi-gum, Tochigi-kon. Japan.

Enterned Siri

I am Toshinawa, Mitamo, the wife of Toshinawa Kenseburo of the fermer Japanese Mavy, who is now being detained as a war crimes suspect. I have below the liberty of presenting this petition to your honor, bagging for your esteemed sympathy and mareiful judgment in the trial of my husband.

Although I am not acquished with the details of the case, I can hardly believe that my husband who has always been upright, and in whom I have absolute confidence, would over counit a crime at any time.

It was in the early spring of 1942 when we were married, but in August five months after our marriage, my immbend was ordered to the front. Since my beby was born I have had to live a hard life seeking recort in my parents' home or in that of my immbend's brother. But I managed to get along as my relatives and meighbors gave me unsparing assistance and encouragement.

"while and I stood every went and difficulty saying to ourselves "while daddy comes home". And our daily prayer for my harband's safe return was encoured when the detend way ended and he dame home doubtilized, As our joy was great, the server we fall, was many times greater when he was taken joy was great, the server we fall, was many times greater when he was taken away from we again, and this mental suffering is harder for my than to death specif.

But now I came to baliswe that before the immenty and importial judgement of all mankind in the world, the innocunce of my imstead would be proved, therefore I am praying God to grant us power to pull through until that day comes.

Your Honor, I bushly beg you will kindly hoop it in your wind that my confidence in him to firm and without mistake, and please great him purden and moreiful judgment.

I have, Sir, the house to remain your obsdient servant.

Tooldages Mitous

Lourtify the above to be a true and complete translation of the original polition to the heat of my shility.

ERFIFIED TO BE A TRUE oddfordenant, W.S.R.R.

Mies P. Keny

Identement, F.S. Bavy,

emistad t

_ (a



Your honor the President of the Commission.

I, the elder brother of the wife of Yoshisams, Kinsabure, bag the following of you. I, the elder brother of my unfortunate sister with only a short married life do beg of your

Remembers was born with gentlemess and further more was cavied by his classestes for his shility to think clearly. He was also brought up in a quiet carisvement along with his clidar brother, and was always gay. I think this character of his did not change even though he was in service. I think he is wereying about his wife and brother in a farr off land and wresting his one health. And I think his wife and child are living through this difficult can health. And I think his wife and child are living through this difficult would hoping for his return. Please take these points into consideration and I would beg for your sympathy.

Ueno, Shogo

Tochigi-ken, Huga-gun, Hagahashi-mura, Hichitakakisa.

I certify the above to be a true and complete translation of the original potition to the best of my shility.

E. E. ERRICK, JR.

CERRITIED TO HE A TRUE COPY

Leutenant, U.S. May,

Both 102a)

Judge Advocate.

Your House, the President,

Tookigi-ban. He had a mild, modest character, held sound, penceful principles and gave a good impriscion to his friends. He had also a good reputation using his relatives and maighbors. At home he has a wife and child who are leaking forward to his return. His wife and child will griove very much when they hear that such a fine men committed a crime. They will have no one to rely on. If there he sensthing suspect in him, I sincerally beg that you will fully investigate the real circumstances and that you will deal leadently with him.

Relatives of Yoshisama Kensabures

/a/ INDEI, Manichi.
/a/ WATAMANE, Masquetti.
/a/ OTSUKA, Kischuro.
/a/ OTSUKA, Chekichi.
/a/ TAZAKI, Kishiro.
/a/ HASUBUCHI, Genso.
/a/ HASUBUCHI, Kibn.
/a/ HABATANI, Touya.

Came-Michilgolm, Micuhenesser, Kamehi-gun, Tochegi-ken.

I certify the above to be a true and complete trunslation of the original potition to the bost of my shility.

R. B. EHRRICK, JR. Licutement, U.S.H.R.

THE PORT OF HE A TRUE COPY

THE COPY

deutonant, U.S. Mavy,

Bobbbs 103 (a)*



APPIDAVIT FOR THE CHARACTER OF TANAKA TOKUNOSUKE FORMER CORPONAN CHIEF PETTY

I am the president of the primary school where he was a pupil. Swearing by my conscience, I certify his character as follows according to the school register of the official documents of the school.

1. At the closing seremony of 1927 (when he was 1st grade pupil), 1928 (when he was 2nd grade pupil), 1929 (when he was 3rd grade pupil) and 1930 (when he was 4th grade pupil), he was given prizes as a honor pupil.

2. On 29 March 1930 and on 29 March 1931, he received certificates of non-absence.

3. His conduct marks are recorded as follows:

2nd grade A
3rd grade A
4th grade B
5th grade B
6th grade B

I certify that the above records are true.

6 June 1947

/s/ TMANA, Kokichi,
President of the Unhiotome Primary School,
Unhiodomenura, Binamismitama-gum,
Saitama-ken.

To Your Honor, the President of the Military Commission, Marianas Area.

CERTIFIED TO BE A TRUE COPY

AMES P. KEME Ideutement, U.S. Bavy, Judge Advocate

104

SEXHIBIT (a)e



Front OGAWA, Takashi, Head of the Fujinami Interial Hospital.

To: Your Honor, The President of the Military Commission for the war erimes trial, Marianas Area.

Subject: Affidavit for the Character of TANAKA, Tokumosuke, Corpsuan, Superior Petty Officer of the Fourth Naval Hospital.

Mr. TANAKA, Tokumosuke worked at the Fujimami Interial Hospital as a medical apprentice from April 1932 till the end of May 1937. I was the executive of the Hospital at that time and was living together with him, so I know his character and ability well. I would like to state about them for your reference.

It was in Spring of the year TANAKA Tokumoguke was graduated from the Shiedone Primary School that he became an employee of my hospital. At that time, he was 14 years old. When he was a pupil of the primary school, his record was excellent. He was always at the top of his class, was mild and honest in character and was a model pupil. When FUJINAMI Hirashi, the Head of the Fujinami Interial Hospital, knew this fact, he let him try the examination of the Night School of the Tokyo Prefectural 7th Middle School, as soon as he employed him as a medical apprentice. He succeeded in the examination with marvellous marks. At that time his future hope was to be a destor and save sick, weak patients. Head of the Hospital FUJINANI found that he was a man of mild peaceful character, had an excellent ability and was fitted to be a doctor. He gave him all his educational expenses, freed him from all auxiety of the future and encouraged him to study hard. When he was a student of the Night School, he used to assist in the preparations of medicine and accounting works at the pharmacy of the hospital in the morning, go to school after lunch and come home at about 9 p.m. When he had no work of the hospital after he came home, he studied his lesson until late at might. He worked wery faithfully and accurately at the hospital. He was obedient to the directions and orders of the chief of the pharmacy and had never violated them. He was very accurate. He had never made a mistake even when he prepared such a small amount of medicine as 0.001. He was thus gifted with the talent of scientist since he was yo mg. At that time, there were several nurses at the hospital. I have me or seen him having a quarrel with these nurses or rikisham-men of the hospital. As liscenced physicians, we were often asked to visit patients at night. It was their custom that when these persons came at might, they called TANAKA first aking to visit of the doctor. He never complained about that at all. He opened the door amiably, and relayed their request to the Head of the hospital or to me. He often visited the house of patients with me or the Head of the hespital and assisted our medical treatment. Although he was always tired from his study, he never complained to do so. I could not help admiring his good kind character. He was not only benevolent to suffering patients but he also loved animals. Head of the Hospital FUJIMANI and I liked dogs, cats and chickens and he looked after them. I have never seen him terturing these animals. He was a man who had not a bit of relation with the word "torture".

His school records during his five years life at the middle school was really excellent, too. His class tanding was always higher than fifth. He was well-behaved and good at study, so he was a model student. He was a very busy apprentice at the pharmacy, and he had only a little time to study during his schooldays. In spite of that, he made good records. This fast proves that he was a very carmest student and that he had a distinguished talent.

ERTHIED TO BE A TRUE COPY

MAMES P. KERT

105 (1)(a)*



In short, TANAKA, Tokunosuka is clever and is a man of good and mild character. I am occavinged that he is a man of rarely fine character among many young men I know.

What is most admirable in his good character is that he is benevolent and kind. Patients and acquaintances of my town, who know him, unanimously say that he was kind. I think that many injured or sick patients of the Haval Hospital are thanking his with tears when they recall his kindness.

This is a part of his character and ability. I hope that this will serve as your reference.

3 June 1947

/s/ OGAWA, Takashi, Head of the Fujimani Interial Hospital, Soka-machi, Kitaadachi-gun, Saitama-ken.

To Your Honor, the President of the Military Commission of the war crises trial, Marianas Area.

I certify the foregoing to be a true and complete translation of the criginal document, to the best of my ability.

EUGENE E. KKRRICK, Junior, Lieutenant, U. S. Naval Reserve, Interpreter.

CERTIFIED TO THE A THRE COPY

Identement, U.S. Nevy, Judge Advocate

105 *EXHIBIT (2)(a)*



AFFIDAVIT FOR THE CHARACTER OF TANAKA TOKUNOSUME FORMER CORPSMAN LEADING PRIVATE IMPERIAL JAPANESE ARMY, BORN ON 20 APRIL 1919.

I was his instructor and have known him for seven years from the time he was young till he finished his school, so I know his nature and character well. Sworm by my conscience, I would like to certify as fellows:

1. He was sincere, homest, upright, mild and kind.

2. After he finished his primary school, he intended to enter the Yawata Jumior High School where I was working as a teacher. But as his record at the primary school was very good, I asked Doctor Fujimami, my elder brother, to look after him and let him go to the Tolyo Prefectural 7th Middle School. He studied hard at every moment.

3. When he was working at the hospital, he was always tender and kind to teh patients.

I certify the above.

5 Jone 1947

/s/ FIJINAMI, Takeyoshi, President of the Soka Middle School, Soka-machi, Kitaadachi-gum, Saitama-ken.

To Your Homor, the President of the Military Commission, Marianas Area.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

> EUGENE E. KERRICK, Junior, Lieutenant, U. S. Naval Reserve, Interpreter.

CERTIFIED TO HE A TRUE COPY

James P. Kenny,
Leutenant, U.S. Nevy,
Judge Advocate

"EXHIBIT 106.)"



TANAKA, Tokumosuke, corpsman chief petty officer, IJN, is an honest and fine fine person, and obeys the orders of his superiors faithfully. I hope you will deal lemiently with him if he is found guilty.

Ex-Lieutement IJN (Doctor)

MINATO, Tadao

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. KER-ICK, Jumier, Licutement, U. S. Naval Reserve, Interpreter.

CERTIFIED TO BE A THUE COPY

Identenant, W.S. Mervy, Judge Advocave



AFFIDAVIT AS TO THE CHARACTER OF TANAKA, TOKUNOSUKE, CORPSHAN CHO. TAN.

Record at end of recruit training: 8 among 64.

Record at graduation of 50th Regular Corponan training: 1st among 90.

Record at graduation of 41st Higher corpsman training: 1st among 30.

Received Himisters award for excellent graduation record.

Ordered to make trip to GUENA and HAGANO prefecture as attache to Eslisted ing Official of YOKOSUKA Naval Base, for the year 1940.

Attached to Disease Inspection Room from Feb. 10, 1938 to April 9, 1938.

Granted 70 yes for merit in China Incident.

Two stripes on his Good Conduct Badge.

I hereby certify that the foregoing is a true copy of the extract from the above person's service sheet.

SAITO, Noboru (seal) Chief of Personnel Affairs Dept., YOKOSUKA Local Demobilisation Bureau.

I certify the foregoing to be a true and complete translation of the original document, to the best of my a ditty.

EUGENT F. KERRICK, Junior, Lieutenant, U. S. Haval Reserve, Interpreter.

CERTIFIED TO HE A TRUE COPY

LIMES P. KEMY,

Loutement, U.S. Nevy,

Judge Advocave

108:



AFFIDAVIT FOR THE CHARACTER OF TANAKA TOKUNCSUKE FORMER CORPSHAN SUPERIOR PETTY OFFIGER THERRIAL JAPANESE HAVY HORN 20 APRIL 1919.

I am his elder brother. We were brought up in the same family for 13 years from the time we were born till we were graduated from the primary school. So I know his character very well. I hereby swear by my conscience and state it as follows:

- 1. He is of mild character.
- 2. He likes reading.
- 3. He is obedient to his seniors and superiors.
- I certify that the above statement is true.

