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FOR

MR. E.P. MONOGHAN

10124133

<u>Group 1</u>	<u>Case File No.</u>
1 ABE, Genki ✓	287 ✓
2 AMAU, Eiji ✓	216 ✓
3 ANDO, Saburo ✓	52 ✓
4 AOKI, Kazuo ✓	215 ✓
GODO, Takuo ✓	264 ✓
5 GOTO, Fumio ✓	221 ✓
6 HONDA, Kumataro (House Arrest) ✓	198 ✓
IKEZAKI, Chuke (House Arrest)	207
7 KODAMA, Yoshio ✓	194 ✓
8 KUZUU, Yoshihisa ✓	105 ✓
OTA, Masataka	184
9 SASAKAWA, Ryoichi ✓	185 ✓
SHIOTEN, Nobutake	180
10 SUMA, Yakichiro (House Arrest) ✓	281 ✓
11 TADA, Hayao (Shun) (House Arrest) ✓	53 ✓
12 TERASHIMA, Ken ✓	70 ✓
13 TOYODA, Soemu ✓	173 ✓
YOKOYAMA, Yui	175

<u>Group II</u>		
KAWABE, Masakuzu	} 25	200
KIHARA, Jitare		460
KNRODA, Shigenori		320

<u>Group III</u>	
14 ISHIHARA, Koichiro ✓	208 ✓
15 IWAMURA, M, chiro ✓	92 ✓
16 KISHI, Shinsuke ✓	77 ✓
17 NISHIO, Toshizo ✓	51 ✓
18 TAKAHASHI, Sankichi ✓	169 ✓
19 TANI, Masayuki ✓	91 ✓

337

	<u>NAME</u>	<u>Case File No.</u>
H	ABE, Genki	287
H	AMAU, Eiji	216
H	ANDO, Saburo	52
H	AOKI, Kazuo (possible landlord)	215
→ R	GODO, Takuo	264
H	GOTO, Fumio (and try)	221
H	HONDA, Kumataro (House Arrest)	198
→ R	IKEZAKI, Chuko (House Arrest)	207
H	ISHIHARA, Koichiro (and try)	208
H	HIWAMURA, Michiro	92
	KAWABE, Masakazu	200
	KIHARA, Jitaro	460
H	HKISHI, Shinsuke	77
H	KODAMA, Yoshio LS-H	194
	KURODA, Shigenori	320
H	KUZUU, Yoshihisa LS-H	105 <i>stat</i>
H	NISHIO, Toshizo LS-H	51
→ R	OTA, Masataka	184
H	SASAKAWA, Ryoichi	185
→ R	SHIOTEN, Nobutake	180
H	SUMA, Yakichiro (House Arrest)	281
H	TADA, Hayao (Shun) (for China) (House Arrest)	53
H	TAKAHASHI, Sankichi (further consideration - KKK activity)	169
H	TANI, Masayuki	91
H	TERASHIMA, Ken	70
H	TOYODA, Soemu (for further consideration)	173
→ R	YOKOYAMA, Yui	175

Code
 IKEZAKI
 OTA
 SHIOTEN
 YOKOYAMA

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

TG/ws

CHECK SHEET

FILE NO. IPS

SUBJECT: SAIONJI-HARADA MEMOIRS

NOTE NO.:

FROM: IPS, GHQ, SCAP

TO: Asst. Chief of Staff,
G-2

Date: 12 March 1947

- 2. The International Prosecution Section concurs and urges compliance with Mr. Tavenner's request contained in basic Check Note.

.....T. G.
Ex.O.

3. From: G-2

TO: IPS (F. S. Tavenner)

Date: 19 Mar 47
GB/CAW/ap/rrm

1. In principle, we agree to assist the International Tribunal as we have so amply in the past. The effect of a single copy of a valuable manuscript, of interest to the War Department and State Department, however, will require special handling and mutual concession. In this connection, the International Tribunal (INT) was previously advised of the existence of the SAIONJI Memoirs and we gave access to them at least ten months ago; I venture to suggest that the urgency of the translation and/or duplication might then have been raised at that time. We have or will furnish you bound copies of the translations as far as they go. There are between 1450-2000 pages of unfinished texts to be stenciled, mimeographed, and prepared for distribution which we dropped as being too heavy a drain on our shrinking manpower.

2. Your proposal in par 5 c suggests an arrangement that could be to our mutual benefit. We suggest that to cut the present translation in stencil form would enable us to furnish the IPS a larger number of mimeo copies for simultaneous exploitation as well as satisfy demands by State and War Departments. In view of the existence of a single copy only, extraordinary precautions will have to be taken in the handling. We would suggest that you furnish two typists and stencil-cutters; we do the same on a reciprocal basis. Have this work done at the present repository of the document; expert linguistic checks can be made immediately and furnish you day-by-day output in the number of copies you desire. Under this system you, naturally, need not have to translate under par 5 a, which is a useless duplication. The cutting of stencils can go simultaneously with your intermittent scanning under your par 5 b. The practical details can be arranged directly by Mr. Tavenner and Colonels Bratton and Rusch, who have been engaged in the SAIONJI project.

/s/ C. A. Willoughby

----- C. A. W. -----

COPY

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
CHECK SHEET

FST/ws

FILE NO: IPS SUBJECT: SAIONJI HARADA MEMOIRS

NOTE NO.: FROM: F. S. Tavenner, TO: Asst. Chief of Staff, G-2 DATE: 12 Mar 47
 Special Asst. To Chief of THRU: IPS
 Counsel, IPS, & Chief of Trial

1. 1. Sometime ago there was furnished to the International Prosecution Section from the Office of the Assistant Chief of Staff, G-2, a photostatic copy of the Japanese text of the SAIONJI-HARADA MEMOIRS, and a copy of parts 1 to 11, pages 1 to 1749, of the finished English translation.

 2. This Section has been advised that the remainder of the diary has been translated but not yet put in finished form.

 3. The portion of the diary translated covers the period up to the dissolution of the Diet in the early part of 1937, preceding the fall of the HAYASHI Cabinet. The material in the uncompleted portion of the diary contains important information subsequent to that period of particular importance to International Prosecution Section in the course of its prosecution of the Major War Criminals now on trial before the International Military Tribunal for the Far East. It is of the utmost importance that this Section have made available to it as soon as possible, this material.

 4. These MEMOIRS are of extreme value to the International Prosecution Section in three different ways:
 - a. INVESTIGATIVE LEADS: From the portion of the Diary already made available to this Section, the Investigative Division has been able to follow through on a number of good investigative leads. Experience with the first eleven parts of the MEMOIRS is ready assurance that further additional investigative leads are contained in the other material.
 - b. CROSS EXAMINATION: The portion of the diary already translated and in the possession of this Section, has already proved of tremendous value in the preparation of cross examination of defense witnesses, and has furnished us with material for cross examination of further witnesses. It is important in the preparation for cross examination of witnesses that the prosecution have available the MEMOIRS over the period involving the China Incident and the events subsequent thereto.
 - c. REBUTTAL: In the event that rebuttal testimony may become important in connection with the trial, there is certain material contained in the diary which if available would succinctly and properly cover the issue.

COPY

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
CHECK SHEET

FST/ws

FILE NO: IPS

NOTE NO.: FROM: F. S. Tavenner, TO: Asst. Chief of Staff, G-2 DATE: 12 Mar
Special Asst. to Chief THRU: IPS 47
of Counsel, IPS, & Chief
of Trial

(Page 2)

5. In order to obtain the necessary material, the International Prosecution Section has the possibility of three alternatives:

a. It could translate from its copy of the Japanese text that portion of the MEMOIRS not yet translated for its use in connection with the trial. However, in view of the fact that a basic translation has already been made by the Office of the Assistant Chief of Staff, G-2, which merely needs to be put in final form, such translation would be a duplication of work between the two Staff Sections of SCAP, which it would seem desirable to avoid.

b. The International Prosecution Section could scan the basic translation over a short period of time and obtain from it the information necessary for purposes of cross examination, leaving for the present the question of rebuttal testimony to be covered from the latter portion of the MEMOIRS until such time as the Office of Assistant Chief of Staff, G-2, completes the translation.

c. The third alternative is for the Office of the Chief of Staff, G-2, to turn over to International Prosecution Section the basic draft of the translation and have the Language Section of IPS complete the translation and put it into final form. This could be done on a high priority basis by IPS at this time.

6. While it is preferable that the translation for the purposes of IPS be completed as soon as possible, the use of the material by that Section under alternatives b or c will be equally satisfactory. It is, therefore, requested that either IPS be allowed to scan the basic translation of the undistributed portion of the SAIONJI HARADA MEMOIRS or that such portions be turned over to IPS Language Division for completion.

/s/ F. S. Tavenner
F. S. TAVENNER

..... Special Asst. to Chief of Counsel, IPS,.....
& Chief of Trial

COPY

TOP SECRET

TOP
SECRET

Auth: Chief, CAD, WDSS
Initials: CH
Date: 8 Aug 47

90

6 August 1947

MEMORANDUM FOR Honorable Joseph B. Keenan, Chief Counsel acting on behalf of the United States of America, International Military Tribunal for the Far East

SUBJECT: Review of dossiers of forty-eight Japanese prisoners suspected of Class A war crimes

1. The War Crimes Branch, Civil Affairs Division, submits the following comments concerning the disposition of the forty-eight Japanese war crimes suspects whose cases comprise the initial group of dossiers transmitted to this office by Mr. Luke Lea, Civilian Liaison Officer, International Prosecution Section, for examination. This memo was prepared at your suggestion and is submitted in addition to the memo prepared by Captain James J. Robinson, UNR, and Dr. Brendon F. Brown, dated 15 July 1947, since a comparison of the recommended dispositions which differ in some respects may be of assistance.

2. The suggestions contained herein are based solely on the information furnished in the dossiers. This information unfortunately is in practically all cases insufficient to support a definite determination of probable prima facie guilt or innocence. The suggested disposition to accord to each of the forty-eight suspects was arrived at from a careful consideration of the relative weight of the evidence contained in the dossiers; but, because of the inconclusive nature of the evidence, cannot in any case be viewed as a final determination.

