

The next sentence in Wharton's deals with treason and de facto government; but the very next paragraph reads as follows:

"Under the Roman law, when a subordinate acts in obedience to a superior's lawful commands, the defense respondeat superior applies. With us, also, a command, to be a defense, must be lawful. 'In all cases,' says Sir J. F. Stephen, 'in which force is used against the person of another, both the person who orders such force to be used and the person using that force are responsible for its use, and neither of them is justified by the circumstance that he acts in obedience to orders given him by a civil or military superior; but the fact that he did so act, and the fact that the order was apparently lawful, are in all cases relevant to the question whether he believed, in good faith and on reasonable grounds, in the existence of a state of facts which would have justified what he did apart from such orders.' But unless the order were one which the subaltern was required by the law of the land to obey, or unless physical compulsion were applied, the superior's orders is no defense."

Defense counsel has also included a quotation from Wharton, immediately following the one which we have discussed, in which he cites Wharton's Section 384 "Coercion". The last sentence of this quotation indicates the applicability of the provisions, but we must read the following portion of the same paragraph, which is omitted by counsel, if we are to understand the true application: "It would be a most dangerous rule if a defendant could shield himself from prosecution for crime by merely setting up a fear from or because of a threat of a third person. But in the case of a married woman a different rule prevails. Where she commits a crime in the presence of her husband except the crimes of treason, murder, and certain other crimes male in se, she is presumed to have acted under his direction and by his coercion, and his will constitute a complete defense to the prosecution for the crime. But there is no presumption of coercion of an infant by a parent."

Perhaps it is unnecessary to cite additional law with regard to the question of compulsion and coercion and necessity, but it is desirable to point out that in the instant case, there is no evidence of any actual coercion or any actual compulsion having been applied. All that we have is Teraki's fear that possibly Matoba might take such certain actions against him. Whether this fear was a fear of death to Teraki or not is completely irrelevant, because the law does not permit one to commit murder of another individual through a fear of injury to one's self. 2 Stephen's "History of Criminal Law" (1873), pp 107-108, contains the following: "Criminal law is itself a system of compulsion on the widest scale. It is a collection of threats of injury to life, liberty and property if people do commit crimes. Are such threats to be withdrawn as soon as they are encountered by opposing threats? The law says to a man intending to commit murder, if you do it I will hang you. Is the law to withdraw its threat if someone else says, 'If you do not do it I will shoot you?'"

"Surely it is at the moment when temptation to commit to crime is strongest that the law should speak most clearly and emphatically to the contrary. It is of course a misfortune for a man that he should be placed between two fires, but it would be a much greater misfortune for society at large if criminals could confer impunity upon their agents by threatening them with death of violence if they refused to execute their commands. If impunity could be so secured a wide door would be open to collusion, and encouragement would be given to associations of malefactors, secret or otherwise. No doubt the moral guilt of a person who commits a crime under compulsion is less than that of a person who commits it freely, but any effect which is thought proper may be given to this circumstance by a proportional mitigation of the offender's punishment."

There is no need to dwell on that phase of defense counsel's arguments any more. We need merely refer the commission back to the main issues as presented by the facts.

Participation of Teraki has been established in two distinct manners. First, the direct participation. Such participation, as is indicated by the testimony of Sato and of Nakamura, consisted of the verbal encouragement "do the act quickly" and secondly by the added participation of instructing the guard in how to slit the prisoner for his beheading and his comments to Sato with regard thereto. This evidence and the related facts have been contested by defense counsel. The commission must weigh the conflicting evidence and make their determination as to which is the reliable and the credible evidence.

There is another phase of participation and that is the phase which the accused has not contested, which he has not sought to say is unreliable; and that is the fact that the accused and others knew that there was a series of incidents planned to occur at that place, time, and on that date. Whether they knew it three days before, or on the morning of the incident is clearly immaterial. There was the knowledge that the prisoner was to be executed and that the prisoner was to be dissected and that the liver and flesh was to be removed from the prisoner. They were all part and parcel of the same chain of events.

It is not necessary to further consider the presence of Teraki for the known purpose of removing the flesh and liver as constituting an encouragement of the execution because we have already deduced the direct evidence of the participation - in the verbal request to speed up the execution and the verbal orders regarding seating of the prisoner for execution; and the encouragement of Teraki's presence for removal of liver, etc is merely another part of that direct participation, and one which may be considered in that connection.

Independent of the aspect of encouragement, there is the fact that there was a known series of events, that Teraki's participation could not occur and was not designed to occur until after the execution had occurred, that Teraki was there for the purpose of carrying out his part of that plan, and Sato was there for the purpose of carrying his part of that plan, and that it was all one known intended and planned series of events. The commission must determine whether the presence of Teraki for the purpose of carrying out his part of that series of events constituted a participation in the first step of that series, namely in the execution.

There is little more to be said except once more to point out that the frailties of an individual man or group of men under circumstances of brutality or bestiality or fear is perhaps something to be considered in mitigation but is not anything which would be considered in determining the evidence of their responsibility for failure to perform their duties under international law. For such persons are similarly held criminally responsible to perform those duties under their own domestic law; and it is not necessary for me to cite per example, the Japanese law which is the same as our own in that regard.

Respectfully,

*David Bolton*

David Bolton,  
Lieutenant, USN,  
Judge Advocate.



It is perhaps desirable to look at some of the specific cases cited in Wharton's, section 384, in the footnotes to the paragraphs which we have previously discussed, portions of which were omitted by defense counsel: "Actual presence of party threatening, necessary. Thus, where one who had threatened to take the life of defendant he refused to kill another was a mile away at the time of the commission of the crime, but defendant, believing the threat would be executed, to save his own life, killed a man, as directed, he was held guilty of deliberate murder." (State v. Fisher (1899) 23 Mont. 540, 59 Pac. 919; State v. Nergashian (1904) 26 R.I. 299, 106 Am.St.Rep. 715, 58 Atl. 953, 3 Ann. Cas. 1026; Paris v. State (1895) 35 Tex. Crim. Rep. 82, 31 S.W. 855.) "Threat made three days before the deed, that party would kill defendant if he did not go with and assist in the crime, held to be no defence." (People v. Repke (1895) 103 Mich. 459, 61 N.W. 861.) "Fear as an excuse for crime has never been received by the law. No man, from fear of circumstances to himself, has the right to make himself a party to committing mischief on mankind." (Lord Denman in Reg. v. Tyler (1838) 8 Car & P (Eng.) 616. See Reg. v. Dudley, L.R. 14 Q.B. Div (Eng) 273, 560, 54 L.J. Mag. Cas. N.S. 32, 52 L.T.N.S. 197, 33 Week. Rep. 347, 15 Cox, C.C. 624, 49 J.P. 69, 5 Am.Crim.Rep. 559.) (pages 15 and 16).

This is merely one source of citation of pertinent case material. The law is clear and there is no need to burden the commission with further citation on that score. It might be pointed out that defense counsel have made no citations of any case precedents or law under Japanese law, international law, or domestic law, which would justify the actions of the accused under the circumstances present in the instant case.

Defense counsel have sought to deny the direct participation of the accused in the murder and have chosen to take issue with the evidence that Teraki requested Sato and Nakamura to perform the execution quickly. Defense Counsel have said that if that was so, then Teraki would not have waited fifteen or twenty minutes after the prisoner had been beheaded; therefore, they conclude he did not say to Sato or Nakamura "do it quickly". The reasoning of defense counsel is, of course, specious upon its face. There is nothing inherently inconsistent in those facts. Teraki could have desired to have the execution performed quickly even though he had intended to wait fifteen or twenty minutes. If he did anticipate waiting then he would have had only a double reason to increase the speed of the execution. By speeding up the execution he would not have had to wait fifteen or twenty minutes plus the additional time of a delayed execution.

But aside from the fact that there is no conflict between the testimony that Teraki urged Sato and Nakamura to "do it quickly" and his testimony that he delayed 15 or 20 minutes, we should note the inherent improbability of this entire story of Teraki, that he wanted to wait fifteen or twenty minutes until the body got cold. The story is improbable from the very nature of the man's profession as a medical man, from his ability in handling patients, from his position, skill, and background and disposition. The fact that he has positively stated under oath that he performed no previous operations on human bodies, is of little consequence, even if we believed him. It is probably that he was present at them, and it is apparent that in his military duties he had performed some minor operations as he on cross-examination finally admitted. But the amusing part of his testimony, if such a thing can be considered amusing because of its ridiculous nature, the amusing part of this, is the fact that here Teraki has testified as to this third incident that he did not wish to dissect the body while it was warm; yet on February 25th, immediately after a prisoner of war had been stabbed, Teraki removed the flesh and liver from that prisoner, apparently with no compunction and with no qualms about the heat of the body. We have the testimony of eyewitnesses Matsui to that incident. Matsui was asked question: "How long after the execution did Teraki begin his dissection?" Answer "At once."

TERAKI, TADASHI (4 MAR 1949)

(VOL. II)

(167855)

0553



Case of  
TERAKI, Tadashi  
March 4, 1949

RECORD OF THE PROCEEDINGS OF THE  
MILITARY COMMISSION  
ACTION OF THE SECRETARY OF THE NAVY

RECORD OF PROCEEDINGS  
of a  
MILITARY COMMISSION  
convened at  
United States Pacific Fleet  
Commander Naval Forces, Marianas  
Guam, Marianas Islands,  
by order of  
The Commander Naval Forces, Marianas

RECEIVED  
24 MAY 1949  
OFFICE OF JUDGE  
ADVOCATE GENERAL  
G.C.M. SECTION

C-N

167855

VOLUME II

0554



EXHIBIT 1 consisting of the following certified excerpts from the record of the trial of Lieutenant General Yoshio Tachibana, IJA, et al:

CHARGES AND SPECIFICATIONS  
FINDINGS OF THE MILITARY COMMISSION  
ACTION OF COMMANDER MARIANAS, CONVENING AUTHORITY  
ACTION OF COMMANDER IN CHIEF, PACIFIC FLEET,  
REVIEWING AUTHORITY  
ACTION OF THE SECRETARY OF THE NAVY

RECORD OF PROCEEDINGS

of a

MILITARY COMMISSION

CONVENED AT

General Headquarters Pacific Fleet

Commander United States, Marianas

and, Lieutenant General

Yoshio Tachibana

The Honorable Secretaries, Marianas

Exhibit 1

0555

And Refer to  
JAG:I:RAS:fld  
117-10/OQ (6/25/47)  
154578

NAVY DEPARTMENT  
Washington 25, D. C.

18 JUL 1947

From: The Secretary of the Navy.  
To: Commander Marianas Area.  
Via: Commander in Chief, United States Pacific Fleet.  
Subject: Military Commission case of Lieutenant General Tachibana, Yoshio, I.J.A., Captain Yoshii, Shizuo, I.J.N., and Major Matoba, Sueo, I.J.A., tried in joinder with Vice Admiral Mori, Kunizo, I.J.N., Captain Sato, Kesakichi, I.J.A., Lieutenant Suyeyoshi, Jitsuro, I.J.N., Surgeon Lieutenant Sasaki, Mitsuyoshi, I.J.N., Surgeon Lieutenant Matsushita, Kanehisa, I.J.N., First Lieutenant Isogai, Gunji, I.J.A., Lieutenant (jg) Hayashi, Minoru, I.J.N., Lieutenant (jg) Masutani, Shinichi, I.J.N., Mori, Yasamasu, sergeant, I.J.A., Nakamura, Shigenobu, corporal, I.J.A., and Kido, Matsutaro, superior private, I.J.A., by your order on 15 August 1946.

1. The Military Commission before which Lieutenant General Tachibana, Yoshio, I.J.A., Captain Yoshii, Shizuo, I.J.N., and Major Matoba, Sueo, I.J.A., were tried in joinder with Vice Admiral Mori, Kunizo, I.J.N., Captain Sato, Kesakichi, I.J.A., Lieutenant Suyeyoshi, Jitsuro, I.J.N., Surgeon Lieutenant Sasaki, Mitsuyoshi, I.J.N., Surgeon Lieutenant Matsushita, Kanehisa, I.J.N., First Lieutenant Isogai, Gunji, I.J.A., Lieutenant (jg) Hayashi, Minoru, I.J.N., Lieutenant (jg) Masutani, Shinichi, I.J.N., Mori, Yasamasu, sergeant, I.J.A., Nakamura, Shigenobu, corporal, I.J.A., and Kido, Matsutaro, superior private, I.J.A., under date of 15 August 1946, found Lieutenant General Tachibana, Yoshio, I.J.A., Captain Yoshii, Shizuo, I.J.N., and Major Matoba, Sueo, I.J.A., guilty of Charges I, Murder, II, Violation of the Laws and Customs of War, and III, Neglect of Duty in Violation of Laws and Customs of War, and the specifications thereunder as follows:

Charge I As to Tachibana, specification 1, 3 and 4 proved, specification 2 proved in part - not charged with specifications 5 and 6; as to Yoshii, specification 6 proved, specification 2 proved in part - not charged with specifications 1, 3, 4 and 5; as to Matoba, specification 4 proved, specification 5 proved in part - not charged with specifications 1, 2, 3 and 6.

Charge II As to Tachibana, specification 2 proved, specification 1 proved in part - not charged with specifications 3, 4, 5, 6, 7 and 8; as to Yoshii, specifications 4 and 5 proved in part - not charged with specifications 1, 2, 3, 6, 7 and 8; as to Matoba, specification 1 proved, specifications 3 and 6 proved in part - not charged with specifications 2, 4, 5, 7 and 8.

Certified to be a true copy

*Robert H. Caplan*  
Commander, U.S. Navy

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154578

Charge III

As to Tachibana, specifications 1, 2, 3, and 4 proved, specification 5 proved in part - not charged with specifications 6 to 24 inclusive; as to Yoshii, specifications 12, 13, 14, 15, 16 and 17 proved - not charged with specifications 1 to 11 inclusive and 18 to 24 inclusive; as to Matoba, specifications 19, 20 and 22 proved, specification 18 proved in part, specification 21 not proved - not charged with specifications 1 to 17 inclusive and 23 and 24.

The following sentences were adjudged:

"The commission, therefore, sentences him Tachibana, Yoshii, lieutenant general, Imperial Japanese Army, to be hanged by the neck until dead, two-thirds of the members concurring."

"The commission, therefore, sentences him Yoshii, Shisuo, captain, Imperial Japanese Navy, to be hanged by the neck until dead, two-thirds of the members concurring."

"The commission, therefore, sentences him, Matoba, Sueo, major, Imperial Japanese Army, to be hanged by the neck until dead, two-thirds of the members concurring."

2. The Commander Marianas Area, the convening authority, on 21 December 1946, subject to remarks, approved the proceedings, findings of guilty and sentences in this case.

3. The Commander in Chief, United States Pacific Fleet, the reviewing authority, on 2 January 1947, subject to remarks, approved the proceedings, findings of guilty and sentences in this case, and the action of the convening authority thereon.

4. The Acting Secretary of the Navy, on 18 July 1947, approved the remarks and recommendations of the Judge Advocate General in this case. Accordingly, the findings on specifications 1 (as to Matoba only), 4 and 6 of Charge II and specifications 1, 2, 3, 4, 5, 7, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of Charge III and the action of the convening and reviewing authorities thereon were set aside.

5. In accordance with the provision of Section D-14, Naval Courts and Boards, 1937, the Acting Secretary of the Navy on 18 July 1947, confirmed the sentences of death adjudged by the Military Commission as to Lieutenant General Tachibana, Yoshio, I.J.A., Captain Yoshii, Shisuo, I.J.N., and Major Matoba, Sueo, I.J.A.

6. Subject to any directives issued by the Commander in Chief, United States Pacific Fleet, the Commander Marianas Area is hereby directed to effect the execution of the sentences as confirmed. It is further directed that a report of the execution of the death sentence in each instance be submitted to the Secretary of the Navy.

John L Sullivan  
Acting Secretary of the Navy.

Copy to:  
Chief of Naval Operations.

Certified to be a true copy  
John L. Sullivan  
Acting Secretary of the Navy

0557



## United States of America



## NAVY DEPARTMENT

I hereby certify that the annexed are true copies of the charges and specifications in the military commission case of Lieutenant General Yoshio Tachibana, IJA, et al, case number 154578, which is on file

in this Department.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Navy Department of the United States to be affixed, at the City of Washington, this twenty-fifth day of February in the year of our Lord one thousand nine hundred and forty-nine, and of the independence of the United States the one hundred and seventy-third.

  
E. E. WOODS.

ACTING JUDGE ADVOCATE GENERAL OF THE NAVY  
FOR THE SECRETARY OF THE NAVY.

Secretary

0558

117-25/TF12  
13-JUN-46

UNITED STATES PACIFIC FLEET  
COMMANDER MARIANAS

Serial:

22 July 1946

From:

To :

The Commander Marianas Area.  
Lieutenant Daniel FLYNN, USNR, and/or  
Lieutenant Edward L. FIELD, USNR, and/or  
Lieutenant Fredric T. SUSS, USNR,  
Judge Advocates, Military Commission, Commander Marianas.

Subject:

Charges and Specifications - in the case of:

Lieutenant General TACHIBANA, Yoshio, Imperial Japanese Army.  
Vice Admiral MORI, Kunizo, Imperial Japanese Navy.  
Captain YOSHII, Shizuo, Imperial Japanese Navy.  
Major MATOBA, Sueo, Imperial Japanese Army.  
Captain SATO, Kesakichi, Imperial Japanese Army.  
Lieutenant SUYEYOSHI, Jitsuro, Imperial Japanese Navy.  
Surgeon Lieutenant SASAKI, Mitsuyoshi, Imperial Japanese Navy.  
Surgeon Lieutenant MATSUSHITA, Kanehisa, Imperial Japanese Navy.  
First Lieutenant ISOGAI, Gunji, Imperial Japanese Army.  
Lieutenant (jg) HAYASHI, Minoru, Imperial Japanese Navy.  
Lieutenant (jg) MASUTANI, Shinichi, Imperial Japanese Navy.  
Sergeant MORI, Yasumasu, Imperial Japanese Army.  
Corporal NAKAMURA, Shigenobu, Imperial Japanese Army.  
Superior Private KIDO, Matsutaro, Imperial Japanese Army.

1. The above named persons will be tried before the Military Commission of which you are Judge Advocate upon the following charges and specifications. You will notify the president of the commission accordingly, inform the accused of the date set for trial, and summon all witnesses, both for the prosecution and for the defense.

CHARGE I

MURDER

SPECIFICATION 1.

In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade, and KIDO, Matsutaro, then a superior private, IJA, attached to the Headquarters First Mixed Brigade, both attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, acting jointly with ITO, Kikuji, then a lieutenant colonel, IJA, HIGASHIGI, Seiji, then a captain, IJA, SUMURA, Hisao, then a leading private, IJA, IKAWA, Shigeo, then a first lieutenant, IJA, and others unknown in pursuance of a common intent, did, each and together, on or about 7 August 1944, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully, feloniously, with premeditation and malice aforethought, without justifiable cause, and without proper trial or other due process, assault, strike and kill, by bayoneting with fixed bayonets and by beheading with a sword, two American prisoners of war, namely, one Lloyd Richard WOELLHOFF and one whose name is to the relater unknown, both then and there held captive by the armed forces of Japan, this in violation of the laws and customs of war and the moral standards of civilized society.

CHARGE I (continued)

SPECIFICATION 2

EEH In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade, YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, MASUTANI, Shinichi, then an ensign, IJN, attached to the YOAKE wireless station, and HAYASHI, Minoru, then an ensign, IJN, attached to the YOAKE wireless station, all attached to the military installations of the Imperial Japanese armed forces, Chichi Jima, Bonin Islands, and while so serving at said military installations, Chichi Jima, Bonin Islands, acted jointly and in pursuance of a common intent, did, each and together, on or about 24 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully, feloniously, with premeditation and malice aforethought, without justifiable cause, and without proper trial or other due process, assault, strike, and kill, by beheading with swords, an American prisoner of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, then and there held captive by the armed forces of Japan, in aggravation of which the said YOSHII did, after the death of the said DYE, eat the flesh and viscera of the body of the said DYE, all this in violation of the laws and customs of war and the moral standards of civilized society.



CHARGE I (continued)

SPECIFICATION 3

In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, acting jointly with KATO, Takemune, then a Colonel, IJA, YAMASHITA, Masao, then a first lieutenant, IJA, MORITO, Shoichi, then a superior private, IJA, OSHIDA, Takekazu, then a superior private, IJA, TANIYAMA, Shinosuke, then a leading private, IJA, and others unknown in pursuance of a common intent, did, on or about 25 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully, feloniously, with premeditation and malice aforethought, without justifiable cause, and without proper trial or other due process, assault, strike and kill by spearing with bamboo spears and by bayoneting with fixed bayonets, an American prisoner of war, name to the relator not definitely known, but believed to be Grady Alvan YORK, aviation ordnanceman third class, U.S. Navy, then and there held captive by the armed forces of Japan, this in violation of the laws and customs of war and the moral standards of civilized society.

CHARGE I (continued)

SPECIFICATION 4

In that TACHIBANA, Yoshio, then a lieutenant general, IJA, Commanding General of the 109th Division, MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, SATO, Kesakichi, then a first lieutenant, IJA, attached to the 308th Independent Infantry Battalion, and NAKAMURA, Shigenobu, then a corporal, IJA, attached to the 308th Independent Infantry Battalion, all attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said army installations, Chichi Jima, Bonin Islands, acting jointly and in pursuance of a common intent, did, each and together, on or about 26 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully, feloniously, with premeditation and malice aforethought, without justifiable cause, and without proper trial or other due process, assault, strike and kill, by beheading with a sword, an American prisoner of war, namely, Floyd Ewing HALL, ensign, U. S. Naval Reserve, then and there held captive by the armed forces of Japan, in aggravation of which the said MATOBA did, after the death of the said HALL, eat the flesh and viscera of the body of the said HALL, all this in violation of the laws and customs of war and the moral standards of civilized society.

CHARGE I (continued)

SPECIFICATION 5

In that MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion and SUYEHOSHI, Jitsuro, then a lieutenant (jg), IJN, Commanding Officer of the Eighth Naval Antiaircraft Battery, both attached to the military installation of the Imperial Japanese armed forces, Chichi Jima, Bonin Islands, and while so serving at said installations Chichi Jima, Bonin Islands, acting jointly and in pursuance of a common intent with one MORISHITA, Hironobu, then a lieutenant (jg), IJN, now deceased, did, each and together, on or about 23 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully, feloniously, with premeditation and malice aforethought, without justifiable cause, and without proper trial or other due process, assault, strike and kill, by beheading with a sword, an American prisoner of war, name to the relator not definitely known, but believed to be one Marvie William MERSHON, aviation readioman third class, U. S. Navy, then and there held captive by the armed forces of Japan, in aggravation of which the said MATOBA did, after the death of the said American prisoner of war believed to be MERSHON, eat the flesh and viscera of the body of said prisoner, all this in violation of the laws and customs of war and the moral standards of civilized society.



CHARGE I (continued)

SPECIFICATION 6

In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at said military installations, Chichi Jima, Bonin Islands, acting jointly with KURASAKI, Yasuo, then a lieutenant, IJN, now deceased, KOYAMA, Takao, then an ensign, IJN, now deceased, and others to the relator unknown, in pursuance of a common intent, did, on or about 5 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully, feloniously, with premeditation and malice aforethought, without justifiable cause, and without proper trial or other due process, assault, strike and kill, by beheading with a sword, an American prisoner of war, namely, one Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, then and there held captive by the armed forces of Japan, this in violation of the laws and customs of war and the moral standards of civilized society.

CHARGE II

VIOLATION OF THE LAWS AND CUSTOMS OF WAR

SPECIFICATION 1

In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade and MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, both attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, each and together, on or about 23 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire wilfully, and unlawfully prevent the honorable burial of an American prisoner of war, name to the relator not definitely known but believed to be one Marvie William MERSHON, aviation radioman third class, U. S. Navy, who died in captivity of the Japanese armed forces, by removing and causing to be removed and eating the flesh and viscera of the body of the said prisoner of war believed to be MERSHON, and the said TACHIBANA and the said MATOBA thereby violated the laws and customs of war and the moral standards of civilized society.

CHARGE II (continued)

SPECIFICATION 2.

In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, during the period 1 August 1944 to 25 March 1945 on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully mistreat and cause to be mistreated by his orders four American prisoners of war, names to the relator unknown, then and there held captive by the Armed forces of Japan, by denying them food, water and shelter and by tying them to trees, exposing them to inclement weather and the danger of fire and bombing of a combat zone, and he, the said TACHIBANA, thereby violated the laws and customs of war.



CHARGE II (continued)

SPECIFICATION 3

In that MORI, Kunizo, then a rear admiral, IJN, Commander of all Naval Forces on Chichi Jima, Bonin Islands, MATOBA, Suet, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, First Mixed Brigade, and ISOGAI, Gunji, then a second lieutenant, IJA, attached to the 308th Independent Infantry Battalion, First Mixed Brigade, all attached to the military installations of the Imperial Japanese Armed Forces, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Armed Forces, Chichi Jima, Bonin Islands, did, each and together, on or about 28 March 1945, at the Navy base headquarters on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully prevent the honorable burial of an American prisoner of war, name to the relator unknown, who died in captivity of the Japanese Armed Forces, by eating the flesh and viscera of the body of the said prisoner of war, and the said MORI, the said MATOBA, and the said ISOGAI thereby violated the laws and customs of war and the moral standards of civilized society.

CHARGE II (continued)

SPECIFICATION 4

In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 24 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully prevent the honorable burial of an American prisoner of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, who died in captivity of the Japanese armed forces, by removing, and causing to be removed, offering and distributing to members of his command and eating the flesh and viscera of the body of the said American prisoner of war, and the said YOSHII thereby violated the laws and customs of war and the moral standards of civilized society.

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CHARGE II (continued)

SPECIFICATION 5

In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, and MATSUSHITA, Kanehisa, then a lieutenant, IJN, attached to the Second Motor Torpedo Boat Squadron, both attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, acting jointly and in pursuance of a common intent, did, each and together, on or about 5 March, 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully prevent the honorable burial of an American prisoner of war, namely, one Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, who died in captivity of the Japanese armed forces, by mutilating and improperly removing and causing to be removed, the flesh and viscera of the body of the said VAUGHN, and the said YOSHII and the said MATSUSHITA thereby violated the laws and customs of war.



CHARGE II (continued)

SPECIFICATION 6

In that MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, and ISOGAI, Gunji, then a second lieutenant, IJA, attached to the 308th Independent Infantry Battalion, both attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, each and together, on or about 26 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully prevent the honorable burial of an American prisoner of war, namely, one Floyd Ewing HALL, ensign, U. S. Naval Reserve, who died in captivity of the Japanese armed forces, by removing and causing to be removed and eating the flesh and viscera of the body of the said HALL, and the said MATOBA and the said ISOGAI thereby violated the laws and customs of war and the moral standards of civilized society.

CHARGE II (continued)

SPECIFICATION 7

In that SASAKI, Mitsuyoshi, then a surgeon lieutenant (j.g.), IJN, attached to the Special Navy Base Headquarters of the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the YOAKE wireless station, a part of the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 24 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully prevent the honorable burial of an American prisoner of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, who died in captivity of the Japanese armed forces, by mutilating and improperly removing the flesh and viscera of the body of the said DYE, and the said SASAKI thereby violated the laws and customs of war.

CHARGE II (continued)

SPECIFICATION 8

In that SATO, Kesakichi, then a first lieutenant, IJA, attached to the 308th Independent Infantry Battalion, First Mixed Brigade, and MORI, Yasumasu, then a sergeant, IJA, attached to the 308th Independent Infantry Battalion, First Mixed Brigade, both attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, acting jointly and in pursuance of a common intent, did, each and together, on or about 26 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully prevent the honorable burial of an American prisoner of war, namely, one Floyd Ewing HALL, ensign, U. S. Naval Reserve, who died in captivity of the Japanese armed forces, by bayoneting, mutilating and causing to be bayoneted and mutilated, the body of the said HALL, and the said SATO and the said MORI thereby violated the laws and customs of war.



CHARGE III

NEGLECT OF DUTY IN VIOLATION OF LAWS AND CUSTOMS OF WAR.

SPECIFICATION 1

334 In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, during the period about 7 August 1944, to about 25 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding General of the said First Mixed Brigade, to control and restrain members of his command and other persons, then subject to his control, namely, ITO, Kikuji, then a lieutenant colonel, IJA, HIGASHIGI, Saji, then a captain, IJA, IKAWA, Shigeo, then a first lieutenant, IJA, SHIMURA, Hisao, then a leading private, IJA, KATO, Takemune, then a colonel, IJA, YAMASHITA, Masao, then a first lieutenant, IJA, TANIYAMA, Shinsouke, then a leading private, IJA, MORITO, Shoichi, then a superior private, IJA, and OSHIDA, Takekazu, then a superior private, IJA, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully kill, and unlawfully cause to be killed during said period on said island, by bayoneting with fixed bayonets, spearing with bamboo spears and by beheading with swords, three American prisoners of war, namely, one Lloyd Richard WOELLHOF, aviation radioman second class, U. S. Navy, one whose name is to the relator unknown, and one whose name is to the relator not definitely known, but believed to be Grady Alvan YORK, aviation ordnanceman third class, U. S. Navy, said American prisoners of war then and there held captive by the armed forces of Japan on said island, this in violation of the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 2

In that TACHIBANA, Yoshio, then a major general, IJA, Commanding General of the First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, during the period about 7 August 1944 to about 25 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding General of the said First Mixed Brigade, to properly protect American prisoners of war, then and there held captive by the armed forces of Japan on said island, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by members of the armed forces of Japan, then subject to his control, with bayonets, with bamboo spears and with swords, during said period, of three (3) American prisoners of war, namely, one Lloyd Richard WOELLHOF, aviation radioman second class, U. S. Navy, one whose name is to the relator unknown, and one whose name is to the relator not definitely known, but believed to be Grady Alvan YORK, aviation ordnanceman third class, U. S. Navy, which unlawful killings he knew and should have known to be taking place during said period on said island; and he, the said TACHIBANA, through said neglect and failure, did suffer the said American prisoners of war to be unlawfully killed during the period and place aforesaid, in violation of the laws and customs of war.