6 June 1947.

/s/ TANAKA, Jonosuke. 1467 Shiodomenura, Finanisaitama-gum, Saitama-ken.

To Your Honor, The President of the Military Commission, Marianas Area.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. KERRICK, Junior, Licutement, U. S. Naval Reserve, Interpreter.

CERTIFIED TO HE A TRUE COPY

James P. Remer,
Leutement, U.S. Mavy,
Judge Advocave.



5250 CT (0)

TANAKA, Tokumosuke worked as a medical apprentice from April 1932 until May 1937 at the Fujinami Internal Hospital the Head of which was my father Hisashi who died already. I lived with him as his master and as his friend, and I know his character and ability well. I would like to state a part of them for your reference.

Mr. TANALA came to work at my hospital on 7 April 1932, immediately after he was graduated from the Shiodome Primary School. Them I was 5 years old and he 14 years old.

Since then, I have spent most of my time with him. He was very kind and pure to me as though I had been his younger brother. Whenever we had time to spare, we played together picking flowers in the garden, enjoying fishing, etc. He was so faithful and earnest in his work that my late father was always admiring him. In April of the same year (I can not recall the exact date), he entered the Tokyo Prefectural 7th Middle School. He worked at the hospital in the morning, went to school after lunch and came back at about 9 p.m. He was a diligent man. After he came back, he took his supper and studied his lessons until late. Whenever my father visited his patients at their houses at night, he was awake until he came back. This is only and example which shows clearly how he was faithful to his work.

I greq up and entered the Soka Primary School. He often took me to the school. On a rainy or snowy day, he often went for me with an umbrella. He was not only benevolent toother people but to creatures. At that time we were keeping a German pointer in my house. He loved the dog very much, and the dog was very much attached to him. He also loved flowers and liked music. His desk was always decorated with flowers of the season, and he was good at playing harmonica.

He was always recieved with intimacy by my family and meighbors, and was mickmaned Tokuso. I think this is a good example which shows his character.

In the Spring of 1937, he was graduated from the night middle school, and he wolunteered to enter the Navy. He had a benevolent heart. He intended to be a corposen because he desired to murse sick and injured people. At that time, I was a third grade pupil of the primary school. When he left my house, I felt very regretful to part with him, because I felt as if I had been parting with my real brother.

I am very much astonished to hear that TANAKA, Tokumosuke is confined as a war criminal. I hereby have related a part of his character and wish that the suspicious will be cleared away.

Fujimami, Otomi.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. RERRICK, Junior, Lioutement, V. S. Naval Reserve, Interpreter.

GERTIFIED TO BE A TRUE COPY

JAMES P. REME,

Judge Advocate

THERET (a)



No submit a petition of behalf of Tokumosuke Tamaka who is held in custody as a war-oriminal suspect. He is a quiet, sincere and sympathetic character. After graduating from grammar school he took up a medical career and bicame a standard house-boy at Doctor Fujimani's Hospital at Kusaka Machi in Saitama prefecture. At might be attended the Tokyo Metropolitan 7th Middle School and while still working his way through the calisted in the Navel Service as a medical orderly. He has not returned to make the his aged mether is patiently waiting for his return. It is very pitiful, and his aged mether is patiently waiting for his return. It is very pitiful, and his aged mether is patiently waiting for his return. It is very pitiful, and weak and contribute to human society. He was extremely kind and a good boy, weak and contribute to human society. He was extremely kind and a good boy. We do not believe he committed any unlawful conduct. The undersigned plead for a magnanisous disposal and return him to his old mother.

5 June 1947.

Fujinami, Takemi and forty (40) others.

I complify the foregoing to be a true and complete translation of the original document, to the best of my ability.

"EXHIBIT (a)"
EUGENE E. MERRICK, Junior,
Lieutenant, U. S. Naval Reserve,
Interpreter.

CERTIFIED TO TE A IRUE COPY

MMES P. MEMER,
Lieutenant, V.S. Mrvy,
Judge Advocate

111 *********** (a)**



APPIDAVIT FOR THE CHARACTER OF TANAKA TOKUNOSUKE FORMER CORPSMAN LEADING

He was my friend and we were as close as if we had been brothers. I had been working for long years at the Fujinami Hospital, Soka-machi, Katandachigum, Saitama-ken. He was employed as a servant of the Hospital in April 1932 and worked there till April 1937 when he was emlisted in the Navy as a volumeteer. During that five years, we shared hardships day and night for the same of the patients at the consultation room and the medical room and lived together in a small servant's room of 12 square yards as if it had been our own home. Therefore, I can recall his personality and character clearly, and I think there are many stories worthy of notice about him. I hereby swear by my conscience and state about them as follows:

1. Since Tanaka entered the Hight School Department of the Tokyo Preference 1 tural 7th Hiddle School, he has never failed to reach the school by 4.00 p.m. and come back by 9.30 p.m. even in ery hot or very cold evenings. He had such a patient, diligent spirit.

2. He was very clever, and he made good records both at his primary school and at his middle school.

3. He was always bright and liked sports. Especially he was good at sudswing.

4. He was very polite and kind to the patients and was courteious.

5. He was obedient in anything to his master and superiors and worked very extractly. So he was loved by his master. I received numerous letters from him after he entered the Havy, the contents of these many letters showed me that he was a man of fine character.

I certify that the above statement is true.

6 June 1947

/s/ KABAYASHI, Sango. 321 Tekasago-mavhi, Soka-machi, Kitaadachigum, Saitama-ken.

To Your Honor, the President of the Military Commission, Marianas Area.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUCENE E. KERRICK, Junior, Lieutement, U. S. Naval Reserve, Interpreter.

CERTIFIED TO TE A TRUE COPY

James P. Kenne,
Ideutement, U.S. Mavy,
Judge Advocate.

112

TEXHIBIT (a)"



LETTER OF APPRECIATION

TAHAKA, Tokusosuke, corpsess seessa 3/c IJN.

Date of Birth: 20 April 1919.

This is to appreciate that the above maned person made an excellent record when he finished the course of ordinary nursing training as a 50th graduate on 28 October 1938. You are hereby given a prize in promotion of your excellent art.

28 October 1938

/s/ HAGATA, Katsuyoshi,
Dostor of medicine,
5th grade in the sourt rank and 2nd order
or merit,
Head of the Yokusuka Naval Hospital,
Surgeon Rear Admiral, Imperial Japanese Navy.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. KERRICK, Junior, Lieutenant, U. S. Naval Reserve, Interpreter.

CERTIFIED TO TE A TRUE COFY

JAMES P. KEMEY, Ideutement, U.S. Mavy, Judge Advocate.

113

· SEXHIBIT (a)



AFFIDAVIT FOR THE CHARACTER OF TANAKA TOKUNOSUKE FORMER CORPSMAN SUPPLIOR

- l. He was mild in nature, faithful to his duty and did anything willingly. So he was very friendly to others. Reading was what he liked best.
- 2. When he was a pupil of the primary school, he made a good record. He distinguished himself as a momitor of his class, and he was given prizes several times:
- 3. He had a good reputation in his village as a model person and was admired by people. Especially, when he was working as a servant of a doctor, he was very kind and polite to the patients so many patients are still admiring him. After he entered the Navy, patients of the doctor decreased. This fact shows clearly how he was loved and admired by others.

I certify that what I have mentioned above is true.

7 Esy 1947.

/s/ SHIMUZU, Yoshimasa. Head of Shodomerura village, Finarisaitara-gum, Saitama-kan.

To Your Honor, the President of the Wilitary Commission, Marianas Area.

I certify the foregoing to be a true and complete translation of the original document to the best of my ability.

EUGENE E. HERRICK, Junior, Licutement, U. S. Naval Reserve, Interpreter.

CERTIFIED TO TE A TRUE COFY

MMES P. KEME,
Ideutement, U.S. Eavy,
Judge Advocate

114

MHIBIT (a)



CERTIFICATE FOR THE FORMATION OF BOGINERY

I, as Chief of Correspondence Section of the 2ml Demobilisation Bureau of the Demobilisation Department, hereby certify that the annexed letter titled "Letter of Appreciation", containing one page and printed in Japanese is one of the documents issued by NAGATA, Katsuyoshi, Doctor of Medicine, Head of the Yokosuka Naval Hospital, Surgeon Hear Admiral Imperial Japanese Navy.

5 June 1947 in Tekyo

/s/ YOSHII, Michinori.

I certify that the above signature and seal was prepared in my presence.

on the same day, at the same place

/s/ YOKOMIZO, Zoshiro, witness.

LETTER OF APPRECIATION

TANAKA, Tokumosuke, corpsuan seaman 3/c LIN.

Date of Birth: 20 April 1919.

This is to make an appreciation of the fact that the above named person made an excellent record when he finished the course of ordinary nursing training as a 50th graduate on 28 October 1938. You are hereby given a prize in promotion for your excellent art.

28 October 1938

/s/ NAGATA, Katsuyoshi,
Doctor of Medicine,
5th grade in the court rank and 2nd order of merit,
Head of the Yokosuka Naval Hospital,
Surgeon Rear Admiral, Imperial Japanese Navy.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGENE E. KERRICK, Junior, Lieutenant, U. S. Haval Reserve, Interpreter.

CERTIFIED TO BE A TRUE COPY

JiMES P. KEMEY,

Leutenant, U.S. Mavy,

Judge Advocate.

115 (a)



AFFIDAVIT FOR THE CHARACTER OF HOMMA, HACHIRO, FORMER CORPEMAN WARRANT OFFICER, IMPERIAL JAPANESE HAVY.

From the time when he was a student, he studied earnestly and made a good record. He was faithful to his duty, was kind and intimate to his friends and neighbors, and respected his parents and elder brothers and sisters. He was obedient to his superiors, was patriotic, righteous and humane and was a man of mild, good character.

I costify the above.

12 June 1947

/e/ HORMA, Kinji.

I cortify the above to be a true and complete translation of the original petition to the best of my shility.

EUGENE E. KERRICK, jr., Lieutenant, USBR, Interpreter.

"Rahibate116 (a)"

CERTFIED " "E A TRUE COFI

Identement, U.S. Mavy, Judge Advocate.



Corponen Warrent Officer Hachiro Homma led a very serious life and was a possessor of high and pure character.

Tedeo Mineto Licutement SG, IJN Medical Corps.

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

HUGHNE E. KHRRICK, Junior, Licutement, U. S. Neval Reserve, Interpreter.

CERTIFIED TO BE A TRUE COFY

JAMES P. KEMMY,
Ideutement, U.S. Bavy,
Judge Advocate.

117

PERIBIT



Hachiro Homma.

He is a man of character, who served his superiors and trained us with sincerity over a long period.

HE IS A MAN OF ABSOLUTE OBEDIENCE TO ORDERS.

There are some who believe him rather hard to get along with for at a glance there is semething about him to make him look like a disciplinarian. He is on the other hand, really very kind to his subordinates. The more you worked under him the more friendly you found him, and he would seen more like a father. He loved his patients with a true love.

He was bright, gay, and full of action. There was remothing in him that seemed to make him a man's man. He is one of the most trustworthy men and his superiors' trust in him was immouse.

I sincerely hope that his is a minor offense and that he is granted lemiency.

Yesuo Bayend

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

EUGRE E. KERRICK, Jumior, Licutement, U. S. Naval Reserve, Interpreter.

CERTIFIED ' TE A TRUE COFT

Jimes P. Kenny, Lautonant, U.S. Navy, Judge Advocate,

********** 18 e*



Hachiro Houma.

Nagrant Officer Homma was a pleasant and lively person. He was absolutely obedient to his superior officers and was of great help at the Haval Hospital. He also treated us as he would his younger brother.

Amraku Neguchi

I certify the foregoing to be a true and complete translation of the original document, to the best of my shility.

MUGENE E. KERRICK, Junior, Identement, U. S. Naval Reserve, Interpreter.

CERTIFIED " " A TRUE COFY

James P. Kenne, Ideutement, U.S. Nevy, Judge Advocate,

119

*EXHIBIT C



Hachiro House.