3. Where it appears that by reason of a suspect's position, considered in the light of known related facts, there is a good likelihood that sufficient additional evidence can be secured to successfully sustain an indictment as a Class A war criminal, the suspect was placed in Category Ia. (Individuals strongly suspected of Class B or C crimes are placed in Category Ib). Where it appears, however, that the likelihood is only fair that sufficient additional evidence can be secured, a suspect was placed in Category II. Where the likelihood appears to be only poor, a suspect was placed in Category III.

Category I: Suggest that following suspects might be indicted:

a. For Class A war crimes

- (1) ISHIHARA, Koichiro - #208 - industrialist - favored Japanese expansion in East Asia as evidenced by his founding and financially supporting societies with this aim. General Tanaka in March 1946 stated that subject was one of the strongest advocates of the southern expansion policy.

- (2) IWAMURA, Michiro - #92 - Minister of Justice in Tojo Cabinet from Oct. 1941 to July 1944. First learned that war had been determined upon with the United States by Japan about 26 November 1941, and that Japan would strike the first blow. All members of the cabinet voted for war.
- (3) KISHI, Shinsuke - #77 - Vice Minister and Minister of Commerce and Industry from 1939. Minister from October 1941 under Tojo. As such he controlled the more important industries, attended Imperial Conferences and Privy Council. On 12 December 1941 his ministry had full plans for the exploitation of countries likely to fall to Japan as a result of the war.
- (4) NISHIO, Toshizo - #51 - Chief of the General Staff of the Kwantung Army from 1934-1936. Commander of the Second Army in North China in 1937; and as member of the Supreme Military Council in March 1941, probably had a hand in planning and preparing for aggressive war.
- (5) TAKAHASKI, Sankichi - #169 - Chief, Navy General Staff, 1934; Admiral, Supreme War Councillor 1936-1939; aided in forming national policies through his work on the National Policy Research Committee, etc. Envoy to North China, 1941. Strong advocate of Japanese expansion thru aggressive war.
- (6) TANI, Masayuki - #91 - Chief, Cabinet Information Bureau, Tojo Cabinet, October 1941 - April 1943; Foreign Minister, September 1942 - April 1943, (concurrently); Ambassador to puppet Nanking Government. Apparently an early strong advocate and conspirator for aggressive war.

b. For Class B or C war crimes

- (1) KURODO, Shigenori - #320 - Chief of Staff of Southern Expeditionary Army, July 1942; Commander-in-Chief in Philippines, May 1943; served under General Yamashita in Philippines, November 1944. Strong probability he can be linked in Class B and C crimes, in which event it is recommended that he be handed over to the Philippine Government in accordance with current policy and procedure (reference PHILRYCOM cable S 45646 GSJA dated 24 Apr 1947).
- (2) KIHARA, Jitaro - #460 - Consul, Manila, November 1941 and October 1943; Civil Administrator, Military Government, Philippines, February 1943. Arrested as a special case on Commander-in-Chief's order. Probable link with Class B and C crimes, in which event it is recommended that he be handed over to the Philippine Government in accordance with current policy and procedure.

- (3) KAWABE, Masakazu - #200 - Chief of General Staff of Japanese Expeditionary Forces in China, August 1942 to March 1943; Commander-in-Chief Burma Theatre Army, March 1943 to August 1944. Probable link with Class B and C crimes.

Category II: Suggest that following suspects be detained in house custody pending further investigation:

- | | |
|----------------------------|-------------------------------|
| (1) AMAU, Eiji - #216 | (8) KODAMA, Yoshio - #194 |
| (2) AOKI, Kazuo - #215 | (9) OTA, Masataka - #184 |
| (3) ABE, Genki - #287 | (10) SUMA, Yakichiro - #281 |
| (4) ANDO, Saburo - #52 | (11) TERASHIMA, Ken - #70 |
| (5) GOTO, Fumio - #221 | (12) TADA, Hayao (Shun) - #53 |
| (6) GODO, Takuo - #264 | (13) TOYODA, Soemu - #173 |
| (7) HONDA, Kumataro - #198 | |

Category III: Suggest that following suspects be released, subject to reincarceration in event strong implicating evidence is discovered:

- | | |
|---------------------------------|----------------------------------|
| (1) AIKAWA, Yoshisuke - #214 | (14) NAKAJIMA, Chikuhei - #192 |
| (2) IDA, Baron Iwakusu - #210 | (15) OKABE, Nagakage - #190 |
| (3) X IKEZAKI, Chuko - #207 | (16) ODACHI, Shigeo - #265 |
| (4) KIKUCHI, Baron Takeo - #203 | (17) OTA, Kozo - #186 |
| (5) KOBAYASHI, Seizo - #152 | (18) OKURA, Kunihiro - #189 |
| (6) KANOKOGI, Kazunobu - #54 | (19) OGATA, Taketora #266 |
| (7) X KUZUU, Yoshihisa - #105 | (20) SHINDO, Kazuma - #177 |
| (8) KUHARA, Fusanosuke - #107 | (21) SHIMOMURA, Hiroshi - #187 |
| (9) KOBAYASHI, Junichiro - #202 | (22) SAKURAI, Hyogoro - #183 |
| (10) MIZUNO, Rentaro - #197 | (23) SHORIKI, Matsutarō - #181 |
| (11) MURATA, Shozo - #114 | (24) SAKAI, Todamaso - #326 |
| (12) MATSUZAKA, Hiromasa - #195 | (25) TOKUTOMI, Ichiro - #172 |
| (13) MASAKI, Jinzaburo - #60 | (26) X YOKOYAMA, Yokoyama - #175 |

4. With reference to Mr. Horwitz' memorandum to Mr. Tavenner on "Standards of Evaluation to be used in determining liability of Class A suspects", dated 26 June 1947, the following comments are offered:

a. From a reading of the memorandum and the dossiers it is not evident whether the screening staff are sufficiently advised that individuals guilty of the planning, preparation, initiation and waging of wars of aggression, declared or undeclared, against China and other Allied nations are to be included as Class A war criminals. It is suggested that this angle be clarified.

b. Insofar as his observations with reference to "propagandists" is concerned, it is difficult to conceive of a situation in which a major propagandist whose activities were used to further a conspiracy would be ignorant of the existence of the conspiracy.

c. In the event it is determined in subsequent trials to charge Japanese national societies as criminal organizations a number of the individuals included in the dossiers would of course become subject to criminal action as members and important officials of these organizations. It is noted that many Japanese societies such as the Black Dragon and the Dark Ocean which had as one of their principal tenets, the expansion of Japan through aggressive warfare, are more criminal in this respect than the organizations indicted and found to be criminal at Nuremberg.

EDWARD H. YOUNG
Colonel, JAGD
Chief, War Crimes Branch

SECRET

JEK/EM/1a

(AG-)
000.5

Release from Custody

IPS

C/S

26 August 1947

1

1. The following are now confined at Sugamo Prison:

- | | |
|---------------------------|---|
| ✓(1) AIKAWA, Yoshisuke | ✓(9) ODACHI, Shigeo |
| ✓(2) IDA, Baron Iwakasu | ✓(10) OKABE, Nagakage |
| ✓(3) KIKUCHI, Baron Takeo | ✓(11) OTA, Kozo |
| ✓(4) KOBAYASHI, Seizo | ✓(12) OKURA, Kunihiko |
| ✓(5) KOBAYASHI, Junichiro | ✓(13) GHINDO, Kazuma |
| ✓(6) MATSUZAKA, Hiromasa | ✓(14) SHORIKI, Matsutaro |
| ✓(7) MASAKI, Jinsaburo | ✓(15) SAKAI, Iichiro? (To <i>do</i> maso) |
| ✓(8) MURATA, Shozo | |

2. The following are now in custody under house arrest:

- | | |
|-------------------------|-------------------------|
| ✓(1) KANOKOGO, Kazunobu | ✓(5) OGATA, Taketora |
| ✓(2) KUHARA, Fusanosuke | ✓(6) SHIMOMURA, Hiroshi |
| ✓(3) MIKUNO, Rentaro | ✓(7) SAKURAI, Hyogoro |
| ✓(4) NAKAJIMA, Chikuhei | ✓(8) TOKUTOMI, Iichiro |

3. A review of their files discloses no justification for their indictment as Class A criminals.

4. It is recommended that they be immediately released.

-----J.B.K.-----
Chief of Section

SECRET

JBK/EPH/jen

Jurisdictional Transfer of Class A War Suspect

IPS

Legal Section
SCAP

25 Aug 47

1

1. A study of the evidence against the following named Class A suspects indicates that these suspects should be tried for Class B or C offenses:

KURODA, Shigenori	IPS Case File #320
KIHARA, Jitaro	IPS Case File #460
KAWABE, Masakazu	IPS Case File #200

2. In the event Legal Section concurs in the belief that these three men should be tried by your Section, request concurrence in the transfer of jurisdiction from IPS to Legal Section, SCAP.

----- J.B.K. -----
Chief of Section

RESTRICTED AND PERSONAL

INTERNATIONAL PROSECUTION SECTION

15 August 1947

MEMORANDUM FOR: Mr. Joseph B. Keenan, Chief, IPS
FROM : Dr. Brown and Captain Robinson
SUBJECT : Releases from Sugamo and House Arrest

1. A check sheet has been prepared this date for your consideration recommending the release of certain persons from Sugamo or house arrest.

2. The recommendations are based upon studies of the dossiers as requested by you. The following list states briefly the reasons for the recommendations as found in the dossiers.

(1) In House Arrest (6)

<u>Name</u>	<u>Recommendations</u>
✓ KANOKOGI, Kazunobu	Case File No. 54, Professor, Philosopher, Publisher. Not sufficient causal connection between his writings and war crimes.
✓ KUHARA, Fusanosuke	Case File No. 107, Political and Economic "Fixer". Activities not important enough for indictment.
✓ MIZUNO, Rentaro	Case File No. 197, Bureaucrat. Not sufficient evidence that he influenced government policy leading to war crimes.
✓ OGATA, Taketora	Case File No. 266, IRAA Leader. Too late on scene to be major war criminal.
✓ SHIMOMURA, Hiroshi	Case File No. 187, Journalist, Writer, Radio Commentator. Evidence insufficient to prove his part in a conspiracy to wage aggressive war or in waging of war itself.
✓ TOKUTOMI, Iichiro (Soho)	Case File No. 172, Writer and Journalist, 84 years old. No evidence of direct connection with war crimes.