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CHARGE III (continued)

SPECIFICATION 3

66# In that TACHIBANA, Yoshio, then a lieutenant general, IJA, Commanding General of the 109th Division, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, on or about 26 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding General of the said 109th Division, to control and restrain members of his command, and other persons, then subject to his control, namely, MATOBA, Sueo, then a major, IJA, SATO, Kesakichi, then a first lieutenant, IJA, TERAOKI, Tadashi, then a first lieutenant, IJA, NAKAMURA, Shigenobu, then a corporal, IJA, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully kill, and unlawfully cause to be killed, on said date on Mikasuki Hill on said island, by beheading with a sword, an American prisoner of war, namely one Floyd Ewing HALL, ensign, U.S. Naval Reserve, then and there held captive by the armed forces of Japan, this in violation of the laws and customs of war.



CHARGE III (continued)

SPECIFICATION A

In that TACHIBANA, Yoshio, then a lieutenant general, IJA, Commanding General of the 109th Division, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, on or about 26 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding General of the said 109th Division, to properly protect an American prisoner of war held captive by the armed forces of Japan on said island, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by members of the armed forces of Japan, then subject to his control, by beheading with a sword, on said date on said island, of an American prisoner of war, namely, one Floyd Ewing HALL, ensign, U. S. Naval Reserve, which unlawful killing he knew and should have known to be taking place on said date on said island; and he, the said TACHIBANA, through said neglect and failure, did suffer the said American prisoner of war to be unlawfully killed at the time and place aforesaid, in violation of the laws and customs of war.

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CHARGE III (continued)

SPECIFICATION 5

In that TACHIBANA, Yoshio, then a major, general, IJA, Commanding General of the First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, on or about 23 February 1945, at the headquarters of the 307th Independent Infantry Battalion, First Mixed Brigade, Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, wilfully and unlawfully disregard, neglect and fail to discharge his duty as Commanding General of the said First Mixed Brigade, to control and restrain a member of his command, then subject to his control, namely, MATOBA, Sueo, then a major, IJA, as it was his duty to do, in that he permitted and allowed the aforesaid MATOBA to unlawfully prevent the honorable burial of an American prisoner of war, name to the relator not definitely known, but believed to be Marvie William MERSHON, aviation radioman third class, U. S. Navy, who died in captivity of the Japanese armed forces, by removing and causing to be removed, and eating the flesh and viscera of the body of said prisoner of war in the said TACHIBANA's presence, at the time and place aforesaid, all this in violation of the laws and customs of war and the moral standards of civilized society.

CHARGE III (continued)

SPECIFICATION 6

82X In that MORI, Kunizo, then a rear admiral, IJN, Commander Naval Forces, Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands; did, during the period 1 February to 10 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty, as commander of the said naval forces on said island, to control and restrain members of his command and other persons, then subject to his control, namely, YOSHII, Shizuo, then a commander, IJN; MASUTANI, Shinichi, then an ensign, IJN; HAYASHI, Minoru, then an ensign, IJN, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully kill, and unlawfully cause to be killed, during said period on said island, by beheading with swords, three American prisoners of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, one Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, and one whose name is to the relator not definitely known, but believed to be one Marvie William MERSHON, aviation radioman third class, U. S. Navy, said American prisoners of war then and there held captive by the armed forces of Japan on said island, this in violation of the laws and customs of war.



CHARGE III (continued)

SPECIFICATION 7

In that MORI, Kunizo, then a rear admiral, IJN, Commander Naval Forces, Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, during the period 1 February to 10 March 1945 on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commander of said naval forces, to properly protect American prisoners of war, held captive by units under his command, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by members of the armed forces of Japan, then subject to his control, of beheading with swords during said period, of three American prisoners of war, namely, one James Wesley M.E. junior, aviation radioman third class, U. S. Navy, Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, and one whose name is to the relator not definitely known, but believed to be Marvie William MERSHON, aviation radioman third class, U. S. Navy, then and there held captive by the armed forces of Japan on said island; and he, the said MORI, through said neglect and failure, did suffer the said American prisoners of war to be unlawfully killed at the times and place aforesaid, in violation of the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 8

In that MORI, Kuniso, then a rear admiral, IJN, Commander Naval Forces, Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, during the period 1 February to 10 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commander of said naval forces on said island, to control and restrain members of his command and other persons, then subject to his control, namely, YOSHII, Shizuo, then a commander, IJN, SASAKI, Mitsuyoshi, then a surgeon lieutenant (jg), IJN, KURASAKI, Yasuo, then a lieutenant, IJN, now deceased, MATSUSHITA, Kanehisa, then a surgeon lieutenant, IJN, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully prevent the honorable burial of two (2) American prisoners of war by mutilating and causing to be mutilated, during said period on said island, the bodies of the said two (2) American prisoners of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, and one Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, who died in captivity of the Japanese armed forces, and the said MORI thereby violated the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 9

In that MORI, Kunizo, then a rear admiral, IJN, Commander of Army and Naval Forces on Chichi Jima, Bonin Islands, senior Japanese officer present on Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese armed forces, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese armed forces, Chichi Jima, Bonin Islands, did, during the period about 7 August 1944 to about 25 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commander of Army and Naval Forces and senior officer present on said island, to control and restrain members of his command and other persons, then subject to his control, namely, TACHIBANA, Yoshio, then a major general, IJA, KATO, Takemune, then a colonel, IJA, ITO, Kikuji, then a lieutenant colonel, IJA, HIGASHIGI, Seiji, then a captain, IJA, IKAWA, Shigeo, then a first lieutenant, IJA, YAMASHITA, Masao, then a first lieutenant, IJA, SHIMURA, Hisao, then a leading private, IJA, TANIYAMA, Shinosuke, then a leading private, IJA, MORITO, Shoichi, then a superior private, IJA, OSHIDA, Takekazu, then a superior private, IJA, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully kill, and unlawfully cause to be killed during said period on said island, by bayoneting with fixed bayonets, spearing with bamboo spears and beheading with swords, three American prisoners of war, namely, one Lloyd Richard FOELLHOF, aviation radioman second class, U. S. Navy, one whose name is to the relator unknown, and one whose name is to the relator not definitely known, but believed to be Grady Alvan YORK, aviation ordnanceman third class, U.S. Navy, said American prisoners of war then and there held captive by the armed forces of Japan on said island, this in violation of the laws and customs of war.



CHARGE III (continued)

SPECIFICATION 10

In that MORI, Kunizo, then a rear admiral, IJN, Commander of Army and Naval Forces on Chichi Jima, Bonin Islands, senior Japanese officer present on Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese armed forces, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese armed forces, Chichi Jima, Bonin Islands, did, during the period about 7 August 1944 to about 25 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commander of Army and Naval Forces and senior officer present on said island, to properly protect American prisoners of war, then and there held captive by the armed forces of Japan on said island, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by members of the armed forces of Japan, then subject to his control, with fixed bayonets, with bamboo spears and with swords, during said period, of three American prisoners of war, namely, one Lloyd Richard WOELLHOF, aviation radioman second class, U.S. Navy, one whose name is to the relator unknown, and one whose name is to the relator not definitely known, but believed to be Grady Alvan YORK, aviation ordnanceman third class, U.S. Navy, which unlawful killings he knew and should have known to be taking place during said period on said island; and he, the said MORI, through said neglect and failure, did suffer the said American prisoners of war to be unlawfully killed during the period and at the place aforesaid, in violation of the laws and customs of war.

CHARGE III (continued )

SPECIFICATION 11

In that MORI, Kunizo, then a rear admiral, IJN, Commander Naval Forces, Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 28 March 1945, at his headquarters on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commander Naval Forces on said island, to control and restrain persons, then subject to his control, namely, MATOBA, Sueo, then a major, IJN, and ISOGAI, Gunji, then a second lieutenant, IJA, as it was his duty to do, in that he permitted and allowed the aforesaid MATOBA and ISOGAI to unlawfully prevent the honorable burial of an American prisoner of war, name to the relator unknown, who died in captivity of the Japanese armed forces, by eating the flesh and viscera of the body of the said prisoner of war in the said MORI'S presence, at the time and place aforesaid, this in violation of the laws and customs of war and the moral standards of civilized society.

CHARGE III (continued)

SPECIFICATION 12

In that YOSHII, Shisuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 24 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said YOAKE wireless station, to control and restrain members of his command, namely, one MASUTANI, Shinichi, then an ensign, IJN, HAYASHI, Minoru, then an ensign, IJN, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully kill, and unlawfully cause to be killed, on said date at said YOAKE wireless station, by beheading with swords, an American prisoner of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, said American prisoner of war, then and there held captive by the armed forces of Japan at the said YOAKE wireless station, this in violation of the laws and customs of war.

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CHARGE III (continued)

SPECIFICATION 13

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In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 24 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said YOAKE wireless station, to properly protect an American prisoner of war, held captive by the armed forces of Japan at the said YOAKE wireless station, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by members of his command, by beheading with a sword, on said date in an area of said YOAKE wireless station, an American prisoner of war, namely, one James Wesley DYE, junior, aviation radioman third class, U. S. Navy, which unlawful killing he knew and should have known to be taking place on said date in said area, and he, the said YOSHII, through said neglect and failure, did suffer the said American prisoner of war to be unlawfully killed at the time and place aforesaid, in violation of the laws and customs of war, and the moral standards of civilized society.

CHARGE III (continued)

SPECIFICATION 14

In that YOSHII, Shisuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, Senior Officer Present at a place in the Kiyose Area, Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said Kiyose Area and military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 5 March 1945, in the Kiyose Area, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said YOAKE wireless station and Senior Officer Present at the scene of an unlawful execution in the said Kiyose Area on said island, to control and restrain persons, then subject to his control, namely, KURASAKI, Yasuo, then a lieutenant, IJN, now deceased, KOYAMA, Takao, then an ensign, IJN, now deceased, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown to unlawfully kill, and unlawfully cause to be killed, in his presence on said date in said Kiyose Area, by beheading with a sword, an American prisoner of war, namely, one Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, said American prisoner of war, then and there held captive by the armed forces of Japan in the said Kiyose Area, this in violation of the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 15

834 In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, senior officer present at a place in the Kiyose area, Chichi Jima, Bonin Islands, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said Kiyose area and military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 5 March 1945, in the Kiyose area on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said YOAKE wireless station and senior officer present at the scene of an unlawful execution in the Kiyose area on said island, to properly protect an American prisoner of war held captive by the armed forces of Japan in the said Kiyose area, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing in his presence, by members of the armed forces of Japan, by beheading with a sword, on said date in said area, of an American prisoner of war, namely, one Warren Earl VAUGHN, second lieutenant, U. S. Marine Corps Reserve, which unlawful killing he knew and should have known to be taken place on said date in the said Kiyose area; and he, the said YOSHII, through said neglect and failure, did suffer the said American prisoner of war to be unlawfully killed at the time and place aforesaid, in violation of the laws and customs of war.



CHARGE III (continued)

SPECIFICATION 16

43A In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 24 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said YOAKE wireless station, to control and restrain a member of his command, then subject to his control, namely, SASAKI, Mitsuyoshi, then a surgeon lieutenant (jg), IJN, as it was his duty to do, in that he permitted and allowed the aforesaid SASAKI, to unlawfully prevent the honorable burial of an American prisoner of war by mutilating on said date in an area of the said YOAKE wireless station, the body of the said American prisoner of war, namely, one James Wesley DYE, junior, aviation radioman third class, U.S. Navy, who died in captivity of the Japanese armed forces at the said YOAKE wireless station, and the said YOSHII thereby violated the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 17

824 In that YOSHII, Shizuo, then a commander, IJN, Commanding Officer of the YOAKE wireless station attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 5 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the YOAKE wireless station and senior officer present at the scene of an unlawful execution in the Kiyose area on said island, to control persons, then subject to his control, namely, KURASAKI, Yasuo, then a lieutenant, IJN, now deceased, and MATSUSHITA, Kanehisa, then a surgeon lieutenant, IJN, as it was his duty to do, in that he permitted and allowed the aforesaid persons to unlawfully prevent the honorable burial of an American prisoner of war by mutilating and unlawfully causing to be mutilated, on said date in said Kiyose area, the body of the said American prisoner of war, namely, one Warren Earl ~~AVUGHN~~, second lieutenant, U. S. Marine Corps Reserve, who died in captivity of the Japanese armed forces, and the said YOSHII thereby violated the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 18

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88A  
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In that MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving as Commanding Officer of the said 308th Independent Infantry Battalion, and in command of the Northern Defense Sector of Chichi Jima, Bonin Islands, did, during the period about 23 February to about 25 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said 308th Independent Infantry Battalion, and the Commander of the said Northern Defense Sector, to control and restrain members of his command and other persons, then subject to his control, namely, SATO, Kesakichi, then a first lieutenant, IJA, SUYETOSHI, Jitsuro, then a lieutenant, IJN, MORISHITA, Hironobu, then a lieutenant (jg) IJN, now deceased, and NAKAMURA, Shigenobu, then a corporal, IJA, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown, under his command and subject to his control, to unlawfully kill, and unlawfully cause to be killed, during said period in said Northern Defense Sector, by beheading with swords, two American prisoners of war, namely, one Floyd Ewing HALL, ensign, U. S. Naval Reserve, and one whose name is to the relator not definitely known, but believed to be one Marvie William MERSHON, aviation radioman third class, U. S. Navy, said American prisoners of war then and there held captive by the armed forces of Japan in the said Northern Defense Sector, this in violation of the laws and customs of war.



CHARGE III (continued)

SPECIFICATION 19

834 In that MATOBA, Sueo, then a major, IJA, Commanding Officer of the  
308th Independent Infantry Battalion, First Mixed Brigade, attached to the  
military installations of the Imperial Japanese Army, Chichi Jima, Bonin  
Islands, and while so serving as Commanding Officer of the said 308th  
Independent Infantry Battalion, and in command of the Northern/Defense  
Sector on Chichi Jima, Bonin Islands, did, during the period about 23  
February to about 26 March 1945, on Chichi Jima, Bonin Islands, at a time  
when a state of war existed between the United States of America and the  
Japanese Empire, unlawfully disregard, neglect and fail to discharge his  
834 duty as Commanding Officer of the said 308th Independent Infantry Battalion  
and Commander of the Northern/Defense Sector, to properly protect American  
prisoners of war held captive by the armed forces of Japan in the said  
Northern/Defense Sector, as it was his duty to do, in that he did neglect  
834 and fail to take steps to prevent, and to prevent the unlawful killing by  
members of the armed forces of Japan, then subject to his control, by  
beheading with swords, during said period in said area, of two American  
prisoners of war, namely, one Floyd Ewing HALL, ensign, U. S. Naval Reserve,  
and one whose name is to the relator not definitely known, but believed to be  
one Marvie William MERSHON, aviation radioman third class, U. S. Navy, which  
834 unlawful killings he knew and should have known to be taking place during  
said period in the said Northern/Defense Sector; and he, the said MATOBA,  
through said neglect and failure, did suffer the said American prisoners of  
war to be unlawfully killed at the times and place aforesaid, in violation of  
the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 20

654 In that MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving as Commanding Officer of the said 308th Independent Infantry Battalion and in command of the Northern/Defense Sector of Chichi Jima, Bonin Islands, did, during the period about 23 February to about 26 March 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as 684 Commanding Officer of the said 308th Independent Infantry Battalion and Commander of the said Northern/Defense Sector, to control and restrain members of his command, then subject to his control, namely, SATO, Kesakichi, then a first lieutenant, IJA, TERAOKI, Tadashi, then a surgeon first lieutenant, IJA, MORI, Yasumasu, then a sergeant, IJA, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid persons and persons unknown, under his command and subject to his control, to unlawfully prevent the honorable burial of two 784 American prisoners of war by mutilating and causing to be mutilated during said period in said Northern/Defense Sector, the bodies of the said two American prisoners of war, namely, one Floyd Ewing HALL, ensign, U. S. Naval Reserve, and one whose name is to the relator not definitely known, but believed to be one Marvie William MERSHON, aviation radioman third class, U. S. Navy, who died in captivity of the Japanese armed forces in the said Northern/Defense Sector, when unlawful mutilations he, the said MATOBA, knew and should have known to be taking place on said dates in said area; and he, the said MATOBA, thereby violated the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 21

EEH  
In that MATOBA, Sueo, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, on or about 23 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said 308th Independent Infantry Battalion, to control and restrain a member of his command, then subject to his control, namely NAKAJIMA, Noboru, then a captain, IJA, as it was his duty to do, in that he permitted and allowed the aforesaid NAKAJIMA to unlawfully kill, by beating to death with a stick, at the Headquarters of the said 308th Independent Infantry Battalion, an American prisoner of war, name to the relator not definitely known, but believed to be one Glenn Junior FRAZIER, aviation ordnance man second class, U.S. Navy, said American prisoner of war then and there held captive by the armed forces of Japan on said island, this in violation of the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 22

864 In that MATOBA, Sueso, then a major, IJA, Commanding Officer of the 308th Independent Infantry Battalion, First Mixed Brigade, attached to the military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Army, Chichi Jima, Bonin Islands, did, on or about 23 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said 308th Independent Infantry Battalion, to properly protect an American prisoner of war held captive by the armed forces of Japan on said island, as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by a member of his command, by beating to death with a stick on said date, at the headquarters of the said 308th Independent Infantry Battalion, of an American prisoner of war, name to the relator not definitely known, but believed to be one Glenn Junior FRAZIER, aviation ordnanceman second class, U. S. Navy, then and there held captive by the armed forces of Japan at the headquarters of the said 308th Independent Infantry Battalion, and he, the said MATOBA, through said neglect and failure, did suffer the said American prisoner of war to be unlawfully killed at the time and place aforesaid, in violation of the laws and customs of war.



CHARGE III (continued)

SPECIFICATION 23

In that SUYEHOSHI, Jitsuro, then a lieutenant (jg), IJN, Commanding Officer of the Eighth Naval Antiaircraft Battery, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 23 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregarded, neglect and fail to discharge his duty as Commanding Officer of the said Eighth Naval Antiaircraft Battery, to control and restrain members of his command, namely, MORISHITA, Hironobu, then a lieutenant (jg), IJN, now deceased, and other persons unknown, as it was his duty to do, in that he permitted and allowed the aforesaid MORISHITA and persons unknown to unlawfully kill, on said date in the Omura Cemetery on said island, by beheading with a sword, an American prisoner of war, name to the relator not definitely known, but believed to be one Marvie William MERSHON, aviation radioman third class, U. S. Navy, then and there held captive by the armed forces of Japan on said island, this in violation of the laws and customs of war.

CHARGE III (continued)

SPECIFICATION 24

In that SUYEOSHI, Jitsuro, then a lieutenant (jg), IJN, Commanding Officer of the Eighth Naval Antiaircraft Battery, attached to the military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, and while so serving at the said military installations of the Imperial Japanese Navy, Chichi Jima, Bonin Islands, did, on or about 23 February 1945, on Chichi Jima, Bonin Islands, at a time when a state of war existed between the United States of America and the Japanese Empire, unlawfully disregard, neglect and fail to discharge his duty as Commanding Officer of the said Eighth Naval Antiaircraft Battery, to properly protect an American prisoner of war held captive by the armed forces of Japan as it was his duty to do, in that he did neglect and fail to take steps to prevent, and to prevent the unlawful killing by members of his command, then subject to his control, by beheading with a sword, on said date in the Omura Cemetery on said island, of the said American prisoner of war, name to the relator not definitely known, but believed to be one Marvie William MERSHON, aviation radioman third class, U.S. Navy, which unlawful killing he knew and should have known to be taking place on said date in said cemetery and he, the said SUYEOSHI, through said neglect and failure, did suffer the said American prisoner of war to be unlawfully killed at the time and place aforesaid, in violation of the laws and customs of war.

C. A. POWNALL,  
Rear Admiral, U. S. Navy,  
Commander Marianas Area.

## United States of America



## NAVY DEPARTMENT

I hereby certify that the annexed are true copies of the findings in the military commission case of Lieutenant General Yoshio Tachibana, IJA, et al, case number 154578, which is on file \_\_\_\_\_

in this Department.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Navy Department of the United States to be affixed, at the City of Washington, this twenty-fifth day of February in the year of our Lord one thousand nine hundred and forty-nine, and of the independence of the United States the one hundred and seventy-third.



ACTING JUDGE ADVOCATE GENERAL OF THE NAVY  
FOR THE SECRETARY OF THE NAVY.

*Secretary*



The judge advocate was recalled and directed to record the following findings:

As to the accused, TACHIBANA, Yoshio:

The first specification of the first charge proved.

The second specification of the first charge proved in part, proved except the words "flesh and", which words are not proved.

The third specification of the first charge proved.

The fourth specification of the first charge proved.

And that the accused, TACHIBANA, Yoshio, Lieutenant General, Imperial Japanese Army, is of the first charge guilty.

The first specification of the second charge proved in part, proved except the words "removing and causing to be removed and", which words are not proved.

The second specification of the second charge proved.

And that the accused, TACHIBANA, Yoshio, Lieutenant General, Imperial Japanese Army, is of the second charge guilty.

The first specification of the third charge proved.

The second specification of the third charge proved.

The third specification of the third charge proved.

The fourth specification of the third charge proved.

The fifth specification of the third charge proved in part, proved except the words "wilfully and", which words are not proved.

And that the accused, TACHIBANA, Yoshio, Lieutenant General, Imperial Japanese Army, is of the third charge guilty.

As to the accused, MORI, Kunizo:

The third specification of the second charge not proved.

And that the accused, MORI, Kunizo, Vice Admiral, Imperial Japanese Navy, is of the second charge not guilty; and the commission does therefore acquit the said MORI, Kunizo, Vice Admiral, Imperial Japanese Navy, of the second charge.

The sixth specification of the third charge proved.

The seventh specification of the third charge proved.

The eighth specification of the third charge not proved.

The ninth specification of the third charge not proved.

The tenth specification of the third charge not proved.

And that the accused, MORI, Kunizo, Vice Admiral, Imperial Japanese Navy, is of the third charge guilty.

As to the accused, YOSHII, Shizuo:

The second specification of the first charge proved in part, proved except the words "flesh and", which words are not proved.

The sixth specification of the first charge proved.

And that the accused, YOSHII, Shizuo, Captain, Imperial Japanese Navy, is of the first charge guilty.

The fourth specification of the second charge proved in part, proved except the words "flesh and", which words are not proved.

The fifth specification of the second charge proved in part, proved except the words "mutilating and" and the words "flesh and", which words are not proved.

And that the accused, YOSHII, Shizuo, Captain, Imperial Japanese Navy, is of the second charge guilty.

The twelfth specification of the third charge proved.

The thirteenth specification of the third charge proved.

The fourteenth specification of the third charge proved.

The seventh specification of the third charge not proved.



The fifteenth specification of the third charge proved.  
The sixteenth specification of the third charge proved.  
The seventeenth specification of the third charge proved.  
And that the accused, YOSHII, Shizuo, Captain, Imperial Japanese Navy, is of the third charge guilty.

As to the accused, MATOBA, Sueo:  
The fourth specification of the first charge proved.  
The fifth specification of the first charge proved in part, proved except the words "and Suyeyoshi, Jitsuro, then a lieutenant (j.g.), IJN, Commanding Officer of the Eighth Naval Antiaircraft Battery, both" and the words "each and together," which words are not proved.  
And that the accused, MATOBA, Sueo, Major, Imperial Japanese Army, is of the first charge guilty.

The first specification of the second charge proved.  
The third specification of the second charge proved in part, proved except the words "Mori, Kunizo, then a rear admiral, Imperial Japanese Navy, Commander of all Naval Forces on Chichi Jima, Bonin Islands," and the words "and Isogai, Gunji, then a second lieutenant, Imperial Japanese Army, attached to the 308th Independent Infantry Battalion, First Mixed Brigade, all" and the words "each and together," and the words "flesh and" and the words "the said Mori," and the words "and the said Isogai", which words are not proved.

The sixth specification of the second charge proved in part, proved except the words "and Isogai, Gunji, then a second lieutenant, Imperial Japanese Army, attached to the 308th Independent Infantry Battalion, both" and the words "each and together," and the words "and the said Isogai", which words are not proved.

And that the accused, MATOBA, Sueo, Major, Imperial Japanese Army, is of the second charge guilty.

The eighteenth specification of the third charge proved in part, proved except the words "Suyeyoshi, Jitsuro, then a lieutenant, Imperial Japanese Navy", which words are not proved.

The nineteenth specification of the third charge proved.  
The twentieth specification of the third charge proved.  
The twenty-first specification of the third charge not proved.  
The twenty-second specification of the third charge proved.  
And that the accused, MATOBA, Sueo, Major, Imperial Japanese Army, is of the third charge guilty.

As to the accused, SATO, Kesakichi:  
The fourth specification of the first charge proved.  
And that the accused, SATO, Kesakichi, Captain, Imperial Japanese Army, is of the first charge guilty.

The eighth specification of the second charge proved.  
And that the accused, SATO, Kesakichi, Captain, Imperial Japanese Army, is of the second charge guilty.

As to the accused, SUYEOSHI, Jitsuro:  
The fifth specification of the first charge not proved.  
And that the accused, SUYEOSHI, Jitsuro, Lieutenant, Imperial Japanese Navy, is of the first charge not guilty; and the commission does therefore acquit the said SUYEOSHI, Jitsuro, Lieutenant, Imperial Japanese Navy, of the first charge.

The twenty-third specification of the third charge proved.

The twenty-fourth specification of the third charge proved.  
And that the accused, SUYEOSHI, Jitsuro, Lieutenant, Imperial Japanese Navy, is of the third charge guilty.

As to the accused, SASAKI, Mitsuyoshi:  
The seventh specification of the second charge proved in part, proved except the words "mutilating and" and the words "flesh and", which words are not proved.  
And that the accused, SASAKI, Mitsuyoshi, Surgeon Lieutenant, Imperial Japanese Navy, is of the second charge guilty.

As to the accused, MATSUSHITA, Kanehisa:  
The fifth specification of the second charge proved in part, proved except the words "mutilating and" and the words "flesh and", which words are not proved.  
And that the accused, MATSUSHITA, Kanehisa, Surgeon Lieutenant, Imperial Japanese Navy, is of the second charge guilty.

As to the accused, ISOGAI, Gunji:  
The third specification of the second charge not proved.  
The sixth specification of the second charge not proved.  
And that the accused, ISOGAI, Gunji, First Lieutenant, Imperial Japanese Army, is of the second charge not guilty; and the commission does therefore acquit the said ISOGAI, Gunji, First Lieutenant, Imperial Japanese Army, of the second charge.

As to the accused, HAYASHI, Minoru:  
The second specification of the first charge proved in part, proved except the words "flesh and", which words are not proved.  
And that the accused, HAYASHI, Minoru, Lieutenant (junior grade), Imperial Japanese Navy, is of the first charge guilty.

As to the accused, MASUTANI, Shinichi:  
The second specification of the first charge proved in part, proved except the words "flesh and", which words are not proved.  
And that the accused, MASUTANI, Shinichi, Lieutenant (junior grade), Imperial Japanese Navy, is of the first charge guilty.

As to the accused, MORI, Yasamasu:  
The eighth specification of the second charge proved.  
And that the accused, MORI, Yasamasu, Sergeant, Imperial Japanese Army, is of the second charge guilty.

As to the accused, NAKAMURA, Shigenobu:  
The fourth specification of the first charge proved.  
And that the accused, NAKAMURA, Shigenobu, Corporal, Imperial Japanese Army, is of the first charge guilty.

As to the accused, KIDO, Matsutaro:  
The first specification of the first charge proved.  
And that the accused, KIDO, Matsutaro, Superior Private, Imperial Japanese Army, is of the first charge guilty.

# United States of America



## NAVY DEPARTMENT

I hereby certify that the annexed are true copies of the action by Commander, Marianas, in the military commission case of Lieutenant General Yoshio Tachibana, IJA, et al, case number 154578, dated 21 December 1946, which is on file \_\_\_\_\_

*in this Department.*



In testimony whereof, I have hereunto set my hand and caused the Seal of the Navy Department of the United States to be affixed, at the City of Washington, this twenty-fifth day of February in the year of our Lord one thousand nine hundred and forty-nine, and of the independence of the United States the one hundred and seventy-third.

*E. E. Woods*  
E. E. WOODS  
ACTING JUDGE ADVOCATE GENERAL OF THE NAVY *Secretary*  
FOR THE SECRETARY OF THE NAVY.



UNITED STATES PACIFIC FLEET  
COMMANDER MARIANAS

FF12/A17-10/  
13-JDM-~~12~~

Serial: 19969

21 DEC 1946

The military commission, composed of Army, Navy and Marine Corps officers, in the foregoing case, was convened 2 August 1946 by the Commander Marianas Area pursuant to his inherent authority as a Military Commander and the specific authorization of the Commander in Chief United States Pacific Fleet (CinCPac conf. serial 0558 of 8 March 1946) and Pacific Ocean Area, and Military Governor of the Pacific Ocean Area. The commission was authorized and directed to take up the present case and such others, the trial of which had not commenced, which had been ordered tried before the military commission convened by precept dated 5 April 1946. The order for trial (charges and specifications) was issued 22 July 1946, and served on the accused on 25 July 1946. The trial was held under authority of Naval Courts and Boards, except that the commission was authorized by the precept to relax the rules of Naval Courts to meet the necessities of the trial and to use the rules of evidence and procedure promulgated by the Supreme Commander for the Allied Powers in his Regulations Governing the Trials of Accused War Criminals, dated 5 December 1945, as necessary to obtain justice.

The proceedings, findings of guilty, and sentences in the foregoing case of Lieutenant General Tachibana, Yoshio, IJA, Vice Admiral Mori, Kunizo, IJN, Captain Yoshii, Shizuo, IJN, Major Matoba, Sueo, IJA, Captain Sato, Kesakichi, IJA, Lieutenant Suyeyoshi, Jitsuro, IJN, Surgeon Lieutenant Sasaki, Mitsuyoshi, IJN, First Lieutenant Isogai, Gunji, IJA, Lieutenant (junior grade) Hayashi, Minoru, IJN, Lieutenant (junior grade) Matsutani, Shinichi, IJN, Sergeant Mori, Yasumasu, IJA, Corporal Nakamura, Shigenobu, IJA, and Superior Private Kido, Matsutaro, IJA, are approved.

Lieutenant General Tachibana, Yoshio, IJA, Captain Yoshii, Shizuo, IJN, and Major Matoba, Sueo, IJA, will be retained in confinement at the Island Command Stockade, Guam, pending instructions from higher authority. Vice Admiral Mori, Kunizo, IJN, Captain Sato, Kesakichi, IJA, Lieutenant Suyeyoshi, Jitsuro, IJN, Surgeon Lieutenant Sasaki, Mitsuyoshi, IJN, Lieutenant (junior grade) Hayashi, Minoru, IJN, Lieutenant (junior grade) Matsutani, Shinichi, IJN, Sergeant Mori, Yasumasu, IJA, Corporal Nakamura, Shigenobu, IJA, and Superior Private Kido, Matsutaro, IJA, will be transferred to Japan via the first available United States ship, to serve their respective terms of confinement.