Of all the nem I know, Mr. Hashiro Homms was the best Corporan Marrent Officer. He respected his superior with the greatest reverence, was absorbately faithful to orders, and treated his non, to who he was a living symbol, like sons. He was a possessor of extensive technique in hygenic consinctions, and whomever I recall the way he led his non, I cannot help but wish for the speedy arrival of the day when he shall make use of his knowledge in improving speedy arrival of the day when he shall make use of his knowledge in improving the samitary condition of rehabilitated Japan. It is my sincere wish that due consideration be given to his warm-hearted and sincere character, and that he be granted lemionay even if, per chance, he is found guilty.

Toshihiko Toda

I certify the foregoing to be a true and complete translation of the original document, to the best of my ability.

MIGHNE E. KERRICK, Junior, Licutement, U. S. Havel Reserve, Interpretar.

JAMES P. KERRY,
Lideutoment, W.S. Mavy,
Judge Advocate.



June 2, 1947.

PETERION

To: The Military Commission, Marianas Area. For: HOMMA, Hachiro, brother in law.

It is the beginning of summer in Japan now, and the green of the leaves and grasses have darkened and the spirit of the people is bucyant.

But our minds have somewhat been englosed by a moody, heavy stmosphere. This is because we have not had any word from my husband's only brother HACHIRO.

After the wer was over and when I saw people being demobilized from the south and from the north, I waited expecting that he would be on the next bont. On receiving the news about him today, I was very much surprised.

The people who have heard this news would come and ask, "How can HACHIROW? They are surprised and dubious. As such, he is represented by all the people in the village.

I do not know with what crime he is charbed, but I can sincerely say that he did not do it of his own free will. I believe he has taken the responsibility on himself, because of his strong sense of responsibility, kindness, and sincerity and because of his good nature.

I beg your lemient judgment so that he might return to his country who needs non like him in the work of reconstruction.

I ask your sympathy and elemency for his acquittal.

HMEN, Yukiko Kariwano-aho, Sen-kite-gum, Akite-kan

I certify the above to be a true and complete translation of the original petition to the best of my shility.

EUNENE E. KERRICK, jr., Lieutenant, USUR, Interpreter.

CERTIFIED " TE A TRUE COF

JAMES P. KEMMY

Identenant, U.S. Mayy, Judge Advocate. man 121 (a)



BEST COPY AVAILABLE

Guen Stockedo

2 July 1947

Your Honor, the President,

I would like to state about the character of HCHEA, Hachiro, who is sequed and who is being tried.

Mr. HOME'A was the senior petty officer of my division and my medical experiment room, and I was under his instruction for about one and a helf years.

look at his face, you might think that he is a stabborn man, because he had a thick mustache. But please look at his eyes closely, then you will find that he is always sudling, and you will also find his good temper. In fact, he was a man of mild character. He was humane and constitutious, respected humanity and morals and had an upright, honest, and fine heart. He trusted his man, was kind to others and was polite and handy. He was good at anything. He loved and was delighted with peace. He was filled with the spirit of the Red Cross and carried out his duty. He was a good instructor for us. He knew the human feeling, loved his man and endeavored to make our hospital fair, joyous and cheerful.

He was patient and hated brutal things. He reflected upon himself and did what was right. When you try him, please consider this fine character. I beg your kind consideration for him.

Respectfully,

/s/ HATACKA, Hideo.

et the Guen stockede.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUCENE E. FERRICE, jr., Licutement, USNR, Interpreter.

CERETFIED " TE A TRUE COFT

JAMES P. KENTE

Leutenant, U.S. May,

"Bubibits 122(a)



P TITION

PETITION AND CHRISTIATE OF CHARACTER FOR WARRANT OFFICER Ph/C MONNA (HON CON AT THE TIME OF THE JULY INCIDENT)

By character, he was warm-hearted and sincere, a men of few words and strong will power. Having observed his daily life for three and a half years when we had served together at the Tokosuka and the 4th Maval Hospitals I can very well say that outwardly he is a disciplinarian, a typical "knight", but inwardly very discreet and thoughtful. He is a symbolic corponan Warrant Officer who possesses the tenderness of eternal love.

Knowing him as I do, I cannot believe that he is accused of a crime related to the July incident. However, if he should be proved guilty of having committed a crime, due consideration should be given to the fact that he, as a non-considerationed officer of the Japanese Havy where all orders from the superiors are not to be questioned, had very reluctantly obeyed the Commanding Officer's absolute order. Under the circumstance of being one of the senior mon-come at the time of the incident, he is to be pitied.

For these reasons, I sarnetly implore that he be exomerated from all erimes.

14 December 1946

Chiharu Murakani Commander, IJH, Pharmaceutical Corps Former Member 4th Naval Hospital

I certify the foregoing to be a temme and complete translation of the original document, to the best of my ability.

MIGNES N. KERRICK, Junior, Lieutenant, J. S. Naval Reserve, Interpreter.

Junes P. VENEY,

Judge Advocate.



IN HERALF OF HORMA, MACHINO, MY INTIMATE PRIEND.

hear pleasant rice-platers' songs. But can we be cheerful from our heart and increase the production of rice for the reconstruction of Japan? We fell somewhat blue and oppressed. Why? Healte as to say, although many people are repatriated from the North and the South everyday, our friedd HOMMA is not back yet. We have never failed to notice the demobilisation news of radio and newspapers. But we were astonished to receive information of him letely.

How can Hachiro do such set? We wonder. Of course we can not know what crime he committed. But when we think of his character, we can not believe that it was his own fault.

Since he was young, he has been carnest, obedient and responsible. I am afreid that he might shoulder all offenses as his responsibility.

When the people of his town heard of the news, they all wondered and visited his femily and asked what Reghiro had done.

As he is such a fine man, I hope that you will deal lemiently with him no that he will be released sooner. I also ask your best defense for him and your sympathy from all my heart.

2 June 1947

/s/ KIMURA, Shoji, Senboku-gun, Akite-ken.

To: Your Honor, the President and Hembers of the Commission, Meriams Area.
Defense Counsel despatched to Guam, e/o Communication Section, 2nd
Demobilization Buresu.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUCHNE E. KERRICK, jr., Identenant, USAR, Interpreter.

CERTY IED TO TE A TRUE COFT

Ames 1. Genny

James P. Kenny, Lacutement, U.S. Mavy, Judge Advocate, "Botton 124(a)"



To: The President and the Hambers of the Military Consission. For: HOMMa, Haghdro.

Homma hails from the same village as I do and we have been friends from the time we were children. We were together night and day and were brought up in the same environment. From our grammer school days Homme was very bright and was our class president. He did many things for us. At home he was a very quiet and active person. He was born in a countryside village of KARIWANO, but as he had great character everyone talked and praised his being that way. While still a child even in the hard days of the village life he had in him the goodness of straight forwardness of the northern people of Japan and also everyone of the vicinity will agree with me that he had kindness and a strong sense of responsibility. Especially when we heard that he has entered the navy as a corponen we all thought that it was the best work for him and we were very glad that there would be many fortunate persons to be nursed by his kindness. With the beginning of the present wer we did not hear from him, but we thought that his kindness had crossed the boundaries of our country andthat he was working day and night for our people as well as for the enemy. The year before last with the close of the wer meny of my friends come home from the south and from the north; but we could not find out what happened to Hosma, and we waited day after day for his return. But today I heard the most swful circumstance in which 'e is. I do not know what his crime is, but looking athin from the standpoint of his spirit and character I think that he could not have done such a thing.

But as he has a very strong sense of responsibility I think he has taken all the responsibility even though it was not of his own will. As a friend I dreed the fact that he has taken the responsibility for the act or its result which never originated in his mind. I think he is taking all the responsibility because he has a pure heart. I hope for a lemient decision for a person with such pureness and if you are to save his life, there is no doubt that he will give his life to rebuild a peaceful Japan. I bet of you that Homma be given your sympathy and the best judgment possible.

31st May, 1947

Homma, Naoji and his classmates, Akite-ken, Senhoku-gun, K-riweno-cho.

I certify the above to be a true and complete manual translation of the original petition to the best of my ability.

EUGENE E. RERRICK, jr., Lieutement, USNR, Interpreter.

CERTYFIED TE A TRUE COFT

James P. Kenny,
Judge Advocate.

Phill 125 (a)



I would like to express my gratitude for your consideration for my brother Haghiro.

I was delighted to hear that he served homestly as a Navy corponen. But after the termination of the war when I was looking forward to his demobilies nation, I heard the latest information about him and was very much astonished.

He was my younger brother and was an obedient child. I think it was partly because he had gentle feeling that he had volunteered to be a corposen.

I can not imagine what crime he committed, but I am findly convinced that he has no brutal characteristics whatsoever.

He was too honest. When he was on military service, I never heard that he was of such a character.

I beg your kind consideration from now on, and I ask that you deal lemiently with him.

3 June 1947

/s/ HONNA, Riichi, elder brother, Keriwano-machi, Senboku-gum, Akita-kem.

To Your Honor, the President.

I certify the above to be a true and complete translation of the original petition to the best of my shility.

EUGENE B. KERRICK, jr., Lieutement, USIR, Interprotor.

CERTAFIED ' BE A TRUE COF!

"Bubildes 126 (a)"

JAMES P. KENNY, Identonant, U.S. Nev

Identerant, U.S. Navy, Judge Advocate.



CORPUMAN CHIEF PETTY OFFICER RAVASHINA.

Corposen Chief Petty Officer Equashims, Tetsusaburo, Imperial Japanese Navy, is very enrest, loves honesty, and is very pure. He is very obsdient to the orders of his superiors, and also very kind to his subordinates. If by any chance he has committed a crime, I ask from the bottom of my heart for the minimum sentence.

Lt(MC) MINATO TROPE IJH. (a)

I cortify the above to be a true and complete trenslation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutement, USNR, Interpreter.

"Bohthte127(a)"

CERTIFIED TE A TRUE COFT

Identerant, U.S. Navy, Judge Advocate,



APPIDAVIT AS TO THE CHARACTER OF EARASHINA, TATSUSABURO, CORPSHAH CHIEF

Unhealthy Duty:

Tuberculosis Duty - February 10, 1939 to April 1, 1939. Discuss Enspection Duty - April 24, 1941 to Harch 11, 1943.

Granted 70 yen for merit in China Incident.

I hereby certify that the foregoing is a true extract from the above person's record sheet.

SAITO, Hobern (seal) Chief of Personal Affairs Dept., Tekosuka Lecal Demobilization Bureau.

June 4, 1947.

I certify the chove to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutement, USNR, Interpreter.

JAMES P. KERRY,

Identerant, U.S. Nevy,

Judge Advocate.

"minima 128(a)"



KAWASHTME, SHIMSABURO

At one time I worked with Eswashims when he was the head of the contagious disease ward of the Fourth Hospital. He was a men of action and not of
words, He, himself, did his subordinates along and in return his subordinates respected him. With this combination they treated their patients; therefore every patient looked up to him as a reverend father. His own cornect
work brought this about. But finally illness took hold of him and while still
ill he is now held as a war crimes suspect and is living an unconfortable
life. I pray for mercy from the bottom of my heart for his freedom and I can
not but help wishing for a lemient semtence.

TODA, Toshihiko

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Licutement, USHR, Interpreter.

CERTIFIED " "E A TRUE COFT

Identerant, U.S. Navy, Funge Advocate.

"Bhilds 129 (a)"



KAWASHIMA, SHINGAMIMO

When we were students at preliminary training school, he was a student at the advanced training school. I have known him from them up to today. He has helped me along. He is a very warm-hearted and kind person, and I can never forget his kindness in teaching the recruits. He was attached to the Fourth Haval Hespital before we were, and I was able to meet him again. For a long time he was my berracks captain, and he helped me along continuously. He was very kind to the patients and was trusted and highly respected. He was gentle and very kind. When I was sick, he was also a patient, but he looked after me continuously for two nights without resting. He was always thinking about his subordinates and his virtue was absolute obedience to orders of his superior. Therefore his superiors trusted him greatly. His honesty was a good example for the petty officers and enlisted men. If by any chance he is considered to have consisted a crime, I pray to God that he receives the minimum sentence.

HAYAMI, YASUO

I certify the above to be a true and complete translation of the original potition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenent, USHR, Interpreter.