RESTRICTED AND PERSONAL

RESTRICTED AND PERSONAL

(Memo to Mr. Keenan dtd 15 Aug 47 from Dr. Brown and Capt. Robinson
Subject: "Releases from Sugamo and House Arrest")

(2) In Sugamo Prison -(18)

<u>Name</u>	<u>Recommendations</u>
ABE, Genki	Case File No. 287, Police Administrator and Bureaucrat. Evidence not strong enough to sustain charge.
✓ AIKAWA, Yoshisuke	Case File No. 214, Engineer, Industrialist. Only slight causal connection with A type of war crimes; release "strongly" recommended by G-2, 5/14/47.
GODO, Takuo	Case File No. 264, Admiral, Engineer, Steel Industrialist. Evidence indicates that he profited by Manchurian industrial expansion but not sufficiently linked with Manchurian exploitation.
✓ IDA, Baron Iwakusu	Case File No. 210, Membership in patriotic, nationalistic societies; not sufficient evidence of causal connection with war crimes.
IKEZAKI, Chuko	Case File No. 207, Propagandist. Writings do not show sufficient connection with aggressive war.
✓ KIKUCHI, Takeo	Case File No. 203, Writer and Organizations-Joiner. Membership in societies not sufficient evidence of war crimes.
✓ KOBAYASHI, Junichiro	Case File No. 202, Retired Colonel, Wealthy Steel Manufacturer. Membership in nationalistic societies not sufficient overt act.
✓ KOBAYASHI, Seizo	Case File No. 152, Admiral to 1936, Civil Administrator. His activities for arms limitation, opposing the accused SHIMADA and NAGANO, and his support by liberals such as YOSHIDA and OKADA are evidence against war crimes accusation; writings and membership in nationalistic societies not sufficient overt act to sustain charge of war crimes.
✓ MATSUZAKA, Hiromasa	Case File No. 195, Public Prosecutor. Causal connection with aggressive war not sufficient.

RESTRICTED AND PERSONAL

RESTRICTED AND PERSONAL

(Memo to Mr. Keenan dtd 15 Aug 47 from Dr. Brown and Capt. Robinson
 Subject: "Releases from Sugamo and House Arrest", contd)

<u>Name</u>	<u>Recommendations</u>
✓ MAZAKI, Jinzaburo	Case File No. 60, General to 1936. No evidence as a participant in the continuous conspiracy after February 1936; CIS/G-2, noting acquittal in 1937, so far as any subsequent charges are concerned recommends release.
✓ MURATA, Shozo	Case File No. 114, Shipping Executive and Governmental Councillor. Evidence absent or insufficient; release recommended by CIS/G-2, 5/27/47; Chief, Legal Section, 6/24/47 and D. N. Sutton, IPS, 3/6/46.
✓ OKABE, Nagakage	Case File No. 190, Foreign Affairs, Bureaucrat. Causal connection with war crimes only slight. CIS/G-2, 2/18/47 "nothing short of prejudiced exaggeration can indicate that OKABE was deeply involved in Japan's program of totalitarian suppression of thought and of assisting her plan of aggression abroad".
✓ OKURA, Kunihiko	Case File No. 189, Paper Manufacturer, Philanthropist. Might be victim of mistaken identity; no facts justify charge of war crimes.
✓ OTA, Kozo	Case File No. 186, Attorney and Politician. Membership in societies not sufficient overt act for class A crimes.
✓ SAKAI, Todamasa	Case File No. 326, Agrarian Aristocrat. Membership in societies "falls considerably short" of constituting sufficient evidence. IPS representatives recommend release.
✓ SHINDO, Kazuma	Case File No. 177, Secretary, Editor and Writer. Too minor for indictment as major war criminal.
✓ SHORIKI, Matsutaro	Case File No. 181, Newspaper Owner. Mr. Tavenner and other IPS attorneys have recommended release, namely, Mr. Horwitz Mr. Hauxhurst and Mr. Eugene Williams.

RESTRICTED AND PERSONAL


(Memo to Mr. Keenan dtd 15 Aug 47 from Dr. Brown and Capt. Robinson,
Subject: "Releases from Sugamo and House Arrest" contd)

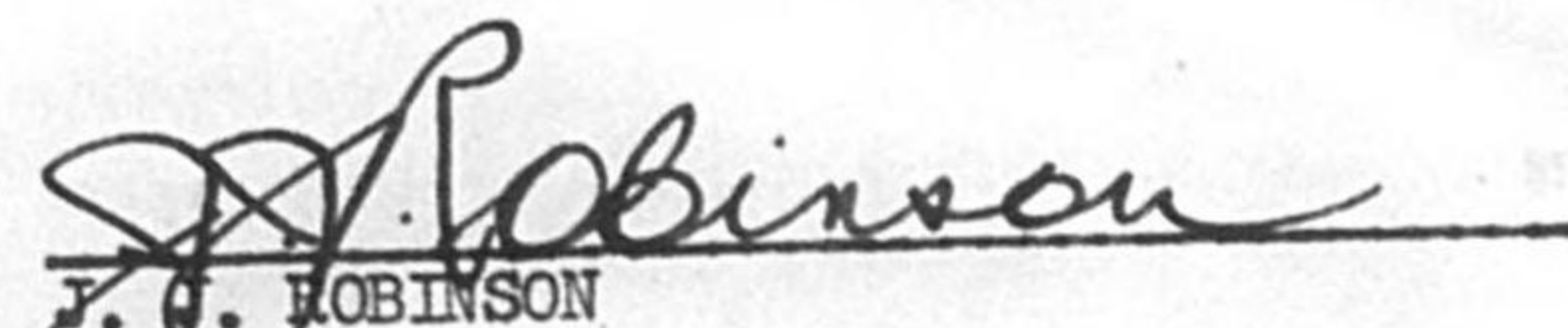
Name

Recommendations

YOKOYAMA, Yui

Case File No. 175, "Cheap Panderer".
G-2 recommends release but advises that
he be watched. Insufficient evidence
linking him with war crimes.


BRENDAN F. BROWN


J. G. ROBINSON

RESTRICTED AND PERSONAL

AIKAWA, Yoshisuke

On 7 March 1946, Mr. Henry A. Hauxhurst, Attorney IPS, made the following recommendation: "An independent industrialist who went to Manchoukuo at the request of the Kwantung Army to consolidate the industries there and to develop them. The interrogations do not develop facts which justify treating AIKAWA as a war criminal."

On 1 August 1946, Mr. J. B. Keenan, Chief Prosecutor, made the following recommendation: "Investigation conducted to the present date with respect to AIKAWA, Gisuke (Yoshisuke) formerly President of the Manchurian Industrial Development Company, Ltd., who is now being detained at Sugamo Prison, fails to reveal at this time evidence sufficient to warrant charging him with any offense cognizable before the International Military Tribunal for the Far East..... This Section recommends AIKAWA's release from Sugamo Prison at this time, subject to his reincarceration in the event additional evidence is discovered, unless the Legal Section recommends to the contrary."

On 14 May 1947, G-2 made the following recommendation:
"It would be very difficult to prove that AIKAWA was a party to the planning and/or execution of aggressive war. Unless it is decided to indict AIKAWA on the prima facie evidence of having made business profits in wartime, G-2 strongly recommends his release without preference of charges."

23 September 1947

IDA, Iwakusu

On 24 May 1946, Lieut. KENNAMER, USMCR, IPS Attorney, after a study of the evidence made the following statement: "IDA has never held an official position in the Japanese Government other than his membership in the House of Peers. Interrogation has not disclosed that IDA has been intimately identified with any of the major war criminal suspects and it does not appear that he possessed sufficient influence in political or military circles to influence national policy. He is sixty six years old. It is recommended that CIS be informed that IPS has no objection to IDA's release from confinement."

On 1 August 1946, Chief of Counsel, Mr. J. B. Keenan, made the following statement to G-2: "Investigation conducted to the present date with respect to IDA, Iwakusu (Baron), formerly member of the House of Peers, IRAA and IRAPS, who is now being detained at Sugamo Prison, fails to reveal at this time evidence sufficient to warrant charging him with any offense cognizable."

On 10 April 1947, CIS/G-2 made the following recommendation after a study of the evidence: "Unless it is decided as a matter of policy that membership in ideological societies in general and/or activity in the IRAA organizations in particular will form a basis for indictments, CIS/G-2 recommends release of IDA from internment without preference of charges."

On 22 August 1947, Mr. W. Glanville Brown, Attorney IPS, British Section, after a study of the case of subject made the following recommendation: "It does not appear from the evidence at hand that IDA possessed sufficient influence in political or military circles to have influenced national policy or implicated him in the conspiracy to wage war."

KANOKOGI, Kazunobu

Subject was propagandist and agitator with long career of membership in secret societies and nationalistic activities. Official positions held include Chairman of the Board of Directors of Press Patriotic Association, member of Cabinet Information Board, Councillor of New Asia Movement of IRAA, and councillor of the Board of Information, all of which positions were held after 1942.

Subject was a Professor of literature and a great student of philosophy, studying at Columbia University, the University of Jenna, and Berlin, India, China, Manchuria, and Mongolia. His philosophical studies have not resulted in his political writings being superior to the usual mediocre standard of nationalistic propaganda.

On the evidence available, the only source of an unquestionably aggressive nature with which subject was involved was YOZUN SHA which went out of existence in 1923. Although he has written much which is warlike and totalitarian, it is doubted that his writings would be considered sufficient proof on a charge of preparing public opinion for war.

On 13 May 1947, CIS/G-2 made the following recommendation: "In summary, KANOKOGI appears to be a philosopher lost. What may originally have been a sincere and intellectual interest in world thought became degraded to a patriotic subservience to narrow home loyalties. The knack of easy utterance, which resulted from his extensive studies, was naturally found useful by nationalist operators such as OKAWA Shumei. Unless KANOKOGI's activities as mouthpiece for ideological nationalism will prove to be a basis for indictments, CIS/G-2 recommends his release from internment without preference of charges."

On 22 August 1947, W. Glanville Brown, Attorney British Division IPS, after a study of the evidence made the following recommendation: "There does not appear to be enough evidence to charge this man as a war criminal. It is recommended that he be released without further delay."