Lieutenant Isogai, Gunji, IJA, who was acquitted, was repatriated to Japan 6 October 1946.

C. A. POWNALL,  
Rear Admiral, U. S. Navy,  
The Commander Marianas Area.

To: Commander in Chief United States Pacific Fleet and Pacific Ocean Areas.  
Re: Record of Proceedings of Military Commission - case of  
General Yoshio TACHIBANA, IJA, et al.

Copy to:  
Island Commander, Guam.

0602



# United States of America



## NAVY DEPARTMENT

I hereby certify that the annexed are true copies of the action by Commander in Chief, Pacific Fleet, in the military commission case of Lieutenant General Yoshio Tachibana, IJA, et al, case number 154578, dated 2 January 1947, which is on file \_\_\_\_\_

in this Department.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Navy Department of the United States to be affixed, at the City of Washington, this twenty-fifth day of February in the year of our Lord one thousand nine hundred and forty-nine, and of the independence of the United States the one hundred and seventy-third.



*E. E. Wood*  
E. E. WOODS

ACTING JUDGE ADVOCATE GENERAL OF THE NAVY  
FOR THE SECRETARY OF THE NAVY.

*Secretary*

THE PACIFIC COMMAND  
and United States Pacific Fleet  
Headquarters of the Commander in Chief

CinCPacFLT File  
A17-25

c/o Fleet Post Office,  
San Francisco, California.

Serial 3

2 JAN 1947

In reviewing the record of proceedings it is noted that in line three page, one, of the index it is stated that Captain YOSHII, Shizuo was in the Imperial Japanese Army. This is in error as he was in the Imperial Japanese Navy. This error does not, however, affect the record.

Several clerical errors and errors of punctuation are noted throughout the record, and in some instances where objections were made the record does not show that the opposite party replied. These are not considered to be material errors, nor were the rights of any defendant prejudiced thereby.

Subject to the foregoing, the proceedings, findings of guilty, sentences, and the action of the convening authority thereon in the foregoing case of Lieutenant General TACHIBANA, Yoshio, IJA, Vice Admiral MORI, Kunizo, IJN, Captain YOSHII, Shizuo, IJN, Major MATOBA, Sueo, IJA, Captain SATO, Kesakichi, IJA, Lieutenant SUYEOSHI, Jitsuro, IJN, Surgeon Lieutenant SASAKI, Mitsuyoshi, IJN, First Lieutenant ISOGAI, Gunji, IJA, Lieutenant (junior grade) HAYASHI, Minoru, IJN, Lieutenant (junior grade) MATSUTANI, IJN, Sergeant MORI, Yasumasu, IJA, Corporal NAKAMURA, Shingenobu, IJA, and Superior Private KIDO, Matsunaro, IJA, are approved.

68A Prior to the execution of the death sentences adjudged in the case of Lieutenant General TACHIBANA, Yoshio, IJA, Captain YOSHII, Shizuo, IJN, and Major MATOBA, Sueo, IJA, the record is, in conformity with section D-14, Naval Courts and Boards, respectfully referred to the Secretary of the Navy.

J. H. TOWERS  
Admiral, U. S. Navy,  
Commander in Chief, Pacific,  
and United States Pacific Fleet,  
and Military Governor of the Marianas Area.

to: Judge Advocate General.  
Re: Record of proceedings of Military Commission - case of General Yoshio Tachibana, IJA, et al.

Copies to:  
COM Marianas  
War Crimes Officer GUAM  
IsComGuam.

0604

TERAKI, TADASHI

( 4 MAR 1949 )

( VOL. III )

( 167855 )  
PART 1 OF 20

5090

Case of  
TERAKI, Tadashi  
March 4, 1949

RECORD OF PROCEEDINGS  
of a  
MILITARY COMMISSION  
convened at  
United States Pacific Fleet  
Commander Naval Forces, Marianas  
Guam, Marianas Islands,  
by order of  
The Commander Naval Forces, Marianas

RECEIVED  
24 MAY 1949  
OFFICE OF JUDGE  
ADVOCATE GENERAL  
G.C.M. SECTION

C-N  
VOLUME III  
167855

0606



証人 中村重信

証人 中村重信

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証人 中村重信

昭和二十四年三月二十六日於テ巣鴨拘置所  
余中村重信ヨリ質問書ヲ讀ミ別紙デ  
返答ヲ書ク

於 巣鴨拘置所  
中村重信

第一問 姓名、年、と現住所を述べて下さい。

第二問 巣鴨ニ收容された期間はどの位ですか。

第三問 收容を宣告された期間はどの位ですか。

第四問 戦争中日本軍隊に勤務した事がありますか。

Exhibit 2(2)

中村重信

0608

第五問 父島に配属した事がありますか。

第六問 そこに配属された<sup>期間</sup>はどの位ですか。

第七問 昭和二十年二・三・四月頃貴方の配属して居た部隊  
の  
名前は何でしたか。

第八問 その当時の階級は何でしたか。

第九問、簡単にその当時の任務を言ってお下さい。

第十問 この師團は、何と云ふ師團ですか。

第十一問 三〇八大隊は、一〇九師團の隷下でしたか。

第十二問 貴方の配属された三〇八大隊の部隊長の名  
前は何でしたか。

第十三問 昭和二十年の三月頃捕虜関係の普通で  
無い事件の起った事を覚えますか。

第十四問 この事件はどこで起ったんですか。

第十五問 何時起ったんですか。

第十六問 その當時の起った事を簡単に述べて下さい。

第十七問 貴方が處刑の現場に居りましたか。

第十八問 貴方の外にだれが處刑の現場に居りましたか。

第十九問 佐藤尉と寺本軍医の外の將校が居ったかどうか覚えますか。

第二十問 處刑の時人が何名位居りましたか。

第二十一問 處刑現場で起った事を自分の言葉で簡単に述べて下さい。



第三二問 寺木軍医がどうふう通に捕虜に坐らせましたか。

第三三問 あぐらをかけて坐せし爲に寺木軍医がどうしましたか。

第三四問 寺木軍医の歩哨に話した言葉を自分の耳で聞きましたか。

第三五問 それからどうなっていますか。

第三六問 寺木軍医の佐藤大尉に話した言葉を自分の耳で聞きましたか。

第三七問 貴方の切れた前寺木軍医が又何か話した事ありますか。

第三八問 それからどうなっていますか。

第三九問 捕虜を屠殺刑してからどうなっていますか。

⑤  
第三十問 この處刑に關係した爲に貴方が裁判されましたか。

第三十一問 どこでそれからの裁判に衣を裁いたんですか

第三十二問 何時裁きましたか。

第三十三問 この犯罪に關係した爲に有罪と判決されましたか。

寺木軍医 辨濟士 豫備米海軍マヂン・イ・カルソ、中佐  
の反対訊問

第三十四問 寺木軍医の人相について説明して下さい。

第三十五問 この軍医はこの部隊に配屬されましたか。

第三十六問 寺木軍医の部隊長はなれられましたか。

第三十七問 處刑の時迄この軍医を知り居た期間  
はどの位ですか。

第八問 幼場小佐が處刑現場に居りましたか。

第九問 佐藤大尉の部隊長はなれしたか。

第十問 處刑の日を伺故昭和二年三月二十七日と覚えて居りますが。

第十一問 處刑の當日命令を受領して居りましたか。

第十二問 處刑された人の名前を知りますか。

第十三問 何ういふ通にホールといふ名前を覚えて来ましたか。

第十四問 佐藤大尉はこの捕虜の首を切る  
と命じましたか。

第十五問 何時この命令を下った覚えですか。

第十六問 處刑現場で軍刀を持てた人は何方  
だけですか。

第百七 次の人達が處刑の現場に居るかどうか覚えて  
ますか

山下北兵衛、山本伍兵衛和田北兵衛破野重兵衛  
の庶軍北

第百八 寺本軍医が歩哨に話した時佐藤大尉はど  
こに居りましたか。

第百九 寺本軍医が重傷者を歩哨に話した時貴  
方はもう佐藤大尉から處刑する命令  
を受けましたか。

第百 寺本軍医が貴方に早くやを下せいと  
言った時貴方はどこに立って居りました  
か。

第百一 寺本軍医が早くやを下せいと言ったのが  
佐藤大尉又切るかと命令しましたか。



⑤  
第千二問 鮎場小佐も貴方にこの捕虜を殺すと命令  
しましたか。

第千三問 この處刑は大隊本部のどこで行いましたか。

第千四問 何時頃處刑現場に来ましたか。

答 貴方には何れ現場を語りましてか。

第千六問 貴方の去った時寺木軍医がまだ居りまし  
ましたか。

第千七問 イン・シエンイラウと言ふ伍長が處刑現場  
に居りましたか。

第千八問 佐藤大尉が貴方に捕虜の首を切ると  
命令した時反対しましたか。

第千九問 断った時佐藤大尉は貴方にこの處刑  
を行ふ故は鮎場小佐が命令したからと  
言ひ傳えましたか。

第千一問 貴方、認めて貴方、寺木軍医に何か云ひし  
たか。

昭和三十三年二月三十一日 終業、鷗羽留置所 中村重信

半殺海軍マーサニ・カルニニ中尉

半殺海軍デ・グイドボルトニ大尉

フレデリック・エフ・ツリーメイニ中尉

三名之会ニテ證明ヲ記ス。

余、中村重信半殺海軍デ・グイドボルトニ大尉ニ依テ宣誓  
ニ以上ノ尋問ニ対シ、答ヲ答フ。

半殺海軍旅長デ・グイドボルトニ大尉ノ尋問ニ対スル事。

第一問

姓名、中村重信、三六五、終業、鷗羽留置所ニ収容サレテ  
居ル。

第二問

昭和三十三年二月二十四日終業、鷗羽留置所ニ収容サレ、現在  
ニ至ル。

第三問

十年重労働。

第四問

有リマス。

第五問

有リマス。

第六問

昭和十六年九月二十五日カウニ、二十一年一月十五日迄。

第七問

独立歩兵第三〇一大隊本部。

第八問

日本陸軍旅長。

第九問

師団司令部命令受領（第三〇一大隊ニ伝達スル命令）

第一〇問

第三〇一大隊師団。

第一一問

レイ下デアツタ。

第一二問

日本陸軍少佐の場合未だ。

第一三問

和ッテキマス。

第一四問

第三〇一大隊本部。

第一五問

昭和三十年三月二十七日ト思フ。

第一六問

捕虜ガ処刑サシタ。

第一七問

居リマシタ。

第一八問

佐藤大尉、奇木号医、金森号我「アト」エシマシタ。

第一九問

居リマシタ。外ノ將校ハ居リマシデシタ。

第二〇問

ニロ名位居ッタト思フ。

第二一問

佐藤大尉、指摺ニ依リ捕虜ハ奇木号医ガ  
スワラセ自分ガ首ヲ切リマシタ。

第二二問

アグラヲカイテスワラセマシタ。

第二三問

米増ニ命ジテスワラセマシタ。

第三四問

聞マシタ 自介デ。

第三五問

悠イ 姿勢デハ 切リニクイカラ 高クスハラセロト 佐藤大尉ガ云ツタノデ、奇木号 医ハ 外女ハ 高クスハルヲ、出来ヌカラ コー達デ 切ツテクシト云イマシタ。

第三六問

聞マシタ、自介 自身デ。

第三七問

オソクナルト 空龍ガ 来ルカラ 早クヤツテ 呉シト 自介ニ 奇木号 医ハ云イマシタ。

第三八問

ソノマ、逃刑ニマシタ。

第三九問

直ニ 現場ヲ云ツタノデ 何が 起キタカ 知リマセ。

第三〇問

ソウデス。

第三一問

グアム島ノ 号法会議ニ 裁判サシマシタ。

第三二問

昭和三十一年二月十五日—十月四日 判決。

第三三問

其ノ 中、何ノ 爲ニ 判決サシマシタ。

奇木号 医 辯護士 予 楠 米 海 号 マーヤニ カル ソノ 中 佐、

反対 証 問。

第三四問

佐ハ 中 佐デ 顔ハ 細キ 目 鏡ヲ 掛ケヤセ 型。



第三五回

三〇、独立歩兵大隊ニ配属サシテ居リマシタ

第三六回

日本陸軍少佐的現場未面デシタ

第三七回

前半年位ト思フ

第三八回

居リマセ

第三九回

日本陸軍少佐的現場未面デシタ

第四〇回

日記ニ書キテアツタカラ

第四一回

ニテ居リマシタ

第四二回

ホールト記オウニテ居リマシタ

第四三回

的場部隊ガニテ居リマシタ

第四四回

命ジマシタ

第四五回

ソ、現場デス

第四六回

ソウデス

第四七回

山下将長 山本将長 和田将長 磯野、居ッタト  
思フガ古魔、居リマセデシタ

第四八回

直グ亦ニテ居リマシタ

第四九回

受ケマシタ。

第五〇回

捕虜ヨリニロ半程、ナシテ居リマシタ

第五一回

又、功ル様ニ佐藤大尉ニ云ハシマシタ

第五二回

命令サシマセシ

第五三回

大隊本部近リ、松林、中テ本部ヨリ一ロ半程、  
地点

第五四回

午前九時三十分頃

第五五回

午前十時頃ガツクト思フ

第五六回

後ニガツテ居リマシタ

第五七回

居リマシタ

第五八回

最初一度、断リマシタガ直ネテ云ハシテ目  
テ実行シマシタ

第五九回

云ハシマセシ

第六〇回

ソニナリ、アリマセシ、奇本音匠、自分ニ命令ス  
權利、アリマセシカラ

以上、五答、訊問ヲ讀ミテ、私、真実、答テシ

中村重信

中村重信

Exhibit 2(14)

I swear that all I have truly transmitted to the court is the way I was administered by Lt David Bolton - ~~Exhibitor~~ J. J. Mennig, LTJG USNR  
Subscribed and sworn to before me this 28th day of February 1949 David Bolton, Lt JG, Judge Advocate  
Witness - Martin E. Carlson, Commander USNR, Defense Counsel

0620

Interrogatories

United States of America

v.

Teraki, Tadashi

Witness:

Nakamura, Shigenobu.

Place and Date of Interrogation:

Sugamo Prison, Tokyo, Japan.  
February 21, 1949.

IN THE PRESENCE OF Commander Martin E. Carlson, United States Naval Reserve; Lieutenant David Bolton, United States Navy; and Lieutenant (junior grade) Frederick F. Tremayne, United States Naval Reserve.

The following direct interrogation by Lieutenant David Bolton, United States Navy, judge advocate, and cross-interrogation by Commander Martin E. Carlson, United States Naval Reserve, counsel for the accused, of Nakamura, Shigenobu, former corporal, Imperial Japanese Army, now confined in Sugamo Prison, a witness for the prosecution in the above entitled case now pending and to be tried before a Military Commission convened by Commander Naval Forces Marianas, was held in the presence of the aforementioned judge advocate and defense counsel, pursuant to agreement by both parties, in advance of the assembling of the Commission and subject to objections and exceptions, in accordance with paragraph 5 of said precept and the authority contained therein and the rules of evidence promulgated by the Supreme Commander for the Allied Powers, SCAP ltr AG 000.5 (5 Dec 45) LS, subject "Regulations Governing the Trials of Accused War Criminals," especially section 5d(1)(c) thereof, which authorizes the use in evidence of affidavits, depositions, and other signed statements.

Interrogation by Lieutenant David Bolton, United States Navy, judge advocate, trial of Surgeon Second Lieutenant Teraki, Tadashi, Imperial Japanese Army.

First interrogatory:	State your name, age, and present address.
Second interrogatory:	How long have you been confined at Sugamo Prison?
Third interrogatory:	How long a term of confinement have you been sentenced to serve?
Fourth interrogatory:	Did you serve in the armed forces of Japan during the war?
Fifth interrogatory:	Were you ever stationed on Chichi Jima?
Sixth interrogatory:	During what period of time were you stationed there?
Seventh interrogatory:	What was the name of the unit to which you were attached during the months of February and March and April, 1945?
Eighth interrogatory:	What was your rate at that time?
Ninth interrogatory:	Briefly, what were your duties at that time?

/s/ Nakamura, Shigenobu

-1-

Exhibit 2 (a)(1)

0621

Tenth interrogatory:	What was the title of this division?
Eleventh interrogatory:	Was the Three Hundred Eighth Battalion attached to the One Hundred Ninth Division?
Twelfth interrogatory:	What was the name of the commanding officer of the Three Hundred Eighth Battalion to which you were attached?
Thirteenth interrogatory:	Do you recall any unusual incident relating to prisoners of war, which occurred in March, 1945?
Fourteenth interrogatory:	Where did this incident occur?
Fifteenth interrogatory:	When did it occur?
Sixteenth interrogatory:	Briefly, what happened at that time?
Seventeenth interrogatory:	Were you present at the scene of the execution?
Eighteenth interrogatory:	Who else was present at the scene of the execution?
Nineteenth interrogatory:	Do you remember if any officers besides Captain Sato and Surgeon Teraki were present?
Twentieth interrogatory:	Approximately how many persons were present at the time of the execution?
Twenty-first interrogatory:	State briefly, in your own words, what occurred at the scene of the execution?
Twenty-second interrogatory:	In what manner did Surgeon Teraki sit the prisoner down?
Twenty-third interrogatory:	What did Surgeon Teraki do to make the prisoner sit down cross-legged?
Twenty-fourth interrogatory:	Did you personally hear Surgeon Teraki when he spoke to the guards?
Twenty-fifth interrogatory:	What happened after that?
Twenty-sixth interrogatory:	Did you personally hear Surgeon Teraki when he spoke to Captain Sato?
Twenty-seventh interrogatory:	Did Teraki say anything else before you decapitated the prisoner?
Twenty-eighth interrogatory:	What happened after that?

/s/ Nakamura, Shigenobu

-2-

Exhibit 2(a)(2)

0622



Twenty-ninth interrogatory: What happened after you executed the prisoner?

Thirtieth interrogatory: Have you been tried for your participation in this execution?

Thirty-first interrogatory: Where and by what court were you tried?

Thirty-second interrogatory: When were you tried?

Thirty-third interrogatory: Were you found guilty of your participation in this crime?

Cross-interrogation by Commander Martin E. Carlson, United States Naval Reserve, defense counsel for Surgeon Teraki, Tadashi, Imperial Japanese Army.

Thirty-fourth interrogatory: Describe this Medical Officer Teraki.

Thirty-fifth interrogatory: To what unit was this doctor attached?

Thirty-sixth interrogatory: Who was Doctor Teraki's commanding officer?

Thirty-seventh interrogatory: How long had you known Doctor Teraki up to the time of the execution?

Thirty-eighth interrogatory: Was Major Matoba present at the scene of the execution?

Thirty-ninth interrogatory: Who was Captain Sato's commanding officer?

Fortieth interrogatory: How do you remember the date of the execution as being March 27, 1945?

Forty-first interrogatory: Were you on duty as a receiver of orders on the day of the execution?

Forty-second interrogatory: Do you know the name of the person you executed?

Forty-third interrogatory: How did you learn his name was Hall?

Forty-fourth interrogatory: Did Captain Sato order you to behead this flier?

Forty-fifth interrogatory: When did he give you this order?

Forty-sixth interrogatory: Were you the only person at the scene with a sword?

Forty-seventh interrogatory: Can you remember if any of the following persons were present at the scene of the execution: Sergeant Major Yamashita, Corporal Yamamoto, Sergeant Major Fada, Lance Corporal Isono, Sergeant Furushika?

/s/ Nakamura, Shigenobu

-3-

Exhibit 2(a)(3)

0623

Forty-eighth interrogatory:	Where was Captain Sato when Surgeon Teraki spoke to the guards?
Forty-ninth interrogatory:	Before Surgeon Teraki spoke to the guards, had you received your orders from Captain Sato to execute?
Fiftieth interrogatory:	Where were you standing when Teraki spoke to you and said please do it quickly?
Fifty-first interrogatory:	After Teraki said please do it quickly, did Captain Sato again order you to cut the prisoner?
Fifty-second interrogatory:	Did Major Matoba also give you orders to execute this prisoner of war?
Fifty-third interrogatory:	Where at Battalion Headquarters was this execution carried out?
Fifty-fourth interrogatory:	At what time of the day did you arrive at the scene of this execution?
Fifty-fifth interrogatory:	At what time did you leave the scene?
Fifty-sixth interrogatory:	Was Doctor Teraki still there when you left?
Fifty-seventh interrogatory:	Was Iso, Shunichiro, present at the scene of the execution?
Fifty-eighth interrogatory:	When Captain Sato ordered you to decapitate the prisoner, did you oppose it?
Fifty-ninth interrogatory:	When you refused, did Captain Sato then tell you that the execution was to be carried out because of Major Matoba's orders?
Sixtieth interrogatory:	So far as you recall did you behave because you were told something by Surgeon Teraki?

On February 28, 1949 at Sugamo Prison, I, Nakamura, Shigenobu, have read these interrogatories and have written the answers thereto on separate sheets.

At Sugamo Prison.

/s/ Nakamura, Shigenobu

/s/ Nakamura, Shigenobu

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Exhibit 2(a)(4)

0624

February 21, 1949.  
Sugamo Prison.

Nakamura, Shigenobu.

IN THE PRESENCE OF Commander Martin E. Carlson, United States Naval Reserve; Lieutenant David Bolton, United States Navy; and Lieutenant (junior grade) Frederick F. Tremayne, United States Naval Reserve.

I, Nakamura, Shigenobu, being duly sworn by Lieutenant David Bolton, United States Navy, answer as follows the above interrogatories:

Interrogation by Lieutenant David Bolton, United States Navy, judge advocate.

To the first interrogatory:	Full name: Nakamura, Shigenobu; thirty-six years old; Sugamo Prison.
To the second interrogatory:	I was confined in Sugamo Prison on February 24, 1947, and have been here to the present.
To the third interrogatory:	Ten years at heavy labor.
To the fourth interrogatory:	Yes, I did.
To the fifth interrogatory:	Yes, I was.
To the sixth interrogatory:	From September 25, 1941, to August 15, 1946.
To the seventh interrogatory:	Three Hundred Eighth Independent Infantry Battalion Headquarters.
To the eighth interrogatory:	Corporal, Imperial Japanese Army.
To the ninth interrogatory:	I was receiver of division headquarters order (orders to be delivered to the Three Hundred Eighth Battalion).
To the tenth interrogatory:	One Hundred Ninth Division.
To the eleventh interrogatory:	It was attached to it.
To the twelfth interrogatory:	Matoba, Sueso, major, Imperial Japanese Army.
To the thirteenth interrogatory:	I know about it.
To the fourteenth interrogatory:	At the headquarters of the Three Hundred Eighth Battalion.
To the fifteenth interrogatory:	I recall that it was on March 27, 1945.
To the sixteenth interrogatory:	A prisoner was executed.

/s/ Nakamura, Shigenobu

-5-

Exhibit 2(a)(5)

0625

To the seventeenth interrogatory: I was present.

To the eighteenth interrogatory: Captain Sato, Medical Officer Teraki, and Sergeant Kanemori. I have forgotten the rest.

To the nineteenth interrogatory: No, there weren't. There were no other officers there.

To the twentieth interrogatory: I believe there were about twenty.

To the twenty-first interrogatory: In accordance with the orders of Captain Sato, Medical Officer Teraki sat the prisoner down and I decapitated him.

To the twenty-second interrogatory: He sat the prisoner down cross-legged.

To the twenty-third interrogatory: He gave orders to the guards and had them sit him down.

To the twenty-fourth interrogatory: I heard him myself.

To the twenty-fifth interrogatory: As Captain Sato said, "As it is difficult to cut when the position is low, sit him up high," Medical Officer Teraki said, "Because it is difficult for foreign people to sit up high, please cut with him as he is."

To the twenty-sixth interrogatory: I heard him myself.

To the twenty-seventh interrogatory: Medical Officer Teraki said to me, "As it is late and the air raids will come, please do it quickly."

To the twenty-eighth interrogatory: With that, he T.N.: the prisoner was executed.

To the twenty-ninth interrogatory: As I left the scene immediately, I don't know what happened.

To the thirtieth interrogatory: Yes.

To the thirty-first interrogatory: I was tried by a military commission on Guam.

To the thirty-second interrogatory: August 25, 1946 - decision on October 4.

To the thirty-third interrogatory: I was sentenced on account of this incident.

/s/ Nakamura, Shigenobu

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Exhibit 2 (a)(6)

0626



Cross-interrogation by Commander Martin E. Carlson, United States Naval Reserve, counsel for Medical Officer Teraki.

To the thirty-fourth interrogatory: He was of medium height, had a long, thin face, wore glasses and was slender.

To the thirty-fifth interrogatory: He was attached to the Three Hundred Eighth Independent Infantry Battalion.

To the thirty-sixth interrogatory: Matoba, Sueo, major, Imperial Japanese Army.

To the thirty-seventh interrogatory: I believe about half a year.

To the thirty-eighth interrogatory: He was not present.

To the thirty-ninth interrogatory: Matoba, Sueo, major, Imperial Japanese Army.

To the fortieth interrogatory: Because it was written in my diary.

To the forty-first interrogatory: Yes, I was.

To the forty-second interrogatory: I recall that it was Hall.

To the forty-third interrogatory: I asked the Battalion Commander.

To the forty-fourth interrogatory: Yes.

To the forty-fifth interrogatory: At the scene.

To the forty-sixth interrogatory: Yes.

To the forty-seventh interrogatory: I recall that Sergeant Major Yamashita, Corporal Yamamoto, Sergeant Major Wade and Isono were there, but Furushika was not there.

To the forty-eighth interrogatory: He was right nearby.

To the forty-ninth interrogatory: I had received them.

To the fiftieth interrogatory: About twenty meters away from the prisoner.

To the fifty-first interrogatory: I was again told by Captain Sato to cut.

To the fifty-second interrogatory: He did not give me orders.

To the fifty-third interrogatory: At a spot about one hundred meters away from headquarters in the middle of a pine grove.

/s/ Nakamura, Shigenobu

-7-

Exhibit 2 (a)(7)

0627

To the fifty-fourth interrogatory: About nine-thirty in the morning.  
To the fifty-fifth interrogatory: I recall that it was about ten o'clock.  
To the fifty-sixth interrogatory: He was still there afterwards.  
To the fifty-seventh interrogatory: He was present.  
To the fifty-eighth interrogatory: I refused the first time; but when I was told again, I carried it out.  
To the fifty-ninth interrogatory: He did not say so.  
To the sixtieth interrogatory: No, there was no such thing, because Surgeon Teraki had no right to give me an order.

I have read the interrogatories and gave the above true answers.

/s/ Nakamura, Siigenobu.

I swear that I have truly translated the oath administered by Lieutenant David Bolton.

/s/ Frederick F. Tremayne,  
Lieutenant (jg), USNR.

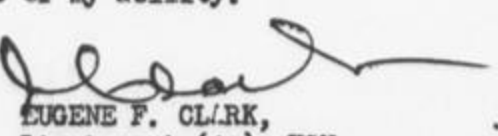
Subscribed and sworn to before me this 28th day of February 1949.

Witness:

/s/ David Bolton, Lieutenant, USN,  
Judge Advocate.

/s/ Martin E. Carlson,  
Commander, USNR,  
Defense Counsel.

I certify that the foregoing is a true and complete translation of the original in Japanese to the best of my ability.

  
EUGENE F. CLARK,  
Lieutenant (jg), USN,  
Interpreter.