CERTIFIED TE A TRUE COFT

THE A TRUE COF

BAN 430 (4)



KAWASHIWA, SHIRSABURO

Petty Officer Kewashima was working in the Number Ome Contagious Disease Ward of the Fourth Maval Hospital as a ward emptain. He was very carment and had a deep affection for everyone and led them by taking their hand. He was working for the hospital with vigor and high spirit.

He was absolutely obedient to the orders of his superiors, and he led us as if we were his younger brothers. To the patients he was kind and he nursed them tenderly. He fully fulfilled his duties as a ward captain and is a very respectable person.

MOGUCHI, ANRAKU

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Licutement, USNR, Interpreter.

CERTIFIED TO THE A TRUE COFE

JAMES P. BENES,
Identerant, U.S. Mavy;

" MINES 131 (a)



Guam Stockado 2 July 1947

Your Bonor, the President.

I would like to state about the character of Kaunghian, Tatsdanburo who has been charged and is being tried.

Mr. Kamashima was the senior petty officer of my division, and I was under his instruction for one and a half years.

Mr. Remashime was always regular, courteous, plain, bright, and chappful. He spoke little but behaved right and gave us silent instructions. Although he was a man of few words, his usual smile gave people good impressions. When he said something at all, he spoke what was right. He never lost his temper, and was always emiling with his shiming artificial teeth. He had not a bit of hard feeling in his heart, and was just, upright and fair. Whenever we talked with Mr. Remashime we forgot our lenesomeness, sadness and uneasiness. He was honest, humane and kind. He respected morals, believed in God and Buddha and loved peace. He enjoyed every day, leved and was thankful for nature and was well-behaved. He had nothing of which to be ashared and he had a good tasts. He was conscientious, had a mild and obedient character and did anytying completely. He was such a good leader.

He did only what was right. I beg that you will understand his character in this trial. I beg your kind consideration.

Respectfully,

HATACKA, Hideo

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenant, USNR, Interpreter.

THE TED TE A TRUE COFT

"mhibit 132 (a)"



I am not a person who discusses a character of a man, but I will state the facts. He was my barracks captain and we both worked in the contagious disease ward. He treated us subordinates like we were his younger brothess, and he was very kind and polite to the patients so they all respected him. In everyday life he was a hard worker and was very strict in leading his subordinates. When I heard that Potty Officer Remarking was confined as a war crimes suspect, I thought that it was a lie. When I think that he is now living behind iron bars, I cannot stop the tears from flowing. I condially ask the commission to let him go free as soon as possible.

MAKATA, Kenji.

I certify the above to be a true and complete translation of the original petition to the best of my ability.

EUGENE E. KERRICK, jr., Lieutenant, USBR. Interpreter-

CERTIFIED " "E A TRUE COFI

Identerant, U.S. Mavy, Judge Advocace

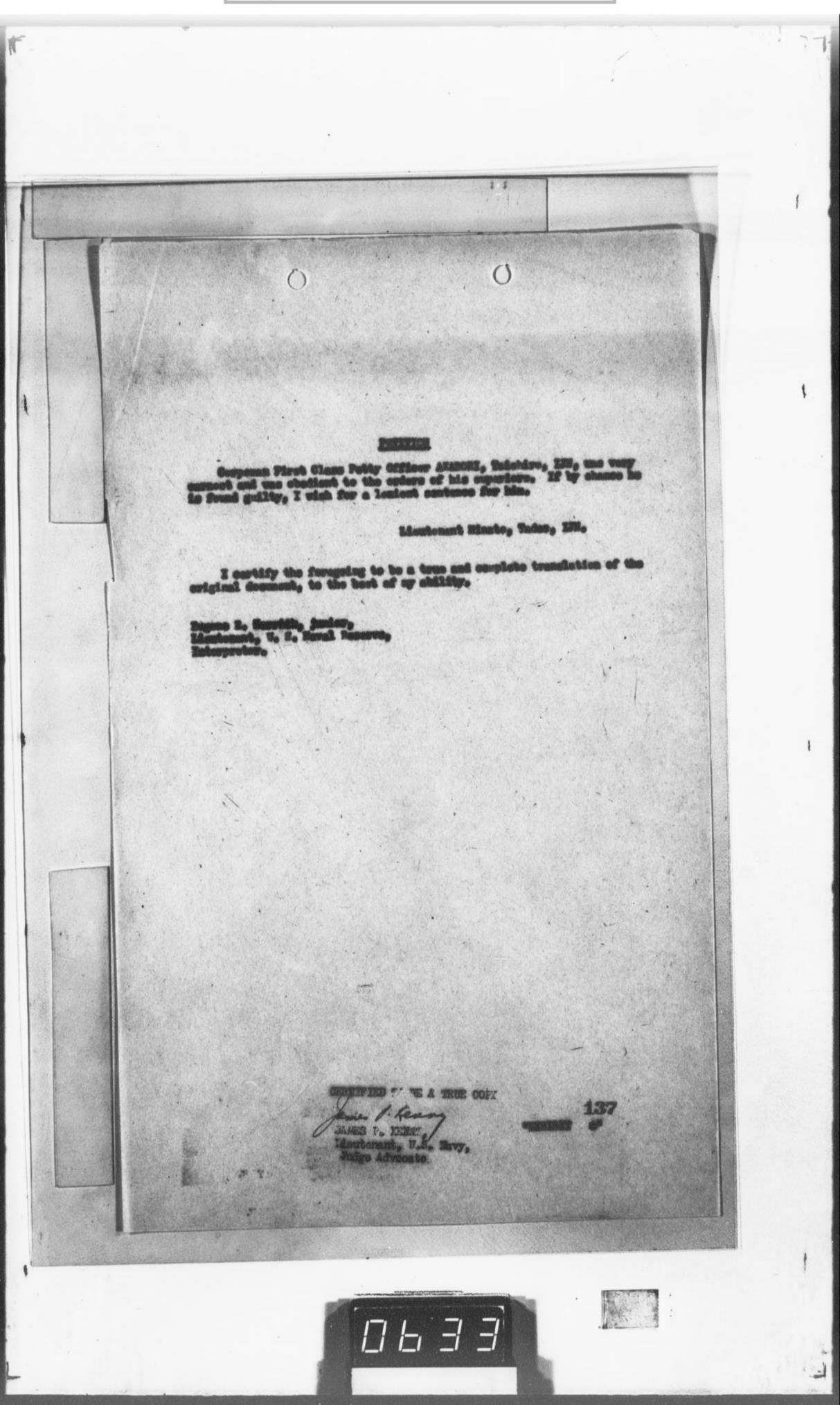


AN CHIMP PETTY OFFICER VARIABILE From June first, 1936 for nearly a year I have slept and ate with Hamshim, Shinesbure and after that until the end of the war we have worked together and were good friends. He was not only sinesse to his almost but was also thought very much of his work. He was always gentle and sinesse. To his superiore it was absolute obedience and he had great respect toward them. I have heard many times from these who know him or have some in contact with him tell how they were struck by his rightecument. Now I hear that he is to stend trial. I do not know the real facts but if he had countited a crime, it was not done on his own will but Ibaliave without doubt that the not was an expression of absolute obeliance to his experiors and his responsibility conscious. Please put into your consideration the above, and I ask for him from my heart, please save Essachima, Shinsabure, a friend of rightcousness. TUCHITAIRA, Sedhichi I cortify the above to be a true and complete translation of the original petition to the best of my shility. KERRICK, jr.,

Loutovant, U.S. Mervy

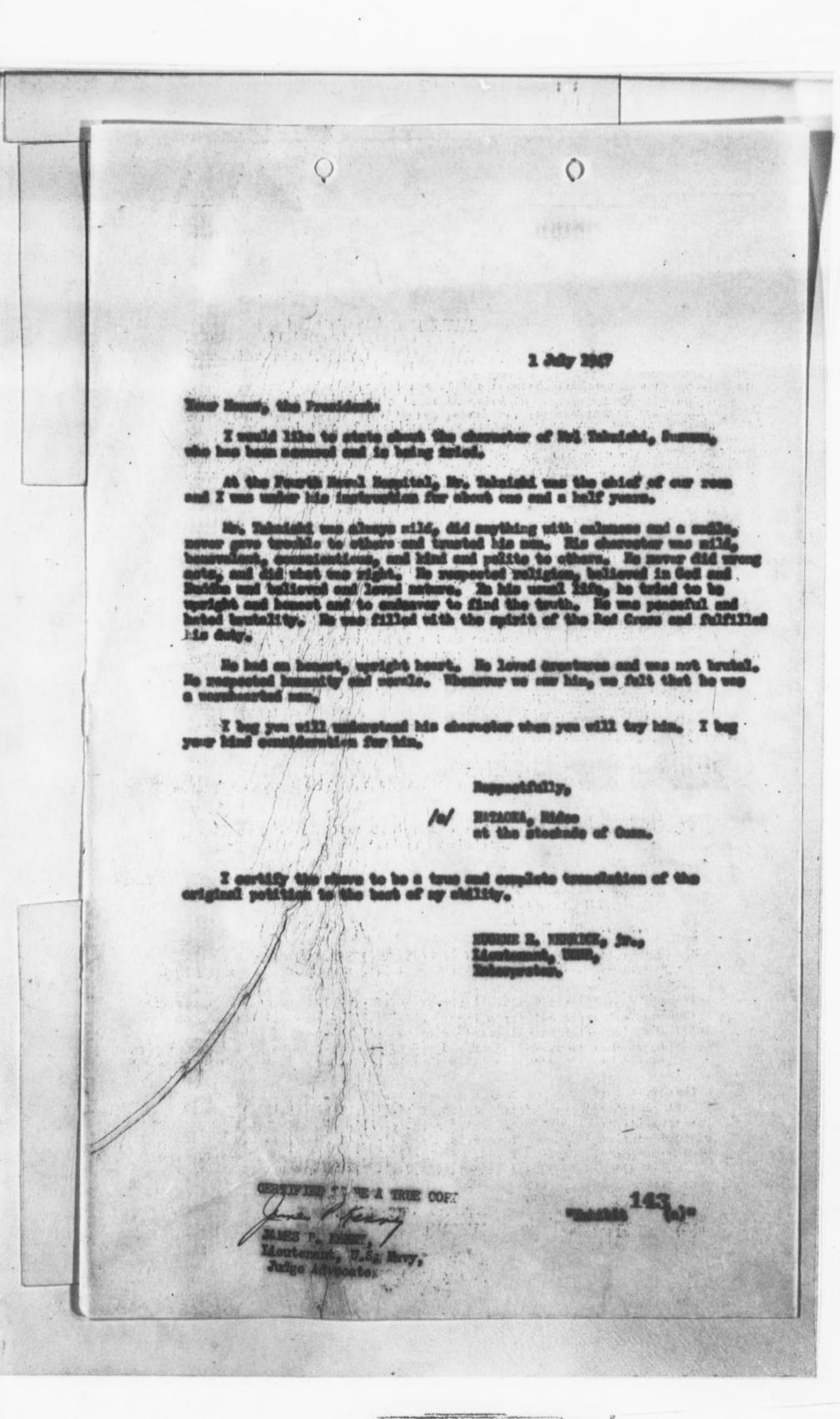


APPIDAVIT IN BEHALP OF VAHASHIMA, TATSIRADIEG engaged in agriculture which was the business of his family. On the others, he entered the Shinshipe Branch of the Rashermachinare foung Man's Association. He was very mild and considerate. He fullowed the intention of his semiors and controlled his computes. He contributed much to systematize the association, and he was promising as to his future as a nodal young nan-In June, 1938 he was cultated as a corporate. In order to become a patients. It was also messensy to be alort and bruve because he must look after patients andest furious intile. Haushim was really suitable for a corporar, and we all colphrated his calistment. In any place and in any battlefield, a corporan must know the art of first aid so that he can take the place of a surgeon if surgeons are for in a vest battlefield. As a sen who always protects the life of soldiers, he must be of soldiers, lie duty in the silitary forces is very important and he has a grave responsibility for it. then I think of the character of Eswashina when he was a member of our young men's association, I on convinced that he would surely fulfill his duty as a corponen at the front. I certify the above. 3 June 1947 To Your Honor, the President of the Military Consission, Marianes Aven. I certify the above to be a true and complete translation of the original petition to the best of my ability. CERTIFIED TO THE A TRUE COFT es P. Kenny JUMES D. KRIERT. Identerant, U.S. Bavy,



PURICION A Potition and partificate of character for Corposan Potty Officer Touterd. Written by Ferner 4th Herel Scripttel Heeber. Courtry (Ft.G) Hurshaul, Chillenn Dec. 13th, 1946. 0636

2, He was mild in nature from the time he was personnes or quarreled with others, He was chedien 2. Then he was in the Hany, he was always auctions to his parents and brothers. He ressed to be delighted that he was a corporan who protected the lives of other people and that he was not a contait coldier. He was a non who disliked fighting. 3. After he was deschilized, he was exployed, got nurried and lived a steady life as a citizen. In short we are convinced that his character is mild, cincove and bright, that he never violates laws, customs, rightecusaess or humanit that he never injure the liberty of others, We cortify that the above statement is true, /e/ SHIBATA, Boso D b 3 7



POTITION

Potty Officer Telesight was a sea of profipued sympathy, who worked with dilligance for the savel haspital with his whole heart.