KIKUCHI, Takeo

Subject has never held any government position of importance. He was suspected of disseminating nationalistic propaganda with the aim of preparing public opinion for war in that he founded, actively supported or participated in nationalistic societies. Subject's career has been predominantly military, but he retired from active duty as a Lieutenant General and a member of the General Staff in 1928, and consequently served as a member of the House of Peers from 1931 to 1941. There is no evidence that subject had close connections with any defendant members of the conspiracy, although some of them were also active in six out of the sixteen societies in which KIKUCHI had membership.

On 20 February 1946, Valentine C. Hammack, IPS Attorney, made the following recommendations after a study of the evidence against subject: "While the subject was undoubtedly an ardent nationalist and wholly devoted to the Emperor and Imperial way, there is nothing in his record, nor was anything developed in the way of evidence to establish that the subject had in any way been responsible for or actively participated in any of Japan's wars of expansion beginning with 1931 and ending with Pearl Harbor. It is the opinion of the interrogator that by reason of the foregoing, this subject should be eliminated as a war criminal suspect."

On 2 April 1947 G-2 made the following recommendation: "In summary, KIKUCHI appears to be an ideological bigot. His participation in such a large number of nationalistic organizations precludes his importance in more than a few of them. Even as President of the KOA SEMMON GAKKO (Rise Asia College), his activity remained within ideological limits. Unless it is decided as a matter of policy that membership in ideological societies will form a basis for indictment, CIS/G-2 recommends release of KIKUCHI from internment without preference of charges."

On 9 June 1947 Legal Section, SCAP, made the following recommendation: "Subject, as stated previously, was an inveterate joiner and an ideological bigot as evidenced by the number of societies he joined, but as a follower rather than a leader. As such, he did not exercise sufficient influence to guide national policy or influence the people one way or the other. Therefore, unless present unrevealed sources indicate additional evidence, it is recommended that this file be closed pending approval of the Prosecution Section."

On 22 August 1947, Lt. Kurt Steiner, Attorney IPS, stated after a study of subject's case, "If a dividing line between political and ideological activities in Japan during the period of indictment can be drawn, KIKUCHI's activities definitely appear to belong to the latter type..... It is recommended that KIKUCHI, Takeo be released."

KOBAYASHI, Junichiro

Subject was retired as army colonel in 1924 after considerable military experience in France. Subsequent to his retirement he amassed a fortune through the use of French steel patents and by means of contributions to various organizations he acquired a position of prominence in Japanese nationalistic political circles. He was quite active in these organizations and published magazines which he used as a sounding board for his own political views, in which his apparent disapproval of the war with America stands side by side with his insistence on the "self-sufficiency" of Japan.

If membership and active participation in nationalistic societies, or the authoring of nationalistic literature, were indicatable offenses, there would be ample evidence to support the charges. However, his activities in these regards did not begin until about 1933 which would seem to negate any close connection with politics leading up to the Manchurian Incident. In common with all Japanese of a nationalistic bend of mind, he supported the Japanese position in the incident against the views of the rest of the world and became an apologist for Japan's "true intentions".

The only evidence relating to expansion to the south or to hostilities with the United States would go to disprove any charge that he supported such moves, much less that he conspired to effect them.

His position in the IRAA in 1943 and his support of his government's war aims can not be used retroactively to attribute to him foreknowledge of prior approval of such plans. With the evidence presently available, it could not be successfully shown that subject joined in the conspiracy or that with knowledge of the conspiracy he consciously used the organizations and his influence in them to further the ends of the conspiracy.

On 16 April 1947, CIS/G-2 made the following recommendation: "In summary, it appears evident that KOBAYASHI, once having made his fortune, did use his money to become influential in the ideologically nationalistic political world of the nineteen-thirties. The roster of organizations with which he was affiliated presents a good cross section of these nationalist movements in the decade leading to Pearl Harbor, movements ranging from a mild "anti-liberal" ideological nature to an extreme ultra-nationalistic calibre. However, unless it is decided as a matter of policy that membership in ideological societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictments, CIS/G-2 recommends release of KOBAYASHI from internment without preference of charges."

On 22 August 1947, Arthur A. Sandusky, Attorney IPS, after a study of the evidence made the following recommendation: "It is recommended that KOBAYASHI, Junichiro be released from custody because available evidence and the likelihood of discovering additional evidence do not warrant charges against him as a Class A, B or C war criminal.

KOBAYASHI, Seizo

The proposed charge is that the subject planned, prepared, initiated and waged aggressive warfare and conspired to perform the same in that:

- (a) He was an advocate of Japan's southward expansion.
- (b) He held important political office as Chairman of the Central Cooperative Conference of the Imperial Rule Assistance Association from June 1943 to December 1944, as President of the Imperial Rule Assistance Political Society from August 1944, to June 1945, and as Minister without portfolio in the KOISO Cabinet from December, 1944 to March, 1945.
- (c) He resigned from the KOISO Cabinet and Presidency of IRAPS in order to establish a new party to take the form of a "National Protection Movement" uniting Government, people and military services in defense of the Empire.

Of the three charges brought against KOBAYASHI at the time of his arrest, the first would seem to be true but the only actual evidence thereof is KOBAYASHI's membership in the National Policy Research Institute. It would seem to be a matter of policy whether membership in such an organization should impose criminal responsibility in the absence of other specific acts by the subject.

As to the second charge, KOBAYASHI undoubtedly held the political offices as alleged but CIS substantially acquits him of any criminal responsibility.

The third charge remains unsubstantiated by any available evidence and even if true carries little weight because it took place in 1945.

On 4 September 1946, Legal Section, SCAP, after an investigation of the evidence against subject, concurred in a CIS request for release of subject for lack of evidence, stated that "Since KOBAYASHI's record available at the present time does not divulge any hint of his participation in, or command responsibility for war atrocities, he can not be tried as a Class 'B' or 'C' war criminal suspect."

Statements in favor of subject on the part of ex-premier YOSHIDA, Shigeru; ex-premier OKADA, Keisuke; ex-premier YONAI, Mitsumasa; and Admiral SAKONJI, Seizo are creditable testimonials of subject's character because these four men are known opponents of Japanese militarism from 1930 until they were silenced by the war.

KOBAYASHI, Seizo
Page 2.

On 28 August 1946, C. A. Willoughby, Brigadier General, G-2, SCAP, made the following recommendation: "That KOBAYASHI be released from incarceration"

On 7 February 1946, after re-studying the evidence, G-2 again recommended favorable consideration of KOBAYASHI's release.

On August 22, 1947, Commander C. T. Cole, USN, IPS Attorney, after a further study of the evidence made the following recommendation: "A review of the case file-on KOBAYASHI reveals that there is insufficient facts to sustain the charges against him. It is recommended that he be released without preference of charges."

KUHARA, Fusanosuke

Subject was originally a successful war profiteer in World War One, but went bankrupt in 1923. Such evidence as there is may be taken to implicate him in a minor way in the general conspiracy but it ceases altogether in July 1941.

He was Minister of Communications in 1928 and Cabinet Advisor to the ABE, YONAI, and Second KONOYE Cabinets. He is asserted to have been implicated in the February 1936 Incident but was acquitted by court-martial in April 1938.

It has been asserted that he is an ardent nationalist, closely associated with military circles and aims, but there is no evidence as to his close association with military circles.

He appears to have been dishonest in business and tricky in Japanese internal politics, but there is nothing to indicate that he was a person of any considerable importance.

On 21 March 1946, Mr. K. N. Parkinson, Attorney IPS, after a study of the evidence made the following recommendation, in part: "The charges against the subject are based on rumor, the record being devoid of any substantiating evidence. Due to this, and after interrogations, the following conclusions have been reached: (a) That, the subject is not suitable for inclusion as a major war criminal in this trial. (b) That, whether or not the subject is suitable for inclusion in the subsequent trial cannot, as yet, be determined nor on what grounds."

In January 1947, CIS/G-2 made the following recommendation: "In summary, accusations directed against KUHARA appear to be of a political nature, but he can hardly be considered to rate as a war criminal. Unless it is decided as a matter of policy that unscrupulous political activity will form a basis for indictment, G-2 recommends his release from internment without preference of charges."

In August 1947, after a study of the evidence, an IPS Attorney made the following recommendation: "This man appears to have been dishonest in business and tricky in politics. But there is nothing to indicate that he was a person of any considerable importance, or to link him in any considerable way with major war crimes."

MATSUZAKA, Hiromasa

From 1933 to 1939 he was successively public prosecutor of the Supreme Court; public prosecutor of the Tokyo Court of Appeals; Director of the Bureau of Criminal Affairs; Minister of Justice; Councillor of the Bureau of Thought Guidance (Shiso Iin Kai); member of the Opium Commission; Chief Public Prosecutor of the Tokyo Court of Appeals. In July 1941 he was appointed Prosecutor General. In July, 1944 he was appointed Minister of Justice in the KOISO Cabinet and served in the same position from April, 1945 to August, 1945 in the SUZUKI Cabinet. In August, 1945 he was appointed to the House of Peers.

On 27 February 1947, G-2 made the following recommendation: "Unless it is decided as a matter of policy to place on trial public prosecutors for their part in prosecuting offenses under the 'Peace Preservative Laws', CIS/G-2 recommends that MATSUZAKA be released from internment without preference of charges."

On 21 August 1947, Mr. G. S. Woolworth, IPS Attorney, after a study of the evidence, made the following recommendation: "His file indicates that as Chief Prosecutor of the Tokyo Court of Appeals from 1939 to 1941, and as Prosecutor General of the Supreme Court from 1941 to 1944, he severely enforced thought control and other like war laws and he aided and abetted the war of aggression. I recommend that subject be held in Sugamo Prison and that further investigation of him be made with a view of his indictment."

MAZAKI, Jinzaburo

Subject has been described as one of the three leading figures of the Imperial Army from 1932 to 1945. However, he was purged by the Japanese Army militarists and placed on "reserve" on 10 March 1936. It has been stated that he was Inspector General of Military Education from 1934 to 1938. However, he was purged from this position on 16 July 1935. It has been said that he was the instigator of the February 26 incident in 1936. However, he was acquitted of responsibility for that incident by a court-martial which appears to have been "loaded" against him by Japanese Army militarists. The court-martial records show an absolute failure of proof against him, although KEMPEI and militarists imprisoned and sought to convict him from 6 July 1936 to his acquittal in October 1937.