証人 佐々木 朝子

証人 佐々木 朝子

証人 佐々木 朝子

証人 佐々木 朝子

証人 佐々木 朝子

証人 佐々木 朝子

証人 佐々木 朝子

証人 佐々木 朝子

昭和二十四年三月二十日余佐藤今朝吉 左記尋問  
書と読んで承知致しました  
別紙に依り解答致します  
佐藤今朝吉

第一問 姓名、年、と現住所を述べて下さい。

第二問 《果嶋ニ收容》された期間は何の位ですか。

第三問 收容を宣告された期間は何の位ですか。

第四問 露戦中日本軍隊に勤務した事  
がありますか。



第五問 父島に配属した事がありますか。

第六問 そこに配属された期間は何日ですか。

第七問 昭和十年三月頃貴方の配属して居た部隊の名前は何か。

第八問 その当時の階級は何ですか。

第九問 簡単にその当時の任務を言えますか。

第十問 三〇八大隊はどの部隊の隷下ですか。

第十一問 その当時二九師団長の名前は何か。

第十二問 その当時三〇八大隊長は誰でしたか。

第十三問 昭和十年の三月頃捕虜関係の普通で無い事件の起った事を覚えてますか。

第十四問 この事件はどこで起ったんですか。

第十五問 何時起ったんですか。

第十六問 その當時の起った事を箇單に述べて下さい。

第十七問 貴方が処刑現場に居りましたか。

第十八問 貴方の外をねがが処刑現場に居りましたか。

第十九問 貴方と寺木の外將校が居りましたか。

第二十問 処刑の時 人が何処に居りましたか。

第二十一問 処刑現場で起った事を自分の言葉で箇單に述べて下さい。

第二十二問 貴方が現場に来る時 寺木はもう居りましたか。

第二十三問 貴方の現場に来る時捕虜はどこの風で坐して居りましたか。

第三問 その捕虜はどういふ風に処刑されましたか。

第四問 首を切った時に捕虜はどういふ風に  
坐せ居りましたか。

第五問 だが首を切ったんですか。

第六問 首を切ってからどうなりましたか。

第七問 貴方がその解剖を見ましたか。

第八問 大隊長に何を報告しましたか。

第九問 この処刑に關係した為には貴方が  
裁判されましたか。

第十問 どこでそれからどの裁判に依て裁いたん  
ですか。

第十一問 何時裁判されましたか。

第十二問 この犯罪に關係した為には有罪と判決さ  
れましたか。

寺木軍医將藤又士稼備米海軍マニイカルソ中佐  
の反文訊問

第三十四問 中村伍長もこの犯罪に関係した為、裁判  
されて有罪と判決されましたか。

第三十五問 駒場小佐もこの犯罪に関係した為、裁判さ  
れて有罪と判決されましたか。

第三十六問 この捕虜に何故処刑するかと貴方が  
説明しましたか。

第三十七問 駒場小佐が貴方にこの捕虜を処刑  
しろと命令しましたか。

第三十八問 何時命令しましたか。それで貴方に何  
を言いましたか。

第三十九問 捕虜の首を切る様に駒場小佐が言いま  
したか。



第二十問 的場小佐が処刑すると言ってから処刑を實行する迄の間はどの位でしたか。

第二十一問 的場小佐が寺本軍医に処刑後解剖する様に命令した事を的場小佐が虫真方に言傳へたんですか。

第二十二問 貴方は現場に居た千名位の人達に現場に来る様に命令しましたか。

第二十三問 止むを得ず中村に命令して処刑を實施したといふと止むを得ずといふのは丁度どういふ意味ですか。

第二十四問 寺本軍医の外の軍医が処刑現場に居りましたか。

第二十五問 衛生兵は何名位処刑現場に居りましたか。

②  
第百六問 貴方が処刑現場を去るが、この処刑  
された捕虜の死體を見ましたか。

第百七問 この処刑された捕虜の死體が埋葬  
された報告を受けましたか。

第百八問 この捕虜の名前を知っています  
か。

第百九問 この処刑された捕虜の死體が埋葬  
されたか知っていますか。

第百問 的場小佐はどうか將校でしたか。  
特別に自分の下した命令の實行  
に關して。

第百一問 寺本軍医が的場小佐の直接の部下  
でしたか。

昭和二十四年二月二十三日米鶴岡憲所佐藤今朝吉  
米豫備海軍デューグイトボルト大尉・米豫備海軍フレッド・エリクソン中尉  
三名を合ニ證明ヲ記ス

余佐藤今朝吉・米海軍デューグイトボルト大尉ニ依リ  
宣誓以上、尋問ニ対シ、様ニ返事ス

米海軍検事、デューグイトボルト大尉、尋問ニ対スル  
必事、

第一問ニ就テ 佐藤今朝吉、五十三歳、米鶴岡監  
獄ニ収容スル中ニ在リ

第二問ニ就テ 二年四月

第三問ニ就テ 終身刑

第四問ニ就テ 有リ

第五問ニ就テ 有リ

第六問ニ就テ 自昭和十九年六月十五日

至昭和二十年七月二十六日

第七問ニ就テ 独逸歩兵第三百八大隊本部

第八問ニ就テ 日本陸軍中尉

第九問ニ就テ 独逸歩兵第三百八大隊内全取陸地  
構築・指導監督者並ニ戦士に同  
等教育訓練

第一〇句に就て	陸軍独立第九師団
第一一句に就て	陸軍中將 立花芳夫
第一二句に就て	陸軍歩兵少佐 的場末男
第一三句に就て	覚えざる事
第一四句に就て	父島独立歩兵第三百八大隊本部附近
第一五句に就て	昭和二十年三月二十四日
第一六句に就て	一名の捕虜を処刑しました
第一七句に就て	居りました
第一八句に就て	寺本見羽士官、中村伍長兼、本林軍曹、 磯伍長、本林軍曹其他衛生兵と外に 大勢居りましたが私も記憶して居る人 外に将校の記憶ありません
第一九句に就て	約二十名位居りました
第二〇句に就て	現場に行きました。捕虜は既に生つて居り ました。待つと約十五分ほどして、傳令が 来り古座軍曹が居りましたと云つて来た。 其時寺本大佐龍巻も有るし教育にも 支障があるから早く処刑しろと申して 来たので止むを得ず中村伍長に命じて 実施しました
第二二句に就て	居りました
第二三句に就て	あつたを以て生じて居りました
第二四句に就て	軍力で頭を叩きました
第二五句に就て	あつたを以て腹を前に出して居りました



## 第六回就乙

中村伍長

### 第三句口就

李木は大隊長から補助衛生兵に対して  
明日の戦争に役立つ種に解剖をして健康  
的教養をせよと命ぜられたから李木が  
今から解剖とやらと云って苦悶してゐた。

第二八句就之。

「解剖」は着年するに依りて本部に歸し  
大隊長に報告せしむる

第二九四就乙

是刑を施し、しに其の<sup>と</sup>て吾本が解  
剖に着手し、した

第110号记录

1944-1945

第三句就

八八八八八八八八

第三回就完。

收到同安縣三十五年八月十五日  
利決同 年十月四日

第三回已就

$$m' \cdot n' \cdot i' \cdot f' = m \cdot n \cdot i \cdot f$$

24.1. 1. 42.1.1

此の反對意見に對する返事

第三回就

2000 150 1000

### 第三句口就

2000-2001

### 第三六四記

松本は説書人

### 第三、句、就

intensity = 100%

### 第三句就

二月二十四日午前十時頃、私を直接大塚院長  
室に呼ぶ。あつち捕房を去る刑部と、命金と云

第三回 亂

有在泉上は云はれず久は是州やと命也  
事一在

第廿四回就

同族一

第四句就

又刑後諸刑より種工木に命ぜられず、  
之より色肉力佐から命ぜられず

第五回 就

2019年12月1日

第四三回に就て

左展軍書屋より受と報告を委ねる  
た。考へて居る。左展軍書屋も  
ある。教育と云ふは、有りて受からずと云ふ  
りて止む。作事現場に居る。中將佐長に命  
令した。り。

第四四回に就て

軍書屋に居る。受

第四五回に就て

約文。七名。居る。受

第四六回に就て

現場。五名。居る。受

第四七回に就て

受ける。受

第四八回に就て

受ける。受

第四九回に就て

土。お。い。え。る。受

第五〇回に就て

一度。命。令。を。受。け。て。行。く。受  
お。い。え。る。受。け。て。行。く。受  
。持。つ。人。に。お。い。え。る。受  
大。隊。内。中。隊。長。は。大。隊。的。場。合。に。依。て  
。受。け。て。行。く。受。け。て。行。く。受  
一。度。命。令。を。受。け。て。行。く。受  
部。を。お。い。え。る。受。け。て。行。く。受

第五一回に就て

受ける。受

以上は、私の意見を述べた。領事館に送る。事。宜  
。受。け。て。行。く。受

I swear that I have Truly Translated the oath administered by Lt. David Bolton  
Subscribed and sworn to before me, this 28<sup>th</sup> day of February 1949.  
Frederick J. Jermagn LTJG USNR

David Bolton, LTJG USNR.  
Judge Advocate

Witness:  
Martin Carlson  
Commander USNRP.  
Defense Counsel

Interrogatories

United States of America

v.

Teraki, Tadashi

Witness:

Sato, Kosakichi.

Place and Date of Interrogation:  
Sugamo Prison, Tokyo, Japan.  
February 23, 1949.

IN THE PRESENCE of Commander Martin E. Carlson, United States Naval Reserve; Lieutenant David Bolton, United States Navy; and Lieutenant (junior grade) Frederick F. Tremayne, United States Naval Reserve.

The following direct interrogation by Lieutenant David Bolton, United States Navy, judge advocate, and cross-interrogation by Commander Martin E. Carlson, United States Naval Reserve, counsel for the accused, of Sato, Kosakichi, former captain, Imperial Japanese Army, now confined in Sugamo Prison, a witness for the prosecution in the above entitled case now pending and to be tried before a Military Commission convened by Commander Naval Forces Marianas, was held in the presence of the aforementioned judge advocate and defense counsel, pursuant to agreement by both parties, in advance of the assembling of the Commission and subject to objections and exceptions, in accordance with paragraph 5 of said precept and the authority contained therein and the rules of evidence promulgated by the Supreme Commander for the Allied Powers, SCAP ltr AG 000.5 (5 Dec 45) LS, subject "Regulations Governing the Trials of Accused War Criminals," especially section 5d(1)(c) thereof, which authorizes the use in evidence of affidavits, depositions, and other signed statements.

Interrogation by Lieutenant David Bolton, United States Navy, judge advocate, trial of Surgeon Lieutenant Teraki, Tadashi, Imperial Japanese Army.

First interrogatory:	State your name, age, and present address.
Second interrogatory:	How long have you been confined at Sugamo Prison?
Third interrogatory:	How long a term of confinement have you been sentenced to serve?
Fourth interrogatory:	Did you serve in the armed forces of Japan during the war?
Fifth interrogatory:	Were you ever stationed on Chichi Jima?
Sixth interrogatory:	During what period of time were you stationed there?

/s/ Sato, Kosakichi

-1-

Exhibit 3 (a)(1)

0641

Seventh interrogatory:	What was the name of the unit to which you were attached during the months of February and March, 1945?
Eighth interrogatory:	What was your rank at that time?
Ninth interrogatory:	Briefly, what were your duties at that time?
Tenth interrogatory:	To what organization was the Three Hundred Eighth Battalion subordinate?
Eleventh interrogatory:	Who was the commanding officer of the One Hundred Ninth Division at this time?
Twelfth interrogatory:	Who was the commanding officer of the Three Hundred Eighth Battalion at this time?
Thirteenth interrogatory:	Do you recall any unusual incident relating to prisoners of war, which occurred in March, 1945?
Fourteenth interrogatory:	Where did this incident occur?
Fifteenth interrogatory:	When did it occur?
Sixteenth interrogatory:	State briefly what occurred.
Seventeenth interrogatory:	Were you present at the scene of the execution?
Eighteenth interrogatory:	Who else was present at the scene of the execution?
Nineteenth interrogatory:	Were there any officers present in addition to Teraki and you?
Twentieth interrogatory:	Approximately how many persons were present at the time of the execution?
Twenty-first interrogatory:	State briefly, in your own words, what occurred at the scene of the execution?
Twenty-second interrogatory:	Was Teraki already at the scene of the execution when you arrived?
Twenty-third interrogatory:	How was the prisoner seated when you arrived at the scene?
Twenty-fourth interrogatory:	In what manner was the prisoner executed?
Twenty-fifth interrogatory:	In what position was he seated when he was decapitated?
Twenty-sixth interrogatory:	Who performed the decapitation?

/s/ Sato, Kesakichi

-2-

Exhibit 3 (a)(2)

0642



Twenty-seventh interrogatory:	What happened after the decapitation?
Twenty-eighth interrogatory:	Did you see the dissection?
Twenty-ninth interrogatory:	What did you report to the Battalion Commander?
Thirtieth interrogatory:	Have you been tried for your participation in this execution?
Thirty-first interrogatory:	Where and by what court were you tried?
Thirty-second interrogatory:	When were you tried?
Thirty-third interrogatory:	Were you found guilty of your participation in this crime?

Cross-interrogation by Commander Martin E. Carlson, United States Naval Reserve, defense counsel for Surgeon Lieutenant Teraki, Tadashi, Imperial Japanese Army.

Thirty-fourth interrogatory:	Was Corporal Nakamura also tried and convicted for his participation in this crime?
Thirty-fifth interrogatory:	Was Major Matoba also tried and convicted for his participation in this crime?
Thirty-sixth interrogatory:	Did you tell the prisoner why he was being executed?
Thirty-seventh interrogatory:	Did Major Matoba order you to execute this prisoner?
Thirty-eighth interrogatory:	When did he give you this order, and what did he say to you?
Thirty-ninth interrogatory:	Did Major Matoba tell you to behead the prisoner?
Fortieth interrogatory:	How soon after Major Matoba told you to execute the prisoner did you carry out the execution?
Forty-first interrogatory:	Did Major Matoba inform you that he had ordered Teraki to dissect the prisoner after the prisoner of war was executed?
Forty-second interrogatory:	Did you order the twenty persons who were present at the scene to be present at the execution?
Forty-third interrogatory:	When you said, "As there was nothing else to do, I gave orders to Nakamura and the execution was carried out," what did you mean by "As there was nothing else to do"?

/s/ Sato, Kesakichi

-3-

Exhibit 3 (a)(3)

0643

Forty-fourth interrogatory:	Were there any medical officers besides Teraki at the scene of the execution?
Forty-fifth interrogatory:	How many corpsmen were at the scene of the execution?
Forty-sixth interrogatory:	Did you ever see the body of the executed prisoner after you left the scene of the execution?
Forty-seventh interrogatory:	Did you receive any report that the body of the executed prisoner had been buried?
Forty-eighth interrogatory:	Do you know the name of this prisoner?
Forty-ninth interrogatory:	Do you know whether the body of this executed prisoner was buried?
Fiftieth interrogatory:	What kind of an officer was Major Matoba, particularly with regard to the carrying out of his orders?
Fifty-first interrogatory:	Was Doctor Teraki immediately subordinate to Major Matoba?

I, Sato, Kesakichi, have read and understand the above interrogatories on February 28, 1949 and have given answers thereto on separate sheets.

/s/ Sato, Kesakichi

/s/ Sato, Kesakichi

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Exhibit 3A)(4)

0644

February 23, 1949.  
Sugamo Prison.

Sato, Kesakichi.

IN THE PRESENCE OF Commander Martin E. Carlson, United States Naval Reserve; Lieutenant David Bolton, United States Navy; and Lieutenant (junior grade) Frederick F. Tremayne, United States Naval Reserve.

I, Sato, Kesakichi, being duly sworn by Lieutenant David Bolton, United States Navy, answer as follows to the above interrogatories:

Answers to the interrogation by Lieutenant David Bolton, United States Navy, judge advocate.

To the first interrogatory:	Sato, Kesakichi; fifty-three years old; confined in Sugamo Prison.
To the second interrogatory:	Twenty-eight months.
To the third interrogatory:	Life imprisonment.
To the fourth interrogatory:	Yes, I did.
To the fifth interrogatory:	Yes, I was.
To the sixth interrogatory:	From June 15, 1944, to November 26, 1945.
To the seventh interrogatory:	Three Hundred Eighth Independent Infantry Battalion Headquarters.
To the eighth interrogatory:	First Lieutenant, Imperial Japanese Army.
To the ninth interrogatory:	Supervision and direction of the construction of all positions within the Three Hundred Eighth Independent Infantry Battalion and education and training for battle.
To the tenth interrogatory:	The One Hundred Ninth Division.
To the eleventh interrogatory:	Tachibana, Yoshio, lieutenant general, Imperial Japanese Army.
To the twelfth interrogatory:	Matoba, Sueso, major, Imperial Japanese Army.
To the thirteenth interrogatory:	I remember it.
To the fourteenth interrogatory:	Close to the headquarters of the Three Hundred Eighth Independent Infantry Battalion.
To the fifteenth interrogatory:	On March 24, 1945.

/s/ Sato, Kesakichi

-5-

Exhibit 3(a)(5)

0645

To the sixteenth interrogatory:	One prisoner was executed.
To the seventeenth interrogatory:	I was present.
To the eighteenth interrogatory:	Probationary Officer Teraki, Corporal Nakamura, Sergeant Kanemori, Corporal Iso and Sergeant Mori. Besides these, medical corpsmen and a large number of other people were there, but I do not remember their names.
To the nineteenth interrogatory:	I do not recall any other officers.
To the twentieth interrogatory:	About twenty were present.
To the twenty-first interrogatory:	When I went to the scene, the prisoner was already sitting down. After waiting about fifteen minutes, a messenger came and said that Sergeant Furushika was not around. At that time Teraki came and said, "Please execute quickly as there will be air raids and they will interfere with the instruction"; so, as there was nothing else to do, I gave orders to Corporal Nakamura and carried out the execution.
To the twenty-second interrogatory:	He was there.
To the twenty-third interrogatory:	He was sitting cross-legged.
To the twenty-fourth interrogatory:	He was decapitated by a sword.
To the twenty-fifth interrogatory:	He was sitting cross-legged with his head bowed forward.
To the twenty-sixth interrogatory:	Corporal Nakamura.
To the twenty-seventh interrogatory:	Teraki said: "As I was ordered by the Battalion Commander to perform a dissection and give some practical training to the auxiliary corpsmen which would be of use in future battles, I will now perform the dissection," and commenced.
To the twenty-eighth interrogatory:	When the dissection had begun, I immediately returned to headquarters and reported to the battalion commander.
To the twenty-ninth interrogatory:	"The execution has been carried out. Afterwards Teraki commenced the dissection."
To the thirtieth interrogatory:	Yes.
To the thirty-first interrogatory:	In the courtroom of the military commission on Guam.
To the thirty-second interrogatory:	The trial started on August 15, 1946; the decision was given on October 4, 1946.
To the thirty-third interrogatory:	Yes.

/s/ Sato, Kesakichi

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Exhibit 3 (a)(6)

0646



Answers to cross-interrogation by Commander Martin E. Carlson,  
United States Naval Reserve, counsel for Medical Officer Teraki:

To the thirty-fourth interrogatory: Yes.

To the thirty-fifth interrogatory: Yes.

To the thirty-sixth interrogatory: I did not tell him.

To the thirty-seventh interrogatory: Yes.

To the thirty-eighth interrogatory: About ten o'clock in the morning on March 24, I was called to the Battalion Commander and ordered to execute that prisoner.

To the thirty-ninth interrogatory: I was not told to behead the prisoner but was just ordered to execute him.

To the fortieth interrogatory: About one hour.

To the forty-first interrogatory: I heard from Major Matoba, "I have ordered Teraki to perform a dissection after the execution."

To the forty-second interrogatory: I didn't order any such thing.

To the forty-third interrogatory: I received the report that Sergeant Furushika was not around, and while I was thinking over the situation Teraki said that as there would be air raids and as he had to give his educational course to please do it quickly. Therefore, as there was nothing else to do, I gave orders to Corporal Nakamura who was on the scene.

To the forty-fourth interrogatory: There were no other doctors.

To the forty-fifth interrogatory: There were about six or seven.

To the forty-sixth interrogatory: I did not see it after I left the scene.

To the forty-seventh interrogatory: I did not receive any.

To the forty-eighth interrogatory: I have forgotten it.

To the forty-ninth interrogatory: I saw the place where it was covered over with earth.

To the fiftieth interrogatory: He was a man with a rough character and would become angry and beat anyone if he did not carry out his orders immediately the first time he gave them. Most of the company commanders in the battalion were beaten. I was also beaten once by Major Matoba, fell down, struck the back of my head against a stone and became unconscious for a time.

/s/

To the fifty-first interrogatory: Yes.

The foregoing are true answers to the interrogatories which I have read and understand.

/s/ Sato, Kosakichi.

I swear, that I have truly translated the oath administered by Lieutenant David Bolton.

/s/ Frederick F. Tremayne,  
Lieutenant (jg), USNR.


Subscribed and sworn to before me this 28th day of February 1949.

Witness:

/s/ David Bolton,  
Lieutenant, USN,  
Judge Advocate.

/s/ Martin E. Carlson,  
Commander, USNR,  
Defense Counsel.

I certify that the foregoing is a true and complete translation of the original in Japanese to the best of my ability.

  
EUGENE F. CLARK,  
Lieutenant (jg), USN,  
Interpreter.

(1) 先子頌を以て當時。張安三、大隈通務並、福

高毅軍進 坂部大、却(見羽目土官)  
次級軍進 寺木、忠(見羽目土官)  
衛生軍曹 兼森一敏  
衛生伍長 磯俊一郎  
衛生兵 ナシ(欠員)

以上人員の成立して、衛兵が少員のため、各中隊に三名宛、補助衛生兵を附する者、附せり。た。之は二回に分けて坂部軍進が教育したものとす。

之等の中二名宛を一周間交代で、三諸衛室勤務として使つて居りました。從つて之記四年のより、大動務看、他に二名の兵が一周間交代で、三諸衛室に勤務してゐたものとす。

坂部軍進と私は、診斷を平等に負擔する事になつてゐました。即ち午前中は三人共、三諸衛室に居つて、午後一日交代で、各中隊(診斷に出かけました。月、水、金は私が出掛け、火、木、土は坂部軍進が出かけるものとす。此際には、亦、補助衛生兵を一名連れてゆくのを常としてゐた。

扱て、才(剛)と就て申す。之は、昭和二十二年二月某日(硫黄島上陸戰の始まつた直後、事と記憶してゐますから、考介十八日頃の事であつたかと思ひます)の千原の事でした。此日は坂部軍進、診斷日に當つてゐたので、彼は一名、補助衛生兵と共に出張してゐたので、從つて連絡は、私、他に前記の義兵



隊。兩士官及び補助衛生員。然し大に花子や兵が  
 居りました。すなわち。時々離れなれども大隊本  
 部事務部長がいらした。漢語。兵が来るとして、副官が軍  
 医に至るとする所にかういふ口喧けました。そこで私が  
 花部（分）オ、オオと（冠）音更副官（當時中尉）が来て  
 来た。的場部隊長は今此の言ひ大隊（分）オ、オ、オ  
 今そこらで戦隊がある。昨日海軍の来着隊で殺して  
 捕虜。オオと肉を（食）食し許し軍医に命じず切取らせ  
 る水を使ひの肴に持たせて三〇七大隊（大至急）下居中。  
 将にちて来たが、至急オオと肉を切取つて来る所  
 にも言ひました。今それをも残酷な事と因つた。オオ。私は  
 高級軍医が今留守だからとちて一断りオオした。する  
 と副官は大隊長は路途中に急いで来るといふ。大至急  
 といふ言ひました。私は。若し今すぐ私が来るといふのは  
 いは。命令違反として、後の的場方佐とどんなに共  
 酷な処罰を受けるか分らないと思ひました。的場が  
 佐は平生から乱暴な男で、オオとしたが、残虐を止せ  
 戦が嫌で、オオとした。一層残虐性を増して、オオした  
 又命令違反主義者でもありオオした。従つて、命令違反  
 として、極刑か、死刑に処して彼、日喰口にして、オオ  
 称に所謂士氣の即揚。のを特して、私を金軍。見せ  
 したにも仕舞なつて信じた。そこで私は仕方な  
 く漢を承諾しました。運務室へ戻つて、三日と西  
 下士官に話します。兼、本陣軍費は、私も行きます。  
 一泊に参りませうといふが、早く早速、メスや鉄の準備  
 を始ました。そこで、当番兵が、夜に、オオと、オオと、



[illegible]





00

0

0

Exhibit 4 (1)

0653

十三例は、暫く経つた日(五月一日)の矢張り、  
 の事でした。丁度此頃、我々は才三回同。補助衛生兵  
 の教育中でありました。その頃、坂部軍主の計画に  
 基づいて、今頃は私が教育主任として坂部軍主から命ぜ  
 られました。そこで、半年中は私と私一人が教育主任と  
 して、半年は私一人が居る日は私、私が休む日は、  
 名付けて居ない日は、坂部軍主が兼務が教育主任と  
 して、時に時制は組まれておりました。今更、今更  
 教育の始まるという日、朝、坂部軍主に命ぜられて、  
 は的場、佐へ報告に行きました。彼は隊長室で、一  
 朝食中でありました。今更、今日から補助衛生兵の教  
 育を始めるといふ事、この教育内容について、私は  
 簡単に報告しました。すると彼は、此の内に又捕房  
 まで入殺す始末だ、どうせ又オレと内を取って貰  
 ったから、此の時までに解散して、補助衛生兵連に  
 見送らせることにいたしました。勿論私は内心は嫌な事  
 だと思いましたが、時は流れて、その日は、  
 せんでした。帰ってからは坂部軍主に、その事を報



(6) 生上其事は同論である。  
 相てその日、私は遷務室で補助衛生兵連に講話  
 をして所々とした。坂部軍連は数断に出かけて留守  
 とした。別室には、兼業兵隊の山下士衛と、古参の補助  
 衛生兵が在席した。その時、副官が「使用例集」を  
 軍連に示す。格に「女子青年」の坂部軍連は  
 留守の間に、私が分る。副官は「これが、補  
 佐と格す。その中、その中、二回同様に格す。格  
 との命令が部隊長から来たが、早速軍連する格  
 にとる。私は此夜も二回同様に同く  
 新しむ。入水が、入水が、入水が、入水が、入水が、  
 私は遷務室へ戻つて、此事を兼業兵に伝へた。收  
 入例の通り、準備と格す。私は、私達が現場へ行  
 くと、その時、丁度中村電信局長が首を切つて、  
 一重で首は、大部分が離れ、捕虜は休む。格  
 格日、彼が完全な格す。格す。格す。格す。格す。格  
 心、格す。格す。格す。格す。格す。格す。格す。格  
 入水が、入水が、入水が、入水が、入水が、入水が、  
 も止つて、格す。格す。格す。格す。格す。格す。格  
 として、私は、二回、二回、二回、二回、二回、二回、  
 は大、格す。格す。格す。格す。格す。格す。格す。格  
 て、格す。格す。格す。格す。格す。格す。格す。格  
 無取つて、格す。格す。格す。格す。格す。格す。格  
 ようと、格す。格す。格す。格す。格す。格す。格  
 に、格す。格す。格す。格す。格す。格す。格す。格  
 に来て、格す。格す。格す。格す。格す。格す。格す。格  
 通過で、格す。格す。格す。格す。格す。格す。格す。格

0656



(1) 此縣邦文衛也其長或曰何記澤也桓臣等が  
證人となる事と信じて居る。  
以上二例其れが餘念のなく大分なる事は鐵匠長  
が證人となる事と信じて居る。又偶然此の二方其後  
部庫迄の細目。時、從つて一紙の證を以てあること  
事此之を鐵匠證人となる事と信じて居る。

（一）最後は我が國を同遊した親友大抵は中絶する  
私は元来軍隊に陸軍は大嫌いで自由主義者  
平氣主義者であり、因に其大佐として居るもの  
我が二師について、第一選子備隊を充てた。然し  
と、子師部の要求を拒否した。其旨を述べた。然  
軍として、私は如く九月二十八日に徹夜して東  
を急ぐ。衛生に事共として、旅費を込めて、此の  
と、更に父家へ通して、人がある。この端少佐の非を、  
最も暴虐なる職業軍人の部中に入れた。九月、私  
は自分の運命を嘆息した。九月、私の親友大佐は  
反対の所を偏執して、其を止む所は力な  
な、其の如くである。何、その内、其運命の悲感  
である。――  
一方、私は、本國は日本人に対する無慈悲の心、此二個は  
事大にして、其種利を以て對する。九月は、其の如く  
然るを憐れんで居る。然して、私の日故。主義を  
張る。人種性問題として、日本軍隊の命令の絶対性  
と、暴虐なる端少佐の、旅費を込めて、旅費を込めて、一層  
徹底した。狂暴性として、其の如くは、金銭を考慮し  
入しては甚だしく、事として、信じておれ。然して、私は極  
利に赴き、其の事は確實だと思ひ、此の如く、此の  
利を戦利として、極利に赴き、其の如く、金と馬と、  
た、子師部の要求を拒否した。然し、其の如くは、  
我が二師について、第一選子備隊を充てた。然し、  
行、其の如くは、其の如くは、其の如くは、其の如くは、  
した。これは、其の如くは、其の如くは、其の如くは、其の如くは、



たに信じます。それとわが極利に及せざるもの  
含混に思ふました。以上の様な理由より、私は出  
敢て回國したのです。

併し乍ら、人國を以てて、國を以て、國を以て、  
自命の果敢な行為に対する自責、念のため、  
私の心で甘んじました。その中に、米軍の心は  
我々が判つて来たり、私の米國に対する最近  
の態度は、極めて、我々を知らしめ、従つて最近  
の、此の様な態度を以て、我々を知らしめ、  
自首して出で、心の中を、我々を知らしめ、  
我々も、我々を知らしめ、併し、我々も、  
の、我々を知らしめ、併し、我々も、  
回國した事に対する、私の、我々を知らしめ、  
心も、我々を知らしめ、併し、我々も、  
以上の中に、我々も、我々を知らしめ、  
至大、我々も、我々を知らしめ、  
す。又、我々も、我々を知らしめ、  
部隊、我々も、我々を知らしめ、

右、寺、本、此

昭和二十三年十月四日

(十枚に渡り) 此書は、私、知、て、居、て、居、る、一、旦、凡、て、  
ある、こと、に、宜、し、き、致、し、す。

寺、本、此

昭和二十三年十月五日

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Exhibit 4 (2)

0660

To begin at the beginning, I shall first describe the conditions prevailing at the time in the medical office of the 308th Independent Infantry Battalion.

The personnel were:

Ranking Medical Officer \*\* SAKABE, Taro. (Probationary Officer);  
Second ranking Medical Officer \*\* TERAOKI, Tadashi (Probationary Officer);  
Sergeant KANEMORI, Kazutoshi (Corpsman);  
Corporal ISO, Shunishiro (Corpsman).  
Medical enlisted men: none (vacancy).

Since there were no medical personnel assigned, there were three men called assistant medical personnel (trained in two groups by Medical Officer SAKABE) assigned to each company. Two of these men worked at the medical office by turn in one week shifts. This meant that besides the four regular personnel mentioned above, there were two enlisted men on duty at the medical office for one week shifts.

Medical Officer SAKABE and I shared the work of medical examinations equally. That is, both of us were usually at the medical office during the mornings and we alternated in going to the various companies for medical examinations in the afternoons. For example, I would go out on Mondays, Wednesdays, and Fridays; while Medical Officer SAKABE would go on Tuesdays, Thursdays, and Saturdays. It was the rule to take along an assistant medical man on these occasions.

Now, I shall describe the first case. It was in the afternoon one day in February, 1945. (I believe that it was probably around the eighteenth because I remember that it was soon after the landing operation on Iwo Jima had started.) Since it was Medical Officer SAKABE's medical examination day, he was out with an assistant medical man. Consequently, the previously mentioned noncommissioned officers, KANEMORI, and ISO; Superior Private KUMAZAWA, Shozo, who was an assistant medical man; and I were left in the medical office. At this time a messenger came from the office at Battalion Headquarters, which was a short distance from the medical office, and told me that the Adjutant wanted a medical officer to come right away. When I went to headquarters, the Adjutant, KANMURI, Yoshiharu (first lieutenant at that time), came out and told me that Commanding Officer Matoba, who was at the 307th Independent Infantry Battalion, had just telephoned him to order a medical officer to remove the liver and about one kamme [T.N. 8.27 lbs.] of flesh from the prisoner of war who had been killed the day before at the SUEYOSHI Unit of the Navy. The Adjutant said he was to have them delivered by messenger without any loss of time to the 307th Battalion, and that I was to go immediately and get the liver and flesh. I thought it was such a brutal thing to do that I refused by saying that the ranking medical officer was out. Then the Adjutant said to do it right away because the Battalion Commander was in a great rush. I thought about the terribly severe punishment Major MATOBA would give on the charge of disobeying orders. Major MATOBA, a very violent person to begin with, had been showing signs of increased ferocity since the landing operation at Iwo Jima. He believed that nothing was more important than an order. Therefore, I firmly believed that as an example to the entire army and as a means of raising morals, he would not have hesitated to give me the extreme penalty, that is the death sentence, for disobeying orders. He was in the habit of saying that he would do this. I therefore consented reluctantly, having no alternative. When I returned to the medical office and told the two noncommissioned officers about it, Sergeant KANEMORI said he would accompany me and immediately began to get the



scalpels and scissors ready. Meanwhile, several orderlies with shovels, etc., and a man from the SUEYOSHI Unit who was to show us the place of burial appeared. We started out with this man as our guide. On the way, we met Medical Officer SAKABE returning from his medical examination rounds. I was overjoyed and, walking up to him, reported the orders of the Commanding Officer as relayed by the Adjutant. He told me to go ahead with it because he had just climbed the hill, was very tired, and hated to go out again for such a long distance. I firmly refused two or three times, but SAKABE would not listen to me and there was nothing left for me to do but obey SAKABE's order.

