

*Restricted*  
HEADQUARTERS EIGHTH ARMY  
United States Army  
Office of the Staff Judge Advocate

Yokohama, Japan  
2 May 1949

UNITED STATES OF AMERICA VS KAJURO AIHARA  
UNITED STATES OF AMERICA VS HIROSHI AKIRA  
UNITED STATES OF AMERICA VS KYUSAKU FUKUSHIMA  
UNITED STATES OF AMERICA VS SHINJU GOIYAMA  
UNITED STATES OF AMERICA VS SHIRO GOSHIMA  
UNITED STATES OF AMERICA VS GOICHI HIRAKO  
UNITED STATES OF AMERICA VS KENICHI HIRAO  
UNITED STATES OF AMERICA VS KIYOMA HORIUCHI  
UNITED STATES OF AMERICA VS MASAZUMI INADA  
UNITED STATES OF AMERICA VS AKIRA ITO  
UNITED STATES OF AMERICA VS SHOSHIN ITO (also known as  
AKINOBU ITO)  
UNITED STATES OF AMERICA VS IICHIRO JIN  
UNITED STATES OF AMERICA VS TATSURO KISHI  
UNITED STATES OF AMERICA VS REIICHIRO MAKINO  
UNITED STATES OF AMERICA VS SHINCHIRO MATAKE  
UNITED STATES OF AMERICA VS YOSHIO MORI  
UNITED STATES OF AMERICA VS KENJI MORIMOTO  
UNITED STATES OF AMERICA VS NOBUYOSHI NOGAWA  
UNITED STATES OF AMERICA VS TAYURU ODA  
UNITED STATES OF AMERICA VS MIKI RYU  
UNITED STATES OF AMERICA VS YOSHINAO SATO  
UNITED STATES OF AMERICA VS YOSHITAKA SENBA (also known as  
YOSHITAKA SEMBA)  
UNITED STATES OF AMERICA VS TOMOKI TASHIRO  
UNITED STATES OF AMERICA VS TARO TORISU  
UNITED STATES OF AMERICA VS HIRONAGA TSURUMARU  
UNITED STATES OF AMERICA VS SHIZUKO TSUTSUI (also known as  
SHIZUKO TSUTSUE)  
UNITED STATES OF AMERICA VS KATSUYA YAKAMARU  
UNITED STATES OF AMERICA VS ISAMU YOKOYAMA  
UNITED STATES OF AMERICA VS TOSHIYUKI KUBO  
UNITED STATES OF AMERICA VS JIRO TASHIRO

Review of the Staff Judge Advocate

1. The attached record of the trial of the case of Kajuro Aihara, Hiroshi Akita, Kyusaku Fukushima, Shinju Goiyama, Shiro Goshima, Goichi Hirako, Kenichi Hirao, Kiyoma Horiuchi, Masazumi Inada, Akira Ito, Shoshin Ito (also known as Akinobu Ito), Ichiro Jin, Tatsuro Kishi, Reiichiro Makino, Shinehiro Matake, Yoshio Mori, Kenji Morimoto, Nobuyoshi Nogawa, Tayuru Oda, Miki Ryu, Yoshinao Sato, Yoshitaka Senba (also known as Yoshitaka Semba), Tomoki Tashiro, Taro Torisu, Hironaga Tsurumaru, Shizuko Tsutsui (also known as Shizuko Tsutsue), Katsuya Yakamaru, Isamu Yokoyama, Toshiyuki Kubo and Jiro Tashiro, tried at Yokohama, Japan, from 11 March 1948 to 27 August 1948, by a Military Commission appointed by paragraph 8, Special Orders No. 52, Headquarters Eighth Army, United States Army, dated 5 March 1948, having been referred to the Staff Judge Advocate this review is submitted to the Commanding General.

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Personal Data Concerning Accused

NAME: Kajuro Aihara  
AGE: 48  
RESIDENCE: Himeji-Shi, Kanda-Cho  
4-chome 1 Banchi  
MARITAL STATUS: Married  
RELATIVES: Wife, mother, 2 brothers  
EDUCATION: Graduate of Kyushu Imperial  
University Electrical Engineering  
School  
VOCATION: Electrician  
MILITARY CAREER: Conscripted in Imperial  
Japanese Army 30 May 1944 and re-  
mained until end of war. Rank: Captain

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for twenty (20) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Hiroshi Akita  
AGE: 54  
RESIDENCE: Fukuoka-ken, Mii-Gun,  
Ogori-Mura, Ohara  
MARITAL STATUS: Married  
RELATIVES: 1 child, wife, father,  
mother, 1 brother  
EDUCATION: Graduate of the Army War  
College  
VOCATION: Soldier  
MILITARY CAREER: Commissioned in the  
Imperial Japanese Army November 1924  
and remained until the end of the  
war. Rank: Colonel

DATE OF CONFINEMENT: 30 August 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for life  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Kyusaku Fukushima  
AGE: 49  
RESIDENCE: Fukuoka-Shi, Hanazono-Cho,  
1693 Banchi  
MARITAL STATUS: Married  
RELATIVES: 5 children, wife, 2 brothers  
1 sister  
EDUCATION: Graduate of Army War College  
VOCATION: Soldier  
MILITARY CAREER: Volunteered in the  
Army in 1916 and remained until the  
end of the war. Rank: Major General

DATE OF CONFINEMENT: 30 August 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for fifteen (15) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Shinju Goiyoama  
AGE: 43  
RESIDENCE: Fukuoka-ken, Mokura-Shi,  
Imonoshi-Machi, 103 Banchi  
MARITAL STATUS: Married  
RELATIVES: Wife, mother, 2 brothers  
EDUCATION: Graduate of Higher Elementary  
School  
VOCATION: Farmer  
MILITARY CAREER: Conscripted into the  
Imperial Japanese Army. Rank: Captain

DATE OF CONFINEMENT: 17 December 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for ten (10) years  
CLEMENCY RECOMMENDED BY THE COMMISSION: No

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*Restricted*

NAME: Shiro Goshima  
AGE: 28  
RESIDENCE: Gifu-Ken, Inaba-Gun,  
Kakami-Mura  
MARITAL STATUS: Not shown  
RELATIVES: Mother  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine  
VOCATION: Post-graduate student  
MILITARY CAREER: None

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for six (6) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Goichi Hirako  
AGE: 61  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Minami-Yakuin, Josui-Dori 566  
MARITAL STATUS: Married  
RELATIVES: Wife, 1 child, mother  
EDUCATION: Graduate of Tokyo Imperial  
University, College of Medicine  
VOCATION: Professor of Medicine  
MILITARY CAREER: None

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for twenty-five (25) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Kenichi Hirao  
AGE: 38  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Nakasho-Machi 77  
MARITAL STATUS: Married  
RELATIVES: Wife, 2 children, mother,  
2 brothers  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine  
VOCATION: Doctor  
MILITARY CAREER: Served with Imperial  
Japanese Army from November 1937 to  
December 1940. Rank: Probationary  
Officer.

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: Death by hanging  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Kiyoma Horiuchi  
AGE: 60  
RESIDENCE: Tokyo-To, Meguro-Ku,  
Idarigasaki 2504  
MARITAL STATUS: Married  
RELATIVES: Wife, 1 sister, 2 brothers  
EDUCATION: Army Medical School, Tokyo  
VOCATION: Army Medical Officer  
MILITARY CAREER: Graduate of Army Medical  
School 1923 and served until the  
end of the war. Rank: Major General

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

NAME: Masazumi Inada  
AGE: 51  
RESIDENCE: Fukuoka-Ken, Mii-Gun,  
Kogori-Mura Ohara  
MARITAL STATUS: Married  
RELATIVES: 4 children  
EDUCATION: Graduate of Army War College  
VOCATION: Soldier  
MILITARY CAREER: Entered Imperial Japanese  
Army 1910 and remained until the end  
of the war. Rank: Lieutenant General

DATE OF CONFINEMENT: 30 August 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for seven (7) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

*Restricted*

*Restricted*

NAME: Akira Ito  
AGE: 43  
RESIDENCE: Fukuoka-Ken, Asakura-Gun,  
Minagi-Mura, Minagi 2260  
MARITAL STATUS: Married  
RELATIVES: 3 children, mother, 1 sister,  
1 brother  
EDUCATION: Graduate of Kyushu Dental  
Special College  
VOCATION: Dentist  
MILITARY CAREER: None

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

NAME: Shoshin Ito (also known as  
Akinobu Ito)  
AGE: 54  
RESIDENCE: Aichi-Ken, Umibe-Gun,  
Tatsuda-Mura, Owaza, Hayaogikyō 2218  
MARITAL STATUS: Married  
RELATIVES: Wife, 4 children, 4 brothers  
EDUCATION: Graduate Kyoto Imperial Uni-  
versity Law School  
VOCATION: Lawyer  
MILITARY CAREER: Attached to Army Legal  
Section as Civilian Probationary  
Legal Officer 1921. Appointed Major  
General in Imperial Japanese Army in  
April 1942. Rank: Major General

DATE OF CONFINEMENT: 6 December 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for ten (10) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Iichiro Jin  
AGE: 49  
RESIDENCE: Fukuoka-Ken, Mii-Gun,  
Mikunii-Mura Oho 1151  
MARITAL STATUS: Married  
RELATIVES: Wife, 3 children, mother,  
2 brothers  
EDUCATION: Graduate of Officers Train-  
ing School  
VOCATION: Soldier  
MILITARY CAREER: Appointed 2nd Lt in the  
Imperial Japanese Army in Oct. 1922  
and remained until the end of the  
war. Rank: Lt. Colonel

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

NAME: Tatsuro Kishi  
AGE: 33  
RESIDENCE: Oita-Ken, Hitashi, Mikuma  
Machi 102  
MARITAL STATUS: Married  
RELATIVES: 2 children  
EDUCATION: Keijo Medical College graduate  
VOCATION: Doctor  
MILITARY CAREER: Appointed Probationary  
Officer in Imperial Japanese Army  
1 May 1944 and served until the end  
of the war. Rank: 2nd Lieutenant.

DATE OF CONFINEMENT: 28 August 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

*Restricted*



NAME: Reiiichiro Makino  
AGE: 32  
RESIDENCE: Tottori-Ken, Yonago-Shi,  
Nishi-Cho. 109  
MARITAL STATUS: Married  
RELATIVES: Wife, 2 children, mother,  
3 sisters  
EDUCATION: Graduate of College in  
Kurume, 1937  
VOCATION: Special Research Student  
MILITARY CAREER: None

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for nine (9) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Shinchiro Mataka  
AGE: 40  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Hirao Hommachi 235  
MARITAL STATUS: Married  
RELATIVES: 3 children, father, 1  
brother, 2 sisters  
EDUCATION: Graduate Kyushu Medical  
Special School  
VOCATION: Doctor  
MILITARY CAREER: Inducted in Imperial  
Japanese Army 28 July 1937; com-  
missioned 2nd Lt Medical Officer  
Feb. 1939; discharged 17 July 1940;  
recalled 27 December 1941 and re-  
mained until end of war. Rank: Capt.

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

NAME: Yoshio Mori  
AGE: 37  
RESIDENCE: Fukuoka-Ken, Ksuya-Gun,  
Umi-cho, c/o Kubota  
MARITAL STATUS: Married  
RELATIVES: Wife, 4 children, mother  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine  
VOCATION: Doctor  
MILITARY CAREER: None

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: Death by Hanging  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Kenji Morimoto  
AGE: 37  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Yoshizuka, Akiro-Machi  
MARITAL STATUS: Married  
RELATIVES: Wife, 1 child, mother, 2 bros.  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine, 1935  
VOCATION: Doctor  
MILITARY CAREER: Served in Imperial Japan-  
ese Army, Oct' 38 to Apr' 45. Rank: 1st Lt.

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for life  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Nobuyoshi Nogawa  
AGE: 28  
RESIDENCE: Fukuoka-Ken, Yamate-Gun,  
Setaka-Machi, Kaminsho-Shin-Machi  
MARITAL STATUS: Married  
RELATIVES: Wife, 1 child, mother,  
1 sister, 2 brothers  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine  
VOCATION: Post-graduate student  
MILITARY CAREER: None

DATE OF CONFINEMENT: 17 December 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for twenty-five (25) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

*Restricted*

NAME: Tayuru Oda  
AGE: 39  
RESIDENCE: Fukuoka-Shi, Shiota Machi,  
2 Chomo 49  
MARITAL STATUS: Married  
RELATIVES: 4 children, father, mother  
EDUCATION: Osaka Dental Special School  
VOCATION: Dental Laboratory worker  
MILITARY CAREER: None

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

NAME: Miki Ryu  
AGE: 38  
RESIDENCE: Kochi-Ken, Kami-Gun,  
Yasu-Machi, Idoguchi 5  
MARITAL STATUS: Married  
RELATIVES: Wife, 3 children, 2 brothers  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine  
VOCATION: Doctor  
MILITARY CAREER: None

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for three (3) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Yoshinao Sato  
AGE: 40  
RESIDENCE: Yamagata-Ken, Hokai-Gun,  
K-nanji-Mura, Owaza Tsukibuchi  
MARITAL STATUS: Married  
RELATIVES: Wife, 4 children, father,  
mother, 1 sister, 2 brothers  
EDUCATION: Graduate of Military Acad.  
VOCATION: Soldier  
MILITARY CAREER: Entered Imperial Japan-  
ese Army 1933 and served until the  
end of the war. Rank: Colonel

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: Death by Hanging  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Yoshitaka Senba (also known as  
Yoshitaka Semba)  
AGE: 28  
RESIDENCE: Ehime-Ken, Matsuyama-Shi,  
Dogo Minami-Machi, 2-391  
MARITAL STATUS: Single  
RELATIVES: Father, mother  
EDUCATION: Graduate of Kyushu Imperial  
University  
VOCATION: Special post-graduate student  
MILITARY CAREER: None

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for life  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Tomoki Tashiro  
AGE: 29  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Hakozaki-Machi, Hakomatsu-Cho.  
Takeuchi-Dori  
MARITAL STATUS: Married  
RELATIVES: Father, mother, 1 brother,  
2 sisters  
EDUCATION: Graduate of Kyushu Imperial  
University  
VOCATION: Sub-assistant doctor  
MILITARY CAREER: None

DATE OF CONFINEMENT: 17 December 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for fifteen (15) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

*Restricted*



NAME: Taro Torisu  
AGE: 41  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Nishi-Minato-Machi 64  
MARITAL STATUS: Married  
RELATIVES: Wife, 3 children, father  
EDUCATION: Graduate Kyushu Imperial  
University, College of Medicine  
VOCATION: Doctor  
MILITARY CAREER: Served Imperial Japan-  
ese Army, Feb. '41 until Aug '44.

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: Death by Hanging  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Hironaga Tsurumaru  
AGE: 35  
RESIDENCE: Saga-Ken, Saga-Shi,  
Mizugae-Machi-Mizugae 119  
MARITAL STATUS: Married  
RELATIVES: 3 children, mother, 1 sister  
EDUCATION: Graduate Kyushu Imperial  
University, College of Medicine  
VOCATION: Doctor  
MILITARY CAREER: Served in Imperial  
Japanese Army 10 Oct '38 until 25  
Sept '45. Rank: Captain

DATE OF CONFINEMENT: 2 September 1947  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF ACQUITTAL: 27 August 1948

NAME: Shizuko Tsutsui (also known as  
Tsutsue)  
AGE: 31  
RESIDENCE: Fukuoka-Ken, Tagawa-Gun,  
Kaharu-Machi, Shin-Machi, 1502  
MARITAL STATUS: Single  
RELATIVES: Mother, 3 brothers  
EDUCATION: Graduate of Kyushu Imperial  
University Nursing School  
VOCATION: Nurse  
MILITARY CAREER: None

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for five (5) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Katsuya Yakamaru  
AGE: 43  
RESIDENCE: Miyasaki-Ken, Nishimorogata-  
Gun, Mayuki-Mura  
MARITAL STATUS: Married  
RELATIVES: Wife, 3 children, 1 brother,  
3 sisters  
EDUCATION: Graduate of Military Academy  
VOCATION: Soldier  
MILITARY CAREER: Served in Imperial Japan-  
ese Army from 1927 until end of war.  
Rank: Lt. Colonel

DATE OF CONFINEMENT: 20 July 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for life  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Isamu Yokoyama  
AGE: 57  
RESIDENCE: Fukuoka-Ken, Chikushi-Gun,  
Futsukaichi-Machi Musaji 609  
MARITAL STATUS: Married  
RELATIVES: Wife, 3 children, 1 brother,  
2 sisters  
EDUCATION: Graduate of War College  
VOCATION: Soldier  
MILITARY CAREER: Entered Imperial Japanese  
Army 25 Dec '09 and remained until the  
end of the war. Rank: Lt. General

DATE OF CONFINEMENT: 30 August 1946  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: Death by Hanging  
CLEMENCY RECOMMENDED BY COMMISSION: No

*Restricted*

NAME: Toshiyuki Kubo  
AGE: 27  
RESIDENCE: Fukuoka-Ken, Fukuoka-Shi,  
Yokano-Gho, 16  
MARITAL STATUS: Single  
RELATIVES: Father, mother, 1 brother  
EDUCATION: Graduate of Kyushu Imperial  
University, College of Medicine  
VOCATION: Doctor  
MILITARY CAREER: None

DATE OF CONFINEMENT: 8 March 1948  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for fifteen (15) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

NAME: Jiro Tashiro  
AGE: 32  
RESIDENCE: Fukuoka-Ken, Nogata-Shi,  
Shimo-Sakai 4431  
MARITAL STATUS: Married  
RELATIVES: Wife, 1 child, mother,  
1 brother, 1 sister  
EDUCATION: Graduate of Kyushu Imperial  
Medical College in Kurume  
VOCATION: Doctor  
MILITARY CAREER: Served in Imperial  
Japanese Army from Oct '39 to Feb '45.  
Rank: 1st Lieutenant

DATE OF CONFINEMENT: 8 March 1948  
DATE OF ARRAIGNMENT: 11 March 1948  
PLACE OF TRIAL: Yokohama, Japan  
PERIOD OF TRIAL: 11 March 1948 to  
27 August 1948  
DATE OF SENTENCE: 27 August 1948  
SENTENCE: CHL for fifteen (15) years  
CLEMENCY RECOMMENDED BY COMMISSION: No

## 2. Synopsis of Charges, Pleas, Findings and Legal Sufficiency.

<u>Charges and Specifications:</u>	<u>Pleas</u>	<u>Findings</u>	<u>Legally Sustained</u>
<u>Kajuro AIHARA:</u>			
Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with /others including/ Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichire Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu,	NG	G, except the words, "Kyusaku Fukushima then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then	Yes



then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichi Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words, Not guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, by vivisectioning them.