He has been described as a member of the Supreme War Council in 1936. However, he was removed from army duty on 10 March 1936 and was in prison the last half of 1936, thus ceasing to be a supreme war councillor.

It has been stated in words and in effect that subject was an army militarist through the years of preparation for war and through the war years. In fact, subject was not in the army for the past 10 years; had been recommended by KONOYE to the Imperial on 14 February 1945 for an appointment to the "peace cabinet" to end the war; and was purged by the army militarists because he opposed their schemes to conquer China, to permit army to expand power over government by requiring War Minister to be an active general and by removing Inspector General at will, and to terrorize the government by incidents which he repeatedly obstructed at the risk of his own life.

It has been indicated that subject is an extreme nationalist. In fact, he has opposed strong nationalism and has attempted to teach Japan to avoid Fascistic totalitarianism and suicidal hostilities to the United States after having traveled in both Germany and the United States.

No record whatsoever has been found to substantiate the charge that subject was a military advisor to the China expeditionary force in 1944.

On 17 March 1947, Captain J. J. Robinson, USN, IPS Attorney, after a study of the evidence made the following recommendation: "... it appears that MAZAKI should be released from Sugamo Prison subject to recall whenever requested to return."

On 28 February 1947, G2 made the following recommendation: "Unless MAZAKI's political activity in the early and middle 30's, for which he has already stood trial and been acquitted in 1937, is construed as a basis for war crimes prosecution, it is CIS/G2's considered recommendation that MAZAKI be released from internment without preference of charges."

MIZUNO, Rentaro

Implied charges against subject are that as a member of the House of Peers, as Home Minister, and as Education Minister, and as a member of numerous political societies and committees, he held great influence in the formation of the policies of the Japanese Government. Furthermore, that as member of these societies he strongly influenced Japanese wartime policies and showed himself an exponent of Japan's totalitarian organization at home and military aggression abroad.

The facts are that prior to his resignation as Education Minister in 1928 subject had held many important positions in the Government dealing mainly with internal affairs. From the time of his retirement at the age of 60, he seems to have taken very little interest in the development of Japanese policies and all of the positions he held during the 30's were purely honorary. It wasn't until 1941 that he once again came to the foreground as an active member of various IRAA organizations.

It might be presumed that the main reason for his placement in leading positions in these organizations was that he was one of the "grand old men" of Japanese politics. There is no evidence whatsoever to show any positive action on his part or to show that from 1928 onwards he at any time in any way influenced Japanese Government policies.

On 27 May 1947, CIS/G-2 made the following recommendation:
"G-2 strongly recommends that MIZUNO be officially cleared of charges."

An undated recommendation of the Legal Section states: "It is recommended that subject be interrogated and be released from house arrest without preference of charges."

On 22 August 1947, Mr. A. T. Laverge, The Netherlands' Prosecutor IPS, after a study of the evidence made the following recommendation: "It is strongly recommended that suspect, who is at present under house arrest, be released forthwith."

MURATA, Shozo

Subject is primarily a businessman who began as a clerk with the Osaka Mercantile Steamship Company and rose to become President of this company, the 10th largest in the world. Later in life he became member of the second and third KONOYE Cabinets, serving as Minister of Communications, Minister of Railways, and later in the SUZUKI Cabinet as Advisor to the Ministry of Transportation, all posts for which he was fitted by his experience in the shipping business.

As a cabinet member, subject was responsible for the action taken by those cabinets but appears to have had little part in the formulation of policies. He was strong in his support of free trade before the days of Japan's economic control. He was a leading light in the Japanese branch of Rotary International and active in the Japan-American Society

No evidence appears to show that he was connected with any of the ultra-nationalistic societies at any time or connected with military enterprise prior to the Pacific War.

It would appear that his acceptance of wartime positions was due to his economic interest in shipping and his patriotism and not with a view to interest in military expansion. His acceptance of the post as supreme civil advisor to Japanese military forces in the Philippines in 1942-43 can be viewed towards his patriotism and his economic interests and not from a desire to aid military expansion. The evidence indicated that his sympathies lay with the Philippine people and he brought their grievances to the attention of the military authorities there and urged authorities to take steps to ameliorate their conditions. It further reveals that his efforts in behalf of the Philippine people were unavailing.

On 6 March 1946, David Nelson Sutton, Associate Counsel, IPS, after investigation of the case of subject made the following recommendation: "I find nothing from the examination of this man or from my study and investigation of his activities which leads to the conclusion that he should be included as a war criminal and I respectfully recommend that he not be included in the list and that he be released from confinement."

On 14 June 1946, Colonel, R. S. Bratton, G2, SCAP, recommended to the Chief of Staff that because "evidence is considered insufficient to charge MURATA under any category under the war criminal indictments." It is recommended that he be released from confinement.

On 29 May 1946, Legal Section, SCAP, after a study of the evidence made the following recommendation: "Legal Section has no objection to release of MURATA except that the word 'unconditionally' should be omitted."

MURATA, Shozo, continued;
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On 5 June 1946, Mr. Joseph B. Keenan, Chief Prosecutor, IPS, made the following recommendation: "Although investigation does show responsible positions in the Japanese cabinets advising aggressive action, it does not point to MURATA, Shozo, as being one of the major war criminals. Therefore, without prejudice to his later appearance and without intending that he be exculpated from further subsequent charges which might be lodged, we have no objection to MURATA's release from confinement."

On 24 June 1947 CIS/G2 made the following recommendation: "G2 herewith reiterates its recommendation that MURATA be released without preference of charges, unless the Philippine phase of Legal Section, SCAP, investigation reveals evidence on the basis of which he can be charged with class "B" or 'C' offenses."

On 31 May 1946, Roy L. Morgan, Chief of Investigation Section, IPS, in a memorandum to the Executive Assistant to the Chief Prosecutor, recommended that MURATA be released from Sugamo prison and that his name be deleted from the suspect list.

On 21 August 1947, David Nelson Sutton, IPS attorney who had previously recommended the release of subject, again made a study of the evidence and made the following recommendation: ".... I found nothing to change my original opinion. I do not feel that there is sufficient evidence to justify the prosecution of MURATA and I respectfully recommend that he be released from confinement."

NAKAJIMA, Chikuhei

One charge against subject is that he was Railways Minister at the time of the outbreak of the China Incident and that as a Cabinet member did not in fact prevent or cause withdrawal of troops from the occupation of portions of China. Subject explains that the Cabinet was opposed to the extension of the Incident and that the Prime Minister carried his opposition so far as to cause a rift in the Cabinet and resignation of influential members. The facts seem consistent with this explanation.

Subject is charged with supporting the extension of the anti-comintern pact to include Italy at Privy Council meeting in November 1937. From the report of the proceedings of this session of the Privy Council, this move would appear to be a normal defense measure.

Subject is charged with framing Japanese aggressive policy as a member of the Cabinet Advisory Council from October 1940 to October 1941. There is no evidence that this Council took any part in framing or furthering Japanese war policy.

Subject is charged with membership in various nationalist societies but there is no evidence of any great activity on his part in connection with these societies.

He is charged with having interests in the NAKAJIMA Aircraft Corporation, Ltd. However, he ceased to have any active interest in the corporation in 1931 and retained only financial interests. That a man is a shareholder in such a corporation and would benefit financially by war does not support any inference that he conspired to wage the war.

Evidence available only shows that subject was a businessman normally cooperating with his government's wartime policies and had only a normal political career, including nominal association with the IRAA.

On 7 March 1946, Mr. Henry A. Hauxhurst, Attorney IPS, made the following recommendation: "NAKAJIMA's position in the first KONOYE Cabinet may classify him as a war criminal but the writer does not feel that he should be treated as such unless the other members of the first KONOYE Cabinet, in office when the China Incident occurred, are included as war criminals."

On 12 June 1947, CIS/G-2, made the following recommendation: "Therefore, unless the expectable cooperation of a businessman with his government's wartime policies be considered as a basis for indictment and unless a normal political career including nominal association with the Imperial Rule Assistance Organizations be considered basis for indictment, G-2 recommends that NAKAJIMA be released from his internment without preference of charges."

NAKAJIMA, Chikuhei continued:

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On 22 August 1947, Lt. Col. Thomas F. Mornane, Associate Prosecutor Australian Division IPS, after a study of the evidence made the following recommendation: "In my opinion the file does not disclose sufficient evidence to justify the subject being charged with the commission of any war crime, nor is there anything to indicate that further investigations would reveal such evidence."

ODATE, Shigeo (ODACHI, Shigeo)

The subject was primarily engaged in administrative work in conquered areas or in the Home Ministry. None of these positions were of policy making rank except the positions of the Vice Minister of Home Affairs from August 1939 until July 1940 and the Minister of Home Affairs under KOISO from July 1944 to April 1945. Subject obviously had nothing to do with preparations for, or the waging of, war and appears only to be an able administrator who was called into the service by his government after policy was made and action was being taken.

Subject was absent from Japan, or in political retirement, prior to, during, and for some time subsequent to the events representing the initiation of the three aggressive wars.

The fact that the subject was Mayor of Japanese occupied Singapore and of the Metropolis of Tokyo would, in and of themselves, not be a basis for a class "A" war crimes charge.

The fact that subject was Vice Minister of Home Affairs in the ABE and YONAI Cabinets from the middle of 1939 to the middle of 1940 would not in itself be a basis for a class "A" war crimes charge, because holding of an official position in the government is not a basis for such a charge where there is no evidence of active participation in the conspiracy. Also the ABE and YONAI Cabinets were, with the exception of the War Ministry, Cabinets which were anti militaristic.

The great East Asia war was already going on in July 1944 when the subject became Home Minister in the KOISO Cabinet and there is no evidence to show that he actively participated, or even knew of any conspiracy to start this war.

As a Director of the Legislative Bureau of Manchukuo and one of the Directors of the General Affairs Board of the State of Manchukuo for periods between 1934 and 1937, the subject served in an administrative position passing on laws which previously received approval from higher officials and there would seem to be no question that the subject acquiesced in the army management of the affairs of Manchukuo at this period. However, this was some time after creation of the puppet state and circumstances would indicate that his functions were purely administrative.

As advisor to the puppet government in North China in 1937 and 1938, again the subject was a legal advisor and shows no evidence of policy making power.

Although subject was closely connected with KOKUSAKU KENKYUKAI, there is little evidence to indicate that he was consulted for any more than administrative information to be placed in reports issued by this society.