No treated and trained us as if we were his younger brothers.

Anguelos Hoguels

I certify the foregoing to be a true and complete translation of the original document, to the best of my shility.

Middle R. Kinnick, Junior, Liautenest, V. A. Herel Reserve, Enterprotor,

JAMES P. RENNE,

Lieutenant, U.S. Revy,

Judge Advocate



PETITION Corpounn Chief Potty Officer Serum Teknishi is a son of mild disposition the is very kind. He was absolutely obedient to his superiors and enreest in all his undertakings. If, by chance he should be proved guilty, I pray that his crime may not original document, to the best of my shility. masse E, Risalde, Juntar, 0.45 GERTIFIED " "E A TRUE COFE JAMES P. DERNY,
Identerant, U.S. Mavy,
Judge Advocate.

PETTTIONS I was one of Takaishi's friends, who emilsted and spent about a year at the burrocks with him shoring all sorrows and happiness alike. All this time he was hencet and diligent, and was removed to be a sun with wild disposition by all of his simple and pure hearted friends. Later, it was oustonery for no to hear of him as a very diligent men-decioned officer from these who had been his associates or those who I cannot help but be grieved to hear that he is facing trial at the pros-cat. I do not know for what he is being tried, but I do know that should be be found guilty, he did not counit such a crime of his our free will but only acted as he was communed, as he was a strict observer of absolute chediance to his superfere. I only pray that the nest intimate friend, Suguma Telesishi, who is also mild of disposition be seved. Sediciona Vehildre Palley Ledelle I cortify the foregoing to be a true and complete translation of the original document, to the best of my shility. MIGHER E. KIRREDE, Junior, CERTIFIED TO TE A TRUE COFE JAMES P. KENNY Leutenant, U.S. Mavy, 0642

I testify that WaTaHANE, Hitsue, Paymester Warrent Officer, IN, is gentle and kind, affectionate to his subordinates and human. IA. (Dector), IJH, I certify the foregoing to be a true and complete translation of the original document, to the best of my ability. James P. Fenny, Identerant, U.S. Mavy, Judge Advocate. 13 0643

AVIT FOR THE CHARACTER OF HATAMANE MITSON POWER PATHASTER. MANN INS

Successing by my connectours, I would like to state an outline of his after which I know well as his older brother as follows:

2. Contile characters

He was bright, and he was goodle. I as now recalling him with tears, although I was a feelish elder brother of him, he has never been contemptons to no. Then I was suffering from my philosophical agony, he consoled we goodly and chesefully. The 3 or 4 years' skild of my neighbor became greatly attached to him. I think that is became he was bright, he had affectionate eyes toward the children and he has a chearful grace. That is my the child eyes toward the children and he has a chearful grace. That is my the child eyes attached to him as if he had been its real father.

2. bricht cherneter.

No was good at singing neary songs, telling funny stories and playing absolut. Our family was happy with meany laughter whenever he was at

. He was your filial.

He was kind to his parents especially to his nother. He never told her what would cause her uneasizese, and tried to console his nother. I can not help recalling that his character was full of humanity.

I recall that, before he entered the Savy, he get a baby deg from somewhere and looked after it kindly. He tried to find a jey from his life and to live brightly and with high spirit. He never told his grints and server to others, and he found his hope in his joy. He was brought up with deep affection and he was broune especially to his brother (me). I can not inegate that he should commit a brothal act.

S. He was a rea of the world-

Then our family aircumstances were on dealine, he apapathined with others and never injured others' feeling nor gave trouble to others, although it mees to see that was because he became a men.

I have written as I can recall. By description is your and I have no more time. So I would like to step have.

12 June 1967.

book of my ability.

TE A TRUE COP.



FIT FOR THE CHARACTER OF WATANAME MITSHO FORMER PATHS TATA TAPABLES HAVE I an desply thankful that I have had the opportunity of stating the char-er of WATAMANS Funds as his instructor when he was a boy and as one of his

I know him when he was 12 years old and have been close ofmen then, I studied with him and used to take him: "Nothing is zero grateful then nature and society. The aim of life can be enhanced only by their benevolence and effection. Then you are thankful for that you are, you should also be thankful to nature and society and repay their kinducests." Sametimes, again and again, I teld his this story by thick his young nind was so influenced. As he grow older, he became a man of consciousloud, because of the story.

Upright belief controls one's whole life.

When he was to be enlisted, he determined to enter the Havy. At that time he said: "In the Army, we must fire our rifles, exchanging glasces with the energ and we must also fight a hand-to-hand combat. It is unb no. Havel battle is fought between ships, and we need not do a close struggle. So I choose the Navy. Thus he chose the Navy, the paymenter brunch of the Navy. He was graduated from the paymenters school and was working as a paymenter until the termination of the war. It is his character that make him act as such,

In case of his servings, he behaved in the case way. He sympathined with a girl who had lost parents when she was young and she was living a lessly, helploss life with her sister. He intended to be adopted in the fun-ily and determined to restore the family. I think that this also shows his

Judging from the facts I have sentioused, I can affin

This is what I know about the character of WATAMANE Mitono.

12 June 1947

/o/ WATAMANE, Hirashigo,

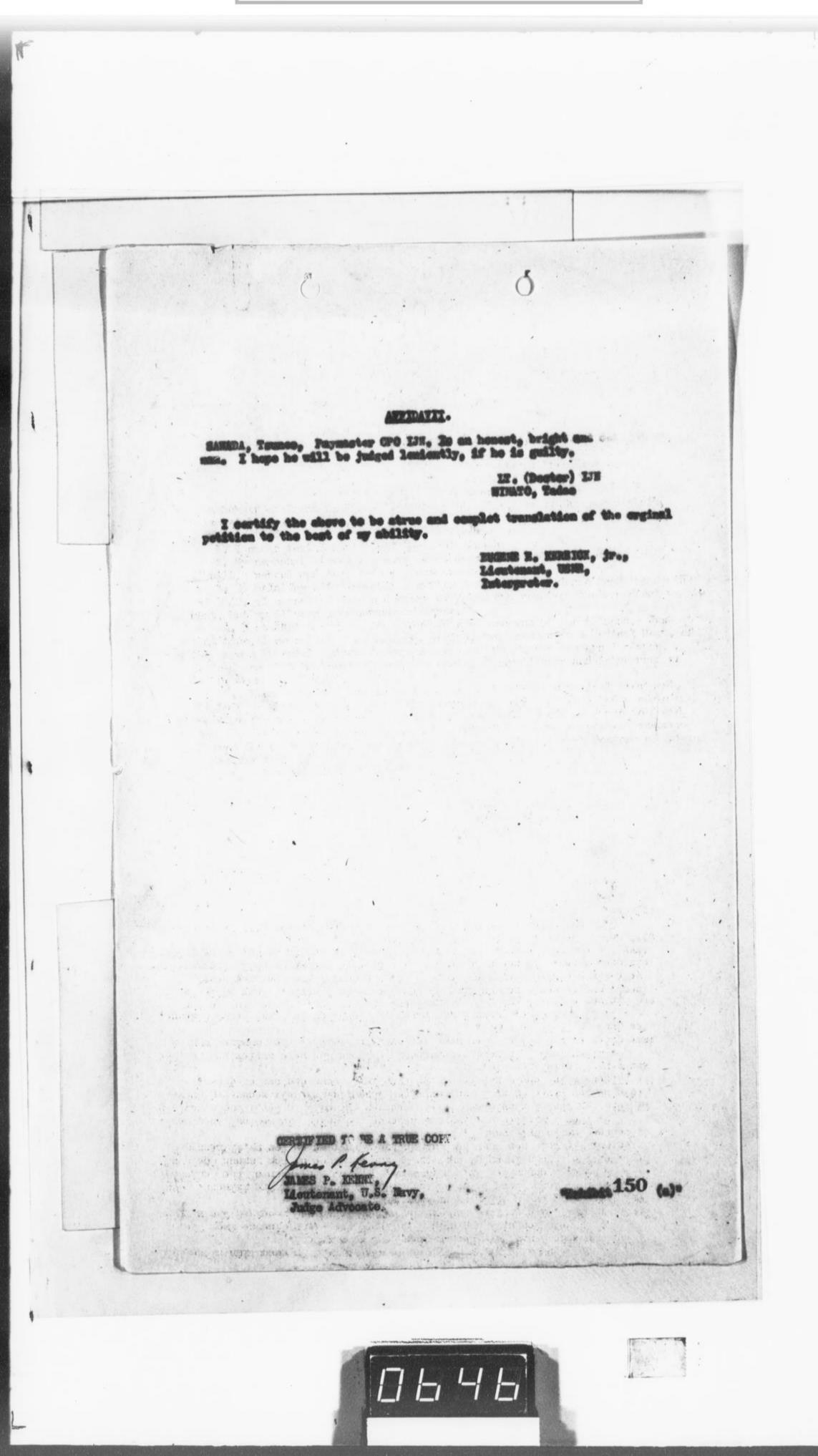
5 leshone Kajiesho, Kanda, Chiyole

I country the foregoing to be a true and complete translation of the

ERTIFIED T" TE A TRUE COFT

JAMES P. KENNY

Identenant, U.S. Mavy, Judge Advocate.



AFFINANT AS TO THE CHRESCHE OF SANADA. ISSUED. PAYMETTE C.P.D. . It's Recent at the end of recruit trainings 29th among 64 recruits.

Greated the 6th order of merit, and the factor of the Penlaunia, with 900 year for his negit in the China Incident.

Record at the end of first training for MaGADA: 3rd soung 13 yearses.

Greated the 7th order of merit and the Order of the Saured Transpare.

Two stripes on his Good Conduct Reign.

I cortify the foregoing is a true extract from the above person's service shoot.

SAIND, Nobert (Seet)
Onder of Personnal Association Research.

Jame 4, 2047

I certify the above to be a true and complete translation of patition to the best of my shility.

HOURT E. HERLING Prop

THE STATE COFT

MMES P. REMRY, Lioutement, U.S. Brvy, Judge Advecate, "manes 151 (a)"

APPIRATE FOR THE CHARACTER OF HUMANARA, HIROTUKE, FORMER CORNERS PRINTS

Suora by my consistence, I would like to certify as fullows:

I lived together with him after we enhance the Telesche Reny Respects tell we were greducted from the higher touining course, and did the same restine work with him. So I fully understand his character and principles. He was penceful, alover and studious. He was graduated with good marks and was a social of his coursdown as a good putty officer. He was also faithful, respected the characters and liberty of other people and was characteristic flavourably as a corporate, he was benevalent and was a same of thereughly demonstrate characters. He believed consciontiously when he did mything at all, and was always respected by others.

I cortify the above.

21 June 1947

/o/ ADAI, Ishino, friend

To Your Honor the Provident of the Military Consission, Merianos Area,

I cortify the above to be a true and complete translation of the original patition to the best of my shility.

RIGERE E, RESRIES, 1909 Ligutonant, USSE, Interpreter.

CERTIFIED TO TE A TRUE COF

MARS P. MEMER, Identement, U.S. Brvy,

152

APPRENTLY FOR THE CHARGES OF HUMANARA, HIROTURI, FORMER CORPENS PETER OFFICER FIRST CLASS, TEPERIAL JAPANEER RAYY.