NG

NG

Sp 3: Accused, acting jointly and in conjunction with others including / Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, by mutilating, dissecting and removing parts of said bodies.

NG

G, except the words, Yes "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters, Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, also by dissecting and removing parts of said bodies.

NG

NG

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including / Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito,

NG

G, except the words, Yes "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters;

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then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War being held captive, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies of said Prisoners.

Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies of said Prisoners.

NG

NG

Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody and the protection of approximately eight of twelve American Prisoners of War, held captive, which unlawful acts he knew and should have known to be taking place during said period and place and did suffer the Prisoners to be unlawfully killed during the period and place.

NG

G

Yes

Sp 7a: By permitting said Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary and unlawful medical treatment.

NG

G

Yes

Sp 7b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary and unlawful medical treatment.

NG

G

Yes

Sp 7c: By permitting said Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

NG

G

Yes



Sp 7d: By neglecting to take steps to prevent and to prevent said Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.	NG	G	Yes
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Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive, the honorable status of Prisoners of War by failing to recognize and treat them as such.	NG	G	Yes
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Sp 9: Accused did, in or about May, June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information, relative to approximately eight of twelve American Prisoners of War, held captive, who were killed by vivisection.	NG	G	Yes
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Sp 9a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status and death of said Prisoners.	NG	G	Yes
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Sp 9b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status and death of said Prisoners.	NG	G	Yes
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Sp 9c: By transmitting to said Bureau a false report that said Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.	NG	G	Yes
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Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at Fukuoka City, Kyushu, Japan, and divers other places within Japan, did, willfully and unlawfully agree and conspire, with others including [Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reichi Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro;	NG	G, except the words: "Shinji Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reichi Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitake Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.	Yes
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Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue; and others; to Prevent the Imperial Japanese Government and the United States from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive, and were killed in or about May and June 1945 and further the accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit fabrications to various parties and agencies of the Governments.

Hiroshi AKITA:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

G

Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with /others including/ /Kiyosaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

NG

G, except the

Yes

words: "Kiyosaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.



*Redacted*

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

NG

NG

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive, and also by mutilating, dissecting and removing part of said bodies.

NG

G, except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Yes

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity; and also by dissecting and removing parts of said bodies.

NG

NG

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

NG

G, except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Yes

*Restricted*

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

NG

NG

Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody and the protection of approximately eight of twelve American Prisoners of War, held captive, which unlawful acts he knew and should have known to be taking place during said period, and did suffer the Prisoners to be unlawfully killed.

NG

G

Yes

Sp 7a: By permitting Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary and unlawful medical treatment.

NG

G

Yes

Sp 7b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters ~~and being transported to Kyushu Imperial~~ University Medical College by military personnel for improper, unnecessary and unlawful medical treatment

NG

G

Yes

Sp 7c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Kyushu Imperial University Medical College.

NG

G

Yes

Sp 7d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

NG

G

Yes

Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such.

NG

G

Yes

*Restricted*



Sp 9: Accused did, in or about May, June, NG July and August 1945, willfully and un- lawfully prevent the Prisoner of War Information Bureau of the Japanese Em- pire and consequently the United States having accurate and proper information, relative to approximately eight of twelve American Prisoners of War, held captive and who were killed by vivisection.	G	Yes
Sp 9a: By failing to maintain accurate NG and proper information as to the capture, identification, hospitalization, status and death of said Prisoners.	G	Yes
Sp 9b: By failing to transmit promptly NG to said Bureau accurate and proper in- formation as to the capture, identifica- tion, hospitalization, status and death of said Prisoners.	G	Yes
Sp 9c: By transmitting to said Bureau a NG false report that said Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.	G	Yes
Add'l Charge: Accused, a subject of the NG Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war be- tween the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	G	Yes
Add'l Sp: Accused, acting jointly and in NG pursuance of a common intent, from and after about 1 May 1945, at divers times and places, did willfully and unlawfully agree and conspire with [others including] Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin, Toshiyuki Kubo; Reichihiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue; and others; to prevent the Imperial Japanese Government and the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive and were killed in or about May and June, 1945 and further the accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit fabrication to various parties and agencies of the Governments.	G, except the words: "Shinji Goiyama; Shiro, Goshima; Kenichi Hirao; Ki- yoma Horiuchi; Ichiro Jin, Toshiyuki Kubo; Reichihiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuo Tsutsue." Of the excepted words. Not Guilty.	Yes

*Restricted*

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
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Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.	NG	NG	---
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Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.	NG	NG	---
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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting and removing parts of said bodies.	NG	NG	---
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Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting and removing parts of said bodies.	NG	NG	---
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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.	NG	NG	---
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Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity; and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.	NG	NG	---
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Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody and the protection of approximately eight of twelve American Prisoners of War, held captive, which unlawful acts he knew and should have known to be taking place during said period, and did suffer the Prisoners to be unlawfully killed.	NG	NG	---
Sp 7a: By permitting said Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary and unlawful medical treatment.	NG	NG	---
Sp 7b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment.	NG	NG	---
Sp 7c: By permitting Prisoners to be killed by vivisecting them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.	NG	NG	---
Sp 7d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisecting them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.	NG	NG	---
Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive, the honorable status of Prisoners of War, by failing to recognize and treat them as such.	NG	NG	---
Sp 9: Accused did, in or about May, June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information relative to approximately eight of twelve American Prisoners of War, held captive, and who were killed by vivisection.	NG	G	Yes

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Sp 9a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of Prisoners.	NG	G	Yes
Sp 9b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners.	NG	G	Yes
Sp 9c: By transmitting to said Bureau a false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.	NG	G	Yes
Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers times and places, did willfully and unlawfully agree and conspire with Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reiichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Senba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue; with others; to prevent the Imperial Japanese Government and the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions and confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive and were killed in or about May and June 1945 and further the accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrication relative, and did transmit fabrication to various parties and agencies of the Governments.	NG	G, except the words: "Shinji Goiyama; Shiro, Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reiichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Senba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue," Of the excepted words: Not Guilty.	Yes

*Restricted*



Charge: Accused, at the times and places NG  
set forth in the specifications and dur-  
ing a time of war between the United  
States of America, its Allies and De-  
pendencies, and Japan, did violate the  
Laws and Customs of War.

G

Yes

Sp 1: Accused, acting jointly and in  
pursuance of a common intent, did, in  
conjunction with others including  
Kiyosaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters, Shiro Goshima, then a Medical  
Doctor and Member of the Anatomy Section  
of Kyushu Imperial University; Kiyoma  
Horiuchi, then Major General and Chief  
of the Medical Section of Western Army  
Headquarters; Masazumi Inada, then a  
Lieutenant General and Chief of Staff of  
Western Army Headquarters; Shoshin Ito,  
also known as Akinobu Ito, then a Major  
General and Chief of the Legal Section  
of Western Army Headquarters; Iichiro  
Jin, then a Lieutenant Colonel and Chief  
of the Adjutant Section of Western Army  
Headquarters; Reiichiro Makino, then a  
Medical Doctor and Member of the Anatomy  
Section of Kyushu Imperial University;  
Miki Ryu, then a Medical Doctor and  
Member of the Anatomy Section of Kyushu  
Imperial University; and others; in or  
about May and June 1945, willfully and  
unlawfully kill approximately eight of  
twelve American Prisoners of War, held  
captive, by vivisectioning them.

NG

G, except the Yes  
words: "Kiyosaku Fukushima,  
then a Major General and  
Staff Officer of Western Army  
Headquarters, Shiro Goshima,  
then a Medical Doctor and  
Member of the Anatomy Section  
of Kyushu Imperial University;  
Kiyoma Horiuchi, then Major  
General and Chief of the Medi-  
cal Section of Western Army  
Headquarters; Masazumi Inada,  
then a Lieutenant General and  
Chief of Staff of Western Army  
Headquarters; Shoshin Ito,  
also known as Akinobu Ito,  
then a Major General and Chief  
of the Legal Section of Wes-  
tern Army Headquarters; Iichiro  
Jin, then a Lieutenant Colonel  
and Chief of the Adjutant Sec-  
tion of Western Army Headquar-  
ters; Reiichiro Makino, then  
a Medical Doctor and Member of  
the Anatomy Section of Kyushu  
Imperial University, Miki Ryu,  
then a Medical Doctor and Mem-  
ber of the Anatomy Section of  
Kyushu Imperial University.  
Of the excepted words: Not  
Guilty.

Sp 2: Accused did, in or about May and NG  
June 1945, willfully and unlawfully kill  
approximately eight of twelve American  
Prisoners of war, held captive, by vivi-  
sectioning them.

NG

NG

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Sp 3: Accused did in conjunction with NG  
others including Kiyosaku Fukushima,  
then Major General and Staff Officer  
of Western Army Headquarters; Kiyoma  
Horiuchi, then a Major General and Chief  
of the Medical Section of Western Army  
Headquarters; Masazumi Inada, then a  
Lieutenant General and Chief of Staff  
of Western Army Headquarters; Shoshin  
Ito, also known as Akinobu Ito, then a  
Major General and Chief of the Legal  
Section of Western Army Headquarters;  
Iichiro Jin, then a Lieutenant Colonel  
and Chief of the Adjutant Section of  
Western Army Headquarters; and others;  
in or about May and June 1945, willfully

NG

G, except the Yes  
words: "Kiyosaku Fukushima,  
then a Major General and Staff  
Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then  
a Major General and Chief of  
the Medical Section of Western  
Army Headquarters; Masazumi Inada,  
then a Lieutenant General and  
Chief of Staff of Western Army Head-  
quarters; Shoshin Ito, also  
known as Akinobu Ito, then a  
Major General and Chief of the  
Legal Section of Western Army  
Headquarters; Iichiro Jin, then  
a Lieutenant Colonel and Chief

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and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting and removing parts of said bodies.

of the Adjutant Section of Western Army Headquarters." of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive who died in captivity, and also by mutilating, dissecting, and removing parts of said bodies.

NG

NG

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Sp 5: Accused, acting jointly and pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

NG

G,

Yes

except the words:

"Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

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Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody, and the protection of approximately eight of twelve American Prisoners of War, held captive; which unlawful acts he knew and should have known to be taking place during said period and place, and he did suffer the Prisoners to be unlawfully killed.

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Sp 7a: By permitting Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment.	NG	NG	---
Sp 7b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment.	NG	NG	---
Sp 7c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.	NG	NG	---
Sp 7d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu.	NG	NG	---
Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such.	NG	NG	---
Sp 9: Accused did, in or about May, June, July, and August 1945, willfully and unlawfully prevent the Prisoners of War Information Bureau of the Japanese Empire and consequently the United States, having accurate and proper information relative to approximately eight of twelve American Prisoners of War held captive.	NG	NG	---
Sp 9a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners.	NG	NG	---
Sp 9b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners.	NG	NG	---
Sp 9c: By transmitting to said Bureau a false report that said Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.	NG	NG	---

*Restricted*

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War. NG NG

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers times and places, did willfully and unlawfully agree and conspire with others, to prevent the Imperial Japanese Government and the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions and confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive and were killed in or about May and June 1945 and further the accused, at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrication relative to the Prisoners to deceive and mislead, and did transmit fabrication to various parties and agencies of the Governments. NG NG

Shiro GOSHIMA:

Charge: Accused, at the time and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War. NG G Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners held captive, by vivisectioning them. NG NG

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them. NG NG

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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight deceased American Prisoners, by mutilating, dissecting, and removing parts of said bodies.

NG

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, and removing parts of bodies.

NG

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Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War held captive and who died in captivity, and also by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

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Yes

*Restricted*

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers times and places, did willfully and unlawfully agree and conspire with others, to prevent the Imperial Japanese Government and the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions and confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive and were killed in or about May and June 1945 and further the accused, at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrication relative to the Prisoners to deceive and mislead, and did transmit fabrication to various parties and agencies of the Governments.

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Goichi HIRAKO:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including, Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichiro Makino, then a Medical Doctor and Member of the Anatomy Section of

NG

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Yes

except the words:

"Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a



*Restricted*

Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reischiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War held captive.

- |  |    |    |     |
|--|----|----|-----|
| a. By vivisectioning them.   | NG | NG | --- |
| b. By permitting the dissecting room and the equipment and facilities of the Anatomy Section of said College, then under his custody and control, to be used in vivisectioning them. | NG | G  | Yes |
| c. By permitting personnel of the Anatomy Section of said College, then under his jurisdiction and control, to vivisection them.   | NG | NG | --- |

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight deceased American Prisoners, by mutilating, dissecting and removing parts of said bodies..

NG	G,	Yes
except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.		

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity.

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|---|----|---|-----|
| a. By mutilating, dissecting and removing parts of said bodies. | NG | G | Yes |
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*Restricted*

b. By permitting the dissecting room and the equipment and facilities of the Anatomy Section of said College, then under his custody and control, to be used in the mutilating, dissecting and removing parts of said bodies.

c. By permitting personnel of the Anatomy Section of said College, then under his jurisdiction and control, to mutilate, dissect and remove parts of said bodies.

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; willfully and unlawfully prevent the honorable burial of approximately eight of twelve American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity and whose bodies had been left in the dissecting room of the Anatomy Section of said College, then under his custody and control.

a. By mutilating, dissecting, removing parts from and otherwise desecrating the bodies of said Prisoners.

b. By permitting the dissecting room and the equipment and facilities of the said Anatomy Section, then under his custody and control, to be used in mutilating, dissecting, removing parts from and otherwise desecrating the bodies of said Prisoners.

c. By permitting personnel of the said Anatomy Section, then under his jurisdiction and control, to mutilate, dissect, remove parts from and otherwise desecrate the bodies.

NG

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

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Yes



d. By permitting the Crematorium of said Anatomy Section, then under his custody and control, to be used in cremating the bodies of said Prisoner, when parts therefrom had been removed.

e. By permitting personnel of the said Anatomy Section, then under his jurisdiction and control, to cremate the bodies of said Prisoners, when parts therefrom had been removed.

f. By failing to preserve the ashes, after the cremation of the bodies of said Prisoners in the Crematorium of the said Anatomy Section, then under his custody and control, by personnel of the said Anatomy Section, then under his jurisdiction and control.

Sp 7: Accused did, in or about May, June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information, relative to the status of approximately eight of twelve American Prisoners of War, held captive and who died in captivity and whose bodies were then left in the Dissecting room of the anatomy section of said College, then under his custody and control.

NG

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Yes

a. By failing to maintain accurate and proper information as to their identification, admittance, treatment and death, and the disposal of their remains.

b. By failing to transmit to the proper Japanese authorities information as to the death of said Prisoners and the disposition of their remains.

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

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Yes

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with [others including] Shinju Goyama; Shiro Goshima; Kenichi Hirao; Kiyona Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reichi Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka

NG

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Yes

except the words: "Shinji Goyama; Shiro, Goshima; Kenichi Hirao; Kiyona Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reichi Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Senba; Hiro Tashiro; Tonoki

Senba, also known as Yoshitaka Senba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue; and others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the Governments.

Kenichi HIRAO:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

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Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichi Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them,

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichi Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy

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Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

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Yes

Sp 3: Accused, acting jointly and in pursuance of a common intent, did in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters/" Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant

*Restricted*

Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies of said Prisoners.

Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies of said Prisoners.

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Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others, to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the Governments.

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Kiyona HORIUCHI:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners held captive by vivisectioning them.

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Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners held captive by vivisectioning them.

NG

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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners held captive and who died in captivity by mutilating, dissecting and removing parts of said bodies.

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Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners held captive and who died in captivity by mutilating, dissecting and removing parts of said bodies.

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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

NG

NG

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

NG

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Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody and the protection of approximately eight of twelve American Prisoners; which unlawful acts he knew and should have known to be taking place during said period and place, and he did suffer the Prisoners to be unlawfully killed.

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*Restricted*

a. By permitting Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary and unlawful medical treatment. NG NG

b. By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary and unlawful medical treatment. NG NG

c. By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College. NG NG

d. By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College. NG NG

Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight to twelve American Prisoners of War, held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such. NG NG

Sp 9: Accused did, in or about May, June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information, relative to approximately eight of twelve American Prisoners of War, held captive and who were killed by vivisection, NG NG

a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status and death of said Prisoners. NG NG

b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status and death of said Prisoners. NG NG



*Excluded*

e: By transmitting to said Bureau a false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

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Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

NG

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further, accused, at divers times and places within Japan, did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the Governments.

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Masazumi INADA:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

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Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

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Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

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Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

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Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody and the protection of approximately eight of twelve American Prisoners of War, held captive; which unlawful acts he knew and should have known to be taking place during said period and at said place and he did suffer the Prisoners to be unlawfully killed.

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a: By permitting said PW's to be released from said Headquarters and to be transported to Kyushu Imperial University Medical College for improper, unnecessary and unlawful medical treatment.

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b. By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military

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personnel for improper, unnecessary and unlawful medical treatment.

c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

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d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

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Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such.