Since the place [T.N. of burial] was quite far away, I realized why Medical Officer SAKABE had not wanted to come. (He knew every inch of this northern district, while I knew practically nothing about the neighborhood.) The orderlies excavated at the scene. The corpse was clad in shirt and trousers and was buried lying on its back. On the neck was a wound made by a Japanese sword, and on the left and right sides of the chest there were several wounds from bayonets. I cut open the shirt with the scissors, baring the abdomen, and made an incision under the lowest right rib with the same reverent and respectful feeling I would have had in performing a pathological dissection. I removed the liver, trying my best not to leave unnecessary scars on the corpse. As soon as I started, KANEMORI, saying he would cut off the flesh, began slicing off a piece of flesh about twelve or thirteen centimeters wide from near the middle of the left thigh. We finished our tasks at about the same time.

Then, Sergeant SUGIYAMA of headquarters took what we had removed and wrapped it in paper. He immediately departed on a truck, saying that he would deliver it to the 307th Battalion. He had arrived while we were in the midst of our work and had been watching us. We carefully reburied the corpse and returned to our forces by twos and threes.

Since Superior Private KUMAZAWA was present at this scene, I believe that he will be willing to testify as to the manner of my dissection.

The second case occurred two days later (that is, on the twentieth (?) [T.N. sig]), again in the afternoon. This meant that Medical Officer SAKABE was again out on his medical examination tour. I was in the medical office working on statistics. (At that time, by order of Unit Commander MATOBA, a statistical report of the monthly number of patients in each company was being prepared and Medical Officer SAKABE had ordered me to take charge of it.) KANEMORI, ISO, and KUMAZAWA were there in the office. While I was working, a messenger from the Adjutant arrived and said that a Medical officer was to report to the Adjutant, so I went. The Adjutant told me that by order of the force commander I was to remove the liver and some flesh, as I had done in the previous case, from a prisoner of war who was to be killed that day.

I again firmly refused but was strongly ordered to do it. I returned to the medical office and told KANEMORI, who started to make the preparations; I resumed work on my unfinished statistical reports.

After a while, one of the orderlies came to call me and I went to the place of execution. On the way I heard from this orderly how Captain NAKAJIMA had struck the prisoner of war violently with a cane and how several sentries had bayoneted him. When I arrived at the scene, the prisoner of war was definitely dead. I verified several bayonet wounds on the left and right sides of the chest and took out the liver in the same manner as I had done the previous time. At the same time, KANEMORI



was removing flesh from the thigh. Several orderlies who were present immediately took the liver and the flesh away. I returned at once to the medical office and washed my hands. Later I reported the matter to Medical Officer SAKABE. I think that KUMAZAWA watched this time also and will be a witness.

The third instance was again in the afternoon of a day sometime later (probably around May). At that time, we were engaged in training the third class of assistant medical personnel. This was a plan of Medical Officer SAKABE and I had been ordered by him to take charge of the training of this class. The training schedule was made up so that I carried on practically alone in the mornings and also in the afternoons on days when I was there. On my medical examination days when I went to give medical examinations and was not there, Medical Officer SAKABE or KANEMORI took over. On the morning of the day when the training was to begin I was ordered by Medical Officer SAKABE to report to Major MATOBA. He was alone in the unit commander's office and was having breakfast. I reported that the training of the assistant medical personnel was to begin on that day and reported briefly on the substance of the training. When I finished, he said that as another prisoner of war would be killed soon and as he wanted the liver and flesh removed again, the occasion should be taken for a dissection in order to have the assistant medical personnel observe it. Inwardly, of course, I felt distaste, but at that time there was nothing I could do but reluctantly take my departure. I naturally reported the matter to Medical Officer SAKABE on my return.

On the day in question, I was giving a lecture to the assistant medical personnel in the medical office. Medical Officer SAKABE was away visiting patients and only two noncommissioned officers, KANEMORI and ISO, and a senior assistant medical man were in the anteroom. At this time, a messenger from the Adjutant appeared and said a medical officer was wanted immediately. Since SAKABE was away, I went to the Adjutant. He said that an order had come from the force commander to the effect that again a prisoner of war was to be killed and, as on the two previous occasions, his flesh and liver were to be removed. The Adjutant told me to do it right away. I firmly refused, as I had done twice before, but the Adjutant ignored the refusals and finally gave me a strict order to do it. I went back to the medical office and told KANEMORI about it. KANEMORI made the usual preparations. When we arrived at the scene of execution, Corporal NAKAMURA, Shigenobu was just on the point of beheading the prisoner of war. He almost severed the head at one blow, and the prisoner of war fell to the ground. I inspected the pulse and heart of the prisoner of war to see if the prisoner of war was really dead, since I was determined not to wield my scalpel if he showed the slightest sign of life. Both his heart and pulse were unmistakably stopped and I knew that he was definitely dead. I thereupon removed the liver as I had done twice before and KANEMORI cut flesh from the thigh of the prisoner of war. Several orderlies, who were present there as before, waited for me to remove the liver. As soon as I removed it, they immediately took it and returned toward the orderly room. I wanted to quit, then and there but at that time became aware of Captain SATO, Kesakichi, observing me nearby. Captain SATO was a very honest man of inflexible principles. It was clear that if I did not conduct a demonstration for the benefit of the assistant medical personnel, as ordered by the battalion commander, he would make an honest report to Major Matoba to that effect. I realized that I would necessarily be reprimanded for disobeying orders by Major MATOBA who was displaying even greater frenzy with the worsening war situation and the resulting pressure. Furthermore, Captain SATO stood in the most intimate position with respect to the unit commander. He lived in a room next to the unit commander's room, and the two rooms were separated by only a paper partition. Also, since SATO held a position as assistant to the unit

commander, it was obvious that any contrary behaviour on my part would be discussed between SATO and MATOBA. Reasoning that I had to carry out the dissection so long as Captain SATO was watching, I finally decided to dissect. I, therefore, told the trainee assistant medical personnel standing by (Private First Class SEIMIYA, Superior Private ITAGAKI, and others whose names I cannot recall) that I was going to dissect and that they were to watch me. I cut open the abdomen and the chest and identified the internal organs. I conducted the dissection, just as I would a pathology dissection, in an orderly fashion by medical rules and with a respectful, solemn dignified manner and attitude. After finishing, I immediately closed the abdomen and chest, covered them with a piece of the prisoner of war's shirt, and had the corpse buried. I returned immediately to the medical office and washed my hands. I had tried to limit the dissecting to a minimum. I identified only the internal organs of the chest and abdomen, and did not touch any other parts. Nor did I allow anyone else to touch the body. I believe that on this point the people who were then watching me (Leading Private HATTORI (med.), the previously named SEIMIYA, and ITAGAKI), will testify on my behalf.

I believe that Corporal ISO will bear witness to the fact that I was acting under orders in all three cases described above, and to the fact that all three cases happened at times when Medical Officer SAKABE happened to be absent, that is, on days when I was there.

In conclusion, I wish to state the reasons I did not give myself up.

I had always hated the military, the army in particular. I considered myself a freedom loving and peace loving man and was so considered by others. It was natural, therefore, that for three years I refused the demand of the military authorities that I volunteer as a medical reserve officer.

As a result, on 28 September 1944, I was conscripted as a disciplinary conscript and sent to Iwo Jima as a private second class (medic). Later I was sent to Chichijima where I was under, of all people, an officer who was the very prototype of tyrannical, professional soldiers, Major MATOBA. I cursed my fate. In addition, by force of circumstances, on three separate occasions I had to do things which were against my whole philosophy -- surely an ironic trick of fate.

On the other hand, I was afraid that the United States, because of excessive hatred against the Japanese, might punish even trivial acts by death. Accordingly, I believed that the circumstances -- the philosophy and doctrines I had always held, my whole personality and character, the fact that the Japanese military tolerated no disobedience to its orders, and the brutality shown by the tyrannical Major MATOBA which had become even more pronounced after the landing on Iwo Jima -- would be given no consideration whatsoever. Consequently, I was convinced that I would be sentenced to death. That I should be sentenced to death as a war criminal was, I felt, an utterly ridiculous contradiction; I thought that I would become far more miserable than I deserved.

Although I acknowledge my deeds, I believe that I am innocent since they were entirely against my will and were done in self defense, so to speak. I felt that to be sentenced to death despite these considerations would be unreasonable. It was for these reasons that I failed to surrender myself.

However, I was constantly goaded by the strain of living in hiding and by a guilty conscience over my cowardly behavior; and, as I gradually began to understand the impartial attitude of the Americans, I realized that my first ideas about them had been mistaken. Consequently, I thought many times of giving myself up and facing a fair trial rather than spending my life in such a distasteful state of mind. Each time, however, I thought of the grief of my wife, my four children, and my aged mother and also of the fact

that the punishment would be aggravated because of my failure to surrender myself. My resolution then weakened, and I let the days pass.


I believe that HARA, Shigeru, who was formerly the second ranking medical officer attached to the 307th Battalion is qualified to testify as to my character and beliefs as related above. Any member of the unit, I believe, is qualified to give evidence regarding Major MATOBA's character, actions, etc.

TERAKI, Tadashi,  
4 November 1948

I swear that the foregoing ten page statement is true and complete.

TERAKI, Tadashi.  
5 November 1948.

I hereby certify that the foregoing is a true and complete translation of the original document in Japanese, to the best of my ability.

  
EUGENE F. CLARK,  
Lieutenant (jg), USN,  
Interpreter.



法規の配布に関する説明

上記書類は戦争中日本陸軍に於て使用した  
るものであつて、ガム島辯護團に配布したことを  
説明する。

昭和二十三年七月三十日

引揚援護隊復興員会

庶務部長

美山要域 (印)

上記

- 一、法規類集 一乃至六巻
- 二、信箋に関する法規類集
- 三、戦時高等司令部勤務令
- 四、陸軍刑法、同軍法會議令
- 五、陸軍懲罰令
- 六、作戦要務令 一乃至二部
- 七、憲兵令
- 八、憲兵服務規定、同細則
- 九、憲兵隊規程
- 一〇、陸軍司令部警務部勤務令
- 一一、憲兵隊経理事務規則

(備考) 印刷した書類は法規類集にちまもの又は  
法規類集にあつては爾后改正されたるものあり。

上記は原本の正確且完全なる寫に相當する  
ことを証明す。

編纂人

佐々雄

教



TRANSMITTAL OF CERTAIN LAWS, ORDINANCES AND REGULATIONS OF  
THE JAPANESE ARMED FORCES.

I certify that the below listed documents were in force  
in the Japanese Army during the war and that these documents  
are forwarded to the Defense Counsel on Guam.

30 July 1948

MIYAMA, Yozo (seal)  
Chief of General Affairs Section,  
Demobilization Bureau,  
Repatriation Relief Agency.

List of Documents

1. Army Regulations, Vol. I through Vol. VI.
2. Certain Laws and Regulations concerning Prisoners of War.
3. Ordinance governing Superior Headquarters in Time of War.
4. Army Criminal Code and Army Court Martial Law.
5. Ordinance governing Army Disciplinary Punishment.
6. Army Field Manual, Vol. I and Vol. II.
7. Ordinance governing Kempei.
8. Kempei Service Regulations. (comprehensive)
9. Administrative Manual of the Kempeitai.
10. Instructions relative to the Duties of Army Judicial Police.
11. Regulations governing the Kempeitai intendants office.

Note. The mimeographed documents are laws and regulations  
which are not included in the Army Regulations, or which are  
included in the Army Regulations, but which were later revised.

I hereby certify that the above is a true and correct  
copy of the original.

February 5, 1949

*Sadamu Sanagi*  
SANAGI, Sadamu,  
Defense Counsel.

I hereby certify that the above is a true and complete  
translation of the original document in Japanese to the best  
of my ability.

*Eugene F. Clark*  
Eugene F. Clark,  
Lieutenant (jg), U. S. Navy,  
Interpreter.

Exhibit 5 (a)

0667

陸軍補充令改正 (昭和三十一年三月三十一日)

陸軍補充令改正、件ヲ裁可シ茲ニ之ヲ公布セシム

目次

第一章 現役將校、補充

第一款 兵科將校

第二款 技術部將校

第三款 經理部將校

第四款 衛生部將校

第五款 獸醫部將校

第六款 法務部將校

第七款 軍樂部將校

第二章 予備役將校、補充

第三章 現役下士官、補充

第四章 予備役下士官、補充

第五章 憲兵上士及隊附衛生兵、補充

第六章 戰時又ハ事變時ニ於テハ特別補充

第七章 平時ニ於テハ特別補充

第八章 雜則

附則

中一章現役特校、補充

中四教 衛生部特校

中三十四條 衛生部現役特校ハ左ニ掲グル者ヲ以テ之ヲ補充ス

一 衛生部見習士官ニシテ中尉又ハ少尉ニ任ゼラレタル者

二 衛生部少尉候補者ニシテ少尉ニ任ゼラレタル者

中三十五條 衛生部見習士官及衛生部少尉候補者ノ人員ハ陸軍大臣毎年之ヲ定ム

中三十六條 衛生部見習士官ハ左ノ各條ノ一ニ該當スル者、中ヨリ銓衡、上之ヲ採用ス

一 陸軍衛生部依託士官ニ任ゼラレタル者

二 陸軍衛生部依託生徒ニ任ゼラレタル者

三 衛生部幹部候補生

四 前各号ノ掲グル者、外国医医療法施行令中一條ノ一項ノ号乃至五号、一若ハ二條ノ一項ノ号乃至五号、一ニ該當スル者又ハ藥事法施行令一條ノ一項ノ号乃至三号、一ニ該當スル者ニシテ年令三十二歳未満ノ者

第三十七條 衛生部是昭工官ハ陸子工匠立ヲ命  
ジ使直、歩兵、騎隊ニ配当シ概本二月間所屬  
隊及陸子病院ニ於テ衛生部將校、勤務ヲ習  
得セシム

衛生部是昭工官、月令ニ曹長、階級トス

第三十八條 衛生部是昭工官ヲ衛生部將校ト爲ス  
一、右ニ所屬隊、將校ヲ以テ組織スル將校佐衛  
會議ニ於テ之ヲ決ス

第六章 戦時ニ事変際ニ於テノ特別補充

第九十二條 將校ハ左ニ場ガル者ヲ以テ之ヲ補充ス  
一、コトヲ得

一、現役又ハ予備役ノ見習工官

第九十三條 右各

第九十四條 勤員ヲ行ヒタル部隊ニ於テハ左ニ場ガル者  
ヲ以テ予備役ノ見習工官ト爲スコトヲ得

一、下工官ニシテ將校勤務商任証書ヲ有ス  
ル者

二、亦右ニ該当セザル現役下工官、兵  
ニシテ医師免許証、薬剤師免許証又ハ齒  
科医免許証ヲ有スル者



88.

第九十五條 自是各

第九十六條 亦<sub>レ</sub>可<sub>レ</sub>、現主<sub>ニ</sub>は<sup>市南</sup>「~~足~~お日土」ト爲  
「<sub>レ</sub>」<sub>ニ</sub>而<sub>レ</sub>、身分取<sub>レ</sub>取<sub>レ</sub>、現役見<sub>お日土</sub>「<sub>ニ</sub>」トス

前記條文、第一復員局庶務課長美山要  
藏が戦時中日本陸軍ニ於テ有効ニ使用  
セ<sub>レ</sub>タ<sub>レ</sub>モノナリ、又ガ<sub>レ</sub>其辯護團ニ供給<sub>セ</sub>タ<sub>レ</sub>ル  
モノナルヲ証明<sub>セ</sub>タ<sub>レ</sub>陸軍成規點集  
第二卷ヨリ、正<sub>レ</sub>コ<sub>レ</sub>止<sub>ニ</sub>具<sub>レ</sub>スナル板基<sub>ニ</sub>相違  
ナ<sub>レ</sub>トヲ証明<sub>スル</sub>

辯護人

佐 藤 敏

Extracts from: ARMY PERSONNEL PROCUREMENT ORDINANCE (November 30, 1927  
Imperial Ordinance 331.)

We the Emperor of Japan sanction this Amendment of the Army Personnel  
Procurement Ordinance, and hereby cause it to be promulgated.

CONTENT.

PART I

Procurement of Officers on Active Service.

- Section 1. Line Officers.
- Section 2. Officers of the Technical Department.
- Section 3. Officers of the Intendance Department.
- Section 4. Officers of the Medical Department.
- Section 5. Officers of the Veterinary Department.
- Section 6. Officers of the Legal Department.
- Section 7. Officers of the Military Band.

PART II

Procurement of Reserve Officers.

PART III

Recruitment of Non-commissioned Officers on Active Service.

PART IV

Recruitment of Non-commissioned Officers on the Reserve List.

PART V

Recruitment of Kempei Superior Privates and Corpsmen attached to Units.

PART VI

Special Draft in time of War and Emergency.

PART VII

Special Draft in Peace Time.

PART VIII

Miscellaneous Provisions.

ANNEX PROVISIONS.

PART I

Procurement of Officers on Active Service.

- Section 4. Officers of the Medical Department.

Article 34. Officers on active service in the Medical Department shall be  
procured from among those persons listed below:

1. Those Probationary Officers of the Medical Department qualified to  
be commissioned as First Lieutenants or Second Lieutenants.
2. Those cadets of the Medical Department qualified to become Second  
Lieutenants.

Article 35. The Minister of War shall determine each year, the number of  
Probationary Officers, and Cadets for Second Lieutenant, to be procured.

Article 36. Probationary Officers of the Medical Department shall be selected and appointed from among those who have one of the four qualifications set out below:

1. Those who were designate university students who completed their courses in college and who have received a medical degree.
2. Those who were designate students, and who have completed their medical courses and graduated.
3. Cadets in the Medical Department.
4. Those persons not possessing the above qualifications but who are under 32 years of age and who come under sub-paragraph 1 or sub-paragraph 3a of paragraph 1 of the Ordinance pertaining to the Enforcement of National Medical Practices, or those coming under sub-paragraph 1 or sub-paragraph 3a of paragraph 1, Article 2 of the above Ordinance, or those who come under sub-paragraph 1 or sub-paragraph 3a, paragraph 1, Article 1 of Ordinance pertaining to the Enforcement of Pharmaceutical Practices.

Article 37. Probationary Officers of the Medical Department, by orders of the Minister of War, may be attached to Infantry Regiments or to Army Hospitals for a period of two months for training as officers of the Medical Department. Concerning the status of a Probationary Officer, he shall have the grade of a Sergeant Major.

Article 38. The decision whether a Probationary Officer of the Medical Department shall or shall not become an officer of the Medical Department rests with the Officer's Selection Committee, consisting of officers attached to the unit in which he is serving.

.....  
.....

#### PART VI

#### Special Draft in Time of War and Emergency.

Article 92. Officers may be procured from among the following:

1. Probationary Officers on active service or on the reserve list.

Article 93. Omitted.

Article 94. In units which have been mobilized, personnel from the following list may be made Probationary Officers on the reserve list:

1. Those Non-commissioned Officers who have been granted certificates indicating their competency to assume duties as officers.
2. Those Non-commissioned Officers and men who do not come within the above provision but who are licensed to become doctors, pharmacists and dentists.

.....  
.....

Article 95. Omitted.

Article 96. The status and grade of those who have, in conformance with the provisions of the two foregoing articles, become Probationary Officers on the reserve list, shall be based upon those of the Probationary Officers on active service.

I hereby certify that the above articles are true and ~~correct~~ excerpts from Japanese Army Regulations, Vol. II, which the Chief of the General Affairs Section, 1st Demobilization Bureau, MIYAMA, Yoko certified to have been in effect in the Japanese Army during the war and which he forwarded to defense counsel on Guam ~~March 1949~~ July, 1948.

S.S.

March 9, 1949

*Sadama Sanagi*  
SANAGI, Sadamu,  
Defense Counsel.

I certify that the foregoing is a true and complete translation of the original in Japanese to the best of my ability.

*Eugene F. Clark*  
EUGENE F. CLARK,  
Lieutenant (jg), USN,  
Interpreter.



一復讐第一八三號

寺本忠の兵籍に関する件

昭和二十四年三月七日

引揚投敵復讐員局法務調査部

グダラム島日本人捕虜人殿

首題の件本人の兵籍無き為復讐員局留守業務部が保管してある留守名簿の寫しを別紙の通り送附します

陸軍



東京 小津結

0675

右は原本と相違なきことを證明する 昭和二十四年三月七日 復員局留守業務部第二整理課長 水田 繁一	昭19.10.19	編入年月日		留守名簿	固有名獨立歩兵第三〇八大隊 通稱號 牒第一七五〇九部隊
	19 9 28	近歩 三補	前所屬 及編入		
	五區東 二成京 一衆都 ノ杉並	本 籍	留守擔當者		
	九本相群 四町生馬 一市縣 ノ一	住 所			
	妻	柄 續			
	寺木典子	氏 名	任兵種		
	昭 13	年 集 徵			
	昭20.8.20 (見十19.11.6)	年 官 任			
	少尉 軍醫	等 官 兵種	氏 生 年 月 日 名		
	寺木 大正三 年二月 日生	氏 生 年 月 日 名			
	無有渡宅留守				
昭23.11.16一復 法調1390外地 移送	日月年修補				

Exhibit 7

0676

Letter No. 183, Legal Investigation Dept., 1st Demobilization Bureau.

Subject: Matters pertaining to military record of TERAKI, Tadashi.

Date: March 7, 1949

From: Chief of Legal Investigation Department, Demobilization Bureau,  
Repatriation Relief Bureau.

To: Japanese Defense Counsel on Guam.

As there is no military record of subject of this case, we forward a copy of the register of personnel of overseas units (RUSU MEIBO), kept in the custody of the Liquidation Department, of the Demobilization Bureau (RUSU GYOMU BU) and annex it hereto.

Exhibit 7 (a) (1)

0677



REGISTER OF PERSONNEL OF OVERSEAS UNITS

Proper designation: 308th Independent Infantry Battalion.

Common designation: Tan Unit No. 17, 509.

DATE OF ENTRY INTO UNIT October 19, 1944

DESIGNATION OF FORMER UNIT AND DATE OF ENTRY INTO THAT UNIT 3rd Regiment (Reserves) Imperial Foot Guards.  
28th September, 1944.

PERMANENT DOMICILE 52, 1-Chome Narimune, Suginami-ku, Tokyo City.

PERSON IN CHARGE IN ABSENCE	RESIDENCE	194, 1-Chome, Honmachi, Aioi City, Gunma Prefecture.
	RELATIONSHIP	Wife
	NAME	TERAKI, Noriko

YEAR OF CONSCRIPTION 1938

YEAR COMMISSIONED August 20, 1945  
(Appointed Probationary Officer on 6th November, 1944.)

ARM AND RANK Surgeon Second Lieutenant

NAME TERAKI, Tadashi

DATE OF BIRTH 24th July, 1913

PAY TO BE FORWARDED  
RESIDENT IN ABSENCE

DATE OF HOSHU 16 November, 1948 Letter No. 1390 of the Legal Investigation Dept., 1st Demobilization Bureau sent overseas.

I hereby certify the above to be a correct copy of the original.

March 7, 1949

NAGATA, Shigeichi,  
Chief of 2nd Coordination Section,  
Liquidation Department,  
Demobilization Bureau.

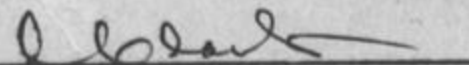
(Sealed)

Exhibit 7 (a) (2)

0678



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



Eugene F. Clark,  
Lieutenant (j.g.), USN,  
Interpreter.

Exhibit 7 (a) (3)

0679



歎願書

依立安第参。大隊副官

陸軍中尉 冠吉春

今般寺不軍區、裁判が行ハルト事ヲ聞キ  
一言裁判長閣下迄、裁判官諸様ニ御歎が度  
度居マシ 寺本軍區が父島ニ参リマシタ時、  
兵アリマシ 彼、独立歩兵第参。大隊ニ配属サレ  
タ見習士官トシ、大隊副官トナリマシタ  
寺本軍區、本部ニ赴キ行動ニ従フ者々、  
模範アリマシタ 寺本軍區、為ニ傷病兵、  
数多ク、人々が死地ヲ脱シタ、アリマス  
寺本軍區ハ、眞ニ眞面目ト温和トシ、指  
導者トシ、上官、信望厚ク、部下、信願  
厚ク、又部下ヲ指導スルハ、親ガ子ヲ育ミ  
茲父、知アリマシタ此、五狐ナルベク、指  
導者寺本軍區が人道ニ及スル行ヒヲ致シ  
タ付、此、皆、惡部隊長の場合ノ佐、非道  
ナル命令ニ依ルモノアリマス  
の場合ノ佐コソ父島一島、果名堂ノ親を  
アリマシタ師团长立花中將ヲサヘの場合  
佐ヲ指導スルハ、ガ本末不及對ニの場合ノ佐  
ガ師团长ヲサゲマシタ事サヘアリマス



1/2

私等の場所をナガラシタ事がありマス部下  
 指導が要イト言フ理由ナス(昭和三年四月頃)  
 當時我々の部隊長ヨリ一日十五時田作業ヲ命  
 ゼラシマシタ矢隊が作業ニツカレテ休ム所  
 ル処ヲ部隊長が見タナス其時私ハ  
 頭が痛ムニ付テ居リマス矢隊ノ作業  
 状態が要イト言フノ部隊長宜ニ見シ  
 注意ヲ受ケマシタ此時頭痛ノ爲不動ノ  
 姿勢を取リテカッタデナガラシタリシキ  
 トバサレシタ私ハ其ノ場ニタツレニ三分  
 間ハイシキ不明ニタツタ事サエアリマス  
 此ノ外ニモ二回ホドナガラシマシタ私ハミナ  
 ラスノ場所ヲ佐ニナガラシタ將校下士官兵  
 ノ数ハカブヘキレマセン  
 此ノ様ニ暴君ニツカレル我々ノ日常ノ甚  
 シハ筆舌ニ盡ス事ニ出来ナイ程ノ甚シ  
 ミナリマシタ  
 的場所ヲ佐ノ命令ハ其ノ事、如何ヲ問フス服  
 従デアリマシタ  
 寺本軍医が部隊長ノ命令ヲコバノ事ハ  
 出来ナカッタハヤハ後ナリ事デアルト思フ  
 ハアリマス  
 以テ私ガ寺本軍医ニ部隊長ノ命令ヲ傳  
 ェシタ時ノ状況ヲ申上げマス



113

其、海軍末吉隊ニ往テ、死刑サレタ米兵、  
 事件ナシ  
 私、独歩ニシテ大隊ニ行キ、居ル部隊長カテ電  
 話ナシト、事ヲ電話口ニ出スト先ニ申シ  
 ミタ死刑サレタ米兵、ニクテ取ル事ヲ  
 寺本軍医ニ命令サレタ、テアリマス  
 私、此、非道ナル的場少佐、命令ニ違フ  
 シ、己ニ基地ニマイソウシテアリマスカラニ  
 クテ取ル事ハヤメテ下サイト数回電話  
 口ニ部隊長ニコトアリマシタガ部隊長ハ  
 トウシモキカズ大聲ニ寺本ニ命ズルダ  
 ト言ハシマシタガヤウ後ズ寺本軍医、此  
 ノ部隊長、嚴命ヲ傳ヘマシタ  
 寺本軍医モ非道ナル命令、為不決  
 テ願フシテ居マシタガ嚴命モスデサレシ  
 ツウニ下士官、衛生兵ト米ニ基地ニ行  
 フ事ヲ思ヒゴシマス  
 私、的場少佐非道ナル命令、為真ニ道  
 面目ナシ取テバウ持ッテ三〇八大隊得  
 兵ガ苦難シ又寺本軍医、様ニ過和テ  
 人ガ人道ニ及スル行ヒマヤ私、此ヲ傳テ  
 カツタ事ヲバヨリ歎クモテアリマス



N4 裁判長閣下 茲に裁判官 佐藤 孝太郎 軍  
医、家庭に、妻 註三 四兄が孝太郎 軍医、  
歸國の途に居る。何れも孝太郎 軍  
医、裁判に盡く情を込め判決、アリス  
事、其のヨリ決断を以てアリス

昭和二十九年二月三日

裁判長閣下

ALLIED OCCUPATION FORCES }

TOKYO, JAPAN }

Subscribed and sworn to before me this 24th day of February 1949:  
The above affidavit consists of three and one-half (3½) pages, written in  
Japanese.

*Frederick F. Tremayne*  
Frederick F. Tremayne,  
Lieutenant (junior grade),  
United States Naval Reserve.

WITNESSED:

*Martin E. Carlson*  
MARTIN E. CARLSON,  
Commander,  
United States Naval Reserve.

WITNESSED:

*Joseph Kase, Jr.*  
JOSEPH KASE, JR.,  
Yeoman First Class,  
United States Navy.

Tokyo, Japan,  
February 24, 1949.

Exhibit 8 (4)

0683



E-8(a)

# AFFIDAVIT

To His Excellency, the President  
of the Military Commission.

KANMURI, Yoshiharu,  
1st Lieutenant, Imperial Japanese  
Army,  
Adjutant, 308th Independent  
Infantry Battalion.

I have heard that Surgeon Teraki is about to be tried. In this regard I have a plea to the President and Members of the Commission who will try him.

When Surgeon Teraki arrived on Chichi Jima he was a Second Class Private and when he was assigned to the 308th Independent Infantry Battalion he became a Probationary Officer and Surgeon attached to the Battalion.

Surgeon Teraki's conduct at headquarters was an example to all of us. Because of Surgeon Teraki there were numerous wounded and sick who were saved from death. Surgeon Teraki was sincere and warm-hearted. He was trusted both by his superiors and by his subordinates. His instructions and guidance of his subordinates were like those of a patient father to his children. That this upstanding Surgeon Teraki committed acts against humanity is all due to the inhumane orders of the evil Unit Commander Major Matoba.

Major Matoba was indeed the leading tyrant of Chichi Jima. Even the Division General Tachibana could not guide Major Matoba. It even happened that Major Matoba slapped the Commanding General of the Division. I was also slapped by Major Matoba. The reason given was my poor direction of my subordinates. (Around April of 1945.) About this time we were ordered to a fifteen hour a day work schedule by the Unit Commander. The Unit Commander had seen the tired soldiers taking a rest. I was resting at that time because I had a headache, when I was called to the Unit Commander's room and told that the work attitude of the soldiers was bad. At this time owing to the headache I was unable to maintain a rigid stand at attention. I was slapped and hit and fell on the floor and was unconscious for two or three minutes.