ODATE, Shigeo (ODACHI, Shigeo) continued:

After the fall of the TOJO Cabinet in July 1944, subject was appointed Home Minister in the KOISO Cabinet. Upon being appointed he demanded the purge of the TOJO clique. He also firmly opposed fascist elements in the Imperial Rule Assistance Manhood Group and was consistently opposed to the IRAA organizations and refused to join them because of his opposition to any one party system until his becoming Home Minister made it practically compulsory to join the IRAA as one of its advisors.

In the summary, subject appears to be a Home Ministry Bureaucrat of outstanding administrative ability whose services have several times been drafted by the army. He was not even in Japan at the time of the Manchurian Incident and at the time of both the China Incident and Pearl Harbor he was in retirement from public office. There is no indication of any policy making at those critical times or at any other time. His character was sufficiently firm to bring him into frank opposition to the army even at the cost of being forced to resign his post. His whole career centers in his official Home Ministry duties and in his long administrative career has proved to be capable, honest, and respected.

On 17 June 1947, G2 made the following recommendations: "Therefore, G2 recommends that unless evidence has been uncovered to make ODATE's official duties a basis for charges against him, ODATE be released from internment without preference of charges."

On 22 August, 1947, Smith N. Crowe, Jr., IPS attorney, after study of the evidence made the following recommendation: "It is, therefore, respectively recommended that charges not be placed against the above subject and that he be released from Sugamo prison."

OGATA, Taketora

Evidence relating to subject discloses he was a newspaper man of prominence and ability. He does not appear to have attained political prominence until he became Minister without portfolio and Chief of the Information Board during the KOISO Cabinet in 1944. He was a member of a Cabinet Advisory Council in the SUZUKI Cabinet and again Minister without portfolio and Chief of the Information Board in the HIGASHIKUNI Cabinet in 1945, as well as a member of the Cabinet Advisory Council. In 1944, he was a member of the Supreme Council for the Direction of the War.

It is considered that subject appeared upon the political scene too late to be considered as a major war criminal. In all probability the man was more influenced by the surrounding circumstances than the circumstances by the man.

It is quite true that he held high office in the IRAA and IRAPS during the preparatory period and afterwards but as no attempt has been made under the charter for the IMTFE to declare such organizations illegal, and there is no evidence sufficient to justify prosecution on the ground that the subject was implicated in an important degree, it is not thought that he should be indicted for trial.

On 19 April 1947, CIS/G-2 made the following recommendation: "Unless it is decided as a matter of policy that membership in ideological and nationalistic societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, and unless prominence in the news world perse without consideration of motivating circumstances be considered such basis, CIS/G-2 recommends release of OGATA from internment under house arrest without preference of charges."

OKABE, Nagakage

Before appointment as Minister of Education, subject never held any important position in the Japanese Government where he could influence politics. For three months when he was in the position of Parliamentary Advice Minister of War, there was no special incident or change of policy, and in any case subject not being in the army would not be able to influence army politics.

There is no evidence to indicate that subject was interested in the activities of the various societies, to which he belonged, in other than a cultural viewpoint and none of the societies seem to have been of a nationalistic and expansionist nature. Subject was prominent in the IRAA possibly through the close relationship with KONOYE who was the originator of this movement, but it must be noted that he did not acquire any position of real importance therein until after the outbreak of the Pacific War and even then he was only one of many who held similar positions.

There is no evidence to indicate that there is any special reason for subject's appointment as Minister of Education in the TOJO Cabinet in 1943 except that he was fairly well qualified for the job and as such a minister he could hardly have had great influence on Japanese war politics. As regards mobilization of student labor, all-out mobilization of the country in the second and third years of the war was a vital necessity which no Japanese, least wise a Minister of State, could oppose.

Because subject became Minister of Education when the Pacific War was already in its second year, no particular importance can be given to any nationalistic speeches which he may have made during that time.

On 18 February 1947, CIS/G-2 made the following recommendation: "It is CIS/G-2's considered opinion that nothing short of prejudiced exaggeration can indicate that OKABE was deeply involved in Japan's program of totalitarian suppression of thought at home and of assisting her plan of aggression abroad. CIS/G-2 recommends OKABE's release from internment."

On 20 June 1947, Mr. David Nelson Sutton, Attorney IPS, after a study of the evidence made the following recommendation: "It is my opinion that the evidence presently available would not justify his prosecution."

On 22 August 1947, Mr. A. T. Laverge, The Netherlands' Prosecutor IPS, after a study of the evidence made the following recommendation: "Evidence at present available must be considered insufficient to indict suspect as a Class A war criminal. It is recommended that suspect be released from custody without preference of charges."

OKURA, Kunihiko

On 16 February 1946, Mr. Henry A. Hauxhurst, Attorney IPS, interrogated the subject and in conclusion stated that there were at least three OKURAS prominent in Japanese business and politics, and that subject might be confused with some other man bearing the same surname. He also stated that: "Unless the pamphlets show something new about OKURA, Kunihiko, serious consideration should be given to releasing this suspect on such terms as may be decided upon."

On 7 March 1946, Mr. Hauxhurst again in closing his interrogation recommended: "We do not recommend him as a war criminal. On the basis of the investigation, the writer does not feel that OKURA comes within the war criminal class. At the time of the last report it was suggested that OKURA might be a victim of mistaken identify."

On 26 April 1947, CIS/G-2, after a study of the files made the following recommendation: "In summary, accusations directed against OKURA appear to be of an ideological and political nature, exaggerated by wartime propaganda and unsubstantiated by any specific evidence. OKURA appears to be an ideological bigot. He was politically unimportant. As head of OKURA SEISHIN BUNKA KENKYUSHO (The Okura Institute of Spiritual Culture) and its affiliated missions, his activities remained within ideological and patriotic limits. Unless it is decided as a matter of policy that membership in ideological and patriotic organizations in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, G-2 recommends release of OKURA from internment without preference of charges."

On 21 August 1947, Mr. David Nelson Sutton, Attorney IPS, made the following recommendation: "I concur in the view stated by Henry A. Hauxhurst on 7 March 1946 and in the summary prepared by G-2 dated 26 April 1947 that the evidence in the file does not justify indictment against OKURA for any offense and I respectfully recommend that he be released from confinement."

OTA, Kozo

On 22 August 1947, Mr. Joseph F. English, IPS Attorney, after a study of Subject's case made the following recommendation:

"I recommend that OTA, Kozo, be released from Sugamo for the reason that there is insufficient evidence to justify indicting him as a Class A, B or C criminal. The file discloses the following pertinent information upon the basis of which this recommendation is made:

"OTA is a lawyer and a former law professor who held no official governmental position until his appointment in 1939 as secretary to the Hiranuma Cabinet after the fall of which, in August 1939, he became a member of the House of Peers. At this time the China war was well under way.

"There is no concrete evidence of any positive action taken by OTA, either as a member of the House of Peers or a cabinet secretary, which could be used as a basis of charges sustainable in a Class A, B or C trial.

"There is evidence that OTA and HIRANUMA were connected with a "patriotic" association known as the Kokuhonsha; but that this organization was disbanded in 1936. There is also evidence that OTA was a member of the IRAA and other related organizations. These "societies were neither secret nor terroristic nor did they disband for the purpose of avoiding detection" (G-2, 10 April 1947). But there is little evidence, other than that he was a member and served on all preparatory committees of these organizations, that he positively used the organizations or conspired with others to use them for purposes forming the basis of charges as a Class A criminal.

"OTA was Minister of Education in SUZUKI's Cabinet in 1945. This fact will not justify Class A charges.

"There is no I.P.S. document in OTA's case file. The G-2 report of 10 April 1947, paragraph 7, states "in summary accusations directed against OTA appear to be of an ideological and political nature, exaggerated by wartime propaganda and unsubstantiated by any specific evidence."

Paragraph 8 of this report reads as follows:

"Unless it is decided as a matter of policy that membership in ideological and nationalistic societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, CIS/G-2 recommends release of OTA from internment without preference of charges."

SAKAI, Tadamasa

Subject held only one cabinet post, that of Agriculture Minister for three months from December 1939. Although he was active in politics, loyal to his country, and showed no adequate opposition to wrong policies, his actual participation in conspiracy seems inadequate.

Investigation discloses nothing derogatory about his activities in the House of Peers and as Minister of Agriculture as the implied conspiracy applied to the Agriculture Ministry in formulating food supply policies to further the conspiracy began long before subject's term.

The ABE Cabinet was mainly responsible for passage of Ordinance 901, whereby the War and Navy Ministers could expropriate factories and shops, and the abrogation of the arbitration treaty with the Netherlands, and failure to halt the war in China.

The above three provable items did not originate in subject's ministry, which leaves him only failing to oppose.

On 27 February 1946, Mr. V. C. Hammock, IPS attorney, made the following recommendations: "There is nothing in the files relating to Count SAKAI indicating that he was at any time active in promoting aggressive warfare nor was anything developed in interrogation. It is recommended that subject be not considered as a war criminal."

On 9 June 1946, Mr. R. T. Hummer, IPS attorney, made the following recommendation: "If further evidence in KIDO's case is required, it may be obtained from SAKAI. There appears to be no reason as far as IPS is concerned for further detaining SAKAI at Sugamo Prison."

On 21 February 1947, after evaluating the evidence, G2, SCAP, made the following recommendation: "Unless it is decided as a policy, that members in ideological societies or activities in IRAPS organizations form a basis for indictment, G2 recommends release of SAKAI without charges."

On 25 August 1947, Mr. T. R. Delaney, IPS attorney, after a study of the evidence, made the following recommendation: "It is recommended that no charges be filed against this man and that he be released. Nothing in the file even suggests that we refer him for Class "B" or Class "C" consideration."

SAKURAI, Hyogoro

Subject is a man who held many government positions. However only two main activities can be held against him. They are:

- 1) Activities while a member of various political and patriotic organizations; he was director of IRAA; director of IRAA Diet Members League; director of IRAP.
- 2) His activities while chief political advisor of the Burmese military government.

Subject was thoroughly investigated and interrogated about his membership in the above societies and insisted that his membership was only nominal and that he played no part in formulating any of the policies. There is no evidence to contradict this statement.