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Sp 9: Accused did, in or about May, June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information, relative to approximately eight of twelve American Prisoners of War, held captive, and who were killed by vivisection.

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a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status and death of said Prisoners.

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b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status and death of said Prisoners.

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e: By transmitting to said Bureau a false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

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Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

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Yes

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan; did willfully and unlawfully agree and conspire, with others including Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reichi Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Senba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue; and others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the Governments.

NG

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Yes

except the words: "Shinji Goiyama; Shiro, Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reichi Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Senba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.

Akira ITO:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Sp: Accused did, in or about June 1945, willfully and unlawfully eat part of the liver of an unknown American Prisoner, held captive by the Japanese Empire and who had died in captivity.

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Shoshin ITO: (also known as Akinobu Ito)

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes



Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.	NG	NG	-----
Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.	NG	NG	-----
Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, and removing part of said bodies.	NG	NG	-----
Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting and removing parts of said bodies.	NG	NG	-----
Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.	NG	NG	-----
Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, and also by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.	NG	NG	-----
Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody, and	NG	NG	-----

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the protection of approximately eight of twelve American Prisoners of War, held captive, which unlawful acts he knew and should have known to be taking place during said period and at said place, and he did suffer the Prisoners to be unlawfully killed.

a: By permitting Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment.

b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment.

c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

Sp 8: Accused did, in or about May and June, 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such.

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Sp 9: Accused did, in or about May, June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information relative to approximately eight of twelve American Prisoners of War, held captive and who were killed by vivisection.

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Yes

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a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners.

b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners.

c: By transmitting to said Bureau of false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others including Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reichihiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba; also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui; also known as Shizuko Tsutsue and others to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identifications, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War, which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused, at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the Government.

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Yes

except the words: "Shinji Goiyama; Shiro, Goshima; Kenichi Hirao; Kiyoma Horiuchi; Ichiro Jin; Toshiyuki Kubo; Reichihiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.

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Ichiro JIN:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners held captive by vivisectioning them.

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Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

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Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

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Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners held captive and who died in captivity by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

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*Excluded*  
Sp 7: Accused did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody, and the protection of approximately eight of twelve American Prisoners held captive; which unlawful acts he knew and should have known to be taking place during said period and place, and he did suffer the Prisoners to be unlawfully killed;

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a: By permitting Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment;

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b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment;

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c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College,

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d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

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Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such.

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Sp 9: Accused did, in or about May, June, July, and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information relative to approximately eight American Prisoners held captive and who were killed by vivisection;

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a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners;

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b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners;

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c: By transmitting to said Bureau a false report that said Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

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Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others, to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire, in or about May and June 1945; and further, accused, at divers times and places within Japan, did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to said Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

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Tatsuro KISHI:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Sp 1: Accused, in or about June 1945, did willfully and unlawfully mutilate and dissect the organs of an unknown American Prisoner, held captive by the Japanese and who died in captivity.

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Sp 2: Accused, in or about June 1945, did willfully and unlawfully eat and cause others to eat part of the liver of an unknown American Prisoner held captive and who had died in captivity.

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Sp 3: Accused, in or about May or June 1945, did willfully and unlawfully neglect and fail to inform responsible authority of the proposed unlawful killing of a number of approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them; and that he, through neglect and failure, did suffer said Prisoners to be unlawfully killed.

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Reiichiro MAKINO:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others; willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

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Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others,

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G, except the words: Yes

"Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief

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in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies

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Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies of said Prisoners.

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G, except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Yes

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

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Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others; to prevent the Imperial Japanese Government and consequently and directly the United States from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further, accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments

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Shinchiro MATAKE:

Charge: Accused, at the times and places set forth in the specification and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Sp: Accused did, in or about June 1945, willfully and unlawfully eat part of the liver of an unknown American Prisoner, held captive by the Japanese Empire, and who died in captivity.

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Yoshio MORI:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters;

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G, except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyona Horiuchi, then a Major General and Chief of the

Yes

Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiochiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of Adjutant Section of Western Army Headquarters; Reiochiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

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Yes

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] [Kiyosaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Yes

"Kiyosaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Yes



Sp 5: Accused, acting jointly and in pursuance of a common intent, did in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners held captive and who died in captivity by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

NG : G, except the Yes words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Sections of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

NG G Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG NG

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others, to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further, accused, at divers times and places within Japan, did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge

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relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

Kenji MORIMOTO:

Charge: Accused, at the times and places NG  
set forth in the specifications and during  
a time of war between the United States  
of America, its Allies and Dependencies,  
and Japan, did violate the Laws and Customs of War.

Sp 1: Accused, acting jointly and in  
pursuance of a common intent, did, in  
conjunction with [others including]  
[Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army  
Headquarters; Shiro Goshima, then a  
Medical Doctor and Member of the Anatomy  
Section of Kyushu Imperial University;  
Kiyoma Horiuchi, then a Major General  
and Chief of the Medical Section of  
Western Army Headquarters; Masazumi Inada,  
then a Lieutenant General and Chief of  
Staff of Western Army Headquarters;  
Shoshin Ito, also known as Akinobu Ito,  
then a Major General and Chief of the  
Legal Section of Western Army Headquarters;  
Iichiro Jin, then a Lieutenant Colonel  
and Chief of the Adjutant Section of  
Western Army Headquarters; Reiiichiro  
Makino, then a Medical Doctor and Member  
of the Anatomy Section of Kyushu Imperial  
University; Miki Ryu, then a Medical  
Doctor and Member of the Anatomy Section  
of Kyushu Imperial University; and others;  
in or about May and June 1945, willfully  
and unlawfully kill approximately eight  
of twelve American Prisoners, held cap-  
tive, by vivisectioning them.

NG

G, except the Yes  
words: "Kyusaku Fukushima,  
then a Major General and  
Staff Officer of Western  
Army Headquarters; Shiro  
Goshima, then a Medical  
Doctor and Member of the  
Anatomy Section of Kyushu  
Imperial University; Kiyoma  
Horiuchi, then a Major  
General and Chief of the  
Medical Section of Western  
Army Headquarters; Masazumi  
Inada, then a Lieutenant  
General and Chief of Staff  
of Western Army Headquarters;  
Shoshin Ito, also known as  
Akinobu Ito, then a Major  
General and Chief of the  
Legal Section of Western  
Army Headquarters; Iichiro  
Jin, then a Lieutenant  
Colonel and Chief of the  
Adjutant Section of Western  
Army Headquarters; Reiiichiro  
Makino, then a Medical Doc-  
tor and Member of the Anatomy  
Section of Kyushu Imperial  
University; Miki Ryu, then  
a Medical Doctor and Mem-  
ber of the Anatomy Section  
of Kyushu Imperial Univer-  
sity." Of the excepted  
words: Not Guilty.

Sp 2: Accused did, in or about May and  
June 1945, willfully and unlawfully kill  
approximately eight of twelve American  
Prisoners, held captive, by vivisectioning  
them.

NG

G

Yes

Sp 3: Accused, acting jointly and in pur- NG  
suance of a common intent did, in conjunc-  
tion with [others including] Kyusaku  
Fukushima, then a Major General and Staff  
Officer of Western Army Headquarters;

G, except the Yes  
words: "Kyusaku Fukushima,  
then a Major General and  
Staff Officer of Western  
Army Headquarters; Kiyoma



*Restricted*

Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive, and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

NG

G

Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies of said Prisoners.

NG

G, except the Yes

words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

NG

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Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War,

NG

NG

Add'l Spec: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others, to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945, and further, accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

NG

NG

Nobuyoshi NOGAWA:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

G

Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] [Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant

NG

G, except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the

Yes



*Restricted*

Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University, Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University, and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War held captive, by vivisectioning them.

Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

NG

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Yes

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

NG

G, except the words:

Yes

"Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

NG

G

Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western

NG

G, except the words:

Yes

"Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western

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Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the expected words: Not guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

G

Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others; to prevent the Imperial Japanese Government and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945, and further, accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

NG



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Tayuru ODA:

Charge: Accused, at the times and places NG	NG	---
set forth in the specification and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.		

Sp: Accused did, in or about June 1945, NG	NG	---
willfully and unlawfully eat part of the liver of an unknown American Prisoner, held captive by the Japanese Empire and who had died in captivity.		

Miki RYU:

Charge: Accused, at the times and places NG	G	Yes
set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.		

Sp 1: Accused, acting jointly and in NG	NG	---
pursuance of a common intent, did, in conjunction with others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.		

Sp 2: Accused did, in or about May and NG	NG	---
June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.		

Sp 3: Accused, acting jointly and in pur- NG	G,	Yes
suance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive, by mutilating, dissecting and removing parts of said bodies.		
except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.		

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Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.	NG	G	Yes
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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with <u>others including</u> <u>Kyusaku Fukushima</u> , then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.	NG	G,	Yes
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except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.	NG	G	Yes
---	----	---	-----

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	NG	---
--	----	----	-----

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and	NG	NG	---
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*Restricted*



burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

Yoshinao SATO:

Charge: Accused, at the times and places NG  
set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

G

Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

NG

G,

Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

G

Yes

*Restained*

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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

NG

G,

Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

NG

G

Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

NG

G,

Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

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Sp 6: Accused did, in or about May and NG G Yes  
June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

Sp 7: Accused did, in or about May and NG G Yes  
June 1945, willfully and unlawfully disregard and fail to discharge his duty to provide reasonable measures for the humane treatment, the safe custody, and the protection of approximately eight of twelve American Prisoners held captive; which unlawful acts he knew and should have known to be taking place during said period and place, and he did suffer the Prisoners to be unlawfully killed;

a: By permitting Prisoners to be released from Western Army Headquarters to be transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment;

b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel for improper, unnecessary, and unlawful medical treatment;

c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College;

d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel of Western Army Headquarters and medical personnel of Kyushu Imperial University Medical College.

Sp 8: Accused did, in or about May and NG G Yes  
June 1945, willfully and unlawfully deny to approximately eight American Prisoners, held captive, the honorable status of Prisoner of War by failing to recognize and treat them as such.

Sp 9: Accused did, in or about May, NG G Yes  
June, July and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese

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Empire and consequently the United States having accurate and proper information relative to approximately eight American Prisoners, held captive and who were killed by vivisection.

a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of Prisoners.

b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of Prisoners.

c: By transmitting to said Bureau a false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

G

Yes

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others including Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reiichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue, and others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused, at divers times and places within Japan, did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to these matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

NG

G,

Yes

except the words: "Shinji Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reiichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.



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Yoshitaka SENBA: (also known as Yoshitaka Semba)

Charge: Accused, at the times and places NG  
set forth in the specifications and dur- G  
ing a time of war between the United Yes  
States of America, its Allies and De-  
pendencies, and Japan, did violate the  
Laws and Customs of War.

Sp 1: Accused, acting jointly and in NG  
pursuance of a common intent, did in G, Yes  
conjunction with others including /Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Shiro Goshima, then a Medical  
Doctor and Member of the Anatomy Section  
of Kyushu Imperial University; Kiyoma  
Horiuchi, then a Major General and Chief  
of the Medical Section of Western Army  
Headquarters; Masazumi Inada, then a  
Lieutenant General and Chief of Staff of  
Western Army Headquarters; Shoshin Ito,  
also known as Akinobu Ito, then a Major  
General and Chief of the Legal Section  
of Western Army Headquarters; Ichiro  
Jin, then a Lieutenant Colonel and Chief  
of the Adjutant Section of Western Army  
Headquarters; Reiohiro Makino, then a  
Medical Doctor and Member of the Anatomy  
Section of Kyushu Imperial University;  
Miki Ryu, then a Medical Doctor and Mem-  
ber of the Anatomy Section of Kyushu  
Imperial University; and others; in or  
about May and June 1945, willfully and  
unlawfully kill approximately eight of  
twelve American Prisoners, held captive,  
by vivisectioning them.

except the words: "Kyusaku  
Fukushima, then a Major  
General and Staff Officer  
of Western Army Headquarters;  
Shiro Goshima, then a Medical  
Doctor and Member of the  
Anatomy Section of Kyushu  
Imperial University; Kiyoma  
Horiuchi, then a Major General  
and Chief of the Medical Section  
of Western Army Headquarters;  
Masazumi Inada, then a Lieu-  
tenant General and Chief of  
Staff of Western Army Head-  
quarters; Shoshin Ito, also  
known as Akinobu Ito, then a  
Major General and Chief of  
the Legal Section of Western  
Army Headquarters; Ichiro  
Jin, then a Lieutenant Colonel  
and Chief of the Adjutant Sec-  
tion of Western Army Headquar-  
ters; Reiohiro Makino, then a  
Medical Doctor and Member of  
the Anatomy Section of Kyushu  
Imperial University; Miki Ryu,  
then a Medical Doctor and  
Member of the Anatomy Section  
of Kyushu Imperial University."  
Of the excepted words: Not  
Guilty.

Sp 2: Accused did, in or about May and NG  
June 1945, willfully and unlawfully kill G Yes  
approximately eight of twelve American  
Prisoners, held captive, by vivisectioning  
them.

Sp 3: Accused, acting jointly and in NG  
pursuance of a common intent, did, in con- G, Yes  
junction with others including /Kyusaku  
Fukushima, then a Major General and Staff  
Officer of Western Army Headquarters;  
Kiyoma Horiuchi, then a Major General  
and Chief of the Medical Section of Wes-  
tern Army Headquarters; Masazumi Inada,  
then a Lieutenant General and Chief of  
Staff of Western Army Headquarters; Sho-  
shin Ito, also known as Akinobu Ito, then  
a Major General and Chief of the Legal

except the words: "Kyusaku  
Fukushima, then a Major Gen-  
eral and Staff Officer of  
Western Army Headquarters;  
Kiyoma Horiuchi, then a Major  
General and Chief of the Medi-  
cal Section of Western Army  
Headquarters; Masazumi Inada,  
then a Lieutenant General and  
Chief of Staff of Western Army  
Headquarters; Shoshin Ito,

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Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and NG  
June 1945, willfully and unlawfully  
maltreat and desecrate the bodies of  
approximately eight of twelve deceased  
American Prisoners, held captive and  
who died in captivity, by mutilating, dis-  
secting, and removing parts of said bodies.

G

Yes

Sp 5: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with others including  
Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then a Major  
General and Chief of the Medical Section  
of Western Army Headquarters; Masazumi  
Inada, then a Lieutenant General and  
Chief of Staff of Western Army Headquar-  
ters; Shoshin Ito, also known as Akinobu  
Ito, then a Major General and Chief of  
the Legal Section of Western Army Head-  
quarters; Iichiro Jin, then a Lieutenant  
Colonel and Chief of the Adjutant Sec-  
tion of Western Army Headquarters; and  
others; in or about May and June 1945,  
willfully and unlawfully prevent the  
honorable burial of approximately eight  
of twelve deceased American Prisoners,  
held captive and who died in captivity,  
by mutilating, dissecting, removing parts  
from, and otherwise desecrating the bodies.

G,

Yes

except the words: "Kyusaku  
Fukushima, then a Major Gen-  
eral and Staff Officer of  
Western Army Headquarters;  
Kiyoma Horiuchi, then a Major  
General and Chief of the  
Medical Section of Western  
Army Headquarters; Masazumi  
Inada, then a Lieutenant  
General and Chief of Staff  
of Western Army Headquarters;  
Shoshin Ito, also known as  
Akinobu Ito, then a Major  
General and Chief of the  
Legal Section of Western  
Army Headquarters; Iichiro  
Jin, then a Lieutenant  
Colonel and Chief of the  
Adjutant Section of Western  
Army Headquarters;" Of the  
excepted words: Not Guilty.

Sp 6: Accused did, in or about May and NG  
June 1945, willfully and unlawfully pre-  
vent the honorable burial of approxi-  
mately eight of twelve deceased American  
Prisoners of War, held captive and who  
died in captivity, by mutilating, dis-  
secting, removing parts from, and other-  
wise desecrating the bodies.

G

Yes

Add'l Charge: Accused, a subject of the NG  
Japanese Empire, at the times and places  
set forth in the specification hereto at-  
tached, and during a time of war between  
the United States of America, its Allies  
and Dependancies, and Japan, did violate  
the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others, to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further, accused, at divers times and places within Japan, did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

NG

Tomoki TASHIRO:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

G

Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichihiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and

NG

G,

Yes

except the words; "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichihiro Makino, then a Medical Doctor and

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unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and NG  
June 1945, willfully and unlawfully kill  
approximately eight of twelve American  
Prisoners of War, held captive, by vivi-  
secting them.

G

Yes

Sp 3: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with [others including]  
[Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then a Major  
General and Chief of the Medical Section  
of Western Army Headquarters; Masazumi  
Inada, then a Lieutenant General and  
Chief of Staff of Western Army Headquar-  
ters; Shozhin Ito, also known as Akinobu  
Ito, then a Major General and Chief of  
the Legal Section of Western Army Head-  
quarters; Iichiro Jin, then a Lieutenant  
Colonel and Chief of the Adjutant Sec-  
tion of Western Army Headquarters;] and  
others; in or about May and June 1945,  
willfully and unlawfully maltreat and  
desecrate the bodies of approximately  
eight of twelve deceased American Pris-  
oners, held captive and who died in  
captivity, by mutilating, dissecting and  
removing parts of said bodies.

G.

Yes

except the words: "Kyusaku  
Fukushima, then a Major Gen-  
eral and Staff Officer of  
Western Army Headquarters;  
Kiyoma Horiuchi, then a Major  
General and Chief of the  
Medical Section of Western  
Army Headquarters; Masazumi  
Inada, then a Lieutenant  
General and Chief of Staff  
of Western Army Headquarters;  
Shoshin Ito, also known as  
Akinobu Ito, then a Major  
General and Chief of the  
Legal Section of Western Army  
Headquarters; Iichiro Jin,  
then a Lieutenant Colonel and  
Chief of the Adjutant Sec-  
tion of Western Army Head-  
quarters." Of the excepted  
words: Not Guilty.