He end I were extinted together in the Nebessia Bury Berracks. We lived together during our recruit training, muraing training of ordinary course, service at the Yekessia Saval Hespital and muraing training of higher course. So I am familiar with his character, personality, shility and thought. Sween to by my consciouse, I would like to certify them as follows:

l. He was mild and sincere in nature, was of peaceful character and was loved by his conrades, superiors and subordinates.

2. He was elever, and his graduation records were always excellent. He was studied and studied hard without wasting a single moment.

3. His thought was nederate. He firmly henored personalities of others, and respected liberty and benevalence. He was obstiant and always did as best as he could in order to fullfil his duty and responsibility.

He advecated benevelence and liberty, and was a se-called desceratio man.

I certify the above.

/a/ HOUGHT, Chulchi, friend, (fester last more Echil)

To Your Honor, the Freedesk of the Hilitary Constanton, Mariana Area.

1

I cortify the above to be a true and complete translation of the original putition to the best of my shility.

ENGINE B. REFRICK, jr., Lioutenint, verk, Interpreter.

MANUE OF THE A TRUE COFT.

JAMES P. KERNI,

Identement, U.S. Navy,

Junge Advocate.



APPIDAVIT FOR THE CHARACTER OF HUWADARA, BIROYURI, PORMER CORTERAN PETER OFFICER PIRST GLASS. THEORYAL JAPANESE RAVI.

He was a very wild now. Heny coldisons ledged at my house, but he was most beneat. He stayed at my house only four months, but I know that he as a democratic person and that he never quarreled with others. He always tried to be passeful. Since I had no children, I used to sky to others, "I wish I could have such a mild now as Monshers as my child. But I have heard that he, such a mild now has been accused as a ver criminal. I was susprised very much. I am afraid it might be some mistake. I affirm that he was a man of rightness character. He was loved by his friends. He was passeful in crossything and had a very heart. He was very, very tender. I was so susprised to hear that he was acquised as a war criminal that my pen trackles and I comed state all of what is in ay mind. Sware by my conscience, I certify his character and thought as above.

22 June 1947

/e/ MGUCHT, Shisuko

To Hour Honor, the President of the Military Commission, Marianes Area.

I cortify the above to be a true and couplete translation of the original petition to the best of my shility.

EUGENE E. KENRICK, jr., Lioutenant, USIN, Interpreter.

CERTIFIED TO THE A TRUE COFT

MAMES P. KERNY, Meutenant, 17.8, Nevy, Judge Advocate,



I on a friend of Margraki, a loner alass pupil of his. I had been with him in the same ashed, since I entered the primary school till I was in juntar high school. I would like to state Hirapati's character.

When I entered the primary school, he was a second grade pupil. He walked about three miles to school. Whenever I visited him at his house, he looked after no very kindly as I was in the lower class.

I had mover seen him having quarrels with his friends or teesing then during his primary school days.

He lost his nother when he was young, so he took great care from the time he was a bay. He made better records then others at the school and he was an honor student from the time he was in the first grade till the eighth grade. Then he entered the young nam's adjut school besides helping his family work. Then he made good records and received letters of oppreciation from the chief of the breach Civil Government and the head of the village.

Then he entered the navy. We heard that he made good records in the navy, too, and we were delighted. When I think of Hirsynki's character after he had been a first grade pupil till now, I cannot think that he should terture or trouble others. I cannot think that he would be a war criminal.

4 June 1947

To Your Mnoor, the President and the Symbors of the Consission of the Way Crimes Trial, Merianes Ayon, Com.

/a/ Yoskilla, Punto Ann-Archinal, Shiboshamure, Hambandogun, Kushirono-kuni, Hakkuido

I certify the above to be a true and complete translation of the original potition to the best of sy ability.

MUSEUM B. REMERCH, 3P., Liambanant, Willia

CHARLET IN THE A TRUE COF.

JAMES P. KENNEY

Identenant, U.S. Mavy, Judge Advocate. -----155w



To Your Henor, the President of the Military Commission, Hericons Area, Guerry M.X.

I was a friend of Russbaue, Hirapubl when we were children. I would like to state about his prisony school days as your reference.

He was mild in neture when he was young, and was bind to his courades and younger pupils, so he was present after by his younger pupils as if he had been their elder brother. He often exerted a first grade pupil on his back.

He was a mild sen and used to go the siver with boys of the neighborhood for fishing.

I recall that he gave all his cotch to a boy who could not eateh a fish.

On the storny days he used to easy young bays and girls on his back and go to school. The snow was often now than a foot; his back was landed; and snow sade it hard to walk, so he was very rugged in doing so.

He was such a kind wild son that I think that he could not have conditted a war orine against foreign citizens. I on firstly convinced of that. If he had conditted such a herrible things it would have been some stateles.

I am absolutely convinced that kind, mild Hirspuki cannot be accused as a way criminal.

/o/ OHADA, Yoshiyuki,
Ann-irekinsi, Onsa-Terceure,
Shihoshamre, Kaushasi-gun,
Rebaldo,

I certify the above to be a true and couplete translation of the original putition to the best of sy shility.

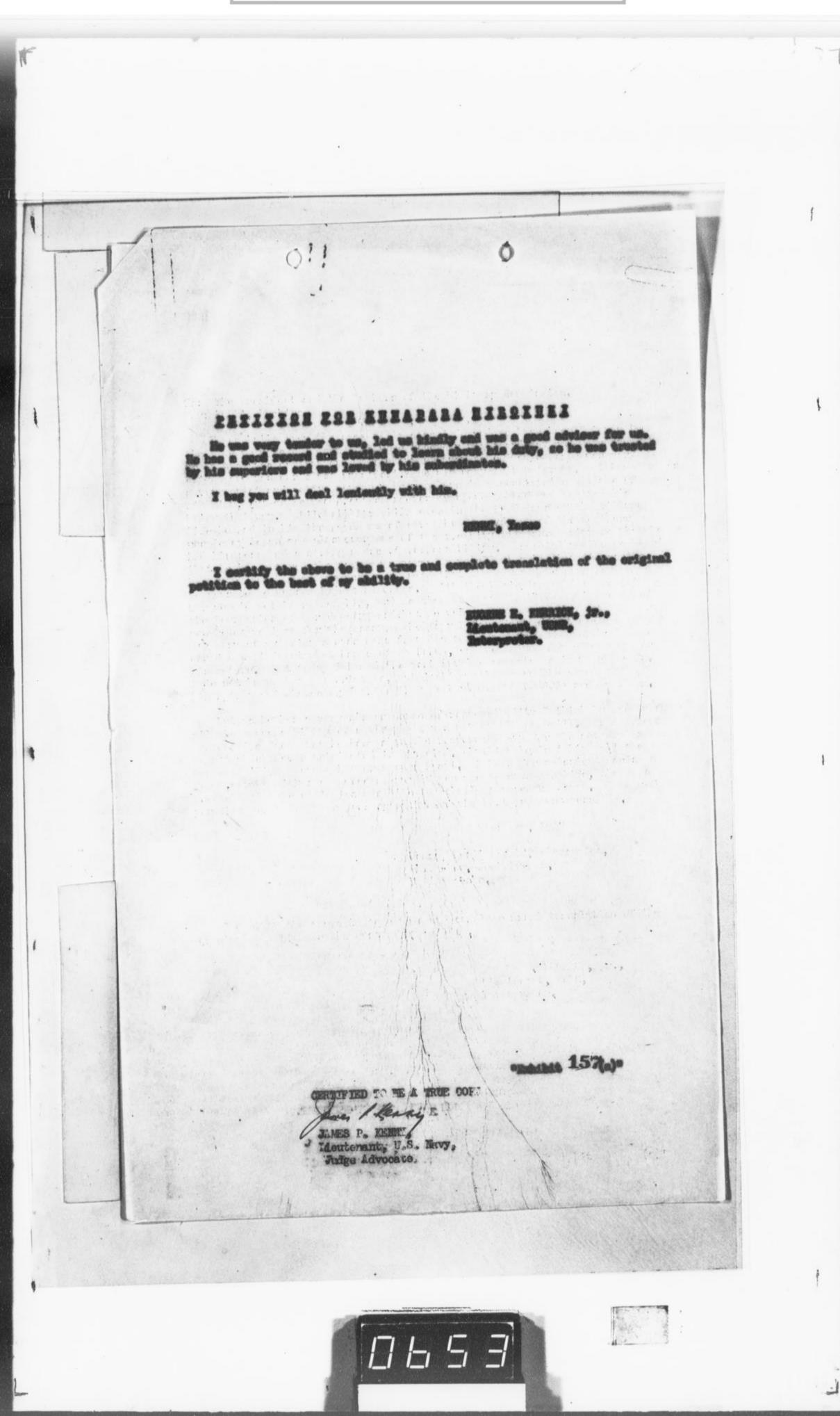
MUCHE E. KERRICK, jp., Licertonest, with Interproture

CERTIFIED TO BE A TRUE COF.

MAMES P. KENNY, Moutement, U.S. Mavy,

450.





APPERAVET FOR THE CHARACTER OF HURADARA, HIROTORE, FORMER CORPERAN PRETY He and I lived together after we entered the Tekesuka Havel Berracks, and received recruit training, ordinary course training and higher course training together. So I fully understand his character, thought, chility and personality. Seem by my conscience I would like to certify as follows: He was peaceful, steady and studious. He was clover, showed excellent records at his graduation and was loved by everybedy. His principles were nederate. He advected benevelence and humanity and honored the exercises and liberty of individuals. He was obsdient, loved his non affectionately, and was faithful to his friends. He is a sen who is thoroughly democratic. I certify the above. 10 June 1947 /s/ KURATA, Suguem, friend. To Your Honor, the President and the members of the Military Consission, Mariames Area. I cortify the above to be a true and complete translation of the original potition to the best of my shility. EUGENE E. MERICE, JF., Lautenant, U.S. Mavy,

HIMARINA, Hisegriki, corporan superior petty officer, III, to beneat and liant to the orders of his superior. I beg you will deal with him smally if he is found guilty. I curtify the above to be a true and complete translation of the original potition to the best of my ability. 0655

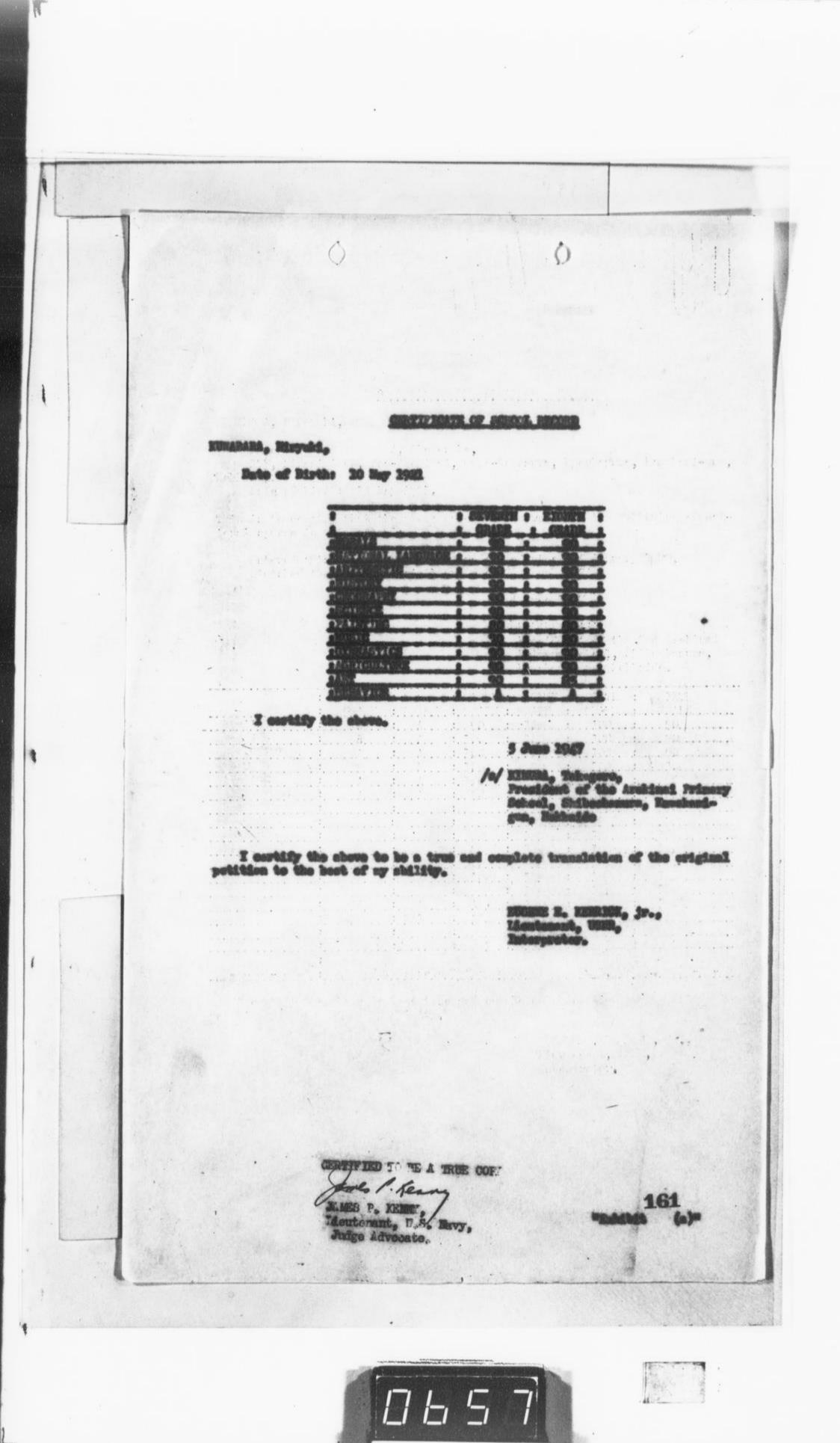
This is to cartify that the above need person received the following educate-iousl course in this schools