Besides this I was struck about two times. The number of commissioned officers, non-commissioned officers and enlisted men who were struck by Major Matoba is just numberless.

Our daily sufferings under such a tyrant are beyond words.

Major Matoba's orders required obedience without question.

I believe that it was inevitable that Surgeon Teraki could not refuse to obey the orders of the Unit Commander.

I will next state the circumstances at the time when I relayed the Unit Commander's orders to Surgeon Teraki.

This was the incident of the American soldier who was executed at the Suyeyoshi Naval Unit.

I was told that there was a telephone call from the Unit Commander who was then at the 307th Independent Infantry Battalion. When I went to the phone I was told to order Surgeon Teraki to cut the flesh from off the American soldier who was executed, to whom I have previously referred.



I was shocked at this inhumane order of Major Matoba and told him that (the American soldier) had already been buried in a grave, and pleaded with the Unit Commander several times over the telephone to abandon the cutting of the flesh. The Unit Commander would not listen to me and shouted at me to order Surgeon Teraki. It was for this reason that I relayed without alternative the strict order of the Unit Commander to Surgeon Teraki.

I recall that Surgeon Teraki pulled an unhappy face at this inhumane order but as it was a strict order he went in a melancholy state of mind to the grave with a non-commissioned officer (or non-commissioned officers) and a corpsman (or corpsmen) to the cemetery.

I sincerely deplore the fact that due to the inhumane order of Major Matoba, officers and men of the 308th Battalion who were truly serious-minded and upright men were made to suffer and that a warm-hearted man such as Surgeon Teraki had to do something which was contrary to humanity.

Your Excellency, the President and Members of the Commission, Surgeon Teraki's family consisting of his wife and four children, is awaiting his return home.

I beg from the bottom of my heart that in judging Surgeon Teraki you pass a lenient judgment.

February 24, 1949

ALLIED OCCUPATION FORCES }  
TOKYO, JAPAN }

Subscribed and sworn to before me this 24th day of February 1949:  
The above affidavit consists of three and one-half (3½) pages, written in Japanese.

Frederick F. Tremayne,  
Lieutenant (junior grade),  
United States Naval Reserve.

WITNESSED:

WITNESSED:

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

JOSEPH KASE, JR.,  
Yeoman First Class,  
United States Navy.

Tokyo, Japan,  
February 24, 1949.

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.

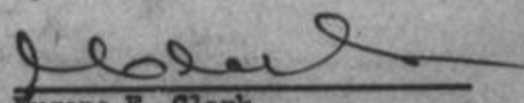
  
Eugene F. Clark,  
Lieutenant (j.g.), USN.  
Interpreter.

Exhibit 8 (a) (2)

0685



私は死刑前は井木医師が何も言はなかったと思  
います。捕らえられた後井木医師が解剖を行  
った。この仕事を井木医師がや／＼や／＼  
て決めて好んでやって居ない事は、はっきりわ  
かりました。私は飛行士の名前を知らなかつたが  
アメリカ人である事をききました。私は井木  
医師が好んでやった事ではないと思ひましたの  
でお氣の毒でなりません。私は井木医師が  
人の病氣がよくなる事に興味をもつてゐた  
のを知つてゐました。三。八大隊には他にも軍医  
が居りましたがだれでも井木医師に診て貰ふ  
事を望んで居りました。井木医師はいつでもい  
かに病人を治そうとして手をつく／＼してくれな  
かうです。部隊にゐた人々の尊敬を受けて居ま  
した。病人を治療する處には非常に熱心で  
眞にめいめい仕事をしてくつてゐましたので感謝をされ  
て居りました。又／＼と物事をたのんでも  
いやだと言う事を言はず氣もちよくやつて  
くれました。私は約二年間井木医師と居て  
井木医師は決して人を憎んだり害するよつた  
人ではなく人命を救うための医師としては實に  
適当な方であつたと思つて居ります。

服部 支



2

服部又は宣誓の上次の事を申し立てます  
 私は父島駐屯の帝國陸軍の兵長でありま  
 した一九四四年頃から終戦迄三〇八大隊に所  
 属して居りました。三〇八大隊所屬約三、四月以  
 後の的場末男少佐が大隊長でした。三〇八  
 大隊に於ける私の職務は次の通りであります。  
 私は寺木忠医師直轄下にある医務室で  
 働いて居りました。寺木医師は一兵卒として来  
 島しました。向もなく見習軍医に昇進致し  
 ました。寺木医師は非常に立派な性質の人  
 でした。他の將校と同じく野蠻的に残虐な  
 的場少佐の暴力の前にさらされて居りました。  
 自分自身その暴力から守らなければなりません  
 でした。その上下級將校でありましたので命  
 令が「や」であっても服従しなければなりません  
 でした。一九四五年三月二十六日の事件も記憶  
 して居ります。その時衛生兵教育のためアメリカ飛  
 行士の解剖を行ふと言う事も人傳にききまし  
 た。これがやるにしろその事は非常にいやな事であ  
 ったけれども的場少佐の命令が絶体のものがあり  
 まちがひなく遂行されなければならぬ。という  
 事を私達同様寺木医師もよく知って居ま  
 した。

ALLIED OCCUPATION FORCES  
 TOKYO, JAPAN

Subscribed and sworn to before me this 24th day of February, 1949:  
 The foregoing affidavit consists of two (2) pages written in Japanese.

*Frederick F. Tremayne*  
 Frederick F. Tremayne,  
 Lieut. (J. G.), USNR.

WITNESSED:

*Martin E. Carlson*  
 Martin E. Carlson,  
 Commander, USNR

WITNESSED:

*Joseph Kase, Jr.*  
 Joseph Kase, Jr.,  
 Yeoman First Class, USN.

服部 光

Exhibit 9(2)

0687



Ex 9(a)

STATEMENT

I believe that Surgeon TERAHI did not mention about the execution prior to its occurrence. After the execution Surgeon Teraki did not dissect the body of the prisoner. That Teraki was carrying out this work unwillingly could be clearly observed. I do not know the name of the flyer, I heard that he was an American. Because I know that Teraki was not a willing party to this dissection I cannot but be sorry for him. I knew Teraki as a doctor who was always concerned with the recovery of the sick. In the 308th Battalion there were other surgeons, but every patient sought the advice of Teraki. That was because Dr. Teraki always exerted his utmost to help these persons convalesce and every one respected him for it. Everyone was grateful to him because he attended to his duties conscientiously and worked tirelessly to help the sick to recover from illness. Whenever he was asked by anyone to do something he never refused and always agreed to undertake the job. During my two years association with him, I came to the conclusion that he was not a person who would ever hold a grudge against someone, or hurt anybody and was also a very promising doctor who would devote himself to the task of saving other people's lives.

I, HATTORI, Hikaru having been duly sworn depose as follows:

I was a superior private in the Imperial Japanese Army stationed at Chichi Jima. I was attached to the 308th Battalion from around 1944 until the termination of the war. After I had been attached to the 308th Battalion for three or four months, Major Matoba became the Battalion Commander.

My duties at the 308th Battalion were as follows:

I worked in the dispensary which was directly subordinate to Doctor Teraki. Doctor Teraki arrived on the island as a private but after a while he was promoted to Probationary Medical Officer. Although Doctor Teraki was a man of excellent character, like all the rest, he was exposed to the barbaric cruelties of Major Matoba. They had to protect themselves from



his violence. Furthermore he was a low ranking officer and was forced to obey orders without question. I recall the incident of March 26, 1945. I heard from rumors that they would dissect a body of an American flyer for the benefit of the corpsmen. No matter who did this, it would have been something very unpleasant, but Major Matoba's orders were absolute and had to be executed without mistake. Dr. Teraki as well as the soldiers were fully aware of this fact.

HATTORI, Hikaru.

ALLIED OCCUPATION FORCES }  
TOKYO, JAPAN }

Subscribed and sworn to before me this 24th day of February, 1949:  
The foregoing affidavit consists of two (2) pages written in Japanese.

Frederick F. Tremayne,  
Lieut. (j. g.), USNR.

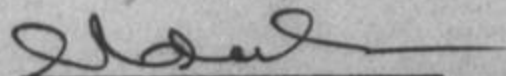
WITNESSED:

WITNESSED:

Martin E. Carlson,  
Commander, USNR.

Joseph Kase, jr.,  
Yeoman First Class, USN.

I hereby certify the above to be a true and complete translation  
of the original in Japanese, to the best of my ability.

  
Eugene F. Clark,  
Lieutenant (j.g.), USN.  
Interpreter.



A

歎願書

ア方軍事裁判官殿

寺本忠事

寺本典子(章)

昭和十九年九月二十日 寺本から 牧達へ不幸大  
 始りした。夫へ出征命令なり。二日後に入隊し  
 る。其の体も心もその時崩れてゐた。一週も帰  
 郷を許されず前線へ向て行つてしまふた。  
 戦争を嫌うてゐるが現実にはつて来た。事。  
 毎く戦争の年と終るを祈禱に祈つてゐた。  
 戦争が終つた後送を賜へた時 嫁く——泥が  
 ばれて仕度あると。——に帰つて来る。  
 戦争も永久にやみだ。牧達は一生一過に——  
 行けるだどどどと感謝を捧げてゐた。  
 早くこれだあんな平和を願つてゐた。牧達には  
 運命なるを。余り——折角自由と  
 獲得し解放された牧達があつた。軍バツ、犠牲とな  
 りなつた。いふ事もある。どんどんと生きてゐる。  
 牧達も——  
 夫は又々希望を失ふに堪へない。死の旅行に出  
 してゐる。はた解決しやうとする時四人



0691







[illegible]

0693

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6

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Exhibit 10

0694



Petition

/s/ Teraki, Noriko  
wife of Teraki, Tadashi

To the Judges of American Military Court:

On September 28, 1944, our misfortunes started. My husband received a call. He was to enter the army within two days. Both physically and mentally, I was greatly discouraged, because he went straight to the front without having leave to see me.

The war which we had hated involved us in its very midst. I prayed every day that the war be over soon. When I heard the broadcast telling us the end of hostilities, I was so glad that I could not stop shedding tears. I thought my husband would soon be back in safety; that the war would never happen again; and that we could live together forever. I anticipated his return with thankfulness.

But I am too sad to think that another misfortune was waiting for us, although we craved peace so eagerly. After having acquired freedom and liberty, why should we be sacrificed in behalf of the militarist? I was inclined to think that I was too lonesome to live in this world.

My husband could not bear the loss of his hope and he left and went somewhere unknown to me. He tried to commit suicide, but he could not do it because he thought of his children whenever he attempted it.

Now my husband has been taken away from me -- from our peaceful family in which I expected to be with him.

We never liked the war. I beseech you to examine the personal history of my husband. He made every effort in order to not be drafted into the army. He abhorred the uncivilized military life. He was very mild and quiet. He never slapped me or my children. He used to say that he did not like uncivilized manners.

After he was forced to enter the army, he received orders from a commanding officer who was of a typical brutal character. I can imagine how he hated to obey the orders. In the Japanese military forces, no one could violate orders of his superior officer, because any orders were deemed as those of His Imperial Majesty. What a lamentful orders of the Emperor! In the American Army, can a soldier insist on his opinion under such circumstances?

I used to send letters to him telling him to come back alive even if he would become a prisoner of war. He obeyed the orders in order to protect his own life. How could he commit such things except for the above mentioned reasons, as he so hated, and never committed, violence?

He was not a man to act in an obtrusive manner in order to attract others' attention. He was very conservative and did not like self-praise. I often advised him not to be too conservative because no one would become aware of his good points during any short acquaintance. Nevertheless, he was loved by everyone. He was honest, hardworking, and sincere. Very often he treated needy patients without charge. He could not be a double dealer. He would not become short tempered even if he had had nothing to eat for the day.



It is too pitiful that he should be destined for such misfortunes. If he had been a bad man, I would have given him up. But I can not because he is a real good man and I say this before God and men. Christ said, "Blessed are they that mourn for they shall be comforted." I cannot bear this burden of sorrow. I am afraid I might become unbalanced should I not read the Bible every day.

My children pray, "O Lord, send our father back," before they go to bed every night. I cry when I see them pray.

I heard from soldiers with whom he served in the army that he was a gentle and kindly person and worked very hard in treating his patients. They tell me that he could not help doing such a deed because he was so ordered. He was very earnest in his own work.

Gentlemen, please have mercy on me, a woman who gave thanks to God at the end of the war on August 15, 1945, and was delighted to see the liberation of women's position. I would be glad to be confined instead of my husband, in order to have him back with his children. After the war, the Japanese women were made free. We really appreciate to have such a pleasant life. You Americans, who did so much for us, and who have a higher moral standard than the Japanese, please forgive my husband. We shall follow you to become fine people, and praise and thank you in our posterity.

I pray that you will acquit my poor husband who had no alternative but to obey orders.

I hereby certify that the above is a true and complete translation of the original document in Japanese, to the best of my ability.

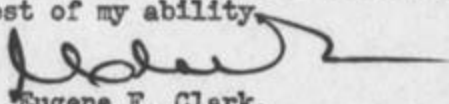
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 10 (a) (2)

0696

# 歎願書

手本忠信如少の時からあこがれ友達と學を  
し左事はありまゝ入學門品行共優秀なりお學  
校を第一番に習業、中学も學科品行共優  
秀、沼津中学を首席で卒業致し、主として  
北海道帝大豫科入校之時は數科で中第、後  
入學致し、成績六才之時帝大を卒業後副師とし  
て大學勤務、同事群馬縣庁へ衛生技師とし  
て勤務する、その時同窓心やみかた、米國人  
ロウ・エー・氏寄贈の厚生省衛生公衆院化學  
研究所へ所致し、意專心細菌學の研究を  
没頭し、三根一才の時、醫學博士の學位を授與せ  
られ、その後は生涯を通じて細菌學の研究に  
身を捧け、たゞ意志を勉め、人々經濟  
的、惠水、涙を尽して研究所の恩徳を  
海軍軍医學校へ嘱託とし、勤務致し、三根



才の時、桐生屋病院勤務二月位過  
き頃先きに海軍から任官を催せられ、  
任官せず陸軍から志願するものと申され、  
たか志願したる為十九年九月、  
戦地立つは横浜、櫻木、  
行き忠かたの、  
見と、  
堂と出征するも、  
終戦となり、  
戦地之模様を語り、  
之乱暴に野蠻に死んで埋めて三日立つた東兵の  
死体から膽を摘出せよと命令され、  
傷を何度かこわしたか、  
今思ふに、  
何余

神格衰弱なることが、忠告の事な、父島  
 に召集され、的場大隊長の部下となす事は  
 成る不運な、豪勇無双の無毛道の大隊  
 長、捕司令官の頭をなぐつた、拂見、隊  
 長殊、敗戦、次、敗戦、心の荒立つ、際、此  
 時、的場大隊長を知つ、其、限、る、人、何  
 如、なる、人、も、大隊長の命令、抗する事は、皆  
 抵、事、なる、何、を、抗、す、れ、即、ち、死、な、る、兵、士、連  
 は、皆、を、お、も、す、其、の、様、な、人、信、義、の、優、し  
 い、人、が、命令、抗、する、事、は、い、く、お、も、得、る、忠  
 加、自、分、の、意、士、は、金、く、正、道、對、の、不、幸、な、行、動  
 の、機、能、より、は、な、は、る、否、成、行、事、と、な、れ、た、命令  
 の、犠、牲、と、な、る、事、は、可、く、も、悲、し、く、寂、し、可  
 愛、想、で、な、る、人、が、事、を、走、り、て、不、幸、な、事、が、不、幸  
 と、言、え、る、事、な、ら、ば、何、ん、に、復、た、る、か、お、も、れ、る、心







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Exhibit 11

0701

Petition

Teraki, Tadashi, was very gentle from childhood, and I have never seen him having a quarrel with his friends. He was excellent, both at his learning and behavior. He was graduated from grammar school and Numazu Middle School as the best student among his classmates. He passed the entrance examination for the Preliminary Course of the Hokkaido Imperial University as the top of several thousand applicants. He was graduated from the university when he was 26 years old, and then worked at the university as an assistant. In the same year he was employed as a sanitation official at the Governor's Office of Gumma Prefecture. He had an enthusiasm to study further and, when he was 27, he entered the Chemical Research Institute, Public Sanitary Bureau, Welfare Department. This institution was founded by the contribution of an American, Rockefeller. There he devoted himself in the study of bacteriology, and when he was 31 years old he received the degree of doctor. Although he wanted to study bacteriology all his life, he was too poor to continue it. By the recommendation of the research institute, he became employed as a Shokutaku at the Naval Medical School. He then resigned from the school and worked at the Kiryu Welfare Hospital for two years.

When he was working at the Naval School, he was advised by the Navy to become a naval officer. He was also told by the Army to volunteer to be an Army doctor. He refused these requests, and as the result he suffered disciplinary punishment draft in September 1944. On the day when he left for the front, I saw him off at the Sakuragichi Station, Yokohama. When I saw him going to the war as a private second class, I shed tears. If he had volunteered in the military service, he would have been made a lieutenant and could have been treated as an officer when he left his fatherland. He hated to enter the military service as such.

The next year the war was over. He came back on 23 December 1945 and told me about his life at the front. He said that what he disliked most was the violent, brutal commanding officer he had. This man had ordered my son to remove the liver from the dead body of an American soldier who had died and been buried three days before. He refused many times but he was not allowed to do so. So he had to go up the hill with corpsmen who, on the way to the scene, sympathized his misfortune. He said that he felt shudder when he recalled the incident as he abhorred it very greatly. It seemed to me that he was in a state of nervous breakdown.

It was his misfortune that he was called to Chichi Jima and became a subordinate of Commanding Officer Matoba, who was a rarely rude and violent battalion commander and it is said that he slapped the face of commanding general, Tachibana. His violence became more and more horrible as he was aware of the defeat after defeat of the Japanese forces. Those who knew what a Battalion Commander was like in those days could not have resisted his orders. The soldiers told me if they had resisted the orders, they would have been killed.

Tadashi was a very gentle and mild person. He could not resist the orders and could not help acting against his will. It is really pitiful that he became a victim of the orders and I feel very sorry for him. I am an old woman and when I see my son struggling with his misfortunes I cannot sleep at night. It is very trying to live being so worried. Tadashi was the most gentle son among my children. He used to consult me whenever he made a decision. I would rather offer my life in behalf of Tadashi if I could save my beloved son that way. I beg you to allow me to take all his blame.

Gentlemen, please examine the character of Tadashi who had never quarreled with, or caused trouble to, others since his childhood. I pray that you will



give him a fair trial. If you show your benevolence, I am sure that Tadashi will work hard for the people, in accordance with the principles of democracy and without forgetting the kindness of your people. I beg that you will be lenient with him.

Whenever I see my lovely grant children,  
I feel my eyes being filled with tears.

People of all the world will feel the same way  
towards their children, so  
Please forgive my son, I beg of you Americans.

/s/ Katsu Teraki  
mother of Tadashi Teraki.

I hereby certify that the foregoing is a true and complete translation  
of the original document in Japanese to the best of my ability.

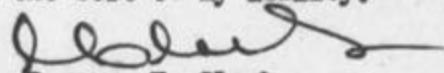
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 11 (a) (2)

0703



## 謝願書

私は目下戦争犯罪人として取調を受けて居る  
中、寺本忠の義父であり、寺本忠が二十六  
歳にして野鳥縣衛生役師でありました。而して野鳥  
縣衛生課長の職務にも私の長女貴子と縁が  
たるといふ関係が、父子同柄と云うたのであま  
す。寺本忠の性格は、つまるところ温厚篤實  
にして紳士的風情の持主と申上げて差支ない  
私は思つて居ります。野鳥縣は東京都芝区に  
あつた公衆衛生院に勤務勉強の結果二十九

歳の頃論文提出三十一番。時々と思ひながら博士  
の学位を得たのであつた。更に進んで學問界  
に貢献せんと努むを續けて居つた様でありました。  
今回、大戦争になり、或方面では軍醫を志願  
する様申述べたが、従来寺本は兵隊としては役にな  
ぬことを自覺して居つた為、軍醫を志願せざりし。是  
一戦争といふ事を交り、生原父島に於て軍  
醫生活中其の行動が戦争の罪科に及びしは  
私はこれに不思議に思はれて居るのでもあります。何  
と云へば役の如き自由平等人類愛に富むる者



か他人に對し危害を興ふが如きことのあるべき者  
 はないと思ひ居ります 蓋し悪行爲があつたとす  
 れば 其れは日本の軍制によつて上官の命令に基  
 づいてしるしに對し従ひの意表にあらざること  
 には確信し居ります 予の本意は家族は喜ば  
 ず生活困難に陥つて居ります 事情や賢察  
 下され寛大の御裁決を賜ひたいと謹んで茲に歎  
 願申上らば為す所あり

昭和二年三月二十七日

群馬縣警務部警務課長石川清子二一〇番地

最良 鈴木喜久子

昭和二年三月十五日

右歎願人鈴木喜久子の義父に相違ふ事  
證明了

昭和二年三月三日

群馬縣警務部警務課長

大胡警務部警務課長

警務部警務課長

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Exhibit 12

0706



Petition

I am father in law of Teraki, Tadashi who is now being tried as a war criminal. I became his father in law because when Teraki, Tadashi was 26 years old and was a sanitary official of Gumma Prefecture, he was married with my eldest daughter, Noriko, through the good offices of the Chief of Sanitary Section, Gumma Prefecture.

I believe that Teraki, Tadashi is a man of mild and sincere character. He is a man who has the attitude of a scientist. He left Gumma Prefecture and went to the Public Health Institute where he devoted himself in medical research. He wrote a thesis for the doctorate when he was 29 and was given the degree of doctor when he was 31. Then he tried to further contribute the academic society and continued his research.

After the last war started, he was requested by the authorities to become a medical officer. Since he knew that he was not fitted to the military service, he did not volunteer to be a surgeon. Then he was drafted as a private, and was sent to Chichi Jima where he served in the army. I cannot believe that he did anything in violation of the rules of warfare during the period. Because he was a liberal and humane person, how could he commit evil against the others. If he actually committed anything wrong, I believe he did not do it intentionally, but was forced to do so by superior orders under the strict Japanese military system. Family of Teraki, Tadashi, consisting of his wife and four children, are now in want. I beg that you will take these circumstances into consideration and that you will deal leniently with him.

February 27, 1949.

/s/ IIJIMA, Kikusu, farmer, (65)  
1161 Oaza-Arako, Aratomura,  
Seta-gun, Gumma-ken.

I hereby certify that the maker of this statement is the father in law of Teraki, Tadashi.

March 3, 1949.

/s/ BABA, Shunichiro,  
Assistant police inspector,  
Daiko Police Detachment,  
Seta District Police Station.

I hereby certify that the foregoing is a true and complete translation of the original in Japanese, to the best of my ability.

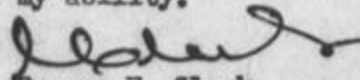
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 12 (a)

0707

歎 願 書

私は只今戦争犯罪人として逮捕、裁判に附せられやうとしてゐる 寺本忠の義弟であります。

彼は文字通り温厚篤実な性格で、且熱心な興業の徒であり社會に於ては眞の紳士であり家庭に於ては全く慈父でありました。

私は私の肉親の兄弟よりも義理の關係である彼を愛慕し私の心の鏡として尊敬して来たのでありますが、その彼が戦争犯罪人として指名されたことは私としては全く意外であり、且私生涯の最も悲しいことであります。

日本の軍隊で上官の命令は事の如何も問はず服従すべしと云ふ鉄則のあることは日本人なり皆知て居り、軍隊生活の経験あるものは誰しもこのため泣いて来たのであるであつて所謂「忠も殺せぬ男」と云ふ言葉がそのまゝ当てはめられる彼の様な男に戦争法規に違犯する様な残虐な行為は行へるものではなく、又部下に對しても斯様なことを命ずることも出来るものとは思へません。



彼は博士号を授けられてからも 只管研究に専念し 軍隊を嫌ひその召集  
を避けて 田舎の病院に転じ 病人患者達の心の友となつて 診療に當つて  
居る時に 軍隊につれてゆかれ 極悪無道、人道の何たるかも解さぬ職業  
軍人の上官にはへる様に白つたことこそ 運命の廻り合せとは云へ全く  
気の毒であります。

何卒 彼と共にあつて 共に起訴されてゐる上官、同僚と共にもう一度白  
等の條件の下で 御審理下さる様 御願ひ致します

彼こそ人類相互の爲、平和日本建設のため 貢献し得る 眞の紳士  
眞の聖者の徒であることを重ねて断言致します 故 どうぞこの呉  
と御信頼下さい 何分寛大な御所置を 賜はる様 御願ひ致します

昭和廿四年二月 日

群馬縣勢多郡荒砥村大字下大屋古丸。齋藤圭司方

飯 島 謹 五口

No. 右 歎 願 人 け 寺 本 忠 義 弟 に 相 送 る 事 を 証 明 し

昭和廿四年三月十日

群馬縣 勢多郡 荒砥村 大字 下大屋古丸 齋藤圭司 方  
齋藤 圭司 齋藤 圭司 齋藤 圭司 齋藤 圭司 齋藤 圭司



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Exhibit 13

0710

Petition

I am a brother in law of Teraki Tadashi who was arrested and is going to be tried as a war criminal.

He was truly a man of mild and sincere character and also an earnest scholar. He was a real gentleman in the society and an affectionate father to his family.

I have loved him more than I do toward my brother and sisters, and respected him as a model. I can hardly think that he ~~should~~ be named a war criminal. This is the most sorrowful incident through all my life.

Any Japanese know that in the Japanese army there was a stern rule that "Whatever an order of a superior officer might be, it should be obeyed." Many Japanese who were once in military service had bitter experience because of the rule. We have a saying: "A man who cannot kill even an insect." I believe he is a typical man who "cannot kill even an insect." I believe he cannot commit brutalities in violation of the law of war, nor could he order such a thing done by his subordinates.

Even after he was given the degree of doctor, he devoted himself to research. He hated military. In order to avoid being drafted, he went to the country to work at a hospital there. When he was busy in treating patients as their kind friend, he was called to the service in which he had to serve under a wicked, brutal professional officer who disregarded humanity. Although it might be said that Fate decreed him to be as such, he is really pitiful.

I beg you to try him on equal basis as you did his superiors and comrades who were charged with the same crime.

I wish to repeat that he is a real gentleman, a true scholar who can do much for the people as well as for the rehabilitation of peaceful Japan. Please believe me when I say the foregoing statement and I pray that you will be lenient with him.

February 1949

/s/ IIJIMA, Kingo  
c/o SAITO, Keiji,  
690 Oaza-Shimocoya,  
Aratomura, Seta-gun,  
Gunma-ken.

I hereby certify that the affiant is a brother in law of Teraki, Tadashi.

March 3, 1949

/s/ BABA, Shoichiro  
Assistant Police Inspector,  
Daiko Police Detachment,  
Seta District Police Station.

I hereby certify that the foregoing is a true and complete translation of the original in Japanese, to the best of my ability.

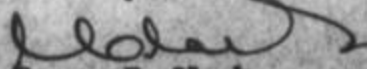
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 13 (a)

0711



歎願書

群馬県勢多郡大胡町七五

飯島静子

寺木忠は私の義兄でございませう。彼が私の姉と結婚しました。当時より私は家母の手傳ひ或いは子供に世話等々全く家族として始終一緒に生活してまいりました。又義兄出征以後は益々姉に協力して一日も早く彼の無事歸還を祈るのみでした。ですから女学校卒業以来丸十年間義兄の家庭を通じて私は色々な方面で女性として成長したと云つても過言ではございませう。文化人である彼は姉を愛し子供を慈しみ又私達には優しく親切で家庭は何時も明るく楽しい和やかな雰囲気になっておりました。そうして幸福な日々を送るのみならず私はいつとも自分も將來家庭を持つ時は彼のような教養高く物事に熱心な信頼の出来る



人の妻になれざるを念願してやみません下した 実際義兄は私達姉妹ばかりでなく一般女性の理想的男性であり得ると思ひます姉は勿論私も常に友人知人に誇りに自信を以て彼の日常や経歴を語り又彼を知る人々も之に同意してゐましたので姉は全く望みの物でありました それもみな彼の円満な性格に由来するを申すまでもございませぬ こうした義兄が如何なる状態に於ても自分から進んで野蠻な行爲をする事は絶体になつと信じます 命令とあれは總べての個人意志は無視されど人なるもの服従しなければならぬ時に直面し職務上仕方なしとした行爲と思ひます こうした実情をよくよく御調査の上何等一日も早く妻子の待ちわびる家庭へ歸る事が出来ますよう 幾重にも御願ひ申し上げます

米國軍事裁判官殿

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Exhibit 14

0714



Petition

/s/ Iijima, Shizuko  
75 Daigo-machi  
Seta-gun  
Gumma-ken.

Teraki, Tadashi is my brother in law. After he married my sister, I used to live in his house to help with their family work and to take care of his children. During his service in the army, I was helping my sister, praying that he would be back soon. So I lived 10 years in the house of my brother in law after I was graduated from the girls' high school. He was a cultured man, loved my sister, was affectionate to his children and kind to me, and his family was always marry, peaceful, and happy.

As I was passing away such happy days in his family, I hoped that I would become the wife of such a man, well-educated, sincere, and trustful. I should say that he is not only an ideal husband for my sister but could be an ideal man for any woman.

My sister and I was proud to tell with confidence about his good character and excellent personal history, and many persons agreed with us concerning this point. So they envied the happy life of my sister. Needless, to say this is because of his well-rounded character. I am convinced that my brother in law, being such a man, would never commit acts of violence of his own accord. I believe that his personal opinion was shut out by strict orders and that he had to do it in the face of absolute requirement of obedience. I beseech that you will examine the circumstances carefully and that you will return him to his home, where his wife and children are waiting.

To Members of American Military Commission.

I hereby certify that the above is a true and complete translation of the original document in Japanese, to the best of my ability.

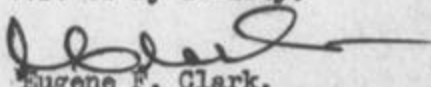
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 14 (a)

0715



私は寺本忠の弟です。

私は兄が眞実な人であり優し立派な人格者であることを  
知っております。眞面目に軍務に服したために却て不幸を招いたのです。  
兄の誤は必ず今後無いと思ひます。民主化されてある日本人民  
として其の義務を果すことが出来た人です。

医者としても立派な技師を有し社会人々から賞讃さ  
れてゐる兄を私は是非救ふ戴きたいと思ひます。

日本の軍規をもつて涙を吞んで兄は自己の誤に入らざるを得なか  
つたことを考へて兄の罪をお許し下さい。

昭和二十三年九月二日

義弟

飯島正勝



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Exhibit 15

0717



PETITION

September 24, 1948

I am brother in law of Dr. Teraki.