Sp 4: Accused did, in or about May and NG  
June 1945, willfully and unlawfully mal-  
treat and desecrate the bodies of ap-  
proximately eight of twelve deceased  
American Prisoners, held captive and who  
died in captivity, by mutilating, dis-  
secting and removing parts of said bodies.

G

Yes

Sp 5: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with [others including]  
[Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then a Major  
General and Chief of the Medical Section  
of Western Army Headquarters; Masazumi  
Inada, then a Lieutenant General and  
Chief of Staff of Western Army Headquar-  
ters; Shoshin Ito, also known as Akinobu  
Ito, then a Major General and Chief of  
the Legal Section of Western Army Head-  
quarters; Iichiro Jin, then a Lieutenant

G,

Yes

except the words: "Kyusaku  
Fukushima, then a Major  
General and Staff Officer of  
Western Army Headquarters;  
Kiyoma Horiuchi, then a Major  
General and Chief of the Medical  
Section of Western Army Head-  
quarters; Masazumi Inada, then  
a Lieutenant General and Chief  
of Staff of Western Army Head-  
quarters; Shoshin Ito, also  
known as Akinobu Ito, then a  
Major General and Chief of



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Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from and otherwise desecrating the bodies.

G

Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matter, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

NG

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Taro TORISU:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

G

Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University, and others, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

NG

G,

Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

NG

G

Yes

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters, and others, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting and removing parts of said bodies.

NG

G,

Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.



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Sp 4: Accused did, in or about May and NG  
June 1945, willfully and unlawfully mal-  
treat and desecrate the bodies of ap-  
proximately eight of twelve deceased  
American Prisoners, held captive and who  
died in captivity, by mutilating, dis-  
secting and removing parts of said bodies.

G

Yes

Sp 5: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with others including  
Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then a Major  
General and Chief of the Medical Section  
of Western Army Headquarters; Masazumi  
Inada, then a Lieutenant General and  
Chief of Staff of Western Army Headquar-  
ters; Shoshin Ito, also known as Akinobu  
Ito, then a Major General and Chief of  
the Legal Section of Western Army Head-  
quarters; Ichiro Jin, then a Lieutenant  
Colonel and Chief of the Adjutant Sec-  
tion of Western Army Headquarters, and  
others; in or about May and June 1945,  
willfully and unlawfully prevent the  
honorable burial of approximately eight  
of twelve deceased American Prisoners,  
held captive and who died in captivity,  
by mutilating, dissecting, removing  
parts from and otherwise desecrating  
the bodies.

G,

Yes

except the words; "Kyusaku  
Fukushima, then a Major  
General and Staff Officer of  
Western Army Headquarters;  
Kiyoma Horiuchi, then a Major  
General and Chief of the  
Medical Section of Western  
Army Headquarters; Masazumi  
Inada, then a Lieutenant  
General and Chief of Staff  
of Western Army Headquarters;  
Shoshin Ito, also known as  
Akinobu Ito, then a Major  
General and Chief of the  
Legal Section of Western Army  
Headquarters; Ichiro Jin,  
then a Lieutenant Colonel  
and Chief of the Adjutant  
Section of Western Army  
Headquarters." Of the ex-  
cepted words: Not Guilty.

Sp 6: Accused did, in or about May and NG  
June 1945, willfully and unlawfully pre-  
vent the honorable burial of approxi-  
mately eight of twelve deceased American  
Prisoners, held captive and who died in  
captivity, by mutilating, dissecting,  
removing parts from and otherwise dese-  
crating the bodies.

G

Yes

Add'l Charge: Accused, a subject of the NG  
Japanese Empire, at the times and places  
set forth in the specification hereto  
attached, and during a time of war be-  
tween the United States of America, its  
Allies and Dependencies, and Japan, did  
violate the Laws and Customs of War.

G

Yes

Add'l Sp: Accused, acting jointly and NG  
in pursuance of a common intent, from  
and after about 1 May 1945, at divers  
places within Japan, did willfully and  
unlawfully agree and conspire, with  
others including Shinju Goiyama, Shiro  
Goshima; Kenichi Hirao; Kiyoma Horiuchi;  
Ichiro Jin; Toshiyuki Kubo; Reiichiro  
Makino; Yoshio Mori; Kenji Morimoto;  
Nobuyoshi Nogawa; Miki Ryu; Yoshitaka  
Senba, also known as Yoshitaka Semba;

G,

Yes

except the words: "Shinji  
Goiyama; Shiro Goshima;  
Kenichi Hirao, Kiyoma  
Horiuchi; Ichiro Jin;  
Toshiyuki Kubo; Reiichiro  
Makino; Yoshio Mori; Kenji  
Morimoto; Nobuyoshi Nogawa;  
Miki Ryu; Yoshitaka Senba,  
also known as Yoshitaka  
Semba; Jiro Tashiro; Tomoki

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Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue; and others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement; hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June, 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.

Hironaga TSURUMARU:

Charge: Accused, at the times and places NG  
set forth in the specification and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

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Sp: Accused did, in or about June 1945, NG  
willfully and unlawfully eat part of the liver of an unknown American Prisoner, held captive and who had died in captivity.

NG

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Shizuko TSUTSUI: (also known as Shizuko Tsutsue)

Charge: Accused, at the times and places NG  
set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

G

Yes

Sp 1: Accused, acting jointly and in NG  
pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a

G,

Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of

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Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.

NG

G

Yes

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

NG

G,

Yes

except the words; "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

G

Yes

*Restricted*

Sp 5: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with others including  
Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then a Major  
General and Chief of the Medical Section  
of Western Army Headquarters; Masazumi  
Inada, then a Lieutenant General and  
Chief of Staff of Western Army Headquar-  
ters; Shoshin Ito, also known as Akinobu  
Ito, then a Major General and Chief of  
the Legal Section of Western Army Head-  
quarters; Ichiro Jin, then a Lieutenant  
Colonel and Chief of the Adjutant Section  
of Western Army Headquarters; and others;  
in or about May and June 1945, willfully  
and unlawfully prevent the honorable  
burial of approximately eight of twelve  
deceased American Prisoners, held captive  
and who died in captivity, by mutilating,  
dissecting, removing parts from, and  
otherwise desecrating the bodies.

G, Yes  
except the words: "Kyusaku  
Fukushima, then a Major  
General and Staff Officer of  
Western Army Headquarters;  
Kiyoma Horiuchi, then a Major  
General and Chief of the  
Medical Section of Western  
Army Headquarters; Masazumi  
Inada, then a Lieutenant  
General and Chief of Staff  
of Western Army Headquarters;  
Shoshin Ito, also known as  
Akinobu Ito, then a Major  
General and Chief of the  
Legal Section of Western Army  
Headquarters; Ichiro Jin,  
then a Lieutenant Colonel  
and Chief of the Adjutant  
Section of Western Army  
Headquarters." Of the ex-  
cepted words: Not Guilty.

Sp 6: Accused did, in or about May and NG  
June 1945, willfully and unlawfully pre-  
vent the honorable burial of approxi-  
mately eight of twelve deceased American  
Prisoners, held captive and who died in  
captivity, by mutilating, dissection,  
removing parts from, and otherwise dese-  
crating the bodies.

G Yes

Add'l Charge: Accused, a subject of the NG  
Japanese Empire, at the times and places  
set forth in the specification hereto  
attached, and during a time of war be-  
tween the United States of America, its  
Allies and Dependencies, and Japan, did  
violate the Laws and Customs of War.

NG ---

Add'l Sp: Accused, acting jointly and NG  
in pursuance of a common intent, from  
and after about 1 May 1945, at divers  
places within Japan, did willfully and  
unlawfully agree and conspire, with  
others; to prevent the Imperial Japanese  
Government, and consequently and directly  
the United States, from obtaining accurate  
and proper information as to the capture,  
identification, status, conditions of  
confinement, hospitalization, death and  
burial of approximately eight of twelve  
American Prisoners of War; which Pris-  
oners of War were held captive by the  
Japanese Empire in or about May and June  
1945; and further accused at divers times  
and places within Japan did willfully  
and unlawfully fail to maintain adequate  
records and did withhold, conceal and

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suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

Katsuya YAKAMARU:

Charge: Accused, at the times and places NG	G	Yes
set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War;		

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] <u>Kyusaku Fukushima</u> , then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichi Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.	NG	G,	Yes
		except the words; "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito; then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichi Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University."	
		Of the excepted words: Not Guilty.	

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisectioning them.	NG	---
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Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] <u>Kyusaku Fukushima</u> , then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major	NG	G,	Yes
		except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major	

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General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

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Sp 7: Accused did, in or about May and NG  
June 1945, willfully and unlawfully dis-  
regard and fail to discharge his duty  
to provide reasonable measures for the  
humane treatment, the safe custody, and  
the protection of approximately eight  
of twelve American Prisoners, held cap-  
tive; which unlawful acts he knew and  
should have known to be taking place  
during said period and place, and he did  
suffer the Prisoners to be unlawfully  
killed.

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a: By permitting Prisoners to be  
released from Western Army Headquarters  
to be transported to Kyushu Imperial  
University Medical College by military  
personnel for improper, unnecessary,  
and unlawful medical treatment;

b: By neglecting to take steps to  
prevent and to prevent Prisoners being  
released from Western Army Headquarters  
and being transported to Kyushu Imperial  
University Medical College by military  
personnel for improper, unnecessary,  
and unlawful medical treatment;

c: By permitting Prisoners to be  
killed by vivisectioning them at or near  
Kyushu Imperial University Medical College  
by Military personnel of Western Army  
Headquarters and medical personnel of  
Kyushu Imperial University Medical College;

d: By neglecting to take steps to  
prevent and to prevent Prisoners being  
killed by vivisectioning them at or near  
Kyushu Imperial University Medical College  
by military personnel of Western Army  
Headquarters and medical personnel of  
Kyushu Imperial University Medical College.

Sp 8: Accused did, in or about May and NG  
June 1945, willfully and unlawfully deny  
to approximately eight American Prisoners,  
held captive, the honorable status of  
Prisoner of War by failing to recognize  
and treat them as such.

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Yes

Sp 9: Accused did, in or about May, NG  
June, July and August 1945, willfully  
and unlawfully prevent the Prisoner of  
War Information Bureau of the Japanese  
Empire and consequently the United  
States having accurate and proper infor-  
mation relative to approximately eight  
American Prisoners of War, held captive  
and who were killed by vivisection.

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Yes

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a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of Prisoners.

b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of Prisoners.

c: By transmitting to said Bureau a false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others including Shinju Goiyama; Shiro Goshima, Kenichi Hirao; Kiyoma Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reiichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue, and others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoner to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

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Yes

except the words: "Shinji Goiyama; Shiro Goshima, Kenichi Hirao; Kiyoma Horiuchi; Iichiro Jin, Toshiyuki Kubo; Reiichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.



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Isamu YOKOYAMA:

Charge: Accused, at the times and places NG G Yes  
set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

Sp 1: Accused, acting jointly and in NG G, Yes  
pursuance of a common intent, did, in conjunction with [others including] except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University," and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners, held captive, by vivisecting them.

Sp 2: Accused did, in or about May and NG NG ---  
June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisecting them.

Sp 3: Accused, acting jointly and in NG G, Yes  
pursuance of a common intent, did, in conjunction with [others including] except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reiichiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

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Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters, and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve American Prisoners, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with others including /Kiyosaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

NG

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Yes

except the words: "Kiyosaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyona Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies,

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Sp 7: Accused, then having in his custody and control twelve American Prisoners, held captive, did, in or about May and June 1945, willfully and unlawfully disregard and fail to discharge

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Yes

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his duty to provide reasonable measures for the humane treatment, the safe custody, and the protection of approximately eight Prisoners; which unlawful acts he knew and should have known to be taking place during said period and place, and he did suffer the Prisoners to be unlawfully killed:

a: By permitting Prisoners to be released from Western Army Headquarters and to be transported to Kyushu Imperial University Medical College by military personnel under his command for improper, unnecessary, and unlawful medical treatment;

b: By neglecting to take steps to prevent and to prevent Prisoners being released from Western Army Headquarters and being transported to Kyushu Imperial University Medical College by military personnel under his command for improper, unnecessary, and unlawful medical treatment;

c: By permitting Prisoners to be killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel under his command and by medical personnel of Kyushu Imperial University Medical College;

d: By neglecting to take steps to prevent and to prevent Prisoners being killed by vivisectioning them at or near Kyushu Imperial University Medical College by military personnel under his command and by medical personnel of Kyushu Imperial University Medical College.

Sp 8: Accused did, in or about May and June 1945, willfully and unlawfully deny to approximately eight of twelve American Prisoners of War, held captive and who were under his custody and control, the honorable status of Prisoner of War by failing to recognize and treat them as such.

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Yes

Sp 9: Accused did, in or about May, June, July, and August 1945, willfully and unlawfully prevent the Prisoner of War Information Bureau of the Japanese Empire and consequently the United States having accurate and proper information relative to approximately eight of twelve American Prisoner, held captive and who were killed by vivisection:

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Yes

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a: By failing to maintain accurate and proper information as to the capture, identification, hospitalization, status, and death of said Prisoners;

b: By failing to transmit promptly to said Bureau accurate and proper information as to the capture, identification, hospitalization, status, and death of Prisoners;

c: By transmitting to said Bureau a false report that Prisoners had been killed in an air raid on Fukuoka City on 20 June 1945.

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with /others including/ [Shinju Goiyama; Shiro Goshima; Kenichi Hirao; Kiyoma Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue.] and others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.	NG	G,	Yes
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except the words: "Shinji Goiyama; Shiro, Goshima; Kenichi Hirao; Kiyoma Horiuchi; Iichiro Jin; Toshiyuki Kubo; Reichiro Makino; Yoshio Mori; Kenji Morimoto; Nobuyoshi Nogawa; Miki Ryu; Yoshitaka Senba, also known as Yoshitaka Semba; Jiro Tashiro; Tomoki Tashiro; Shizuko Tsutsui, also known as Shizuko Tsutsue." Of the excepted words: Not Guilty.

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Toshiyuki KUBO:

Charge: Accused, at the times and places NG  
set forth in the specifications, and  
during a time of war between the United  
States of America, its Allies and De-  
pendencies, and Japan, did violate the  
Laws and Customs of War.

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Yes

Sp 1: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with [others including]  
[Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Shiro Goshima, then a Medical  
Doctor and Member of the Anatomy Section  
of Kyushu Imperial University; Kiyoma  
Horiuchi, then a Major General and Chief  
of the Medical Section of Western Army  
Headquarters; Masazumi Inada, then a  
Lieutenant General and Chief of Staff  
of Western Army Headquarters; Shoshin  
Ito, also known as Akinobu Ito, then a  
Major General and Chief of the Legal  
Section of Western Army Headquarters;  
Ichiro Jin, then a Lieutenant Colonel  
and Chief of the Adjutant Section of  
Western Army Headquarters; Reichiro  
Makino, then a Medical Doctor and Member  
of the Anatomy Section of Kyushu Imperial  
University; Miki Ryu, then a Medical  
Doctor and Member of the Anatomy Section  
of Kyushu Imperial University.] and others;  
in or about May and June 1945, willfully  
and unlawfully kill approximately eight  
of twelve American Prisoners of War, held  
captive, by vivisectioning them.

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Yes

except the words: "Kyusaku  
Fukushima, then a Major  
General and Staff Officer of  
Western Army Headquarters;  
Shiro Goshima, then a Medical  
Doctor and Member of the  
Anatomy Section of Kyushu  
Imperial University; Kiyoma  
Horiuchi, then a Major  
General and Chief of the  
Medical Section of Western  
Army Headquarters; Masazumi  
Inada, then a Lieutenant  
General and Chief of Staff  
of Western Army Headquarters;  
Shoshin Ito, also known as  
Akinobu Ito, then a Major  
General and Chief of the  
Legal Section of Western  
Army Headquarters; Ichiro  
Jin, then a Lieutenant Colonel  
and Chief of the Adjutant  
Section of Western Army  
Headquarters; Reichiro  
Makino, then a Medical Doctor  
and Member of the Anatomy  
Section of Kyushu Imperial  
University; Miki Ryu, then  
a Medical Doctor and Member  
of the Anatomy Section of  
Kyushu Imperial University."  
Of the excepted words: Not  
Guilty.

Sp 2: Accused did, in or about May and NG  
June 1945, willfully and unlawfully  
kill approximately eight of twelve Ameri-  
can Prisoners of War, held captive, by  
vivisectioning them.

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Yes

Sp 3: Accused, acting jointly and in NG  
pursuance of a common intent, did, in  
conjunction with [others including]  
[Kyusaku Fukushima, then a Major General  
and Staff Officer of Western Army Head-  
quarters; Kiyoma Horiuchi, then a Major  
General and Chief of the Medical Section  
of Western Army Headquarters; Masazumi  
Inada, then a Lieutenant General and

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Yes

except the words: "Kyusaku  
Fukushima, then a Major General  
and Staff Officer of Western  
Army Headquarters; Kiyoma  
Horiuchi, then a Major General  
and Chief of the Medical Sec-  
tion of Western Army Headquar-  
ters; Masazumi Inada, then a

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Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

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Add'l Charge: Accused, a subject of the NG Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others; to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused, at divers times and places within Japan, did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

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Jiro TASHIRO:

Charge: Accused, at the times and places set forth in the specifications and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Sp 1: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with /others including/ /Kiyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichiro Jin, then a Lieutenant Colonel and Chief

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Yes

except the words: "Kiyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Shiro Goshima, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a

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of the Adjutant Section of Western Army Headquarters; Reichihiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; and others; in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

Major General and Chief of the Legal Section of Western Army Headquarters; Ichihiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; Reichihiro Makino, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University; Miki Ryu, then a Medical Doctor and Member of the Anatomy Section of Kyushu Imperial University." Of the excepted words: Not Guilty.