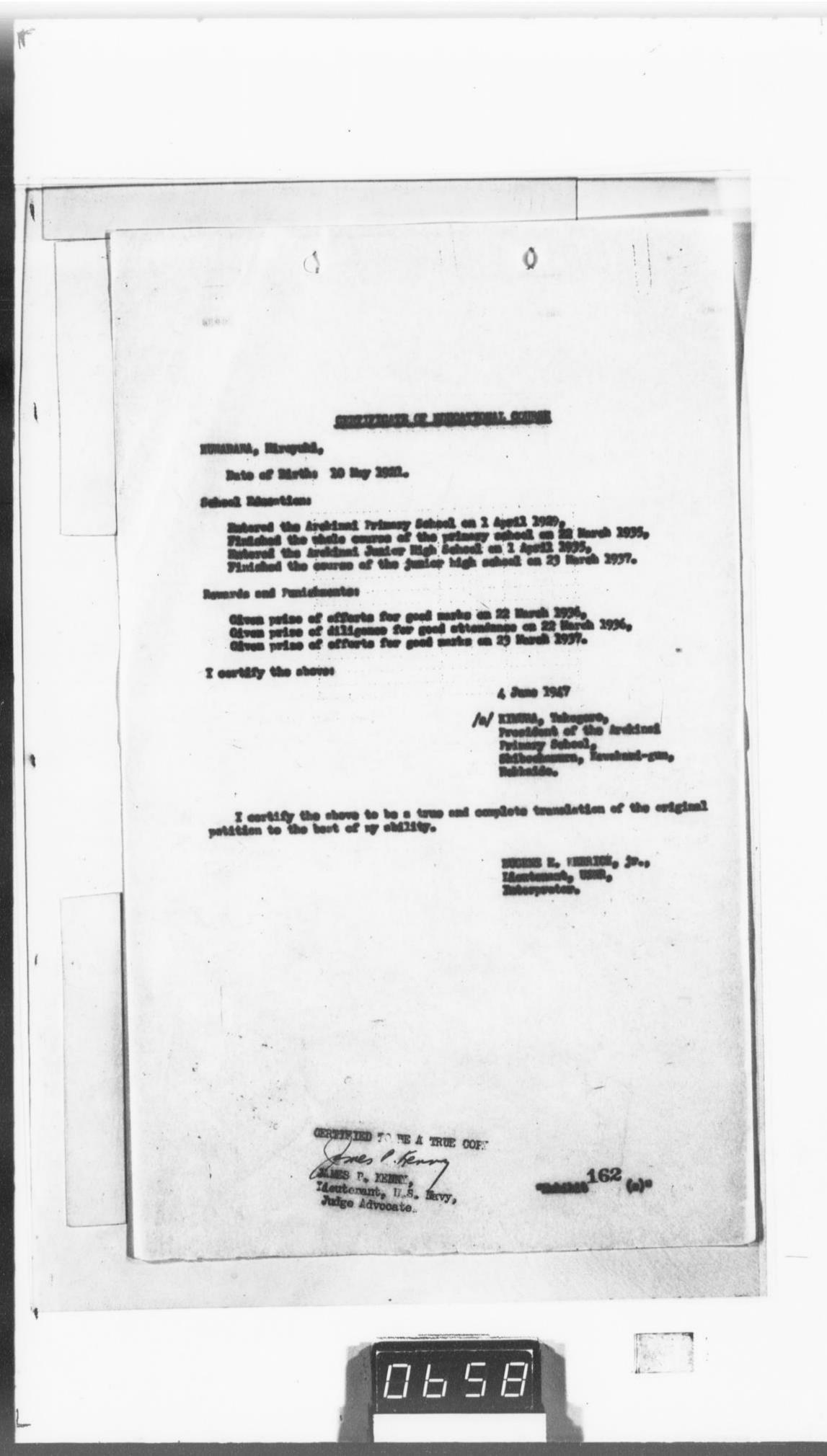
Entered this school as a first grade student on 25 January 1989, Finished the course of sixth grade on 26 Noveh 1934.

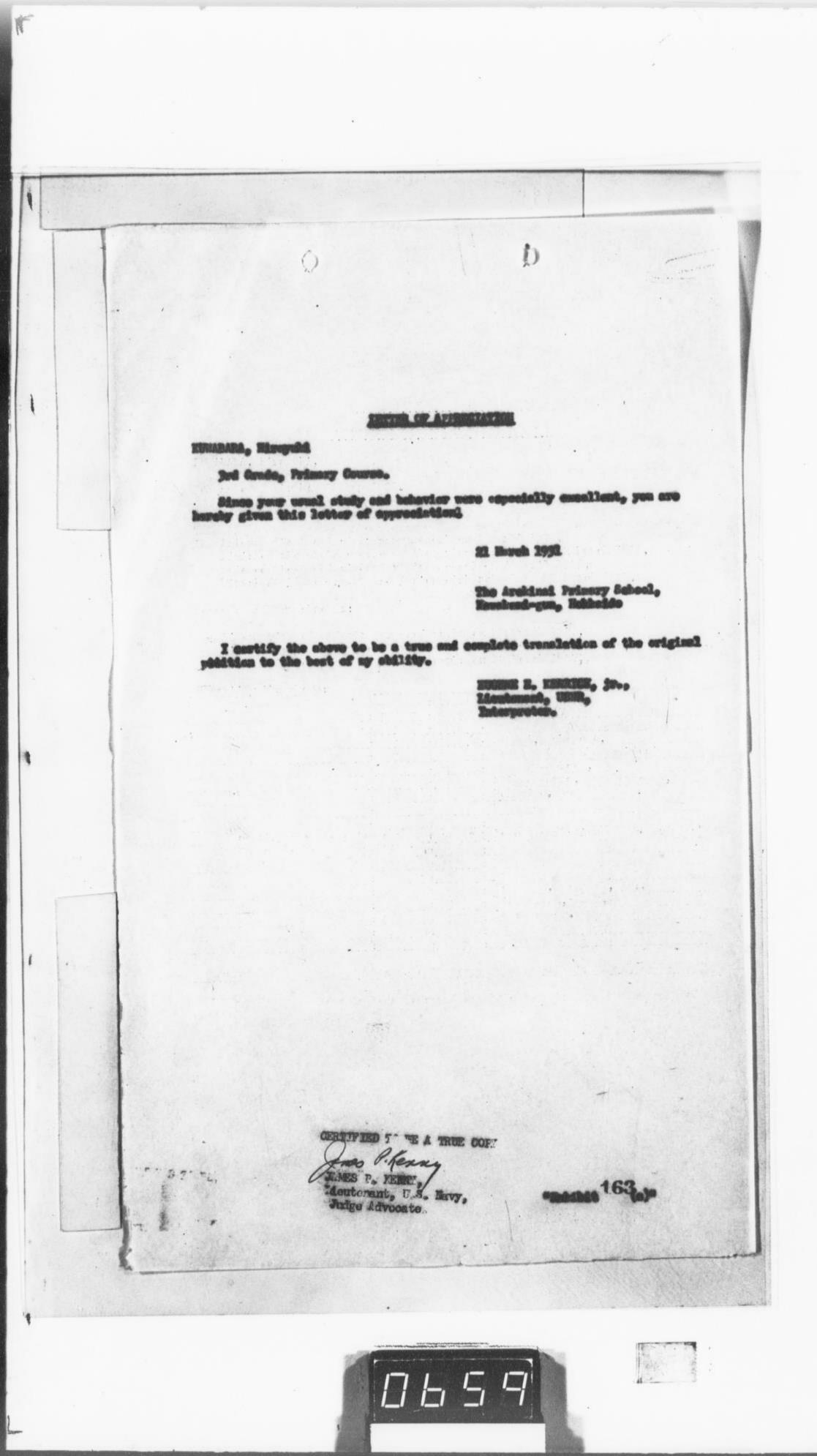
4 June 2947

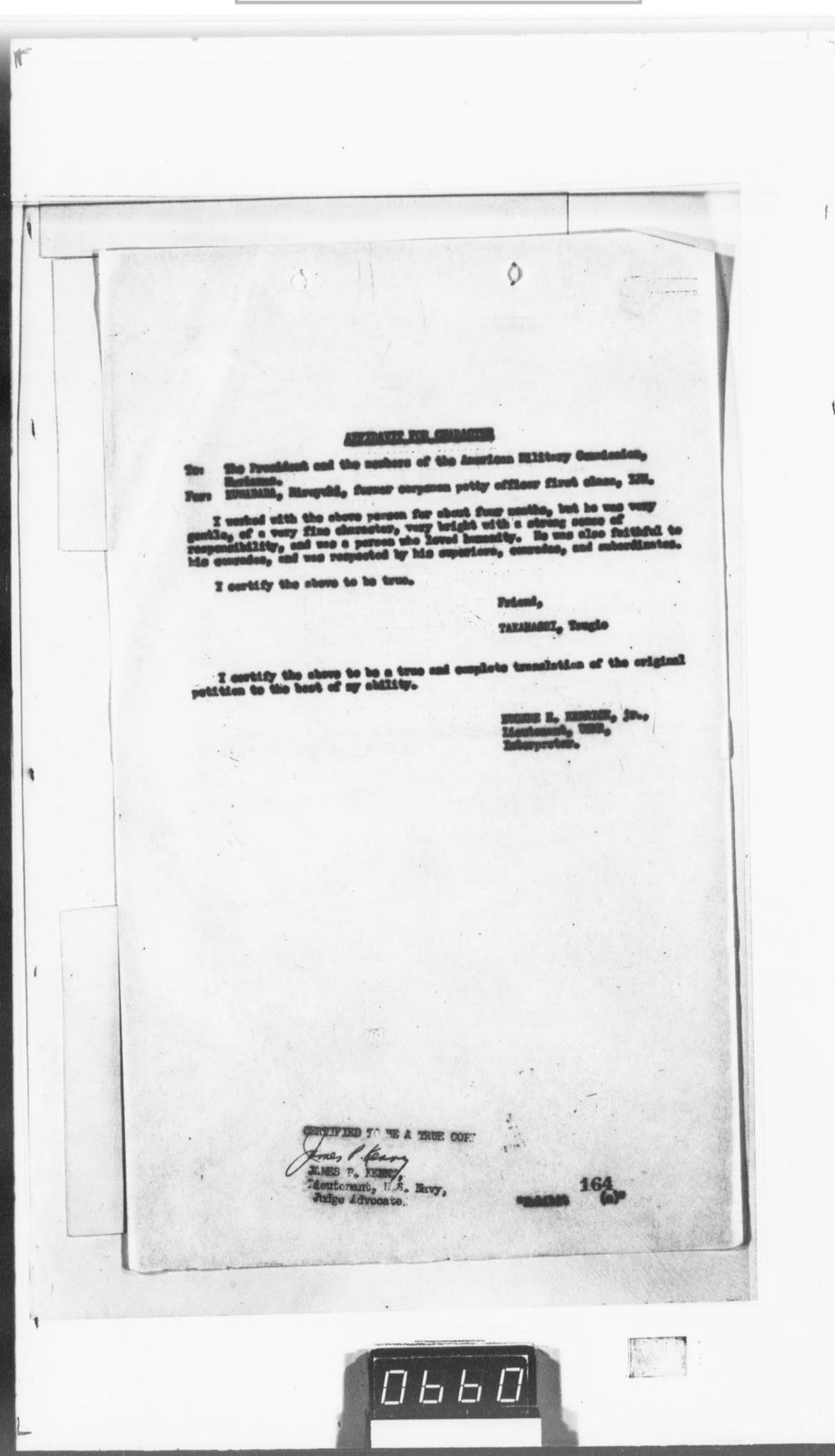
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STITUTE OF CHIPACTUR I certify the above to tous,