I know him well. He is a honest and quiet man. He served very earnestly in the Japanese Army and he had an unfortunate fate. I believe he does not make mistake any more. He is a man who can complete his duty in the democratic society. He has good technique as a doctor and he is respected by all members whom he had contact with.

I sincerely hope you save him at this time. He had to obey any order of the Japanese Army.

I should be most grateful if you would accept this humble petition and be lenient with him as far as possible.

IIJIMA, MASAKATSU  
Brother in law of Dr. Teraki.

I hereby certify that the foregoing is a true and complete translation of the original document in Japanese, to the best of my ability.

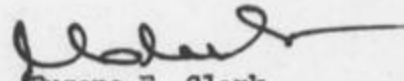
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 15 (a)

0718



## 歎願書

私：嘗テ私自身が六ヶ月間、小笠原列島父島関係戦争犯罪ニ関スル、検事側證人トシテ出廷シマシマシ、グアム島米軍軍事法廷、裁判官各位ニ、幸木博之ノ為ニ書キマシタ拙ナル歎願書ヲ差上げマスコトハ、誠ニ感慨無量ナルモノガアリマス。

私：大日本帝國陸軍第百九師団參謀トシテ昭和十九年七月初旬ヨリ終戦後日本軍隊ノ同島撤退完了迄父島ニ居リマシタ。私：昭和二十一年四月父島ヲ去リ證人トシテグアム島ニ送レ同島ニ同年九月二十入日迄居リマシタ。

現在私：米國に領軍内ニ日本人従業員ノ支配人トシテ勤務致シテ居リマスガ私：此ノ仕事ハ、米國海兵隊海兵大佐ロバート・デー・シェーパードノ推薦ニ依ツテ

獲得セラレタモノデアリ、同大佐ハ父島及ビグアム島ニ於テ父島関係ノ戦犯調査委員會ノ委員長デアリ後日東京ニ於テマリアナ艦隊司令部ノ代表兼連絡將校ニ服務セラレタ方デアリマス。私：グアム島ニ於ケル貴務部及裁判所ノ古イ方々ヲ存ジテ居リ且現在テモ裁判長ロビンソン海軍少將ハ私即ケ堀江大佐ヲ御記憶ノコトト存ズルモノデアリマシテ斯ウ申上げマスコトハ深ク光榮トスル所デアリマス。

私：次ニ當時ニ於ケル父島ノ雰囲気及幸木博之ノ地位ニ就テ開陳シタイト思ヒマス。

### 第一 父島ノ雰囲気

當時父島ニ立花中將的場少佐ノ如キ狂氣ジミヲ將校ガ居ツタノデアリマス。彼等ハ同島ニ於テ



室中ヨリ警覺せらるる聯合軍俘虜ニ對スル拷問並  
死刑ヲ命じタリマス。私、此、蠻的行為ヲ憎ミ  
之ヲ停止セシメント欲シタリマスが私、地位ヲ以テ  
シテスラ假等ノ主義ニ反對シテ行クニ、非常ノ困難ガ  
伴フタリマス。假等、屢々私ヲアメリカノ大  
ト呼ビタリマス。

假等ノ主義乃至此、惡劣團氣、一部、日本軍將兵ヲ  
シテ俘虜ニ對シ殘虐行為ヲ加フルニ至ラシメ事實是等  
將兵ガ假等ノ命令ヲ拒否スルト、極メテ困難デアリ  
マス。

#### ※第二、孝不博士、地位

私ノ記憶デ、孝不博士、昭和十九年八月衛生兵ト  
シテ父島ニ來、翌二十年、初頭見習醫官ニナ  
リタリト思ヒマス。假、的場女佐、指揮スル独立歩

兵第三、ハ大隊ニ配屬せらるるデアリマス。假、行為、  
細部ニ就テ、私、存シマセン。

日本陸軍ニ於キマシテ、入隊後六ヶ月、新兵ノ地位、  
極メテ低イモ、デアリ何モ事モ出来ナカッタ、デア  
リマス。孝不博士、正ニ此ノ新兵ダッタ、デアリ  
マス。私、尙論醫師トシテ、社會的地位、相當ヨイ  
モ、デアルトヲ知ツテ居リマス。但シ假、一度陸軍ニ  
入ルヤ陸軍將校、假ヲ告ニ坊、如ク取扱フタリ  
マス。即ケ教育ノ高イ醫師モ今ヤ軍ノ命令ニ  
従、ナケレバナラフナツタ訣デアリマス。

私、假ガ蠻的上官、命令ヲ拒否シ得アカ  
ラ、無視カケラフコトヲ思ヒマス。

最近孝不夫人及ビ其ノ母ガ來訪シ其ノ慘見  
主人ト家庭ノ實際ヲ耳ニヌ孝不博士、良イ

性質、持主デアリ且ツ彼、今米國、態度が正  
デアコトヲ信ビテ居ルトモフコトヲ知ツタノデアリ  
マス。

裁判長閣下並ニ各位、私、此、歎願書ヲ私、  
拙ル英語ヲ以テ書イタデアリマス。

願フ、各位が本歎願書、意ノアル所ヲ御  
ニ取リニテ、當時、父島、零園氣及寺不博士、  
陸軍ニ在ル地位ヲ以テ承下サレテ出来ル限リ寛大  
ナル御處置ニ出デラシムコト祈ツテ止マヌモノデア  
リマス。

彼、元來善人デアリ良イ醫師デアリマス。  
又家庭ニ在テモ日本國家トシテモ必要ナル人物デ  
アリマス。

昭和四年二月十九日

堀江芳孝



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Exhibit 16

0722

#### Petition

I am filled with deep emotion as I submit this humble petition in behalf of Dr. Teraki to the members of American Military Commission, Guam Island, where I attended for six months as a prosecution witness in connection with war crimes committed on Chichi Jima, Bonin Islands.

I was stationed on Chichi Jima as a staff officer of the 109th Division, Imperial Japanese Army, from the early part of July 1944 until the time when the repatriation of the Japanese armed forces on the island was completed. In April 1946 I left Chichi Jima, and as a prosecution witness was sent to Guam Island where I stayed until the 28th of September 1946.

I am now working with the American Occupation Forces as a manager of Japanese employees. This job was obtained by the recommendation of Major Robert D. Shaffer, USMC, who was the senior member of the Board of Investigation of war crimes committed on Chichi Jima, convened both on Chichi Jima and Guam, and who later became the representative and liaison officer of the Commander Marianas, in Tokyo. I am very much honored to tell you that I still remember the old members of the legal section and the military commission on Guam, and I believe that Rear Admiral Robinson, President of the commission, will remember me, Major Y. Horie.

I would like to tell you the atmosphere of Chichi Jima and the position of Dr. Teraki in those days.

#### (1) The atmosphere of Chichi Jima.

In those days there existed such mentally unbalanced officers as General Tachibana and Major Matoba on Chichi Jima. They ordered the torture and execution of flyers of the allied forces who were shot down and became prisoners of war. I abhorred their barbarous policy and tried to stop such brutalities. However, even with my position (as a staff officer) it was very difficult to oppose their principles. Consequently, they despised me as a dog which wagged its tail in favor of the Americans. Their policy and atmosphere led some of the Japanese officers and men to visit cruelties against prisoners of war, and as a matter of fact it was almost impossible for these persons to refuse to obey the orders of these two high officials.

#### (2) Position of Dr. Teraki.

As I recall, Dr. Teraki came to Chichi Jima as a corpsman in August 1944, and became a probational medical officer in the beginning of 1945, the next year. He was attached to the 308th Battalion commander by Major Matoba. I don't know of the details of his conduct.

In the Japanese Army the position of a six months recruit was very low and he was entirely powerless in doing anything. Dr. Teraki was nothing other than such a recruit. Of course I know his position in the society as a doctor had been a very honorable one. But after he was once conscripted in the army the army officers treated him like a slave. Thus, a civilian doctor with high education had to obey the orders of the military.

I understand that it was quite natural that he could not refuse the orders of frenzied commanders.

Recently, Mrs. Teraki and Dr. Teraki's mother visited me and I learned how miserably they were living without him. I knew that Dr. Teraki was a man of good character and that he believed that the Americans were fair and righteous.

Exhibit 16 (a) (1)

0723



Gentlemen of the Commission, I have written this petition in my poor English. I would be very grateful if you will accept this petition, understand the atmosphere on Chichi Jima and the position of Dr. Teraki in these days, and be lenient with him. He is a good man and a good doctor, and is an essential person, both to his family and for the Japanese people.

February 19, 1949.

/s/ HORIE, Yoshitaka.

I hereby certify that the foregoing is a true and complete translation of the original document in Japanese to the best of my ability.

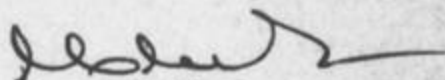
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 16 (a) (2)

0724



SATO, KESAKUCHI

No.

昭和 年 月 日

裁判長閣下並に各位御同

グアム島軍事裁判所

右者は性極めて温厚にして服従心旺盛、上官を信頼し之に眞實  
服し下級者との親睦不極めて厚かつた、無言にして多しと  
語らず軍務の余暇は医学の研鑽に専め將來有用の  
人物でありまし、眞面目にして坦率且つ温和なる彼を只今  
裁きの庭に立たしめたのは一に約場少休の悪癖の乱用に係るもの  
でありまして決して彼が他人と本事件の処に干渉する者ではありま  
彼は入隊日尚浅い、上官の命令を直ちに遵奉するは唯一の  
忠節と信じて居る者でありまし、彼を裁くに當り以上の諸項に御願  
慮をされし何れの御寛大なる御處置を賜ふ度歎願致すものと存じ  
ます

寺木忠

歎願書

昭和四年四月八日 佐藤今朝士口

45593

Exhibit 17

0725

Petition

Written: 8 January 1949.  
By: SATO, Kesakichi.  
To: His Excellency, the President and Members of the  
Commission.  
Subject: TERAKE, Tadashi.

The above named person has an extremely gentle personality and is a man of great obedience. He trusted his superiors and faithfully served under them. He was extremely friendly with his subordinates. He is a man of few words and during his leisure from military duties he exerted himself in the study of medicine. He is a person of promise for the future. One reason for this honest, peaceful, and gentle person being brought at this time was Major Matoba's abuse of authority. Teraki certainly is not a person who would do a thing such as this incident on his own accord. He did it only because he had been in the service for a short while and had believed that the only way to be loyal was to promptly obey the orders of his superiors.

In trying him, I beg that consideration be given to the foregoing and that all possible consideration be granted in the judgement of his case.

I hereby certify that the above is a true and complete translation of the original document in Japanese to the best of my ability.

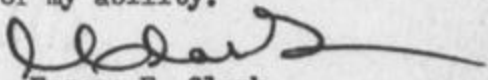
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 17 (a)

0726



## 口述書

西田公利は身らに誓ひ、宣誓の下  
に奇木軍医について左の如く眞実と  
中述いたします

奇木軍医は第百九師團独立歩兵第三

大隊附軍医として右大隊が小笠

原島久島に駐屯し共に同隊に従ひ赴

東京都府

任し隊長的立場を勇々佐の下に昭和二十

年八月終戦迄勤務されに人であります

同軍医は私の知つてゐる限りに於ては

性質極めて温厚で交友関係も余り

派手な方ではない稱見うけられまし

る隊長の命には正邪異唯々諾々とし

て従ひ、惣てと止むべきものとする



ような性格であつたと記憶して、まず  
次に隊長の場少佐は極めて横柄な豪  
傑肌であることを教へて、そして人物  
で自己の氣持に及しても所謂大風量數  
を拓ける性質で特に師團長立花中將に  
親交を厚くし師團長の庇護の下にあつ  
てその威力と利用し豪傑ふりともそつ

東 都 府

ていた感じの人でありました。この事件も  
立花中將的場少佐合意の下になされた  
事件でありますので寺本軍医は上長  
の命に万事絶対服従の意志の下に敢て  
実行されたのではなかつたかと思ひます。特に  
的場少佐は(師團長もそうでありましたか)

部下に対し自己の意に及する場合は



直ちに暴力を振うなど極めて野暮な  
態度にふる人で残酷な一面を持つていた  
のであります。私は寺本軍医とは特に

親交が深かったのではありませんでした。が  
第百九師團司令部参謀部附として堀江  
参謀の下にあって各隊に対し指揮命令

号の任務にあつた関係上しばしば各隊  
＝ 東 都 府

を訪れ且つ的場隊長の下には別に私的に  
招かれた事もありつて寺本君の人格に  
接していただのであります。

考へますのに寺本軍医がかゝる事件に  
関係があつた事がむしろ不思議と思ひ

つて下すか前述通り隊長の命もた  
し重く思つたその軍医なる職にあつたに



止むはく又を取つた。であらうと思はれ

るであらう。又何人もあの釣堀少佐の

ような人物の下では自己の意に反しても

その命に従わざるを得ないであらうせうし

尚又上官の命はる。事の如何と問はず命令

に従うという日本軍人の立前であらうしに

ことを思ふと寺本軍医に限らず誰もが

東都府

そうしたであらうし又寺本君が軍

医であつたため止むはき立場に立たざるを

得なかつたといふことは真に残念に思ふの

であらう。おのづかに全く寺本軍医は

隊長の命止長の命のまゝに動いただけ

で一切の責任は隊長にあるものと思ひ

致す次第であらう



以上申述（まこと）にことは事實に相違

ありきやん

米國海軍中佐 マーティン・カールソンの下

で宣誓並に口述改しきしに

宣誓は一九四九年二月二十六日日本國京都

に於て玉村文男により礼に翻譯され

諒解致しきした。

＝ 京 都 府

元第九師團司令部附

陸軍大尉

西田達公利



Exhibit 18

0732



STATEMENT

NISHIYOTSUTSUJI, Kimitoshi,  
Captain, Imperial Japanese Army,  
formerly attached to Headquarters,  
109th Division.

NISHIYOTSUTSUJI, Kimitoshi swears by his conscience and under this oath deposes the truth concerning Surgeon Teraki as follows:

Surgeon Teraki was Surgeon attached to the 308th Independent Infantry Battalion of the 109th Division in which capacity he arrived on Chichi Jima Bonin Islands when the above Battalion was moved there. He served in that Battalion under the Battalion Commander, Major Matoba, Imperial Japanese Army, until the termination of the war in August 1945.

In so far as I know he was a mild man who was not very flashy in his associations with friends. As I recall his character was such that he would merely obey the orders of the Unit Commander, whether right or wrong accepting them as something inevitable.

Next, the Unit Commander Major Matoba was an extremely violent man with much bravado, and he was the type who would create a big fuss even if someone only opposed his feelings. He was very close to the Division Commanding General Tachibana. I felt that he was utilizing this influence under the protection of the commanding General of the Division to accentuate his bravado. These incidents were instigated under the combined wills of Lieutenant General Tachibana and Major Matoba and I believe that Surgeon Teraki merely executed their wills against his own following his idea of obeying absolutely each and every order of his superiors.

Major Matoba (the Commanding General of the Division was also so inclined) in the event any subordinate opposed his will would immediately resort to violence. There was this kink in his character which was extremely savage and vicious. My relationship with Surgeon Teraki was not very close. However, as an officer attached to the Staff of the 109th Division under Major Horie, it was one of my duties to despatch orders to visit Major Matoba privately and therefore had opportunities to become aware of the character of Teraki.

In retrospect it is strange even to think that Surgeon Teraki was involved in such incidents. However, as stated above, he could but execute the orders of his Unit Commander and he had to abide by his duties as Surgeon, and I believe that that is why he had to use his scalpel. And furthermore, I believe that any person would perforce have to carry out the orders, even when they are contrary to his will, when they come from a person such as Major Matoba. Further there was the code among the Japanese military that the orders of a superior be executed without questioning anything. When we consider these things, it is probably that any person placed in these circumstances would have acted as Teraki. However, I thought it deplorable that Teraki, because he was a surgeon, had to be placed in such a position.

I believe that Surgeon Teraki acted absolutely in conformance with the orders of his Unit Commander and of his superiors and that all responsibility rests with the Unit Commander, as I have stated above.

What I have stated above is, without mistake, the facts.

I state the above and swear thereto in the presence of Commander Martin E. Carlson, United States Navy.



The oath was translated to me by Tamamura, Fumio on the 26th of February 1949, in the city of Kyoto, Japan.

/s/ NISHIYOTSUTSUJI, Kimitoshi,  
Captain, Imperial Japanese Army,  
formerly attached to Headquarters,  
109th Division.

I hereby certify that the foregoing is a true and complete translation of the original document in Japanese, to the best of my ability.

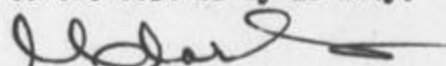
  
Eugene F. Clark,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 18 (a) (2)

0734

# 寺木忠氏に因する歎願書

東京都杉並區上荻窪二丁目九

原

滋

## 軍事裁判官殿

寺木氏と私の関係は昭和拾九年九月廿日に同業  
醫師、百數名と共に衛生二等兵として東部六部隊に  
召集せられ、その内拾四名が拾月中旬には硫黄島に  
轉属され、その内五名が小笠原父島陸軍病院を経て同年  
十一月廿二日見習士官となり、各自配属大隊に赴任す  
るまで約二ヶ月間、教育上も作業上も何事にも終始  
行動を共にしました。任地は父島の南北に分れたところだが  
其後、昭和廿年十二月廿二日に復員するまで、度々面接し  
交際しておりました。

(二) 寺木氏は北海道大學醫學部を卒業し、東京の公衆  
衛生院で研究生活をし、醫學博士の学位を受けておりました。  
實に真面目な、学究的な人物である。硫黄島の野戦  
病院に約二ヶ月間、起居を共にし、父島陸軍病院に在る  
十日間の教育期間中を觀望し、その態度は責任感の強い  
又出過ぎたことは決してしや、控え目な性質であり、その間  
一度も人と争ふこともなく、何処に於ても評判のよい人物  
でありました。その間、寺木氏の人生觀を多く、上置の好む人物  
性格を知り、内地歸還後、未長く交際し得る人の  
唯一の者であると思つておりました。  
今罪に問はれてゐる様な事件で、自ら積極的に行動する  
性格の人ではありませぬ。



(三)この事件は、寺本氏が軍籍に在り、見習士官即ち軍醫の末席に就き未だ、數ヶ月頃の事でありき。  
見習士官は上官の都合事によつて或は將校として、又都合の悪い時は下士官として待遇され、自ら寒意して事をなさず地位にはありきません。上官の命には抗、難く殊に第一線の戦地に於ては抗命の罪は重く、彼の本心は父として行ふことを余儀なくせられてゐた行為と信じます。その證には、この事件の彼、會つた際に、不本意な事をせられ、事ら心を痛めてゐると、私にひそかに語つてゐました。非道な上官の下に、驅使せられたものと、寧ろ氣の毒に感じます。

(四)寺本氏には事があり、幼少な子女四人あり、彼が力によつて生活をなしてゐます。夫、又父親の歸るを一日千秋の思ひで待ち籠めてゐます。何卒、上述の事情を充分に法考慮下さる、寛大な法処置を賜はらんことを切に切に懇願致します次第です。

以上

昭和廿三年九月廿一日





Exhibit 19

0737

Petition

September 21, 1948.

On September 28, 1944, Dr. TERAOKI and myself with a hundred other doctors were drafted in the Army and all entered the East 6th Unit as Private Corpsemen. Out of this, fourteen were sent to Iwo Jima, in the middle part of October, and of the fourteen, five were sent to the Chichi Jima Army Hospital, Bonin Islands and there on November 22nd became Probationary Officers and were each assigned to various Battalions. During these two months we were always together in training courses and workouts. In our assignments we were separated from each other, one going to the north end and the other to the south end of Chichi Jima Island. Since then until the time I was repatriated on December 23rd, I frequently met him and associated with him.

TERAOKI graduated the Medical Department of the Hokkaido University, and continued his research at the Tokyo Public Welfare Hospital and received the degree of Doctor of Medicine. He is a really diligent and scholarly person. We lived together on Iwo Jima for a little less than one month at the Iwo Jima Field Hospital, and when I reflect on the days we had together at the Chichi Jima Army Hospital, going through our education period, his demeanor showed a man with a strong sense of responsibility and yet very moderate and reserved. During this time he was never involved in any brawls and was always popular with everyone. I was able to appreciate his way of life, and discovering the above personality in him, I determined to associate with him even after our return to Japan. He is not a person who would initiate, far less take an active part in, the incident for which he has been charged.

This incident occurred only a few months after he was made a Probationary Officer and assumed the very lowest of ranks as a surgeon. A Probationary Officer, depending upon the superiors, will be treated either as an officer or at times as non-commissioned officers. He is in no position to suggest or propose, far less initiate, in any matter. The superior's orders are inviolate. Especially in the front lines, the crime of resisting orders was indeed serious. I am convinced that his action was against his own will and he was compelled to do so.

As proof of the above, when I met him after the incident, he told me in confidence that he was deeply mortified for being compelled to act against his own will. I am in sympathy with him for having had to endure this uncouth superior.

Teraki has a wife and four small children, and they are solely dependent on him. They are all anxiously awaiting for his safe return. I humbly beg of you to take into consideration the above factors and implore you to deal with him leniently.

/s/ HARA, Shigeru  
49, 1-chome, Ogikubo,  
Suginami ku, Tokyo.

I hereby certify that the foregoing is a true and complete translation of the original document in Japanese, to the best of my ability.

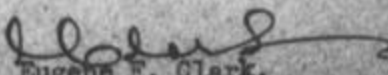
  
Eugene F. Clark  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 19 (a)

0738



昭和廿四年三月八日

歎願書

元父島水雷隊 牙三魚雷艇隊

軍医大尉

松下兼久

裁判長殿

現在我々日本人は、自ら起した戦争、犠牲  
のもとに、全く悲惨な運命に陥つてしまつて  
しまつた。之は、指導者によって導かれた  
戦争、原因であり、憎くも、それは戦争  
のものであり、戦争のゆゑに導かれた原因が  
ある。私は祖父島に於て、五年、判決を受け  
たものであります。現在宇島に於て三年、逆  
刑に服して居ります。

此の夜、青木軍医大尉、歎願書を書かせ  
頂くにあたり、同じ苦しみを受け、お父になつて  
いふこと、向ふ人から表へるものがあつた。  
青木軍医大尉の時は、時に誰を父といふ方が  
戦争中、危機に曝せられた大軍医、孤島父  
島に於て、同じ死の恐怖に襲はれたらうと  
思ふ方があつた。

彼は本書の全面目の方から、記憶して居る  
所の敵情を、ある馬の作りものに、現  
在の状況をお父に告げたいと思ふのであつた。





この裁判官長殿 初め在野事  
方、若き今から希望する送人上り等  
本軍医に付て、輕之判決を賜ふん  
と人から訴へ申上げ候。  
此より更に更に此の事實が如何なる

理信所

東京部集鳴が在野所内

松下兼久

ALLIED OCCUPATION FORCES }  
TOKYO, JAPAN } SS.

Subscribed and sworn to before me this 8th day of March, 1949. The foregoing document, written in Japanese, consists of two and one-half (2½) pages.

Frederick F. Tremayne  
Frederick F. Tremayne,  
Lieutenant (junior grade),  
United States Naval Reserve.

Tokyo, Japan,  
March 8, 1949.

0741





Exhibit 20

0742



Petition

March 8, 1949  
/s/ MATSUSHITA, Kanehisa,  
Surgeon Lieutenant, IJN,  
Second Torpedo Squadron,  
Chichi Jima.

Your Honor, the President:

We Japanese are now in a very miserable situation on account of the war which we started, because we blindly followed our leaders into the war. It is the war and the cause of the war that should be abhorred. I am a person who on Guam was sentenced to five years' imprisonment. I have served nearly three years in Sugamo Prison.

Today I have had an opportunity to write a petition in behalf of Surgeon Teraki and feel very sorry for him because he is suffering in the same way as I do. I had several chances to talk with Surgeon Teraki. We encouraged each other during the war on Chichi Jima, a speck of island on the Pacific, being haunted by the fear of death in the face of coming dangers.

I recall that he was really an honest man. I feel very sorry for him when I think that he kept patience before the strict and violent man, Major Matoba. Even I who was attached to a different unit was beaten by Major Matoba. When I think of everything now, it seems to me like a dream. However, any violation of superior orders had to be paid by death. Of course, a surgeon was not an exception before superior orders.

During the war, we suffered under serious adversities. It may be natural under such circumstances that orders of superior officers were carried out without any criticism by reason. Even if he dissected dead bodies as rumored, I believe it was simply natural beyond any reason so long as he was ordered to do so as a surgeon. Especially, Major Matoba was a typically militaristic man, and also a man of abnormal character. If we had violated his orders, we would have been revenged by him in a very horrible way which nobody could guess. Commanding Officer Matoba was a drunkard. I heard that he was always with many bottles of liquor. As a doctor, and as a young unexperienced surgeon, Teraki did all he could to save the lives of people. I lament the fact that such a person as Teraki has to stand trial.

Your Honor, the President and Members of the Commission please grant a lenient judgement for Surgeon Teraki who is a young, promising doctor.

I swear that the foregoing is true according to my conscience.

/s/ MATSUSHITA, Kanehisa  
Sugamo Prison, Tokyo.

ALLIED OCCUPATION FORCES }  
TOKYO, JAPAN } ss.

Subscribed and sworn before me this 8th day of March 1949. The foregoing document, written in Japanese, consists of two and one-half (2½) pages.

/s/ Frederick F. Tremayne,  
Lieutenant (junior grade),  
United States Naval Reserve.  
Tokyo, Japan. March 8, 1949.

I hereby certify that the foregoing is a true and complete translation of the original document in Japanese, to the best of my ability.

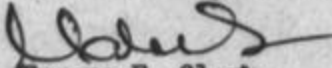
  
Eugene F. Clark,  
Lieutenant (jg), USN  
Interpreter.

Exhibit 20 (a)

0743

青木忠 對 210 格 証言

2.

~~又、本署に於て第三国事件現場時佐藤大尉が最  
現場に居た事、其が命全う復従した事、其の事  
々々と思ふ~~

昭和十四年二月九日 合衆國海軍中佐  
カールソン、面前に署名を宣せり

兼 森 一 敏

0745



00

00

Exhibit 21

0746

CHARACTER EVIDENCE IN BEHALF OF TERAKI, TADASHI

I, Kanemori, Kazutoshi, having been duly sworn to tell the truth, state that the following statement is the true character and general reputation of Teraki, Tadashi as I knew them at Chichi Jima.

Teraki, Tadashi was really kind and considerate to his subordinates. For this reason he was resented by the officers of the company as well as by those of the headquarters. On the other hand he was held in high esteem by all the patients of the various companies and headquarters. This was because whenever he heard there was some one ailing he would at all times go to visit the patients - at night, in a storm or in an air raid. In contrast Dr. Sakabe, Taro would invariably tell Teraki to attend the sick on the ground that he was the senior and so that he could rest.

The company commanders always used to censure Teraki for pampering the patients. 1st Lieutenant Nakajima once came up to Teraki and blamed him for the laxity of his corpsmen saying that it was because he was so reserved, and struck him two or three times.

The Battalion Commander would demand impossible things of Teraki and enjoyed seeing him tormented and in distress. The Battalion Commander once called the officers and non-commissioned officers in the headquarters and told them if they disobeyed his orders they should be prepared to face the firing squad.

It was under these circumstances that Teraki received the order to do the act for which he is now charged. Teraki, who was well aware of the Battalion Commander's habits and fearing the threat of shooting, was obliged to follow his orders.

Subscribed and sworn to in the presence of Martin E. Carlson, Commander, USNR, on this date, the ninth of March, 1949.

/s/ KANEMORI, Kazutoshi

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.


  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 21 (a).

0747

## 寺本忠に対する人格証言

私機俊一郎は正當にその心に従って眞實を求むることを宣揚し、後、次の寺本忠の人格及一般的评价が眞實であることを証明する

私が現場部隊医務長に於いて彼の部下として約二年二月間働いた所から共に公私を通じて知った彼寺本忠は性温良にして人情に富み、よく部下を愛し、且、その任務に忠實な人でありました

それを二つの事例によつて証明いたします

當時部隊の診断は坂部軍医と寺本軍医が隔日交代にて各々所を巡回診断に行はれて居りました。坂部軍医の診断には受診患者が多く、寺本軍医の日はその患者が少かつたといふ实例があります。その理由は坂部軍医が診断が粗悪で患者の病状の輕重を問はず受診患者を各々扱にするやうな失人な故を以て診断に臨み、それを一かど軍医技術と心得てゐるといふ風であつたに反して寺本軍医は常に患者に優しく親切で、その診断からは将校以下官兵といふ感におおく患者は患者といふ感におく



その病は御家であり且、病名決定が確定  
してその治療が適当であつたので、患者は女として  
何事をも厭慮なく、一身を彼に托し得たと  
いふことに起因すること、部隊に於いて長年  
の評判を彼が得たことはこれにあり、また  
これは彼を何れも数年に亘つ強力に証明  
して居る事實であります

別な一例によると、彼(寺本軍医)が部隊に奉  
任して向ふべく、ある時父島には傳染病、病名  
不詳の熱病が流行して居りました

陸海軍を通じてその患者を治療する、治療  
に着手した。既病期名の長期、高度持続の概  
状、衰弱等あり、それが在隊患者として不適  
当であり、必然入院治療するべきであつたにも拘り、  
予め病的部隊に於いては入院することなく自  
ら治療を遂げようとした

部隊から伝染病患者を去つたといふことによ  
り、この部隊の衛生成績が非常に悪くあるといふ  
顧慮●の爲と怠慢と患者への愛護の欠陥に  
それは起因したものであります

2. 寺本軍医が着任してからの患者を治療さ

にゐる内に彼はこれを黙認すべく彼の意志の  
良心がこれを許さなくなり 市村部局長(秘書)  
には顕微鏡一つおく病児試験の何の設備もな  
い中でこれの國産機も思ひ立たし屢々患者  
より検査(検査)の機(機)を求めたが毎名部局長に拒  
しその設備を借用し 國産機を公衆施して  
検査と検査を以て之を強ひし亦如力に  
遂にその國産機に成中自序患者より教  
ぱう472 A 國を訪問しこれに依てはう  
患者の入院の金を振いたま例があります  
この事については彼の先任(先任)である坂部  
延子(延子)は命令的(命令的)な中(中)に制止された  
子(子)があつたにも拘はらず(坂部局長)の口吻から  
我々(我々)はそれを容(容)した(彼の意志の良(良)心と患者  
の愛(愛)に敢て之を實行したことでこの事  
について以来私は彼を敬服して居ります。  
かうした彼が我々下士(下士)に對して如何なる態度  
であつたかは説明の要(要)のないことで我々には彼の接  
待(接待)の身(身)であることと友人の如く交際(交際)  
してくれし(し)が、部局長(部局長)は同(同)部局長(部局長)全部  
の下士(下士)を道下(道下)に彼程好評(好評)を得し  
る将校はあつたと思ひます。特に患者感謝は大き  
であつた



かうした彼が如何——この様あ罪に問はれるに  
正一はたは何時の頃か部隊の部隊長とそれをめい  
部隊のアトモスニアがこれを決定——なものであると  
外はありき。何時部隊長はその部隊統率によ  
うなぬを権力を乱用——將校以下全員に及ぼ  
通し要求として要請——將校と雖も新々から  
我々奴隷の如く使に驅使せられて居るが  
部隊長とアトモスニアは従事する中島大尉等がその一団  
氣を形づくりに端少佐が主として証言を述べ、他部  
隊の將校を殺すことも許して居たことも受けて  
初め下士官兵も後に將校を乱隊を擧げて擧  
々之を殺して居るが奇本等もこの中から  
大尉に殺されたというに居るが、  
それは將校会合の際おと奇本等も「水戸一門」の  
会合にも向々に居る——いふに部隊長と中島大尉  
その他の中島等も取結ぶといふやうなことをしあつ  
たがその情しきも聞かぬと信じて居るが、  
本部に於てはこの二団を共に捕縛して居る  
た。將校と雖も我々下士官兵と同様にはあつた  
ものであつたといふが、我々との我々をいふが、  
この場大には世の会合を要したことで不可抗



力であり 何れの自由主義者たる人々も思ふよ  
かつたことである。其はか之を拒否せ  
んが故に對し何のうへへも明白である  
す。野村特に敵である 部隊はかたに  
口々に居る敵軍が其の生命とあること  
思ふます。

昭和二十二年三月九日 大島に於ける合衆國  
海軍三軍中佐 マルティン・カーターの面會にて  
國家を宣揚す

磯 俊一郎

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Exhibit 22

0753

Sworn Character Testimony for Teraki, Tadashi.