Sp 2: Accused did, in or about May and June 1945, willfully and unlawfully kill approximately eight of twelve American Prisoners of War, held captive, by vivisectioning them.

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Yes

Sp 3: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichihiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters; and others; in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Ichihiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 4: Accused did, in or about May and June 1945, willfully and unlawfully maltreat and desecrate the bodies of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, and removing parts of said bodies.

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Yes

Sp 5: Accused, acting jointly and in pursuance of a common intent, did, in conjunction with [others including] /Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major

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Yes

except the words: "Kyusaku Fukushima, then a Major General and Staff Officer of Western Army Headquarters; Kiyoma Horiuchi, then a Major

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General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters, and others; in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

General and Chief of the Medical Section of Western Army Headquarters; Masazumi Inada, then a Lieutenant General and Chief of Staff of Western Army Headquarters; Shoshin Ito, also known as Akinobu Ito, then a Major General and Chief of the Legal Section of Western Army Headquarters; Iichiro Jin, then a Lieutenant Colonel and Chief of the Adjutant Section of Western Army Headquarters." Of the excepted words: Not Guilty.

Sp 6: Accused did, in or about May and June 1945, willfully and unlawfully prevent the honorable burial of approximately eight of twelve deceased American Prisoners of War, held captive and who died in captivity, by mutilating, dissecting, removing parts from, and otherwise desecrating the bodies.

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Yes

Add'l Charge: Accused, a subject of the Japanese Empire, at the times and places set forth in the specification hereto attached, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Add'l Sp: Accused, acting jointly and in pursuance of a common intent, from and after about 1 May 1945, at divers places within Japan, did willfully and unlawfully agree and conspire, with others, to prevent the Imperial Japanese Government, and consequently and directly the United States, from obtaining accurate and proper information as to the capture, identification, status, conditions of confinement, hospitalization, death, and burial of approximately eight of twelve American Prisoners of War; which Prisoners of War were held captive by the Japanese Empire in or about May and June 1945; and further accused at divers times and places within Japan did willfully and unlawfully fail to maintain adequate records and did withhold, conceal and suppress knowledge relative to the matters, and did compose fabrications relative to the Prisoners to deceive and mislead, and did transmit the same fabrications to various parties and agencies of the said Governments.

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3. Summary of the Evidence:

a. For the Prosecution:

This is a common trial of Kajuro Aihara and twenty-nine others. This summary covers all of the evidence in support of and in defense of all of the charges and specifications of which twenty-three of the accused were found guilty. The specifications against the various accused are concerned with one continuous event or series of events, in which both military and non-military personnel participated and cooperated with each other. It is considered, therefore, that this summary, although arranged to set forth the evidence in support of the various specifications, should be read as if the events were all alleged under one specification.

General:

The following members of crews of B-29's, which crashed on the Island of Kyushu, Japan, in April, May and June 1945, were captured and held in captivity at Western Army Headquarters, located at or in the vicinity of the city of Fukuoka, Kyushu, Japan. Of those listed below, approximately eight were sent to Kyushu Imperial University and killed by vivisection (PX 95, 99, 125):

S/Sgt Billy J. Brown	(PX 1, 6, 92, 102; R 832, 850)
2nd Lt. William R. Fredericks	(PX 13, 92, 102, 124, 131; R 832, 850)
S/Sgt Teddy J. Ponczka	(PX 2, 85, 102; R 832)
2nd Lt. Dale E. Plambeck	(PX 2, 12, 85, 92, 102, 111, 124, 131; R 832, 850)
Cpl John C. Colshower	(PX 2, 92, 102, 124, 131)
Cpl Leon E. Czarnecki	(PX 2, 92, 102, 124; R 832)
Cpl Robert B. Williams	(PX 2, 85, 92, 102, 124, 131; R 833)
Sgt Jack V. Dengler	(PX 3, 92, 102; R 832)
Cpl Irving A. Corlies	(PX 3, 92, 102; R 832)
Pvt Merlin R. Calvin	(PX 3, 22, 92, 102; R 832, 850)
2nd Lt Jack M. Berry	(PX 3, 92, 102; R 832)
Sgt Charles Palmer	(PX 4, 92, 102)

When these PW's were captured, one of them had a chest wound but not serious (PX 24, 25, 77, 83, 124; R 184, 318, 337-339, 361, 371, 374-386, 388-389, 392, 410-414, 416, 434, 436, 632, 680).

AIHARA, Kajuro

As to Specification 1: Accused was a captain in the Imperial Japanese Army from May 1945 until he was demobilized in September 1945 and served on the staff of Western Army Headquarters (R 65-66). He was in charge of PW affairs (R 366, 382-383, 820, 822; PX 99, 113). He was also in civilian air defense (PX 110, 114). Komori (allegedly deceased) informed him of the experimental operations on PW's after they were performed and that other PW's would be released for such operations (R 381-386). He observed part of the operations (R 389).

Approximately eight American fliers were operated on and died after having had injections and an anaesthetic administered to them at Western Army Headquarters and Kyushu Imperial University (R 184, 434-436, 769, 997, 1084; PX 62, 64, 85, 95, 110-111, 189, 198). There were four series of operations performed in which the fliers were killed at Kyushu Imperial University (R 276-277, 282, 842-843, 1085, 1102, 1114; PX 82, 33, 46, 56, 77, 95, 114). The first operations took place on or about 17 May 1945; the second series, on or about 23 May 1945; the third series, on or about 28 May 1945; and the fourth series on or about 2 June 1945 (PX 222, 223, 228, 230, 231, 235-237).

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Sometime after the middle of May 1945, Probationary Officer Komori (allegedly deceased) took one flier to Kyushu Imperial University. After that time, on orders of the accused Sato, vehicles were dispatched to take fliers to the same place (PX 24, 59, 95, 97, 111, 190; R 911, 997, 1060-1062, 1065, 1113). Sato and Komori advised Ishiyama (deceased) that accused Yokoyama gave his permission to perform experimental operations on the captured fliers (PX 69, 99). Komori further stated that he had the "necessary understanding" to operate on the enemy airmen (R 728, 740, 744, 769). The accused Goiyama ordered the trucks dispatched to transport fliers on instructions from the accused Sato, although the latter did not have authority to release the fliers for the operations (R 264). In his own statement, Goiyama admitted he knew the fliers would not return (PX 85).

The adjutant section controlled the detention barracks and vehicles at Western Army Headquarters (R 747, 998; PX 105). Accused Goiyama was responsible for guarding, quartering, and feeding PW's but did not keep the records (PX 85). Accused Sato, Yakamaru, Aihara and Komori (deceased) were present when the PW's were taken from Western Army Headquarters to Kyushu Imperial University and they were present in the dissecting room at Kyushu Imperial University where and when the vivisection on some of the PW's took place (R 840-841, 846-850, 1075, 1105; PX 65-66, 69, 77, 83, 88-89, 95, 103, 105, 110, 113, 115, 157, 168-169, 181, 198, 209-210, 213-214, 220, 230-233, 235). The accused Aihara told Goiyama to release the PW's to Komori (allegedly deceased) for treatment (PX 85). After part of the operations, Komori (allegedly deceased) made a statement that at least two of the PW's died and that he had taken blood from them with which he would make a bed bug poison (R 884-885; PX 85, 153). Later Komori (allegedly deceased) made arrangements to take other PW's to Kyushu Imperial University for vivisections (R 845).

The obtaining permission for the removal of a PW from Western Army Headquarters to a civilian hospital like Kyushu Imperial University Hospital, would be accomplished by a conference between the chief of staff and the chief of the medical section and they would negotiate with the pertinent service of the civilian hospital. Orders for the release of PW's for hospitalization would come down through the chief of staff to the adjutant section of Western Army Headquarters (R 452-457). The fliers would be escorted out of the detention barracks after conferring with the chief of the legal section (R 457).

Komori (allegedly deceased) and Ishiyama (deceased) frequently came to Western Army Headquarters to confer with members of the medical section. Komori was allegedly injured in an air raid on Fukuoka City during the night of 19-20 June 1945, and as a result is supposed to have died a few days later (R 523-527; PX 89). Ishiyama committed suicide while in prison 17 July 1946 (R 1208, 1213).

The accused Akita apparently knew about the release of the fliers but denied it (PX 83). Sato informed Akita of the experimental operations and Akita asked accused Yokoyama for permission to execute the PW's and Yokoyama granted it (PX 97-100, 116-118, 187).

As commanding general of Western Army Headquarters, accused Yokoyama had the responsibility of seeing that PW's were properly handled and he was informed that there were thirty-one (31) PW's at Western Army Headquarters from 1 May 1945 until the end of the war (PX 77). At the end of the war, Sato stated that PW's had been executed without trial (PX 92-98). Yokoyama was the only officer at Western Army Headquarters who could issue orders on PW's after 1 May 1945 until the end of the war (PX 99).

Accused Sato selected the names of the PW's to be released to Kyushu Imperial University and gave the list to accused Aihara. Aihara in turn gave the list to accused Goiyama. Sato told Aihara to keep the list secret (PX 113-114, 119).

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Komori, Ishiyama, accused Makino, Hirao and Mori were in the dissecting room at the time the alleged operations were performed. Ishiyama was in charge and Komori was his first assistant. Hirao and Mori were passing instruments to Ishiyama and the accused Tsutsui, also known as Tsutsue, was standing by. Operations were performed on the lungs, liver, brain, stomach and heart. Parts of the organs indicated and a quantity of blood, drawn from the femoral artery, were removed while the PW's were still alive (PX 32-35, 47, 66, 77, 85, 88-89, 95, 99, 160, 164, 169, 191, 198, 200, 220, 222-229, 231, 235-236, 242; R 738, 992, 1067-1068, 1070-1071, 1104-1105, 1109, 1113-1115, 1119, 1124-1125). After the lung resection, Ishiyama reopened the incision and untied the arteries, causing a hemorrhage (PX 46, 77, 95; R 1113-1114).

Accused Hirao admitted assisting at some of the operations and at the brain operation he sawed the bones and handled the ligatures (R 881, 884; PX 66).

At different times in May and June 1945, nurses of the First Surgery Clinic, Kyushu Imperial University, brought surgical instruments on orders of the accused Tsutsui, also known as Tsutsue, who directed them to prepare for the experimental operations and to keep them secret. Tsutsui also took the PW's pulse during the operations (R 1004, 1006, 1093-1095, 1139; PX 54, 144, 170, 181, 198, 214).

The accused Hirako consented to the use of the dissecting room for the operations and was present at at least two of the operations. Following the operations, he directed his subordinates to clean up the room and take care of the bodies and prepare them for cremation (R 1045, 1072; PX 88, 144).

Sato informed the accused Yakamaru that the operations were experimental. In order to use the dissection room at Kyushu Imperial University, it was necessary to obtain permission from Hirako (R 637-638; PX 182, 184, 246).

The accused Senba, Morimoto, Yakamaru, Nogawa, Goshima, Hirako, Kubo, Torisu, Tomoki Tashiro, Jiro Tashiro, and Ryu were present at the operations. Mori and Hirao cut out the stomach of one PW; Morimoto appeared to be an observer. Mori helped with one operation on the heart. Makino and Hirao were assisting; Nogawa held the lamp for some of the operations (R 1072, 1074-1076, 1100, 1103-1105, 1117; PX 46, 54, 66, 69, 77, 95, 99, 111, 149, 157, 160, 163-164, 169-170, 181-182, 184, 196-198, 209-210, 212-214, 216-218, 220, 223, 228, 230, 246). The accused Nogawa and Senba came first to arrange the room for the operations (PX 277).

It would be improper for a surgeon to continue to participate in an operation if he knew it was experimental (R 1231-1232).

At the operation in which the femoral artery was cut and the blood was drained therefrom, accused Senba injected sea water into the PW's veins. Hirao assisted Komori in this operation (PX 37).

The first operation was a lung operation; the second series of two operations were on the brain and the stomach; the third series of three operations were on the liver, artery, stomach and heart; and the fourth series of operations were on the lung and the brain (PX 77).

As to Specification 2: (Not Guilty.)

As to Specification 3: The accused Hirako directed that certain parts of the bodies of the PW's be removed after their deaths and Makino removed parts of the heart and lung. Goshima removed parts of the wrist and kidneys and two others (not accused) removed parts of the intestines, stomach, liver, bladder, suprarenal gland, spinal cord, nerve ganglion, heart and brain of some of the

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PW's. The accused Hirako observed the vivisections and directed his assistants to get specimens. Tanaka (not accused) also removed parts of the bodies under Hirako's direction (PX 33, 77, 146, 149, 184-186; R 1051, 1052, 1072-1075). Goshima, Makino and Ryu assisted in dissecting and removing parts of the bodies (PX 146, 235). Komori brought a liver and a quantity of blood from Kyushu Imperial University to Kaikosha Hospital and stated that he had taken the blood from one of the PW's (R 993, 1087; PX 54). The head of one PW was removed (PX 46, 48, 56; R 1073, 1116, 1153). According to Ishiyama's statement, Komori removed one liver from a flier (PX 66).

Makino was working with Goshima in removing parts of the bodies (PX 77, 144, 186). Ryu and Goshima worked on the removal of the brain of one PW. Ryu injected Mueller's solution into the brain before removing it (PX 144, 146, 148-149). Makino admitted holding parts of an organ while others cut out a portion thereof (PX 149).

Morimoto saw others performing an autopsy on one of the PW's while another operation was in progress (PX 197-198).

Komori removed the liver from a PW after the PW was dead (PX 199).

(See also evidence in support of Specification 1.)

As to Specification 4: (Not Guilty)

As to Specification 5: (See evidence in support of Specifications 1 and 3.)

As to Specification 6: (Not Guilty)

As to Specification 7: The adjutant section at Western Army Headquarters did not have authority to release PW's. That authority was vested in the staff section. The order to release a PW was oral. Accused Goiyama, under orders from the senior adjutant, handled all the duties of supplying and housing the PW's but had no authority to release them. Such an order must come from the senior ranking adjutant (R 220-222, 418, 902, 998). The adjutant section also had the responsibility of guarding PW's in the detention barracks (R 282; PX 105, 190). On two occasions in May 1945, the accused Goiyama asked for two guards who had not talked too much to guard the PW's that he was taking outside of the detention barracks (R 419-420; PX 58). Aihara directed Goiyama to send PW's to Kyushu Imperial University and instructed the guards not to mention taking them to Kyushu Imperial University (PX 85).

On one occasion, Komori and Aihara went in a vehicle with the PW's to the Kyushu Imperial University. This PW apparently had a leg or hip injury (R 835, 845). Accused Aihara, Yakamaru, and Sato, together with Komori, were present at one time when PW's were taken from Western Army Headquarters on trucks (R 829, 845; PX 85). At a later date, Aihara directed other PW's to be taken to Kyushu Imperial University (Ex 85). The PW's taken to Kyushu Imperial University appeared to be in good health and did not need medical or surgical treatment and the organs removed did not appear diseased (R 1084, 1112; PX 46, 51, 54, 77, 86, 89, 99, 128, 144, 160-161, 164, 184, 190, 198, 214, 219, 228, 230, 232-233, 242). All of the PW's were able to walk into the operating room (PX 96, 97, 223). In a statement prior to his death, Ishiyama stated that he examined the lung of one PW and found that it was normal (PX 66).

There were no medical histories, X-rays, blood types or other records on the PW's who were operated on (R 1252).

Yokoyama authorized the release of PW's for execution (PX 100-101, 105).

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The operations were experimental (PX 163-164).

(See also evidence in support of Specification 1.)

As to Specification 8: Captain Marvin S. Watkins, pilot on one of the B-29's that crashed on or near the island of Kyushu in May 1945, testified before the commission that PW's were taken to Western Army Headquarters, confined in the stockade, and were placed in a small cell and were kept handcuffed and blindfolded (R 124; PX 93, 190). His testimony was corroborated by others in Record 439, 823-839. Captain Watkins and Sergeant Ponczka, also a PW, had to sleep together in the detention barracks to keep warm and no bedding was provided (R 122). In the cell where the PW's were incarcerated, there was only a small box for sanitary purposes. In spite of requests made to the guards, no medical attention was given to Sergeant Ponczka, who had been injured with a bamboo spear (R 121). Only a rice ball and a few pieces of daikon were provided for each meal (R 122). The captured fliers were informed that they were not PW's but were captives or captured enemy airmen of the Japanese (R 125, 438-439, 826; PX 79).

Sergeant Ponczka's personal effects were taken from him (R 126).

Captured plane crash survivors were held in a detention barracks near Western Army Headquarters pending trial by a military tribunal (R 151-152, 204). The adjutant section was responsible for maintenance of the detention barracks and providing food and clothing. The accused Goiyama was in charge of messing and billeting (R 151, 857-858, 998; PX 24, 85, 190 p 105). A report was made to the Western Army Headquarters as to the age of the PW, his name, and the offense with which he was charged, those who were not prosecuted, and the time when a PW was released from a detention barracks. This report ultimately reached the Minister of War through the Commanding General of Western Army Headquarters. There was a detention camp near Fukuoka Army Detention Barracks under the Western Army Headquarters, supervised by the accused Sato and higher officers. Accused Aihara assisted Sato. The chief of the legal section reported to the commanding general on fliers held at the detention barracks (R 158). The accused Shoshin Ito, also known as Akinobu Ito, said, in a conference in which the accused Sato was present, that since the staff section was to take "proper measures", the chief of the legal section would not interfere (R 162-163, 173; 438, 825). "Proper measures" could be interpreted to mean killing fliers without trial (R 166). Captured enemy fliers would not be considered PW's until after the Kempei Tai investigation. It was according to the result of the investigation that the captured enemy airmen were classified either as suspects or accused (R 188, 204-206).