Regarding his services in Burma, subject contends that he spent only 4½ months in Burma although he held the position of advisor for almost three years. During all of that time, including the period when he was actually present in Burma, subject claims he was never consulted by the military leaders on any problem.

Subject is listed as a member in many Diet committees for the consideration of the problems of overseas development but claims that his membership was very unimportant, that he probably served on minor sub-committees, but that he never prepared any reports. There is no evidence to contradict this statement.

Furthermore subject has been confined to bed because of illness since 1943, except for brief periods.

On June 12, 1947 G2 made the following recommendation: "Unless it is decided as a matter of policy that membership in political societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, and unless evidence sufficient for charges against SAKURAI of responsibility for aggressive militarism as a civilian advisor to the Japanese militarists in Burma has been uncovered by the IMFFE prosecution, G-2 recommends that SAKURAI be released from internment under house arrest without preference of charges."

On 22 August 1947 Major Robert Depo, Associate Prosecutor French Division IPS, after a study of the evidence made the following recommendation: "In spite of the many activities of SAKURAI, Hyogoro, both as a member of divers political and patriotic organizations and as Chief Advisor to the Military Administration in Burma, a careful examination of his dossier shows that, based on the Indictment, there are no justifiable grounds for pursuing his case further. Under these circumstances, his release should be recommended."

SHIMOMURA, Hiroshi

The proposed charge is that the subject planned, prepared, initiated, and waged aggressive warfare, and conspired to perform the same in that he:

- (a) Incited the Japanese people to wage aggressive war and disseminated nationalistic propaganda as President of the Japan Broadcasting Corporation, Councillor and President of the Board of Information, and through his voluminous writings.
- (b) Aided in the formulation of national policies and participated therein as a director of the IRAA, IRAPS, the National Policy Investigation Society, the Great Japan Political Association, and as a Cabinet Minister without portfolio.

As a journalist whose manifold interests gave him an unusual capacity and opportunity to serve on numerous committees representing those interests, his associations from 1921 to 1936 were non-political. But in 1937 he entered the House of Peers and soon found himself involved in the IRAA. While he was exceedingly active in the IRAA and the IRAPS and their numerous committees, his former criticisms of party politics is consistent with a movement which abolished them. Unless the IRAA is considered nationalistic, there is no prewar association that can reflect unfavorably on him.

His writings lack the true jingoistic flavor. There is no utterance from him about divine missions, racial superiority, or hatred of foreigners. He had simplified the causes of war to so narrow a formula that he could satisfy himself of the justness of the proposed new order without embarrassing his intellect with such mental distortions.

Briefly, the evidence in favor of SHIMOMURA shows he has no record as an ultra-nationalist or a jingoistic propagandist, and he attained a position approaching policy-making only in the waning days of the war. The evidence against him is that although his motives may have been humanitarian and patriotic, he was guilty of a perverted logic, with disastrous after-effects.

On 30 March 1946, Mr. Roy L. Morgan, Chief Investigative Division, IPS, reported to Chief Prosecutor that the Executive Committee of IPS had agreed that subject should be released from Sugamo prison inasmuch as IPS would not include him as a defendant in the then forthcoming trial.

On 27 February 1946, CIS/G-2, after a study of the evidence, made the following recommendation: CIS/G-2 recommends that SHIMOMURA be released from House Arrest without preference of charges."

On 21 August 1947, Mr. Robert M. Vote, Assistant Prosecutor, IPS, after a study of the evidence, made the following recommendation: "It is recommended that SHIMOMURA be released from House Arrest without preference of charges."

SHINDO, Kazuma

Implied charges against subject are that he was one of the organizers of the Fascist Party in Japan in 1936, he was influential in Japan's political and military life, and that he made foundations in domestic affairs in preparation for aggression and totalitarian control.

Investigation discloses that the Fascist Parties which he was a member of were small in membership and that subject was only a member and not a policy maker. Investigation discloses that subject was only a minor figure in a minor movement toward Fascism which could not have had a great influence in the planning, preparation, initiating, and carrying out of aggressive warfare.

On 12 May 1947, CIS/G-2 made the following recommendation: "G-2 recommends that this minor figure in ideological Japanese nationalism be released without preference of charges."

On 22 August 1947, Mr. Robert L. ONETO, Associate Prosecutor for France IPS, after a study of the evidence made the following recommendation: "We have no sufficient evidence that SHINDO, by his nationalist policy, could have given a valuable help to the men who planned, prepared, initiated or waged aggressive wars against the Allied Powers. A minor figure, SHINDO can be released."

SHORIKI, Matsutaro

Subject was a member of the IRAA, the IRAPS, and the Great Japan political association serving as a member of the preparatory committee of all organizations. These appointments were motivated by his positions in the newspaper world and his activities in these societies are of little or no value in determining the war responsibilities.

Subject has been accused of strongly backing the Axis and urging adherence to the Tripartite Alliance and actively promoting militaristic propaganda through his newspaper. However, no reliable evidence of such activity has been found. From 1937 onward, subject's newspaper, the YOMIURI, carried propaganda as did all other important newspapers in Japan. Obviously, no newspaper could continue to operate during this period without passing out required propaganda.

Subject was appointed councillor to the Cabinet Board of Information in July 1943 but denies that he was ever asked for advice and no evidence to the contrary appears. Before Pearl Harbor the subject's name is not linked with any of Japan's political or military leaders.

Accusations against subject appear to be of an ideological and political nature, exaggerating wartime propaganda and unsubstantiated by any specific evidence other than the fact that he was a prominent newspaper manager, who had to fill political positions and who had to submit to rigid government censorship and control over his newspaper in order to stay in business.

On 9 May 1947, CIS/G-2 made the following recommendations: "Unless it is decided as a matter of policy that activity in the IRAA and/or success in the newspaper business (without consideration of motivating circumstances) are basis for indictment, G-2 recommends release of SHORIKI from internment without preference of charges."

On 8 March 1946, Mr. Henry A. Hauxhurst, IPS Attorney, after a study of the evidence, made the following recommendation: "In view of the interrogations on SHORIKI, Matsutaro on 21 January 1946, and 23 January 1946, coupled with the interviews and statements of the persons above indicated, it is the feeling of the writer that SHORIKI does not qualify as a war criminal and it is respectfully suggested that this case be closed."

On 17 October 1946, Mr. Eugene D. Williams, Associate Prosecutor, IPS, made the following comment and recommendation: Mr. Henry A. Hauxhurst and Mr. Sokis Horwitz studied the charges against SHORIKI and found them to be unsubstantiated. "In view of the circumstances, it is respectfully submitted that an early review of this matter be had and that suitable recommendations touching the release of this prisoner should be made. I feel that this is one case where perhaps a real injustice has been done to a man, perhaps induced by the activities of his business and personal enemies."

On 22 August 1947, Mr. F. S. Tavenner, Jr., Associate Prosecutor, IPS, made the following recommendation: "It is believed that the proof is not sufficient to warrant the prosecution of the subject and, therefore, his release is recommended."

TOKUTOMI, Iichiro

Subject was a highly prolific nationalistic writer, speaker, and popular philosopher. Although he was one of the foremost exponents of Japanese nationalism, and while his ideological writings show a close parallel to the lines followed by the conspiracy, there seems to be no direct evidence connecting him to any of the conspirators.

He never held any government position of importance and obtained his most important political post after the start of the war when he participated in the organization of IRAPS.

Subject is 84 years old and requires practically continuous nursing care and at his age his general debility will probably be progressive, leaving to doubt whether he would be able physically to stand trial.

Many of his political appointments, which came late in life, seem to have placed him only in the position of a figure-head and to have been awarded because of his eminence in the journalistic field and his popularity among the Japanese masses.

On 21 June 1947, G-2 made the following recommendation: "TOKUTOMI's career, in its literary gravitation toward nationalism, does not appear to provide sufficient evidence for indictment as a Class A, B or C war criminal. G-2 recommends that this 84-year old man be released from internment under house arrest without preference of charges."

On 22 August 1947, 1st Lt. Kurt STEINER, Attorney IPS, after a study of the evidence made the following recommendation: "The case file on TOKUTOMI, Iichiro, fails to reveal evidence sufficient to warrant indictment of subject as a Class A, B or C War Criminal. The character of the information available does not offer the likelihood that further investigation will lead to such evidence. In view of these facts it is recommended that TOKUTOMI, Iichiro be released."

EPM/jen

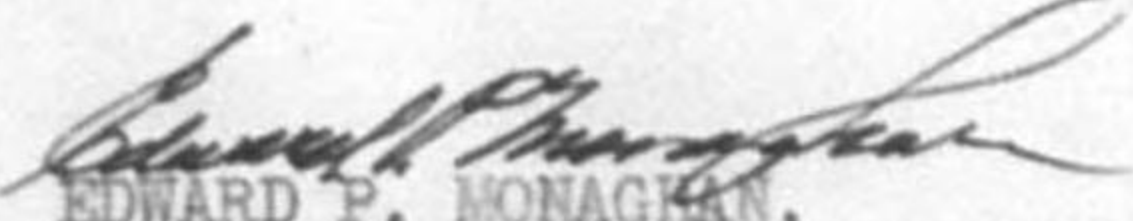
25 September 1947

MEMORANDUM FOR: MR. JOSEPH B. KEENAN,
CHIEF OF COUNSEL, IPS.

FROM: EDWARD P. MONAGHAN,
CHIEF, ID-IPS.

As per your request of recent date there is attached hereto original and two copies of the recommendations made by G-2 and members of the IPS Staff for release from Sugamo Prison of the following named individuals:

AIKAWA, Yoshisuke
IDA, Baron Iwakusu
KANOKOGI, Kazunobu
KIKUCHI, Baron Takeo
KOBAYASHI, Junichiro
KOBAYASHI, Seizo
KUHARA, Fusanosuke
MASAKI, Jinsaburo
MATSUZAKA, Hiromasa
MIZUNO, Rentaro
MURATA, Shozo
NAKAJIMA, Chikuhei
ODACHI, Shigeo
OGATA, Taketora
OKABE, Nagakage
OKURA, Kunihiko
OTA, Kozo
SAKAI, Tadamasa
SAKURAI, Hyogoro
SHIMOMURA, Hiroshio
SHINDO, Kazuma
SHORIKI, Matsutaro
TOKUTOMI, Iichiro


EDWARD P. MONAGHAN,
Chief, Investigative Division,
IPS.