ISO, Shunichiro

I, ISO, Shunichiro swear to tell the truth according to my conscience and state explicitly that the following is the truth in regard to the character and general reputation of Teraki, Tadashi.

During the time I served under him for approximately one year and two months at the dispensary of the Matoba Unit, I learned in my official and private intercourse with him that Teraki Tadashi was a warm-hearted man, deeply sympathetic, who loved his subordinates and was faithful in the execution of his duties.

I would like to prove this by citing an example.

At that time the medical examinations of the unit were conducted by Surgeon Sakabe and Surgeon Teraki, each taking turns to make the rounds of the companies on alternate days. It is a matter of fact that on the days of the examinations of Surgeon Sakabe the patients were few, while patients were numerous on the days that Surgeon Teraki made his rounds. Surgeon Sakabe made only cursory examinations of the patients and whether they were serious or light cases would treat all patients with the attitude that they were slackers, and seemed to think that such procedure was in conformance with an army surgeon's technique and attitude. Surgeon Teraki on the other hand unfailingly examined his patients with love and care. There was no sign of a relationship between officer and enlisted man in his relationship with his patient. His examination of the patient was comparable to that of a civilian doctor's to a patient in its exactness. As his diagnoses, and the treatment he recommended, were very accurate and appropriate, the patients gave themselves fully into his care. Thus it came about that Teraki came to enjoy the greatest popularity in the unit. This fact speaks best and most powerfully in behalf of the accused.

To cite another example. At the time Surgeon Teraki arrived on Chichi Jima there was an epidemic there of a tropical fever the name of which was unknown.

Both in the army and navy units the victims of this fever were treated in their respective units. Despite the fact that the patients victimized by this fever should have been hospitalized because of the long term of the illness, the long duration of the high fever and the general weakening of the patients at the Matoba Unit were treated within the unit, without being hospitalized.

The above was caused by the thoughtful consideration that the health report of the unit would be lowered if report were made that the unit had produced epidemic patients, negligence and lack of love for the patients.

Surgeon Teraki after assuming office treated these patients. His conscience as a doctor would not be quieted after a time and the dispensary being without even a single microscope and wholly unequipped for pathological experiments, he thought upon the idea of testing their blood for germs. So taking their blood samples he went to the naval units to borrow their facilities to determine the germs in the blood. These trips to the naval units which were frequent were made in the midst of the intense air raids then being visited on Chichi Jima, with complete disregard for personal safety. By sheer effort and perservance he succeeded in discovering the germ and established the presence of Para-typhoid Type A germs in several of the patients under his care and had these patients hospitalized.

Exhibit 22(a)(1)



Although he had been half ordered and half ridiculed from discontinuing his efforts in this direction by Surgeon Sakabe, his senior officer, (of which fact we learned through the latter's complaints), this had been overcome by Surgeon Teraki's conscience as a doctor and his devotion to his patients continued. From that time onwards I respected and admired him.

He was as I have described him. There does not seem any necessity of going into his attitude towards we non-commissioned officers and enlisted men. He treated us as friends despite the fact that he had been accorded the treatment of an officer. I do not believe that there was an officer in the whole unit, and of course at headquarters, who enjoyed such popularity among non-commissioned officers and enlisted men as did Surgeon Teraki.

Especially was the gratitude and appreciation of the patients very great.

That a person such as he (Teraki) should be tried for such crimes could have been caused only by the Unit Commander of the Matoba Unit and the atmosphere of the unit. The Unit Commander was abusing his authority vested in him for the purpose of leading his men and was literally a tyrant to all officers and men under his command, and though Teraki was an Probationary Officer treated him as a slave.

The Unit Commander and Captain Nakajima and others who were his cohorts created an atmosphere peculiar to the unit. Major Matoba would throw drinking parties where he would slap and strike officers of other units. The satellites, emulating the Unit Commander, began to slap and strike non-commissioned officers and later commissioned officers, under the pretense of intoxication. I have heard that Surgeon Teraki was struck by Captain Nakajima.

Surgeon Teraki did not like the officer's parties and when called on to attend them went unwillingly and retired early from the table. He never attempted to play up to the Unit Commander or to Captain Nakajima and for this reason was, in my belief, hated by them.

This atmosphere pervaded the headquarters. Officers as well as non-commissioned officers and men were not even living. This state continued until the end of the war.

It is clear that in these instances that he (Teraki) was powerless after he received his orders, and that here there was no room for the exercise of free will. It is obvious what would have been meted out to him had he refused to obey. It was in the field of battle and in the face of the enemy, and "execution by firing squad", which words were constantly in the mouth of the Unit Commander, would surely have been his fate.

I swear and affix my signature to the above in the presence of Commander Martin E. Carlson, USNR on the 9th of March 1949 on Guam Island.

/s/ ISO, Shunichiro

I certify that the foregoing is a true and complete translation of the original in Japanese to the best of my ability.


  
EUGENE F. CLARK,  
Lieutenant (jg), USN,  
Interpreter.

Exhibit 22(a)(2)

0755

# 嘆願書

45789

今般戦犯容疑で沖審理中の元陸軍軍醫少尉寺本 正は  
 陸軍部隊入隊後程なく二年兵より醫術學歴者として拔擢、軍醫  
 に採用され在隊の全期間に僅かに一年程度に過ぎず、管軍律  
 を守り、滅死奉公の態度で行動して居り、隊内の階級従事以來其の至誠  
 と奮勵奉仕は衆目愛敬の的となつていた者で、本容疑事項發生に  
 関し、痛惜に堪えないのは、故隙ある隊長、釣場少佐の部下となつた  
 事で、同少佐の絶對的命令に對し、軍隊の規律である服従以外  
 避くるに途なく止むを得ず、本件の問題の屍体解剖に従事せざるを  
 得なかつたもので、此の真情御量案の上、特赦の御憐れを仰ぎ度、殊に  
 本人は容易に得難い高遠な理想を持つ學究的又社會的有爲の青年  
 で、且つ師士での信頼と囑望に包まれる人格者であり、苟にも輕率に  
 非人道的な犯行に與する様を素直には皆無の者、付特に厚大なる  
 御仁慈に依り、無罪の御判決あらん事を嘆願致します。

昭和二十四年二月

元陸軍軍醫 杉山

章

ソリア子方面司令官殿

0756

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Exhibit 23

0757



Petition

January 1949

To: Commander Naval Forces, Marianas.  
From: Former Army Seageant SUGIYAMA, Akira. (seal)

Former Army Medical Second Lieutenant TERAHI, Tadashi, who is now on trial as a war crimes suspect, was selected from the rank of second class private to serve as a medical officer because of his medical background. He was selected for that position shortly after he had joined the unit. He was with the unit only about a year, and during that period, he strictly observed military discipline and served with the spirit of unselfish patriotism. After he had assumed medical duty, he became admired and respected by everybody for his sincere and whole hearted devotion to service.

What I regret most about Teraki's involvement in this case is the fact that he became a subordinate of Commanding Officer Major Matoba who had faults. Teraki had no choice but to obey the absolute orders of the major in accordance with the strict army discipline; he had only carried out the dissection of the corpse in question because he had no other alternative. Taking the true facts into your consideration, I beg of you to try his case with special mercy.

Teraki is a particularly capable young person, scholastically and socially; he had lofty ideals not possessed by many. He is also a man of Character, promissing and trusted by all in his native home.

Appealing particularly to your magnanimous clemency, I do hereby petition that the accused be rendered the verdict of not guilty as he is not the sort of person who would deliberately commit inhumane acts of crime.

I hereby certify the above to be a true and complete translation of the original document in Japanese, to the best of my ability.


  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 23 (a)

0758

元第三口部隊第一中隊

金

尤も當時又島守備隊の場隊に敗れた  
 るに奇があります。而し新聞紙上ではその  
 當時自分も空襲を喰ひ無事直り。A型パンテ  
 ー、陣地の中で養生中。とありまうた。

マスで陣地の中で養生する。いつかまた  
 向は四十度以上の高温で、<sup>お盆</sup>すけ、良き事すらも  
 出来ずには生きてゐる。抑、抑、おありあらう。

その折よくしめの整然なり。自己の曹危険にかう  
足すよく診断し之頃き而しその結果、病状は  
快方に伺ひ終、果て今時に現存に在りて  
あるものあります。

等々  
木軍監殿  
而  
三  
八  
部隊  
針  
目習

士官(軍医)より出た。なつた。このとき、敵をこれに  
 以て他の軍医殿の様に無理の通うません。し、毎に  
 の様に性質の温し。し、する。攻めつてや部隊長  
 の命令のまゝに随つて。し、つて思ひます  
 それと反対に、敵の隊小佐殿は、毎日人情に  
 金くかけたりする。その我ま、命令を以て  
 部下の命令に人々あります  
 而して、部隊には、他の部隊の様に甘味品  
 煙草、又主食に、ある。自分の思ふまま、  
 配給して金くかけたり。同じく兵は、  
 の薬、さつ。し、の薬、等を、天日乾して煙草  
 の、み、部隊長の、み、一日、  
 の人、の、み、毎に、天の、酒は、  
 配給、する、毎に、酒、に、し、  
 配給、する、毎に、酒、に、し、



又司令部の命令より第三〇（部隊の父傷  
に於て一番古い部隊の政第一に復員をさし  
こける部隊のなかへ命令の何回とな  
る海軍部より出ても今年（し）の自  
罪をけすく部隊の復員を許す事  
としマッカーサー司令部の是解は部隊をまため  
る復員を許すは出来ぬこの事  
を北にわかれず的場小佐殿と環と川に自  
のむつ命令機にもしはせ一番後には  
隊の兵に通達したるあり  
テの由中決りあつたが正しく自  
事！ 好んわつた對策をとり  
ハッ！ 大島におるあません  
命令を以て三〇（部隊の残員を一人

せめて、しまひて、師團長を、講の命令によ  
 きかたつ、師團長を、講の命令によ  
 くに内地へ歸り、度、あま、大隊長の命令によ  
 雨、あら、水の、確、石、を、限、が、果、実、を、以、つ、て、目、録  
 動、と、言、は、る、に、な、つ、た、の、で、有、限、さ、は、あ、け、ず、村、々  
 下、士、官、か、そ、れ、を、止、め、る、に、出、た、の、で、あ、り、ま、す  
 勿、論、死、に、つ、き、つ、て、言、は、れ、る、の、で、其、を、い、え  
 五、折、各、將、校、達、へ、力、を、一、時、は、そ、れ、で、お、さ、ま、う  
 ま、い、た、の、で、い、え  
 而、一、羽、主、日、村、は、は、大、隊、長、の、命、令、で、下、士、官、か  
 大隊長の前に出たり、水、は、あ、ま、い、か、此、目、人、な、ま、人  
 ま、い、村、ま、い、大、隊、長、の、命、令、に、同、い、一、人、を、い、出、さ、し、て  
 し、ま、い、ま、い、れ、卒、た、ら、い、は、正、直、に、を、言、は、れ、て、あ、め  
 る、に、ま、い、れ、を、大、き、な、に、い、て、い、た、か、れ、地、上、へ

投げ出されんしのひす 存さん その時は  
 疎念にありまゝ 仰— 寄附は 階級の間ある  
 どのにありまゝ 西へが 船乗地あり— おんまゝ  
 か天は 活て 許— まゝ 敗戦と 合時れ アメリカ  
 の手による 西へは 西へ— 是 全に 世— 中— へ 出されん  
 もつ あり ます 減— け 救— ん あり ます  
 その 疎 船 同 長 山 無— 譯— の 言— る も 非 同 かな  
 疎 部隊 長 万 方 あり— 来 ね 報 かり の 是 明 月 豊 隆  
 さん— まる— 中 けり 合 疎に 命 全— と 決— っ— 疎 兵 人  
 き せ ます る— 中— けり の 中 けり— 中— けり— ます  
 幸 木 豊 隆— し ね る— は 全 人 道— 中— けり— 中— けり—  
 として あり— ま— あり— ます 向— し— る 情— けり— 情— けり—  
 自— 己— の 主 意— 中— けり— 中— けり— 部隊 長 の 命— けり— 中— けり—  
 やつ ね— 中— けり— 中— けり— 中— けり— 中— けり—



6

当時の事は事無き証の書かある如く自ら  
 はAパウロに近しくも彼をみたつた解りきん  
 か、お前の強ひたる罪に就いては、部隊長殿の  
 のれ、おまゝは決して許さるべきなく、電どうし  
 公平なる立場に於いて再び部下は命令に従う  
 らねばならぬ。何卒寺本軍医殿の方へ立場を  
 与えて下さいますと判決下さいます様、貴方の御恩  
 返の方の一と思つたのでペンで綴る比へてある

[illegible]

總司令部

No.

0764

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Exhibit 24

0765

PETITION

August 30, 1948.

I formerly served with the MATOBA Unit of the CHICHIJIMA Garrison. But I was at that time stricken by paratyphoid type A, and was convalescing in the camp. In fact I had a very bad fever. It goes without saying that I could not stand on my feet much less eat food. During this period Dr. TERAOKI came to see me in spite of the air raids and ignoring his own safety. As a result of this I began to recover and with the termination of the war I was able to return home.

Dr. TERAOKI came to the 308th Unit as one of the newly recruited group of Probationary Officers, and due to this he was not in a position to influence anyone, and on top of this, with his inherent mild and reserved character, he was compelled to obey the orders of the Unit Commander.

In contrast to this, Major MATOBA was entirely the opposite with not a particle of sympathy and consideration for others. He was the kind of man who would give official orders to his subordinates to satisfy his own personal whims and desires.

During his tour of duty, he never rationed out the cigarettes or sweets and even our cereal food, which was supposed to have been given to us like all the other units, but he would dispose of them as he pleased. The soldiers of his unit would dry banana leaves and sweet potato leaves and make cigarettes out of them, while the Unit Commander would be serenely smoking several packets a day. He used to drink excessively and was drunk most of the time and never did ration drinks to the soldiers.

Such was the character of this Commander that he would always disobey his Division Commander or his staff. In his eyes a mere probationary officer would be looked down upon as some worm. He would not think twice to order this worm of a man to commit acts of extreme brutality.

I realize that the action of Surgeon TERAOKI was a direct violation of the principles of human decency, but the situation was such that he was forced to obey the Commander's orders against his own will.

I was stricken in bed with Paratyphoid A, for two months, and being in bed at that time I was unable to witness the incident, but in contrast to the mild character of Surgeon TERAOKI, I am firmly convinced that the Unit Commander's self-centered egoism should not be allowed to go unquestioned.

I beseech you from an impartial standpoint to consider Surgeon TERAOKI's delicate position whereby he had to obey his superior's orders.

I address this petition to you in behalf of Dr. TERAOKI as a small token of gratitude for all that he has done for me and which I cannot possibly hope to repay in full.

/s/ SATO, Kinji,  
formerly attached to the  
1st Company, 308th Unit.

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.

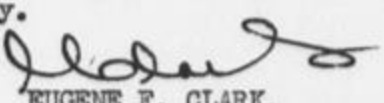
  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 24 (a)

0766



歎願書

浅沼次夫

私は昭和七年九月に又島吉集最初に第二〇八部隊に次は  
此の事件のありし左第百八部隊の員として廿年一十歳まで又島に居  
りまた青木軍醫面は右十八年の中頃より第二〇八部隊付軍醫面とし  
居りし事を思ふに部隊には他に一名軍醫面は居りまた青木軍醫面は  
A 醫面雙方面に於いてはより素直な人であつた。智能豊な人で此の  
優秀なる人物が遂にこの様な事をしなうか。云々軍醫面たる職にあるため  
と官の命により行なわれし事をいふ。青木軍醫面はより罪をあたふ  
者とは私等にはつたに思われし。裁判官殿よりいふや青木君  
に罪あらば軽くしなまへ。又何卒し悔惜ある判決くださる。まさしく  
私等も同は歎願するものがある。――  
大要は的場部隊長があらう。裁判の青木軍醫面が居りし。其  
ばかりにすべし。この都府更え点を青木軍醫面にゆりつた。左の事は含にせりま

すべて加明に在る事と思ふ

日本軍隊といふは上官の命令はかかる事でも実行せざる事と見て居  
りまふ故此の事件こそ全責任は的場少佐にあるのはある事か

兵にいたれると官も本軍醫面こそ善良なる人ではある事だがまづ  
この本軍醫面と裁判官殿よあわれみ給へ（私心中より）

はねあつ致すと共に一日も早く妻子つもと（涙あり）になれまふ様  
に祈りし居るまふ

米國軍事裁判官殿

東京都大田区新井 三ノ子五

浅沼次夫 34

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Exhibit 25

0769



PETITION

ASANUMA, Tsugio,  
25, 3-chome, Iri-arai, Ohta-ku  
Tokyo.

To the Members of the Commission.

I was inducted in September 1941 and went to CHICHIJIMA and at first was with the 2108 Unit and then transferred to become a member of the 308th Unit, which was involved with this incident, and stayed there until December of 1945. I believe that Surgeon TERAHI served with the 308th Unit from about the middle of 1943. In the unit there was another surgeon. Not only was TERAHI well experienced in the field of medicine, he was also a man of high intellectual calibre, and I cannot imagine such a person committing such a crime unless, of course, it was the orders of a superior officer to which he had no recourse but obey, in his capacity as a military surgeon. I am firmly convinced that a man like TERAHI cannot possibly commit a crime. Your Honor, I beseech you in behalf of my colleagues, to judge him leniently even if you have found him responsible, and award him with a lenient sentence.

The biggest scoundrel was Unit Commander MATOBA. I am sure that everybody is now aware of the fact that, because Surgeon TERAHI was not at the trials, he blamed TERAHI for everything which was unfavorable to him. In the Japanese Army the orders of a superior must be executed under any circumstances, and if so, is it not true that MATOBA should assume the entire responsibility for this incident? Surgeon TERAHI, to whom all his subordinates were deeply attached, was a good man. Please have mercy on this earnest and upright man.

I implore you from the bottom of my heart and pray that he may safely return to his wife and children.

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.

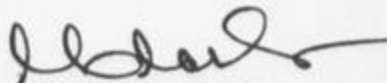
  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 25 (a)

0770

元海軍軍醫大尉 佐々木元重

值 木 光 慶

*Fredrick F. Tremayne*  
 Fredrick F. Tremayne,  
 Lieutenant (junior grade),  
 United States Naval Reserve.

0771

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Exhibit 26

0772



March 8

/s/ SASAKI, Mitsuyoshi,  
Former Surgeon Lieutenant, IJN,  
Chichijima Communication Station,  
Chichijima Special Base Force.

The incidents on Chichijima occurred only in such units as were then famous for their tyrannous commanding officers. Commanding Officer Matoba was so famous for his violence that even a seaman of the Navy knew about him well. I can affirm that any person who was involved in incidents which occurred in Matoba Unit must have been forced to participate by orders of Major Matoba. I can also affirm that Surgeon Teraki was forced to act against his will by Commanding Officer Matoba. I myself was forced to act in a similar way by my commanding officer. I believe that Surgeon Teraki must have been in the same pitiful situation, and I sympathize him a great deal. Especially a probational officer in the army was in a very low position and I heard that the violent Major Matoba treated probational officers like ordinary privates. I believe that Surgeon Teraki must have been forced to carry out his orders. As a man who is suffering under the same situation as Teraki, I beg that you be merciful toward him.

I swear that I have written the above statement according to my conscience.

/s/ SASAKI, Mitsuyoshi.

ALLIED OCCUPATION FORCES }  
TOKYO, JAPAN. }

Subscribed and sworn to before me this 8th day of March, 1949. The foregoing document consists of one (1) page written in Japanese.

/s/ Frederick F. Tremayne,  
Lieutenant (junior grade)  
United States Naval Reserve.

Tokyo, Japan,  
March 8, 1949.

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.


  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 26 (a)

0773

私に於ては、正々として良心に従つて眞實に述べることを宣言した後、次、寺本志、人格及一般的評判が眞實であることが言明する。

### 寺本裁判ニ因る陳述書。

寺本裁判ニ因る、的場部隊内ニ於ける部隊長、行動ニ就き、茲ニ陳述ス。

的場少佐、性格ニ就き、統制的ニ述べるに、狂暴ニテ、戦場上の感情の一片をも持たず、不道徳漢ナリ。彼、部下ニ對する行動に、臨む動物ニ對する以上ニシテ、部下、生命に彼、意志如何ニ依り、即、死ニ至らしむることを、極き苦痛ナルことを、忍び居る。

收、部隊内ニ於ける、將校以下、全員、彼、意、處、如何等、退き、者、モ、タ、益々、増え、る、結果、冠、利、官、ニ對し、敵、打、氣、絶、せ、し、た、る、地、南、地、中、尉、モ、敵、ニ、敵、打、し、皇、傷、ニ、至、らし、た、如、く、凡、南、地、中、尉、ニ、部隊内ニ支給スベキ食糧、酒、煙、草、類、ニ、至、る、ハ、私、事ニ、費、同、セ、し、タ、メ、部、下、に、之、等、物、品、ニ、欠、乏、大、イ、ナ、キ、ナ、リ。而、シ、テ、父、島、師、団、長、ト、非、常、ニ、性、格、令、敵、を、極、子、ニ、兩、者、に、バ、ド、兩、軍、に、開、キ、大、イ、ニ、敵、ヲ、撃、つ、事、再、ニ、及、ぶ、由、。

以上、如、く、師、団、長、が、敵、心、ヲ、得、る、的、場、少、佐、に、向、つ、て、敵、無、心、ノ、勢、ト、シ、テ、部、下、ニ、對、する、感情

過酷な定率強制的身体運動と銃と、減少  
ニ依り身体ヲ損ニ死ニ至ル者相多数ニ達スル  
極子ナリ。

タニ、本軍捕虜ヲ引致セ、時ニ捕虜ニ對ス  
ル憎悪ハ極度ニ高シク、由南キ及ベリ。

本軍捕虜ニ對シ裁判中、幸本軍意ニ「關係  
ナシ」ト彼ニ對シ心中ヨリ同情ニ堪エ、乃一彼が  
依リテ拒否シ、何處ニテ「生命」的場ニ於テ  
依リテ処置セラレ、ト「客員」想像サレ、トナリ。  
彼モ「美」就ニ、彼自身充分承知セ、ト「私  
考」ス。

ト生々本軍志士ニ面談ヲ持テ、彼「性格」描寫  
ハ「肉體」的ナリ、ザリ、得テ禁ヒテ三者の面及ヨリ  
現々、彼ハ「口」數ク、又部下ニ對シ「生々」言ハレ、ガ如  
キ「常」識ニ、彼「取」リ、カニ、ト「私」考ス。

要ニ、彼「軍」意ハ、立場上、斯「如」キ「任務」ヲ命ゼ、  
ト「誠」ニ「悲」運ニ、ト「哀」ニ同情ニ値ス、ト云フ  
ベキナリ。  
以上陳述ス。

昭和四年三月九日、ト「高」ニ「形」ニ「吾」等「國」軍「予」  
備中化シ、ト「ヒ」カ「ル」ン、ト「面」前ニ「署」名「宣」言  
ス。

松井正勝。



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Exhibit 27

0776

I, Matsui, Masakatsu being duly sworn to tell the truth according to my conscience, do definitely state that the following concerning the character and general reputation of Teraki, Tadashi is the truth.

STATEMENT CONCERNING THE TERAHI TRIAL

I wish to state here concerning the activities within the Matoba Unit in relation to the Teraki Trial.

To sum up the character of Major Matoba, he was a vicious, brutal depraved beast without a speck of love. He treated his subordinates worse than animals and their lives were completely in the hands of this beast. In short it is thought that it was an extremely simple thing for him to offer them up.

Hence all personnel from officers down in his unit did not in any way cross his will. This aggravated Matoba's pride and beastliness with the result that he struck and knocked unconscious Adjutant Kanmuri and hitting 1st Lieutenant Kikuchi with his stick inflicted serious injury on his person. Finally he began to requisition for his private use foodstuffs, wine, and cigarettes rationed out to the unit. The subordinates consequently went without these things and suffered. However he seemed to agree in character with the Commanding General of the Chichi Jima Division and the two were often at their revelries over the wine cups.

Major Matoba having thus acquired the favor of the Commanding General of the Division his kindness towards his subordinates if any there had been decreased gradually because the cause of reprimand had been removed; it seems that there were not a few deaths caused by the forced labor which was instituted and the cutting down in the rations.

I have heard that when occasionally American prisoners were captured, his hate rose to its extremity and was vented on them.

I cannot but sympathize from the bottom of my heart for Surgeon Teraki who is on trial for his connection with these prisoners. It is not difficult to surmise that had he refused his orders, Major Matoba would have lightly disposed of the Surgeon's life. I believe that the Surgeon was well aware of this circumstance.

I was not personally acquainted with Surgeon Teraki and so cannot describe his character in a positive manner. However from all reports he was like a father to his patients if few in his words.

I deeply sympathize with his fate firmly believing that he was ordered to such duties because of the fact that he was a surgeon.

I state the above.

I sign and swear to the above in the presence of Commander Martin E. Carlson, USNR, on Guam Island on March 9, 1949.

/s/ MATSUI, Masakatsu.

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.

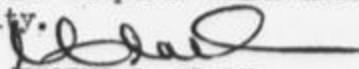
  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 27 (a)

0777

歎願書

山梨縣甲府市 百方町二一五

松田 啓俊

大正二年五月四日生

謹啓 昨初秋の候、會々此頃通に、  
とて元陸軍少佐、  
今君は花島、  
中面鎮を以て、  
我犯等の、  
何卒中實大、  
昭和三年九月

敬

敬具



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Exhibit 28

0779

P E T I T I O N

Sept. 29, 1946

I am very much honored to have the privilege of addressing this humble petition to you.

I am very sorry to hear that Dr. Teraki was captured as a war crime suspect concerning the incident at Chichi Jima.

During his stay at Chichi Jima he was quiet and modest and was very kind to the patients under my command.

I believe he never concerned with the war crimes.

I plead with you under the circumstances to be lenient with him as far as possible.

/s/ Katsuhiko, Matsuda

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.

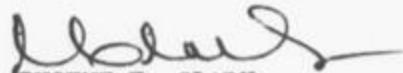
  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 28 (a)

0780

歎願書

元軍尉才木軍尉と同丁部隊に従事して居た者として  
裁別長にお願ひ致しまして、才木軍尉は日常昨  
常に温厚の人であり、部下に愛され又部下を愛し  
職務に忠實の人であり、此の事件に對しても全く  
我々考へてゐる所からいへば、此れは當人の温厚  
の人故に上司の命を受けたりする事と思ふべきであ  
る。故に當人に對しては無罪と主張するべきであ  
る。又、是等と妻子の訴へ歸水も様にお願ひ致し  
て、東京都台東区大塚一丁目四九番地  
谷口 忠行 36歳



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Exhibit 29

0782

PETITION

I served in the same troops with Dr. TERAKI.

He was very gentle, and he loved his men and was also loved by them. He was diligent to his duty, so he could not refuse any order of his superior officer.

Concerning the atrocity against the allied personnel, he just obeyed his superior's order.

I sincerely beseech you under the circumstances to see the above point and find him innocent, and send him back to his wife and children.

/s/ TADAYUKI, Taniguchi

I hereby certify the above to be a true and complete translation of the original in Japanese, to the best of my ability.


  
EUGENE F. CLARK,  
Lieutenant (junior grade),  
U. S. Navy,  
Interpreter.

Exhibit 29 (a)

0783





にはあつたが、いふ事をする。これは残力のある  
 前上官の下に置かれた不幸な境遇。  
 いられた誠にも情に堪えないう軍命。  
 である。これには、いふ事をする。これは残力のある  
 字を認めたこと。いふ事をする。これは残力のある  
 物事を認めたこと。いふ事をする。これは残力のある  
 有った者。いふ事をする。これは残力のある  
 に、いふ事をする。これは残力のある  
 前上官の下に置かれた不幸な境遇。  
 いられた誠にも情に堪えないう軍命。  
 である。これには、いふ事をする。これは残力のある  
 字を認めたこと。いふ事をする。これは残力のある  
 物事を認めたこと。いふ事をする。これは残力のある  
 有った者。いふ事をする。これは残力のある  
 に、いふ事をする。これは残力のある

昭和二十五年九月五日

元々、いふ事をする。これは残力のある

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Exhibit 30

0786