War crimes suspects, under the provisions of the rule for Army military tribunals, had no rights under international law (R 196, 207). The military tribunal for the trial of suspects was established at Western Army Headquarters in April 1945 but no enemy airmen were tried before it (R 207-211, 274, 1380; PX 79, 120, 189). Rules for the trial of captured enemy airmen were set up by the commanding general of the Western Army Headquarters. The rules were based on a directive from the Second General Army Headquarters (R 265, 270-271, 299-301, 304). The accused Sato stated that instructions from Tokyo stated that fliers "were to be properly disposed of" at Western Army Headquarters and this was construed to mean to kill the enemy (R 302-303; PX 190). Accused Fukushima announced that captured fliers would not be called PW's but "enemy fliers" (R 309; PX 120). It was decided to kill the fliers without trial or after a brief investigation by the Kempei Tai and the issuing of an order directing the execution (R 377-381, 1011, 1275). This was on the proposal of the accused Sato and approved by Yokoyama (IBID, PX 116). Aihara was responsible for impounding PW's and their property (PX 99).

The fliers were given a drug before being taken to Kyushu Imperial University (PX 24, 46; R 184, 767, 835-837, 997, 1083; PX 65, 66, 85, 86, 103, 157, 198, 213, 219, 223).



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Personal effects of PW's were taken from them and not returned. All of these articles, other than those of intelligence value, were thrown into the sea on orders of Aihara (R 356, 852; PX 89). Yokoyama issued orders to dispose of personal articles (PX 89, 93). The bodies of the fliers were cremated after the operations (PX 47, 51, 57, 59, 69, 73; R 291, 422, 1039).

The ashes or a portion of them were kept at Kyushu Imperial University and were later disposed of. Part of the ashes were thrown in the lake (R 1039-1041; PX 56, 182, 184, 185, 186, 187, 241).

No effort was made to mark and preserve the remains of the PW's (PX 58, 241). The ashes of some American bodies were taken and mixed with ashes of Japanese as part of the concealment plan (PX 125-128).

The servants at the anatomy section of Kyushu Imperial University were responsible for keeping records on the identity of bodies (PX 184).

As to Specification 9: (also Additional Specification)

During the night of 19-20 June 1945, there was an air raid on Fukuoka City (R 174). A report was sent from Western Army Headquarters to the War Minister that fifteen or sixteen enemy fliers were killed in that air raid (R 179, 285-290, 395, 397; PX 83, 89, 91, 104). A copy of this report went to the legal section (R 180). Yakamaru submitted a telegram to headquarters that PW's died in that air raid; Fukushima knew this report was false (R 180). Yokoyama knew of this false report; Aihara wrote the report and approved it on orders from Sato. Shoshin Ito, also known as Akinobu Ito, approved the false report and Fukushima placed his stamp on it (PX 89). No PW was killed in the air raid 19-20 June 1945. After 15 August 1945, the detention barracks were torn down and burned in order to conceal writing in English on the walls. This was accomplished on orders of Fukushima, Sato and Shoshin Ito, also known as Akinobu Ito, after efforts to remove the writings were futile (PX 24; R 186, 229, 295-296). Subsequent to submitting a report to the War Minister that the prisoners had died in an air raid, it was decided to report that the fliers were sent to Tokyo (R 187). Aihara kept a list of the names of PW's sent to Kyushu Imperial University, which list he burned (PX 104). Sato went to Tokyo to the PWIB and withdrew from the War Ministry the report after the war (PX 91, 99, 102, 104, 106, 120). Inada, Yokoyama, Akita, Fukushima and Yakamaru would have seen the false report. Ito sent a copy to the War Ministry Legal Section on orders of Yokoyama, knowing the report was false (PX 120). There was a plan of concealment of the disposition of the fliers devised by the accused Sato, Fukushima and Aihara (R 331-333, 392; PX 83). In September 1945, Sato informed Aihara there would be a plan of concealment and that in the event of an investigation, the Kyushu Imperial University incident was to be kept a secret and it was to be said that the fliers were sent to Hiroshima and died in the atomic bombing (R 294, 394, 885, 1338; PX 83, 88, 96, 107, 113, 116, 120, 124, 127, 128, 130-132, 134, 190). Aihara was supposed to have gone to Hiroshima with the fliers (PX 125). Inada knew of the plan, approved it and helped to conceal it (PX 124-128, 130, 247). Ashes of the sixteen fliers were buried in the army cemetery (R 288-289, 1437). A report made to the War Minister regarding the sixteen fliers was destroyed on the request of Sato (R 293). Accused Shoshin Ito, also known as Akinobu Ito, was advised of what took place at Tokyo in regard to the destruction of the report of the fliers (R 294).

A plan, devised by Sato and Fukushima and participated in by Inada, to report that the fliers had been killed at Hiroshima was later changed to the report that part of the fliers died at Hiroshima and part had been sent to Tokyo and were lost in a plane crash in the sea by a suicide squad (R 295, 1405; PX 83, 89, 99, 143, 190, 203-204, 206-208). On 20 August 1945, there was a meeting of Sato, Yakamaru and Fukushima relative to the matter of concealment of the Kyushu Imperial University incident (R 394; PX 85). Fukushima called a meeting in

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October or November 1945, of Sato, Goiyama and others, to plan the concealment of the Kyushu Imperial University incident and say that the PW's were sent to Hiroshima (PX 85). It was intended to get some ashes and use them in the concealment plan (R 398, 418; PX 224). Ashes of certain bodies, allegedly PW's, were buried to deceive the Japanese PWIB and make it appear that these PW's were killed in the air raid 19-20 June 1945 (R 291, 422; PX 120). Sato and Shoshin Ito knew of this plan (PX 99, 120). No record as to the identify of the bodies was kept. Hirako directed the servants not to enter a record of the cremation of these bodies (PX 51). Ordinarily records of medical treatments were kept in PW camps, which were sent to the Western Army Headquarters and to the PWIB. In case of a death, a report would be made, usually showing the name, rank, nationality, ASN, date and cause of death. In case of death of a PW, the branch camp medical officer had to sign a death certificate (R 460-461). In case a PW died away from the detention camp, the army would be notified and make out a death certificate. A fellow PW would witness the cremation and burial of the ashes (R 463). Under Japanese law, a death certificate is required to be signed by the doctor who last treated the patient, showing the place of death (R 555).

A PW investigation committee, composed of accused Inada, Yakamaru, and Fukushima, was organized November 1945 (R 478). In January 1946, the accused Yakamaru reported everything had been taken care of (R 482). Sato, Aihara and Yakamaru held a meeting at the end of the war and made plans to conceal the deaths and to report that the fliers had been sent to Hiroshima and killed in the atomic bombing. This was Fukushima's idea. In February 1946, there was a report made to the Occupation Forces pertaining to the PW's at Western Army Headquarters which did not include the Kyushu Imperial University incident (R 852-853, 1273). The officer whose duty it was to sign the death certificates did not sign any in April, May or June 1945 (R 963). Three copies of a false report were sent to Kurume CIC and the Fukuoka CIC in December 1945 (PX 83).

Inada knew of the execution but did not want to conceal it. He and Sato did, however, want to conceal the Kyushu Imperial University incident because of the shame on the country (PX 83, R 1328).

Accused Akita, Sato and Yakamaru told Nobuo Oguri, who dispatched vehicles to transport PW's to Kyushu Imperial University, at the end of 1945 not to talk about anything about sending the PW's there (R 998, 1000, 1001). After the war, Shoshin Ito, also known as Akinobu Ito, stated that the operations must not be mentioned (IBID). Sato also told the deceased Ishiyama and accused Hirao not to mention the matter of the operations (PX 69).

The Japanese government had previously agreed to follow the terms of the Geneva Convention (PX 76).

Fukushima stated that in 1945 it would be better not to report the dispatch of the fliers (PX 174). In November 1945, Hirako, Ishiyama, Sato and Torisu agreed to place the blame for the operations on Komori since Komori was dead (PX 96).

In December 1945, Fukushima, after consulting Sato, decided to make his false report on the disposition of the fliers to the CIC. Yakamaru was present when Inada announced his plan (PX 83, 99).

Fukushima was willing to accept full responsibility for the concealment plan and did not want the Kyushu Imperial University incident revealed and was behind the plan to conceal the atrocities (PX 83, 99, 116, 191). Fukushima, Yakamaru, Sato, Aihara and Shoshin Ito, also known as Akinobu Ito, met and agreed to a plan of concealment and to notify all of the divisions under the Western Army Headquarters under the 16th Area Army to disclaim any knowledge of any PW's (PX 99).

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Aihara went to GHQ to report that the fliers had been sent to Hiroshima (R 1338).

The accused Hirako was told not to keep crematory records (PX 182).

Inada was the one who directed that Oki, who was sent to Fukuoka to investigate the case, be the chief of the legal section rather than a prosecutor. As a prosecutor, Oki would not have been required to submit reports to Inada and Nishihara (the latter, not accused). Akita and Inada directed Oki not to mention the operations in the reports. Fukushima gave the information on the operations (PX 187).

After the war, Yokoyama stated that it would reflect on the Japanese Army to report that he gave permission to execute the fliers (PX 190). Following the war, Sato told the doctors at the Kyushu Imperial University not to reveal the operations (PX 233).

After the war, the Japanese Government in Tokyo set up a PW Investigation Committee to ascertain the actual facts with regard to records on PW's within the 1st and 2nd General Army areas and within units subordinate to those to Armies (PX 135). Documents pertaining to PW's held at Western Army Headquarters were burned at the end of hostilities on or about 15 August 1945 (PX 127-128, 130, 134). Documents were also destroyed in the atom bomb raid on Hiroshima (PX 127-128). It was not until after the war that officers of Western Army Headquarters reported the executions of fliers to Tokyo (PX 126). Efforts were made to cooperate with the headquarters and Hiroshima (PX 126). Ashes of nine fliers were brought to Hiroshima (PX 126).

AKITA, Hiroshi

As to Specification 1: The accused was a Colonel in the Imperial Japanese Army from May 1945 until he was demobilized in November 1945 and served on the staff of Western Army Headquarters and 16th Area Army Headquarters as operations officer (R 68, 453; PX 116). He was senior staff officer at Western District Headquarters at Fukuoka, Kyushu, Japan (R 69-71, 428; PX 83, 120). After demobilization, he was chief of general affairs at Western Demobilization Center (R 72). Sato reported one of the operations to Akita and Akita made no comment (R 1662-1663; PX 99). (See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 4: (Not Guilty)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (Not Guilty)

As to Specification 7: (See evidence in support of Specification 7, Aihara.) (See also evidence in support of Specification 1, Aihara.)

As to Specification 8: (See evidence in support of Specification 8, Aihara.)

As to Specification 9: (See evidence in support of Specifications 8 and 9, Aihara.)

As to the Additional Specification: (See evidence in support of Specification 9, as above.)

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FUKUSHIMA, Kyusaku

The accused Fukushima was a Major General in the Imperial Japanese Army from May 1945 and was vice-chief of staff of Western Army District and 16th Area Armies until he was demobilized in 1945. He was connected with local administration and information on civilian air defense. Subsequent to demobilization, he was administration chief of the Western Demobilization Center at Fukuoka (R 73, 453; PX 83, 89, 120). He had the responsibility of seeing that PW's were not mistreated (PX 89).

Fukushima was present at a meeting in regard to concealing the Kyushu Imperial University incident on 20 August 1945. It was then planned to say that the fliers were killed at Hiroshima (R 394). A meeting was held a few days after and it was agreed thereat to state that the fliers were killed in the Fukuoka air raid, 19-20 June 1945 (R 395). He was also present at a meeting in Tokyo at which he stated it would be better not to report the matter of disposition of air crew members (PX 174). He told Torisu not to mention the operations (PX 213).

As to Specifications 1, 2, 3, 4, 5, 6, 7, and 8: (Not Guilty)

As to Specification 9: (See evidence in support of Specifications 8 and 9, Aihara.)

As to the Additional Specification: (See evidence in support of Specification 9, as above.)

GOIYAMA, Shiraju

As to Specification 1: Accused was a Captain in the Imperial Japanese Army in May 1945 until he was demobilized in November 1945. He was a member of the adjutant section of Western Army Headquarters (R 74). He also assisted with duties in connection with PW's (R 425, 820-821; PX 81). (See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (Not Guilty)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specifications 6, 7, 8, and 9: (Not Guilty)

As to the Additional Specification: (Not Guilty)

GOSHIMA, Shiro

Accused was a medical doctor connected with the Kyushu Imperial University Medical College and was a post-graduate student in the anatomy section during May and until 2 June 1945 (R 75, 1047). He was present at the operations (PX 51).

As to Specifications 1 and 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, Aihara.)



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As to Specification 5: (See evidence in support of Specification 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

HIRAKO, Goichi

As to Specification 1: Accused was a professor of medicine at Kyushu Imperial University Medical College and was director of the anatomy institute and approved its use for the alleged operations during May and June 1945. He was arrested in July 1945 (R 75-76, 1027, 1032; PX 32, 144). He was carrying on research on the brain and nervous system in 1945 and was custodian of the anatomy dissection room (R 1023; PX 181, 184, 187, 198).

Accused was senior professor in the anatomy clinic in April, May and June 1945 and a professor from any other department could arrange to use the facilities of a different department by contacting the head of the department concerned (R 637-638; PX 184, 246). The head of a department could refuse the use of his facilities to anyone else (R 639; PX 182).

According to the statement of the accused Sato, Hirako only talked to Ishiyama during the brain operation (PX 99, 233). He was present at the operations (PX 163, 223). According to Torisu, Hirako assisted at the operations (PX 110).

At the brain operation, Hirako brought a preserved brain into the dissecting room and acted as advisor to Ishiyama (PX 170, 218, 220, 230 233, 246). Hirako also had charge of the crematorium (PX 184).

Ishiyama asked to use the anatomy dissecting room for the operations and Hirako gave his permission (PX 184, 214).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2a: (Not Guilty)

As to Specification 2b: (See evidence in support of Specification 1, as above.)

As to Specification 2d: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specifications 2 and 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specifications 4 and 5, as above and Specification 8, Aihara.)

As to Specification 7: (See evidence in support of Specification 6, as above.)

As to the Additional Specification: (See evidence in support of Specification 9, Aihara.)

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HIRAO, Kenichi

As to Specification 1: Accused was an assistant professor at Kyushu Imperial University Medical College during May and June 1945 and was assigned to the First Surgery Clinic (R 77).

In about October 1945, there were rumors that the operations were performed at Kyushu Imperial University and that this accused was involved. On advice of his father-in-law, Hirao resigned his position at the university (R 556, 1554). The accused participated in the lung resection on a PW, together with Hirako and Mori (R 627). He also participated in a stomach excision, together with Torisu, Mori, Senba (also known as Semba), Kubo, Jiro Tashiro and Morimoto (R 678-679, 1183; PX 54, 77, 149, 163, 169-170, 181-182, 196, 210, 214, 217-220, 223, 228-231, 242). In the liver operation, he opened the wound and held it open and wiped blood with gauze (R 1187). At the heart operation, accused was assistant to Ishiyama and wiped blood and sutured the wound. There were several incisions made in the heart and each time it was sutured (R 1187). At the brain operation, accused Hirao cut holes in and sawed the skull and assisted in suturing the wound (R 1188; PX 77, 209).

Hirao told Nogawa not to reveal the operations (PX 161). (See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

HORIUCHI, Kiyoma

Of all Charges and Specifications: (Not Guilty)

INADA, Masazumi

Accused was a Lieutenant General in the Imperial Japanese Army in May and June of 1945 and was chief of staff of both the 16th Area Army and the Western District Army at Fukuoka City, Kyushu, Japan, and as chief of staff, he was advisor to the commanding general on PW matters (R 78-79; PX 79, 83, 120, 143). From 1 December 1945 until 15 April 1946, he was chief of general affairs at Western Demobilization Center (PX 143).

As to Specifications 1, 2, 3, 4, 5, 6, 7, 8, and 9: (Not Guilty)

As to the Additional Specification: (See evidence in support of Specification 9 and of the Additional Specification and Charge, Aihara.)

ITO, Akira

Of the Charge and Specification: (Not Guilty)

(p 92 of 110, Aihara et al, Case #290)

*Restricted*



*Restricted*

ITO, Shoshin: (also known as Ito, Akinobu)

Accused was a Major General in the Imperial Japanese Army from May 1945 until he was demobilized in November 1945. He was chief of the legal section of Western Army District and 16th Area Army Headquarters and also of the Kurume Divisional District (R 84-85, 151, 452).

As to Specifications 1, 2, 3, 4, 5, 6, 7, and 8: (Not Guilty)

As to Specification 9: (See evidence in support of Specification 9, Aihara.)

As to the Additional Specification: (See evidence in support of Specification 9, as above.)

JIN, Iichiro

Of all Charges and Specifications: (Not Guilty)

KISHI, Tatsuro

Of all Charges and Specifications: (Not Guilty)

MAKINO, Reichiro

Accused was a medical doctor and a graduate and research student at Kyushu Imperial University Medical College in May and June 1945 (R 89, 1028). He was an assistant in anatomy (PX 184). He gave instructions to bring in coffins before the operations began (PX 51).

As to Specifications 1 and 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

MATAKE, Shinchiro

Of the Charge and Specification: (Not Guilty)

MORI, Yoshio

As to Specification 1: Accused was a medical doctor and a lecturer at Kyushu Imperial University in May 1945 and was connected with the First Surgery Clinic (R 95-96). Accused participated in a lung resection on a PW, together with Torisu and Hirao (R 627). He also participated in a stomach excision, together with Hirao, Torisu, Senba (also known as Semba), Kubo, Morimoto and Jiro Tashiro (R 678-679, 1181, 1183; PX 69, 77, 149, 160, 164, 169-170, 214, 217-219, 227, 230-232, 235, 242). He also assisted in the heart operation (PX 149).