al Medical Petty Officer, Pipu I am a dealer in mechanical tools. I am a friend of Hasso H As his former employer and a senter I have known him for over ten puring the period I was a manager at the Grama Michanical tools Shop I was his senter as well as friends. At the time he had just graduate from the village grade school with no experience in society and a fine boy. Then I recall those days and look upon him, he was a really naive and im-necest lad who was well behaved. He matter how unpleasant he did as he was remoured as being almost divine in his ways. He was actually that I heard that he was carrying out his fine qualities he possessed as a small boy even after he had grown up to be a soldier and a man. When wer ended, he came to me last autumn in 1946 saying he came to o to seek my advice on what he should do to make a living at that time his elder brother was held in Soviet Russia and he was supporting the hole family including his old nother. It isn't very easy to make a living in post-war defeated Japan. Unless illegal profit is gained by black-marketing or some other unlawful means, life is very hard. But he never sees either of these two ways of easy life. He still pessessed the naive mind he had as a small boy. I was greatly moved by his fine spinit and promised him to have his work at my shop. It was only for a period of 4 months, but he was the same as he used to be as a boy. This ideas and conduct were almost need to God There was not a bit ofill-doing about him. Hes speech and condust were just the same as when he was a boy. Not be was suddenly prosecuted as a war criminal suspect. I was very surprised because it was unemposted. I do not know what warting regulations or international lass are, and so I cannot may anything about the trial. However, as an individual who is thoroughly familiar with the character of Kasue Manatame I am convince that he is not the kind to be involved in any orine. If by chance it should be so, I am sure he carried out orders in the obedient way, which was his strong point, just as he was teld. This is the erroneous policy in trining man, adopted by the Japanese armed forces, to obey the orders of a superior regardless of conditions. If orininal offense is to be punished, the kind of military training which made him so, the militarists, the national situation, should be blased for. He, himself should be immosent I don't know what offense he has consideration the point that he personnelly never intended to do so. This is a really poor letter but please try to understand what I want to tell 9000 I cortify the above to be a true and complete translation of the original potition to the best of my ability. 72 A TRUE COET 166 0662

PETITION

For: Kasuo Hamatamo, Hedical Petty Officer First Class. Of: Sarado, Yusugund-mura, Nasu-Gum, Tochigi Prefecture.

We were surprised to hear that the above Kasuo Hamatame was recently prosecuted on the charge that he committed manulaughter and violated ware time regulations and usages at Truk Island.

We believe he is not responsible for all the above charge specifications but merely a part of it. But we cannot know the truth of the whole case and by proving his character by those who knew him as a boy we submit this petition to your homor.

The above Kasuo Namatame was born in the cutskirts of Sarado village. His birthplace home is a small farmer but both his parents were religeous people. (his father is deed now.) They were moted for being pleasant felks, never being criticised by the village people. They led a peaceful life. He graduated from the village elementary school and being the second som in the family came to Tokyo and was employed by a machinery shop. He was working diligently when on let of Jume 1940 he emlisted in the Naval service. The China incident was expanding into a large scale war and beingg physically strong with no defects he would somer or later be conscripted and drafted. So he thought if he had to serve in the army he could not stand hard labor and learning from an friend living next door who emlisted as a medical service personnel 6 years ago and hearing that Suring in the Naval medical corps.

After emlisting in the Navy he studied hard and in 1941 completed the general course in hospital training with a good grade. He became a regular hospital orderly and was assigned to the Tsuchiura Air Corps.

For us it was also good news. After that he was assigned to the Oi Naval Air Corps and then to the Fourth Naval Hospital at Truk Island. For full three years until the termination of war he served on that Island.

During the three years he served on Truk Island he was taught to observe his superiors orders absolutely and forgetting about home and hinself he just worked hard. If he were questioned it will be known but the post he held while serving at Truk Island was at the Adjutant Section or, Head or second—in—charge of Statistics and Report Room.

He was always posted at the very center of the hospital administration section. And mormally, common emlisted personnels are transferred for service in Japan proper after one or two years, the reason he served continuously for three years proves how dilligent he was at his post.

on Truk Island but as is described in the enclosed letter, the village people know he is an honest, model young man. When enlisting in the Newal sarvice he volcunteered for the worth-while medical corps where he would be able to comfort and look after the sick and wounded. At the same time he worked hard and as already stated he was faithful to his superiors and possessed strong sense of obedience. Therefore it surprised us to hear that he was prosecuted.

CERTIFIED TO THE A TRUE COF.

MMES P. KEMEY, Lieutenant, D.S. Nevy, Exhibit 167 (1Xa)"



If there was anthing he was prosecuted for, he supt have only faithfully obeyed his superior's orders as a subsplinate, which is a normal thing in war. It was not personally and intentionally done. We are fixely convinced that he was compelled to obey or easy out a superior's order.

We believe up are the case who know the everyday life and career up to date of Easte Manatase the very best. We are convinced that even if he was charged he is immorant. We wave how and reared in the country. We cannot write on-half, or even one third of what we have in mind. We plead to Neur Homer to take into consideration our cineare feelings from what we have written here so that Easte Sanatase will be released and once more be able to walk on the soil of his histiplace.

No are his friends;

/a/ Hannosuko Hunano

/o/ Aktira Homoro

/a/ Jianosuko Hishimuna

/o/ Kanenatou Yemashita

/e/ Totohi Namatano

/a/ Ichiro Kobayacho

/a/ Hoshichi Sekiquehi

I cortify the above, consisting of two (2) typouritten pages, to be a true and complete translation of the original potition to the best of my shility.

EURINE E. HERRICK, 3009 Licutement, USBR₀ Enterprotor.

167

MMES P. FEME Moutevant, U.S. Rolling Judge Advocase.



APPEDAVIT FOR THE CHARACTER OF HAMATAME FACTO FORMER GORPONAN CHIEF FELLY DEFENDE INFERTAL JAPANESE BALL. Permanent Regidences Connederedo, Yunuguninura, Hasu-gun, Tichigi-hun.

He was been at Cassedarade, our village, He was mild, responsible, plain, sypathetic and self-enerificing in nature. He was graduated from the primary school with a good record, and engaged in agriculture as a model young man. Being the second son, he intended to go up to Tokyo where he became an employue of a machine shop and verted diligently. In 1945, he was emlisted as a corponen of the Havy, After he entered the Havy, he was emlisted as a corponen of the Havy, After he entered the Havy, he was very filial, mild and self enerificing, so he had a good reputation in our very filial, mild and self enerificing, so he had a good reputation in our village and was trusted by the officials of the public office, neighbors and friend.

He made a good record in the Havy, too. In December 1942, he was see leasted and attached to the 4th Haval Hospital where he did his best as a Naval surpensa in treating and sureing the patients. During that time, he was always assious about his home, village and friends, and sent letters several times a month. While serving as a faithful petty officer, he tried to set the mind of his parents and friends of his village at ease when he had time to spare. His father was a poor farmer. After his father died, his mother and wife of his elder brother were making a poor living. So he sent greater part of his mlary to his home and consoled his mother. His elder brother was called to the Army 6 years ago, served Hameburia and was desobilized in May of this year. He is now helping his family in agriculture. He recalls his past agodies between strict orders and obsellence, reflects that the Japanese farmers had been too obedient to the authorities, and is working hand in hand with good young sen of the village for the democratizating of his farming village.

In shor, HAHATAME, Kasuo was a faithful corposan potty officer of the Havy. We feel, no matter what the ground of his charge was, that it was not what he intended to do and that he was obliged to do so by the strict order and obedience of the Japanese military forces. We believe that it is clear when we think of his good characters mildness, sympathy, self-secrificing spirit, filialness, etc.

We beg your kind consideration for the above mentioned circumstances and that you will deal lemiently with him.

- /a/ Netake, Ayaru, Head of Yusuganimura village, Nasu-gum, Tochigi-kom.
- /a/ KOBAYASHI, Yuso, /a/ WAKAMIEU, Atsuyoshi, Member of the Protestion Coumitte of Criminals.

 Assembly, Tusuganimura, Hassegum, /a/ sasamus, Shinessa.

Tochigi-ken.

/o/ KOBAYASHI, Masaji,

Primary School,

/e/ SATO, Seburo,

President of the Insug

Tusuganinure, Rasu-gu

gm, Tochigi-kon.

- /e/ SASANUHA, Shinemon, Head of the Sarado Post Office, Tochigi-kon.
 - /a/ SUZUKI, Shimaji, Casa-Sara, Tusugamimura, Hasu-gun, Tochigi-hom
 - /a/TANI, Kunio, Homber of the village Assembly, Yusuganimure, Resurgum Tochigi-kom,
 - /s/ HUMANO, Yasushi, Hember of the Village Assembly, Yusuganimure, Hasu-gum, Tochigi-hom,

I cortify the above to be a true and complete translation of the original potting by the heat of my ability. Houseoust, Uses, 168
Identerant, U.S. Revy, Interpreters undility interpreters undility (a)*

134146 wily Medical Potty Officer First Class KASUD Hemat io, Tunugani-Hura Hagu-Gun, Tuchigi Profes The above Kasso Hantens after graduating from the elementary school at his home village of Tunngamismura immediately came to Tokyo and become an employee of our firm, For seven years after that he was of a quiet and obedient disposition and obeyed my words and his reputation among our oustomers as a model employee was good. He worked hard both for the sake of the firm and also for himself. Recently I heard that he was prosecuted as a war original suspect and was very surprised. We do not know what mistake Hamatame made at the far away front lines but we are talking to each other that "Hamatame possibly couldn't have done it." If by any means a petition on his behalf was permitted I was thinking of offering to do so the very first, being responsible for the training and guiding of his character as his one time employer. Fortunatly that permission was granted and I am happy to be able to reveal frankly his character. Good points about him: 1. A quiet and obedient nature. Very strong in sense of obedience. 2. Very strong sense of responsibility. 3. Obedient to his parents. Weak points. 1. This strong point as stated in item one could also be a weak point in that it was ultra-foundalistic. That is, if ordered or entrusted by his superiors or others he would carry it out without first thinking on it good or bad. In short, he possessed the same frame of mind as a young bay even after he had grown up. One day when the house-maid was absent I ordered him to sweep out the latrine. From that day, he never forget to clean the latrine every single day and at the same fixed hour unless he was unable to do so. He was a pleasant boy and was liked by all. He was the kind who could like anybody. I think his nature of liking anybody was the basic reason he volounteered to be a medical orderly. If by chance he had committed manelaughter or some unlawful act, it is my strong conviction that it was the result of blind obedience which is his strong point as well as weak point, and carried out in an excited condition of an unfortunate and disadvantageous war. The unfortunate. He is truly a sacrifice for the militarists. The above is acasease but please take my sincere feelings into consideration. I wish to state here that he can work hard as a true member of a democratic state. I plead to Your Honor. 1 June 1947 /s/ Yosofire Cyana He, 447 Wekabayaski=Cho Setagaya Ward, Tekyo I certify the above to be a true and complete translation of t original petition to the best of my ability. ENE E. KERRICK, from 169 0666