*Restricted*

*Restricted*

Mori admitted administering the anesthetic and operating on the heart of one PW (PX 228, 230).

(See also evidence in support of Specification 1, Aihara).

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

MORIMOTO, Kenji

As to Specification 1: Accused was a medical doctor at Kyushu Imperial University Medical College in May and June 1945 and was medical chief at the First Surgery Clinic (R 96-97; PX 194).

Accused participated in a stomach excision and other experimental operations, together with Torisu, Hirako, Mori, Senba (also known as Senba). Kubo and Jiro Tashiro (R 678-679, 682, 287-288, 1180, 1183; PX 163-164, 169-170, 195-197, 211, 212, 220, 223, 242). At the brain and liver operations, accused wiped blood with gauze (R 1188; PX 77, 149, 197). He took Torisu's place at one of the operations (PX 11).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

NOGAWA, Nobuyoshi

As to Specification 1: Accused was a medical doctor and graduate student at Kyushu Imperial University Medical College in May and June 1945 and was assigned to the First Surgery Clinic (R 96-97).

(p 94 of 110, Aihara et al, Case #290)

*Restricted*



*Restricted*

At the liver operation, Nogawa put the PW on the table and applied the anesthetic (R 1187; PX 166, 220). Either Nogawa or Senba (also known as Senba) applied the anesthetic at the first, second and third operations (R 1253; PX 161, 223). He was present at the lung operation and held the operating lamp (PX 160-161, 163, 166, 235, 242). He also stood guard at the door during one of the operations (PX 162). Nogawa advised Jiro Tashiro that there were to be unusual operations at Kyushu Imperial University (PX 163).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

ODA, Tayuru

Of the Charge and Specification: (Not Guilty)

RYU, Miki

Accused was a medical doctor and a graduate student at Kyushu Imperial University Medical College in May and June 1945 and was assigned to the anatomy section (R99, 1047; PX 144).

As to Specification 1 and 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

SATO, Yoshinao

As to Specification 1: Accused was a Colonel in the Imperial Japanese Army and was assigned to the 16th Area Army and Western Army District Headquarters in May and June 1945 as chief of air defense operations and as air intelligence officer (R 100, 453, 820; PX 83, 95, 99). Subsequent to demobilization in November 1945, he became a member of the Western Mobilization Center

*Restricted*

*Restricted*

(R 101). After April 1945, Sato was in charge of captured B-29 fliers (R 364, 382, 822; PX 89, 95). He gave his approval to send fliers to Kyushu Imperial University (R 392).

Sato went to Kyushu Imperial University to see the operations and at the time considered that the PW's were going to be subject to experimental operations (R 387; PX 95). He attended a meeting on 20 August 1945 in regard to concealment of the Kyushu Imperial University incident and agreed it should be reported that the fliers died at Hiroshima in the atomic bombing (R 394). A few days later, another meeting was held and it was agreed to state that the fliers were killed in the air raid on Fukuoka City, 19-20 June 1945 (R 395). also that the Army was taking care of everything (PX 211).

Sato spoke about the operations on PW's at Kyushu Imperial University as being for the good of the country (PX 97). He also said he would assume full responsibility for the operations (PX 98).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to Specification 7: (See evidence in support of Specification 7, Aihara.)

As to Specification 8: (See evidence in support of Specification 8, Aihara.)

As to Specification 9: (See evidence in support of Specification 9, Aihara.)

As to the Additional Specification: (See evidence in support of Specification 9, as above.)

SENBA, Yoshitaka: (also known as Senba, Yoshitaka)

As to Specification 1: Accused was a medical doctor and a post-graduate student at Kyushu Imperial University in May and June 1945 and was assigned to the First Surgery Clinic (R 102). Senba participated in various of the operations and withdrew blood and injected sea water into the victims and on one occasion opened a wound (R 628, 1183, 1187; PX 149, 160, 163, 169-170, 196, 209-210, 213-214, 217, 220, 223, 230-231, 242).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

*Restricted*



*Restricted*

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

TASHIRO, Tomoki

As to Specification 1: Accused was a medical doctor at Kyushu Imperial University Medical College in May and June 1945 and was assigned to the First Surgery Clinic (R 104-105).

At the liver operation, accused held the lamp (PX 157, 220). Accused carried instruments to the anatomy section and arranged the operating room on orders of Torisu (PX 164, 223, 235).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to the Additional Specification: (Not Guilty)

TORISU, Taro

As to Specification 1: Accused was a medical doctor and professor at Kyushu Imperial University Medical College in May and June 1945 and was a member of the First Surgery Clinic (R 106). Accused participated in the lung resection, together with Hirao and Mori (R 627). He held a wound open and wiped blood with gauze (R 1187; PX 213). He also participated in a stomach excision with Hirao, Mori, Senba (also known as Senba), Kubo, Morimoto and Jiro Tashiro (R 678-679; PX 77, 95, 149, 163, 169-170, 198, 209, 212, 217, 220, 223, 228, 230-233, 235, 242). Prior to the operations, Torisu went to the anatomy dissection room to arrange a table for operating (PX 161, 209). He assisted at the brain operation (PX 181). His defense is that Ishiyama ordered him to participate (PX 214).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

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*Restricted*

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (See evidence in support of Specification 9 and Additional Specification, Aihara.)

TSURUMARU, Hironaga

Of the Charge and Specification: (Not Guilty)

TSUTSU, Shizuko (also known as Tsutsue, Shizuko)

As to Specification 1: Accused Tsutsui, also known as Tsutsue, was a civilian nurse, working in the Kyushu Imperial University in May and June 1945 and was chief nurse and she participated in the alleged operations (R 109, 514, 1004, 1091, 1183; PX 46, 167).

Under the Japanese medical system, a nurse has no independence and is more of a personal servant of the doctors than a nurse (R 568).

After the war, Tsutsui, also known as Tsutsue, stated she would take the blame for the operations (R 1244; PX 77).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

YAKAMARU, Katsuya

As to Specification 1: Accused was a lieutenant colonel in the Imperial Japanese Army from May 1945 until he was demobilized in November 1945 and was assigned to the 16th Area Army and Western Army District Headquarters. Subsequently he was in the investigation section of the Western Demobilization Center (R 110; PX 88). He was assigned to civilian air defense, internal peace and maintenance and general affairs of PW's. He also had the duty of receiving PW's, maintaining records on them and seeing that their livelihood was sustained (R 363, 421, 453; PX 83, 89, 93, 120).

Yakamaru signed a revision of the regulations which, in turn, had to be approved by the commanding general.

He went to Kyushu Imperial University at about the time of the alleged operations and was present at the second series (R 391; PX 212).

*Restricted*



*Restricted*

Yakamaru was present at a meeting on 20 August 1945, at which time the concealment of the Kyushu Imperial University incident was discussed (R 394).

(See also evidence in support of Specification 1, Aihara).

As to Specification 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (Not Guilty)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara).

As to Specifications 6 and 7: (Not Guilty)

As to Specification 8: (See evidence in support of Specification 8, Aihara).

As to Specification 9: (See evidence in support of Specification 9, Aihara.)

As to the Additional Specification: (See evidence in support of Specification 9, as above.)

YOKOYAMA, Isamu

As to Specification 1: Accused was a lieutenant general in the Imperial Japanese Army and was commanding general of Western Army District and the 16th Area Army, located at Fukuoka City and Yamao in May and June 1945 (R 111-112, PX 79, 120, 192). In addition, he had command of subordinate units of the above headquarters and supervision of military operations, training and mobilization (R 452, 998; PX 118).

It was necessary to have the approval of the commanding general to release PW's to Kyushu Imperial University (R 437). It was also necessary to have his permission to operate on a PW at other than an Army hospital (R 720; PX 89). It was his responsibility to see that PW's were properly handled at Western Army Headquarters.

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (Not Guilty)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (Not Guilty)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (Not Guilty)

As to Specification 7: (See evidence in support of Specification 7, Aihara.)

As to Specification 8: (See evidence in support of Specification 8, Aihara.)

*Restricted*

*Restricted*

As to Specification 9: (See evidence in support of Specification 9, Aihara.)

As to the Additional Specification: (See evidence in support of Specification 9, as above.)

KUBO, Teshiyuki

As to Specification 1: Accused Kubo was a medical doctor and was connected with Kyushu Imperial University Medical College in May and June 1945 and was a member of the First Surgery Clinic (R 88). He participated in a stomach excision, together with Morimoto, Jiro Tashiro, Torisu, Hirao, Mori and Senba (also known as Semba) (R 629; PX 235). At the liver operation, Kubo held the lamp (R 1187; PX 157). He attended the operations without being asked to do so (PX 157). At some of the operations, he administered the anesthetic and assisted in carrying the instruments to the anatomy room (PX 163-164).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

As to Specification 6: (See evidence in support of Specification 5, as above)

As to the Additional Specification: (Not Guilty)

TASHIRO, Jiro

As to Specification 1: Accused Jiro Tashiro was a medical doctor at Kyushu Imperial University Medical College in May and June 1945 and was assigned to the First Surgery Clinic (R 103).

He participated in a stomach excision, together with Kubo, Morimoto, Torisu, Hirao, Mori, and Senba (also known as Semba) (R 679, 1246; PX 77). He admitted being present at a lung and brain operation. He entered the anatomy room by the back way after being told not to come in. He assisted in putting a PW on the table, took blood pressure, held the operating lamp, covered the windows to prevent anyone seeing in and carried the instruments to the anatomy room (PX 163).

(See also evidence in support of Specification 1, Aihara.)

As to Specification 2: (See evidence in support of Specification 1, as above.)

As to Specification 3: (See evidence in support of Specification 3, Aihara.)

As to Specification 4: (See evidence in support of Specification 3, as above.)

As to Specification 5: (See evidence in support of Specifications 1 and 3, Aihara.)

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*Restricted*

As to Specification 6: (See evidence in support of Specification 5, as above.)

As to the Additional Specification: (Not Guilty)

b. For the Defense;

The accused Sato, Mori, Senba (also known as Semba), Torisu, Hirao and Hirako, after having been duly advised of their rights, elected to testify in their own behalf under oath.

SATO

The accused Sato was chief of air defense and air intelligence at Western Army Headquarters. He construed a report of the commanding General to mean the fliers were to be investigated and a report of investigation submitted to the commanding general and if the latter decided that the fliers were guilty, they would be executed without trial. This construction was never confirmed by the commanding general and no trials of captured enemy airmen were held. Komori (allegedly deceased) proposed that the fliers be used to advance medical science instead of shooting or beheading them. Sato knew such practice would be prohibited by superior officers but Komori pressed him to release the fliers, which release was accomplished by oral orders to the adjutant section. The adjutant section released the fliers and provided transportation. Sato's subordinates never knew the real purpose of the operations. Sato attended three or four series of experimental operations performed between 17 May and 2 June 1945.

Every officer at Western Army Headquarters was busy with his own duties, preparing for the expected invasion of Kyushu.

Ishiyama (deceased) reassured Sato that the operations would prove highly profitable to medical science as Komori had said. Ishiyama directed the doctor in charge of the dissecting room to cremate the bodies. Following the operations, Ishiyama suggested a party to reassure his assistants that the Army was back of the operations and at the party Sato thanked the doctors for their cooperation in the war effort.

After the war, Sato did all he could to conceal the operations because he alone was responsible. At the time of the operations, it was an unusual execution of enemies doomed to die.

Sato had no authority or approval to do what he did. Nothing was considered forbidden if it was directed against the enemy. He did not know any of the fliers and only treated them as an enemy (DX C). Yokoyama said to kill all PW's (R 1685).

Cross Examination: Sato did not make a report to his superiors. His statement DX C was read to him (R 1605). DX C was a compilation of statements previously made and it was discussed with counsel on several occasions (R 1606, 1611).

Someone made a promise of compensation to Sato's family if he would assume full responsibility for the atrocities, which promise was made after an investigation by the War Ministry (R 1609, 1611). A report, including the eight fliers, was made to his superiors after the Fujioka air raid (R 1612).

Sato did not tell Yakamaru, Aihara nor Goiyama the purpose of the operations but Yakamaru accompanied Sato to the hospital. Sato cautioned all of those mentioned not to speak of the operations to unnecessary persons. The fliers were not sent to be killed but they died. Sato was sure that the fliers were to be killed at the second series of operations (R 1614-1616).

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*Restricted*

Sato gave no instructions to subordinates for accounting for fliers taken from Western Army Headquarters. It was later reported by Goiyama that the fliers were sent to Kyushu Imperial University. No plans were made at first as to the disposition of the effects of captured fliers (R 1616-1617).

Sato assented to the cremation of the bodies but did not request that the ashes be marked and preserved and no death certificates were requested (R 1618). After 10 May 1945, Yokoyama said that the fliers would be executed without trial. They did not report the disposition of the Watkins crew to Tokyo. After 15 August 1945, it was discovered that Watkins was still alive and Western Army Headquarters started a plan of concealment (R 1619).

Sato spoke to Akita and Fukushima about the operations in June 1945 (R 1620). In a speech, Yokoyama, in April 1945, stated no soldiers would be considered as PW's and Sato interpreted that to mean no PW's would live (R 1621, 1624).

There was an investigating committee set up at Western Army Headquarters after the war. Inada appointed the members from officers who were present at Fukuoka at the time (R 1625). After 15 November 1945, it was decided to continue the concealment plan. Fukushima, Akita and Yakamaru were at the meeting. Yokoyama established the concealment plan and ordered Fukushima to carry it out (R 1626). A report was made of the atrocities committed but concealed those committed at Western Army Headquarters (R 1627). Lt. Oguri (not accused) stated that the fliers sent to Kyushu Imperial University. Fukushima, Akita and Inada instructed Oguri as to what he should say at the investigation (R 1627-1628).

Yakamaru was present at the operations. Fukushima had the list of the dead in Western Army Area Headquarters which Sato prepared and he took it to Tokyo for the meeting held 16-17 November 1945 (R 1635). Western Army Headquarters did not submit a list of PW's killed at Kyushu Imperial University up to the time of Sato's arrest. No report was made on the disposition of personal effects of the PW's who died (R 1637-1638). Sato explained the Army's concealment plan to Ishiyama (R 1641). Fukushima ordered Sato to retrieve the false report about the fliers killed in the Fukuoka air raid (R 1642).

When the fliers were first taken to Kyushu Imperial University, Sato knew nothing about the experiments. Hirako and Ishiyama were the first persons Sato met at Kyushu Imperial University at the time of the operations (R 1649).

Ishiyama proposed to blame everything on Komori (R 1651).

Aihara received PW's, kept their personal effects and made reports of them. Only a commanding general and the chief of staff could give specific orders on the disposition of PW's (R 1655). Aihara, on orders from Sato, instructed the guards on the secrecy and Aihara attended two series of operations. Hirako observed one operation for a while (R 1660, 1667, 1669). Hirako was present before the operation started (R 1661). Sato decided which PW's should be sent for the operations on the basis of these guilty of indiscriminate bombing. Only nine PW's were guilty of indiscriminate bombing (R 1664). Permission to release PW's had to come from someone higher in authority than Sato (R 1672). Sato told Hirako the Army had caused him trouble and that the Army would assume all responsibility for the operations (R 1674).

#### MORI

Mori attended three series of operations on orders of Ishiyama but did not know the operations were experimental (R 1688, 1714). He would have refused to participate if he had known the Army had not ordered the operations but would have been expelled from Ishiyama's clinic (R 1689). Ishiyama reprimanded

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him for suggesting that the operations be discontinued and Ishiyama said that the doctors should obey the orders of the Army (R 1690).

Cross Examination: Ishiyama made all of the decisions at the operations and the other accused were sub-assistants. The doctors did not gain anything from the operations. Everything was done under the pressure of the time (R 1691). A representative of the Army was present at the three series of operations Mori attended (R 1693). He knew he would be punished for his participation (R 1695).

Mori did not see any bullet removed from the lung of a PW (R 1697). Mori did not know about the operations before Hirao told him to participate (R 1699).

A nurse is on a lower plane than a doctor and has to obey orders implicitly (R 1702). Mori assisted Ishiyama with the gastric resection by making the incision. Hirao also assisted (R 1705). Mori incised the heart of one PW and sutured the wound after the PW was dead (R 1707-1709). He used a retractor in the brain operation (R 1710).

SENBA (also known as SEMBA):

Senba attended the first operation at 17 May 1945 and learned that it was experimental (R 1719). He considered an illegal act could be made legal by an Army order and he would not have obeyed Ishiyama if he thought the Army had not ordered the operations (R 1721). A Japanese nurse was treated like a slave (R 1721).

He did not have any freedom of action nor did he think medical science would profit by these operations. Ishiyama refused to listen to suggestions that the operations were improper (R 1722).

Cross Examination: He did not know of any doctor who quit the operations nor did he know of any punishment inflicted upon anyone in relation to the experimental operations. He had previously tried the salt water injections on Japanese patients, who left the hospital in good health. Salt water was used on an American PW (R 1723-1724). He was told to bring sea water to the operations (R 1725).

Professor Ishiyama was feudalistic (R 1727). He knew of no benefit the Army derived from the operations (R 1728).

TORISU

Toritsu attended two series of operations, the first (and the second). Ishiyama informed him the Army had ordered the operations and Ishiyama, in turn, ordered him to assist. He knew at the second series of operations that they were experimental (R 1731).

He knew of many civilians who were punished for criticizing the Army. Hirao was at the second series of operations. Ishiyama excused Toritsu from the third series of operations to attend a medical meeting. Ishiyama claimed that the First Surgery Clinic was entrusted to him by the Emperor and that if Toritsu had refused to participate, he would have been discharged or he might have been discharged from the clinic on his own request. The Army declared illegal acts legal. He asked Ishiyama to discontinue the operations unless they were to save lives and Ishiyama became angry (R 1732-1733).

He considered the Army ordered the operations (R 1734). Ishiyama gave the orders at the operations and others assisted. He did not state that Mori wanted to do all of the operations as contained in DX 214 and asked that

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this statement be corrected in January 1948 but the investigator did not come. Ishiyama, not Mori, performed the heart operations (R 1746-1747).

Cross Examination: Torisu was a former Army officer and was an assistant professor at Kyushu Imperial University at the time of the operations. He and Hirao were on the same level and were the two senior doctors (R 1735). He did not know of any civilian who was punished for refusing to participate in an illegal killing. It was a custom of the professors not to go over the head of the chief of a service or to the dean or president of the university. Ishiyama was a temporary civilian official of the Army. Torisu knew nothing about the four series of operations (R 1736-1737).

Torisu did not stop the heart action of a PW (R 1739). He never told Sato that there was no better plan of concealment than the Hiroshima plan nor did he meet with Sato, Hirako and Ishiyama nor agree that all the blame should be placed on Komori (R 1740). He did not participate in the brain operation (R 1742-1743). Torisu was not at Komori's death bed. He did not ask Nogawa to go to the dissecting room and fix the operating slab nor did he tell Nogawa to keep people out of the dissecting room (R 1744).

#### HIRAO

Hirao did not know the operations were experimental and was ordered by Ishiyama to assist. He was very suspicious about the operations because they were performed in the dissecting room and because an entire lung was resected (R 1749). Ishiyama stated the operations were performed on orders of the Army and Hirao believed he would be punished if he did not continue. He believed that the Army had authority to do anything. Ishiyama reprimanded him for petitioning the former not to continue. After the third series of operations, there was a party and a staff officer, Colonel Sato, thanked the doctors for their trouble (R 175).

It was wrong to participate in a vivisection. No records were made during the operations and no conferences were held afterwards. Ishiyama and Komori decided everything at the operations (R 1757).

Cross Examination: Hirao never saw a specific Army order directing the operations (R 1752, 1755, 1761, 1769). He knew of no instance where a civilian was punished for failing to perform an unlawful killing. He did not see the dissection of the bodies and did not find a preserved body (R 1753). He asked Nogawa to go to the operations because Ishiyama had told him to (R 1754). He did not consider he helped to conceal the incidents (R 1757). After the war, Ishiyama ordered Hirao to keep the operations a secret (R 1759).

Makino was wrong when he said Hirao cut the small intestine at the stomach operation. Yayama (not accused), Senba, Ishiyama and Morimoto were wrong in their statements that Hirao cut an artery and drew blood, cut the skull for the brain operation and made an incision for the lung operation (R 1764-1765).

Mori and Hirao incised and sutured the heart after the PW died (R 1766). Senba was present at all of the operations (R 1767).

Examination by the commission: Except for one PW, there were none that needed medical or surgical attention (R 1769).

#### HIRAKO

Accused was a professor at Kyushu Imperial University Medical College as a lecturer and instructed students in anatomy and was custodian in the anatomy clinic (R 1783-1784). Ishiyama asked Hirako to use the dissecting room

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on the occasion of the first series of operations. Hirako went to the dissecting room at the time of the first series of operations. Dissections were performed but Hirako did not order them and did not attend. Sato was in the room at the time the operations were performed. Ishiyama said that the Army gave permission to dissect the bodies. Hirako later told Tanaka (not accused) to take care of the rest of the details in connection with the use of the dissecting room. Hirako did say to Goshima that since the Army gave permission to dissect the bodies, it would be beneficial if they would take out the brain of one of the prisoners.

Hirako did not directly order cremation (R 1785-1786).

The Army said they did not want the ashes so Hirako had the ashes brought to him. He received the ashes of four PW's but the names were not included. He did not assist with the vivisections but did bring in a brain specimen on Ishiyama's request and explained the position of one cranial nerve. He did not protest the use of the dissecting room because he had to cooperate with the Army (R 1786-1787).

Hirako did not report the vivisection affair because he feared he might become involved in the matter. He might have prevented the dissection and cremation but did not think it was wrong (R 1788).

Cross Examination: If the Army wanted the ashes, they could have obtained them by written request. The Army did not make a written request to use the dissecting room (R 1789). The Army ordered disposal of the bodies without thinking of Hirako's position. It was customary to dissect bodies before cremation. The fliers were not killed for the purpose of getting specimens. Hirako did not know what happened to the bodies of four of the PW's (R 1790).

He did not see any specimens taken from the bodies (R 1791, 1797). Since the Army had given consent, he asked Goshima to take specimens (R 1797). He talked on a friendly basis with the investigator and talked in general about medical science and it seemed to Hirako that the questions and answers were fitted into his statement, PX 184 (R 1800). Hirako placed the ashes of four PW's on the ash pile at the crematory and then later picked them up and brought them back to his office (R 1801). Hirako was not present from the beginning of the brain operation and did not get a preserved brain (R 1802). Jinnaka (not accused) was likely not able to remember well when he made his statement. It was agreeable with Hirako for Makino to take a list of specimens with him to Yanaga, Hirako did not ask for the brain (R 1803).

Ishiyama requested that the bodies be cremated and Hirako left the matter of cleaning the room and the cremation with Tanaka. He did not tell Goshima that the latter might get the brain if the PW died (R 1804). Hirako did not have the responsibility for accounting for bodies of PW's. Ishiyama requested that the bodies of the PW's be cremated in the presence of a representative of the Army. It was Hirako's mistake when he said he went to Western Army Headquarters in regard to the bodies of PW's. Tanaka posted a sign on the door which read, "Do not enter this room on your own free will -- do not interfere with what the Army is doing" (R 1805). He did not propose to preserve the PW's body for anthropology. Tanaka was told that people should not go too near the dissection room. Hirako did not go to the third operation until it was in progress (R 1806). Hirako did not refuse the use of the dissecting room because he thought it was an order from the Army. He explained the location of the trigeminal and substantia nigra nerves. Senba was incorrect when he said Hirako discussed the brain operation with him before. Katayama (not accused) must have been mistaken about the ashes on Hirako's desk. Hirako did not tell Takata (not accused) not to keep records of the bodies nor to tell no one about the incident (R 1807). The accused Hirako was to leave Kyushu Imperial University soon and would not want any specimens. He did not instruct Goshima as to what to say in

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the investigation (R 1808). He did not have anything to do with the sign placed on the door of the dissecting room (R 1809). He only went to the dissecting room for a short time during the operations (R 1810). He did not know about any of the bodies of the PW's except the four which were lost (R 1811).

TOMIKO WADA-KARA ( member of the upper house of the Japanese Diet) was sworn and testified for the defense:

All Japanese doctors had to cooperate and comply with orders of the Army and hospitals were mobilized (R 1772). Medical doctors had no freedom of movement. Many Japanese were investigated and put into prison for opposing the military. The chief surgeons of clinics in Japan were feudalistic and had absolute authority. Subordinates could do nothing without permission of the chief and that was the situation at Kyushu Imperial University (R 1774-1776).

4. Opinion:

The record is logically sufficient to support the findings of the commission. The allegations in the charges and specifications of each of the accused who have been found guilty are substantiated by ample and competent evidence. The commission was constituted by proper authority and had jurisdiction of the accused and each of them and of the alleged offenses.

The prosecution presented its case by affidavits, documents and living witnesses, of whom one was Captain Watkins, the pilot of the B-29 which carried a certain number of the alleged victims. The defense presented its case by certain affidavits, documents and one living witness who testified before the commission. In addition, five of the accused took the stand and testified under oath, each in his own behalf.

The commission properly overruled the defense's motion for a finding of not guilty at the end of the prosecution's case.

There is no evidence that the accused, or any one of them, were not sane at the time of the commission of the alleged offenses or at the time of the trial. The accused were ably defended by both Japanese counsel and American advisory counsel and cooperated in their own respective defenses. Evidence produced by the defense in no wise refutes that of the prosecution.

A careful scrutiny of the entire record of trial fails to reveal any error which substantially affected any right of any accused. The record reveals that they had a fair and impartial trial in every respect and the evidence supports the findings.

5. Recommendations:

The commission sentenced the following to death by hanging: Kenichi Hirao, Yoshio Mori, Yoshinao Sato, Taro Torisu and Isamu Yokoyama and it sentenced Hiroshi Akita, Kenji Morimoto, Yoshitaka Senba (also known as Yoshitaka Senba) and Katsuya Yakamaru to life imprisonment.

The commission sentenced the following to terms of years, as is indicated below, the number of months appearing after the names of the accused listed below who have been sentenced to terms of years should be remitted, owing to the length of time the accused have been in confinement prior to the date of sentence, 27 August 1948:

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<u>NAME</u>	<u>SENTENCE</u>	<u>DATE OF CONFINEMENT</u>	<u>MONTHS REMITTED</u>
AIHARA, Kajuro	20 yrs	20 Jul 46	22 mos
FUKUSHIMA, Kyusaku	15 yrs	30 Aug 46	21 mos
GOYAMA, Shinju	10 yrs	17 Dec 47	5½ mos
GOSHIMA, Shiro	6 yrs	2 Sep 47	9 mos
HIRAKO, Goichi	25 yrs	20 Jul 46	22 mos
INADA, Masazumi	7 yrs	30 Aug 46	21 mos
ITO, Shoshin (Ito, Akinobu)	10 yrs	6 Dec 46	17½ mos
MAKINO, Reiichiro	9 yrs	2 Sep 47	9 mos
NOGAWA, Nobuyoshi	25 yrs	17 Dec 47	5½ mos
RYU, Miki	3 yrs	2 Sep 47	9 mos
TASHIRO, Tomoki	15 yrs	17 Dec 47	5½ mos
TSUTSUI (Tsutsue), Shizuko	5 yrs	20 Jul 46	22 mos
KUBO, Toshiyuki	15 yrs	8 Mar 48	2½ mos
TASHIRO, Jiro	15 yrs	8 Mar 48	2½ mos

The sentences are legal.

It is recommended that the sentences of death in the case of Kenichi Hirao, Yoshio Mori, Yoshinao Sato, Taro Torisu and Isamu Yokoyama, and each of them, be approved and the record of trial forwarded to the Supreme Commander for the Allied Powers for confirmation.

It is recommended that the sentences of life imprisonment and terms for years, as set forth herein, be approved after deduction of pre-trial confinement has been allowed. Sugamo Prison, Tokyo, Honshu, Japan, or elsewhere as the Supreme Commander for the Allied Powers or other proper authority may direct is the appropriate place of confinement.

Clemency petitions filed on behalf of the various accused in this case, bearing many thousands of signatures, have been read and considered. Members of the commission have submitted letters, one of which was from the president and law member, in which he stated that he considered that the accused Yakamaru received a more severe sentence than that which his participation would justify. The other member of the commission was Lt. Colonel Opsahl, MC, and he recommended that the sentences of death in the case of Hirao, Mori, and Torisu be commuted to life imprisonment and that the sentence of Senba, also known as Semba, for life be commuted to twenty (20) years; that the sentences of fifteen (15) years each in the case of Tomoki Tashiro and Jiro Tashiro be reduced to five (5) years and in the case of Tsutsui, also known as Tsutsue, be reduced from five (5) years to a period not in excess of that already served in Sugamo Prison.

The defense has submitted a brief in support of its motion to modify the findings and sentences, to which the prosecution has replied. All of the considerations and objections urged by the respective counsel have been considered in arriving at these conclusions.

It is recommended that the sentences be approved, that clemency be denied and that the findings and recommendations of the commission be carried into execution.

6. Action:

Forms of Actions designed to carry these recommendations into effect are attached.

THOMAS L. DONNELLY  
Lt Col. Inf.  
Reviewer

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I concur in general.

Some of the allegations as to individual and joint actions overlap. However, since an individual is criminally liable as a principal for his wrongful acts whether committed as a sole actor or as an aider or abettor of others, no injury to the substantial rights of any of the accused can be discovered to have resulted from this inartificial pleading.

The defense, in its brief, cites a number of points which it says add up in toto to prejudicial error. Comparison of the items mentioned with what appears in the record reveals in a number of instances that incorrect conclusions as to the meaning and effect of the matters complained of have been drawn by the writer of the brief. Many are a mere accumulation of trivia and minutiae which either singly, or "in battalions" can have had no improper effect upon the defense of the accused. In cases everywhere, especially those of great length such as the instant case, a number of small defects can be discovered. Yet unless these are belabored and blown up out of all proportion to their actual size, they are frequently found to be mere minor incidents without prejudicial significance. It is because of this fact, well known to those trained and experienced in the trial and review of criminal cases, that such provisions appear in the law as are found in Article of War 37, Manual for Courts-Martial, 1949, to the effect that proceedings shall not be held invalid nor the results disapproved for any error unless after an examination of the entire proceeding it shall appear that the error complained of has injuriously affected the substantial rights of an accused.

The assertion by defense that the president (law member) was prejudiced against the accused is by no means supported in any respect by the record. A close study reveals that there were many rulings by the law member in favor of the defense. Furthermore, he severely admonished the prosecution on a number of occasions (c.f. R 113, 121, 235). The following colloquy is pertinent (R 1057):

"Law Member: For the information of the defense counsel, this commission is not too easily impressed without facts.

"Defense (Mr. Seydel): That the defense believes, sir."

It is additionally noted that the president, after the trial, sent a clemency request as to one of the accused.

Concealment of a war crime not only may evidence guilty knowledge but also may constitute, and under the facts pleaded and proved herein, is a war crime (cf. United States vs. Ichinoc, No. 265).

There can be no doubt that those who were convicted on charges involving knowledge of and participation in an illegal killing knew that these operations and the ensuing deaths (results reasonably to be anticipated) were experimental, unnecessary, and hence illegal. The Army personnel involved knew that the flyers were taken to the University for a "one way ride". The professional personnel could tell even as laymen and all the more because of their professional training that the operations were nothing but ghastly, experimental vivisections of human beings. It is the law, and it has been said before in these reviews that a presumption of illegality arises from the commission of a homicide;

"The law presumes and holds that every killing of a human being is a 'felonious' killing until the contrary appears \* \* \* Every homicide at common law is *prima facie* 'murder' and the reduction of

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it to a lesser offense, after the slaying is proved, generally devolves upon the prisoner." (Pages 8, 9, US vs. Iwasaki No. 319).

Some evidence was adduced as to possible compulsion in securing statements relating to cannibalism. Compulsion of that nature is not condoned. However it is not necessary to discuss such assertions since the accused were found not guilty of cannibalism and the question therefore becomes moot.

Sato's post-trial complaint that he was persuaded to take the sole responsibility has been fully investigated administratively and the responses of counsel, both Japanese and American, establish that in that respect no improper conduct by counsel has been shown or in any way appears. It is evident that several of the accused, including Yokoyama and Sato, themselves undertook to deceive first the Japanese government, then the Occupation authorities, and finally the court. Both Sato and Yokoyama now accuse each other of duplicity and falsehoods. None of these extra-judicial collisions have been considered where they adversely affect any accused, but only to such an extent as they may tend to aid his defense. However, nothing of advantage to anyone involved can be derived from these challenges and counter-accusations. It does appear, that all parties concerned had a full opportunity in court to make any assertions desired and that counsel, both Japanese and American, and accused at their option fully participated in the trial.

When considering recommendations for possible clemency, the contents of the thousands of clemency petitions submitted, are not persuasive. It is perfectly apparent that most of the signers know nothing of the case nor of the accused. Those who do assert such acquaintanceship relate no matter which was not presented at the trial and emphasize recitations of the kind and benevolent spirit of the respective accused concerned. If such allegations as to the general character of these persons are correct, the actions of the accused in this case constituted a malignant, amazing and unexplained departure from the normal. Clemency cannot be based upon the grounds set out when they are balanced against the fatal results of the wrongful actions shown.

Certain excerpts of clemency requests are worthy of being quoted herein:

Mr. Ogawa and others write concerning Nogawa:

"We learned from the newspaper that the above person was tried as one of the accused in the Kyushu University Vivisection Case and sentenced to 25 year's hard labor by the Far East Military Tribunal.

"This vivisection incident is a fateful and barbaric conduct which surprised the whole world and it was beyond the conception of civilized individuals. It is only natural for you to deal severely with such war criminals who are enemies to humanity. We desire that they be dealt with severely. As the saying goes, 'Right prevails in the end,' the Greater East Asia War which was instigated by Japanese militarists has caused the downfall of Japan to the Allied Forces which have a high regard for righteousness, freedom and humanity."

Mr. Yoshida states as follows:

"I beg to say that I deeply regretted to learn that Taro TORISU was sentenced at the Yokohama Tribunal on August 27, 1948 to hang for his role in the Kyushu University Vivisection Case.

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"Before the eyes of the world I feel thereughly ashamed for this disgraceful conduct by our countrymen. I am very grateful for the generous manners in which your nation has instructed our confused nation in the way of love of humanity and I firmly believe that your decision was perfectly fair."

Mr. Maeda and other former classmates of Hirao, write:

"It is only natural that the defendant received capital punishment for his participation in that unsavory incident, in which a number of U.S. Military men unfortunately captured during the Pacific War and who were vivisected. Such perpetration is to be lashed out against as an inexcusable sin against God and man. We, fellow alumnae of the defendant from middle school, can not but help feel a profound regret for such an incident."

General Yokoyama writes following the trial:

"I believe in the impartiality of the American war crimes court."

Mrs. Ryu writes:

"Tried by a fair American trial, I believe that he must submit to a three year sentence."

The statement to the Commanding General, Eighth Army, of an American missionary in Japan, Mr. John de Maagi, contains the following:

"May I say in closing, as an American, how much I appreciate the pains you are taking to try to sift out justice from a maze of testimony warped by fear, by loyalties, and plain deceit. I admire your patience and your sense of responsibility."

ALLAN R. BROWNE  
Lt. Col JAGC  
Army Judge Advocate

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