AIKAWA, Yoshisuke

On 7 March 1946, Mr. Henry A. Hauxhurst, Attorney IPS, made the following recommendation: "An independent industrialist who went to Manchoukuo at the request of the Kwantung Army to consolidate the industries there and to develop them. The interrogations do not develop facts which justify treating AIKAWA as a war criminal."

On 1 August 1946, Mr. J. B. Keenan, Chief Prosecutor, made the following recommendation: "Investigation conducted to the present date with respect to AIKAWA, Gisuke (Yoshisuke) formerly President of the Manchurian Industrial Development Company, Ltd., who is now being detained at Sugamo Prison, fails to reveal at this time evidence sufficient to warrant charging him with any offense cognizable before the International Military Tribunal for the Far East..... This Section recommends AIKAWA's release from Sugamo Prison at this time, subject to his reincarceration in the event additional evidence is discovered, unless the Legal Section recommends to the contrary."

On 14 May 1947, G-2 made the following recommendation:
"It would be very difficult to prove that AIKAWA was a party to the planning and/or execution of aggressive war. Unless it is decided to indict AIKAWA on the prima facie evidence of having made business profits in wartime, G-2 strongly recommends his release without preference of charges."

23 September 1947

IDA, Iwakusu

On 24 May 1946, Lieut. KENNAMER, USMCR, IPS Attorney, after a study of the evidence made the following statement: "IDA has never held an official position in the Japanese Government other than his membership in the House of Peers. Interrogation has not disclosed that IDA has been intimately identified with any of the major war criminal suspects and it does not appear that he possessed sufficient influence in political or military circles to influence national policy. He is sixty six years old. It is recommended that CIS be informed that IPS has no objection to IDA's release from confinement."

On 1 August 1946, Chief of Counsel, Mr. J. S. Keenan, made the following statement to G-2: "Investigation conducted to the present date with respect to IDA, Iwakusu (Baron), formerly member of the House of Peers, IRAA and IRAPS, who is now being detained at Sugamo Prison, fails to reveal at this time evidence sufficient to warrant charging him with any offense cognizable."

On 10 April 1947, CIS/G-2 made the following recommendation after a study of the evidence: "Unless it is decided as a matter of policy that membership in ideological societies in general and/or activity in the IRAA organizations in particular will form a basis for indictments, CIS/G-2 recommends release of IDA from internment without preference of charges."

On 22 August 1947, Mr. W. Glanville Brown, Attorney IPS, British Section, after a study of the case of subject made the following recommendation: "It does not appear from the evidence at hand that IDA possessed sufficient influence in political or military circles to have influenced national policy or implicated him in the conspiracy to wage war."

KANOKOGI, Kazunobu

Subject was propagandist and agitator with long career of membership in secret societies and nationalistic activities. Official positions held include Chairman of the Board of Directors of Press Patriotic Association, member of Cabinet Information Board, Councillor of New Asia Movement of IRAA, and councillor of the Board of Information, all of which positions were held after 1942.

Subject was a Professor of literature and a great student of philosophy, studying at Columbia University, the University of Jenna, and Berlin, India, China, Manchuria, and Mongolia. His philosophical studies have not resulted in his political writings being superior to the usual mediocre standard of nationalistic propaganda.

On the evidence available, the only source of an unquestionably aggressive nature with which subject was involved was YOZUN SHA which went out of existence in 1923. Although he has written much which is warlike and totalitarian, it is doubted that his writings would be considered sufficient proof on a charge of preparing public opinion for war.

On 13 May 1947, CIS/G-2 made the following recommendation: "In summary, KANOKOGI appears to be a philosopher lost. What may originally have been a sincere and intellectual interest in world thought became degraded to a patriotic subservience to narrow home loyalties. The knack of easy utterance, which resulted from his extensive studies, was naturally found useful by nationalist operators such as OKAWA Shumei. Unless KANOKOGI's activities as mouthpiece for ideological nationalism will prove to be a basis for indictments, CIS/G-2 recommends his release from internment without preference of charges."

On 22 August 1947, W. Glanville Brown, Attorney British Division IPS, after a study of the evidence made the following recommendation: "There does not appear to be enough evidence to charge this man as a war criminal. It is recommended that he be released without further delay."

KIKUCHI, Takeo

Subject has never held any government position of importance. He was suspected of disseminating nationalistic propaganda with the aim of preparing public opinion for war in that he founded, actively supported or participated in nationalistic societies. Subject's career has been predominantly military, but he retired from active duty as a Lieutenant General and a member of the General Staff in 1928, and consequently served as a member of the House of Peers from 1931 to 1941. There is no evidence that subject had close connections with any defendant members of the conspiracy, although some of them were also active in six out of the sixteen societies in which KIKUCHI had membership.

On 20 February 1946, Valentine C. Hammack, IPS Attorney, made the following recommendations after a study of the evidence against subject: "While the subject was undoubtedly an ardent nationalist and wholly devoted to the Emperor and Imperial way, there is nothing in his record, nor was anything developed in the way of evidence to establish that the subject had in any way been responsible for or actively participated in any of Japan's wars of expansion beginning with 1931 and ending with Pearl Harbor. It is the opinion of the interrogator that by reason of the foregoing, this subject should be eliminated as a war criminal suspect."

On 2 April 1947 G-2 made the following recommendation: "In summary, KIKUCHI appears to be an ideological bigot. His participation in such a large number of nationalistic organizations precludes his importance in more than a few of them. Even as President of the KOA SEMMON GAKKO (Rise Asia College), his activity remained within ideological limits. Unless it is decided as a matter of policy that membership in ideological societies will form a basis for indictment, G-2 recommends release of KIKUCHI from internment without preference of charges."

On 9 June 1947 Legal Section, SCAP, made the following recommendation: "Subject, as stated previously, was an inveterate joiner and an ideological bigot as evidenced by the number of societies he joined, but as a follower rather than a leader. As such, he did not exercise sufficient influence to guide national policy or influence the people one way or the other. Therefore, unless present unrevealed sources indicate additional evidence, it is recommended that this file be closed pending approval of the Prosecution Section."

On 22 August 1947, Lt. Kurt Steiner, Attorney IPS, stated after a study of subject's case, "If a dividing line between political and ideological activities in Japan during the period of indictment can be drawn, KIKUCHI's activities definitely appear to belong to the latter type..... It is recommended that KIKUCHI, Takeo be released."

KOBAYASHI, Junichiro

Subject was retired as army colonel in 1924 after considerable military experience in France. Subsequent to his retirement he amassed a fortune through the use of French steel patents and by means of contributions to various organizations he acquired a position of prominence in Japanese nationalistic political circles. He was quite active in these organizations and published magazines which he used as a sounding board for his own political views, in which his apparent disapproval of the war with America stands side by side with his insistence on the "self-sufficiency" of Japan.

If membership and active participation in nationalistic societies, or the authoring of nationalistic literature, were indictable offenses, there would be ample evidence to support the charges. However, his activities in these regards did not begin until about 1933 which would seem to negate any close connection with politics leading up to the Manchurian Incident. In common with all Japanese of a nationalistic bend of mind, he supported the Japanese position in the incident against the views of the rest of the world and became an apologist for Japan's "true intentions".

The only evidence relating to expansion to the south or to hostilities with the United States would go to disprove any charge that he supported such moves, much less that he conspired to effect them.

His position in the IFAA in 1943 and his support of his government's war aims can not be used retroactively to attribute to him foreknowledge of prior approval of such plans. With the evidence presently available, it could not be successfully shown that subject joined in the conspiracy or that with knowledge of the conspiracy he consciously used the organizations and his influence in them to further the ends of the conspiracy.

On 16 April 1947, CIS/G-2 made the following recommendation: "In summary, it appears evident that KOBAYASHI, once having made his fortune, did use his money to become influential in the ideologically nationalistic political world of the nineteen-thirties. The roster of organizations with which he was affiliated presents a good cross section of these nationalist movements in the decade leading to Pearl Harbor, movements ranging from a mild "anti-liberal" ideological nature to an extreme ultra-nationalistic calibre. However, unless it is decided as a matter of policy that membership in ideological societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictments, CIS/G-2 recommends release of KOBAYASHI from internment without preference of charges."

On 22 August 1947, Arthur A. Sandusky, Attorney IPS, after a study of the evidence made the following recommendation: "It is recommended that KOBAYASHI, Junichiro be released from custody because available evidence and the likelihood of discovering additional evidence do not warrant charges against him as a Class A, B or C war criminal."

KOBAYASHI, Seizo

The proposed charge is that the subject planned, prepared, initiated and waged aggressive warfare and conspired to perform the same in that:

- (a) He was an advocate of Japan's southward expansion.
- (b) He held important political office as Chairman of the Central Cooperative Conference of the Imperial Rule Assistance Association from June 1943 to December 1944, as President of the Imperial Rule Assistance Political Society from August 1944, to June 1945, and as Minister without portfolio in the KOISO Cabinet from December, 1944 to March, 1945.
- (c) He resigned from the KOISO Cabinet and Presidency of IRAPS in order to establish a new party to take the form of a "National Protection Movement" uniting Government, people and military services in defense of the Empire.

Of the three charges brought against KOBAYASHI at the time of his arrest, the first would seem to be true but the only actual evidence thereof is KOBAYASHI's membership in the National Policy Research Institute. It would seem to be a matter of policy whether membership in such an organization should impose criminal responsibility in the absence of other specific acts by the subject.

As to the second charge, KOBAYASHI undoubtedly held the political offices as alleged but CIS substantially acquits him of any criminal responsibility.

The third charge remains unsubstantiated by any available evidence and even if true carries little weight because it took place in 1945.

On 4 September 1946, Legal Section, SCAP, after an investigation of the evidence against subject, concurred in a CIS request for release of subject for lack of evidence, stated that "Since KOBAYASHI's record available at the present time does not divulge any hint of his participation in, or command responsibility for war atrocities, he can not be tried as a Class 'B' or 'C' war criminal suspect."

Statements in favor of subject on the part of ex-premier YOSHIDA, Shigeru; ex-premier OKADA, Keisuke; ex-premier YONAI, Mitsumasa; and Admiral SAKONJI, Seizo are creditable testimonials of subject's character because these four men are known opponents of Japanese militarism from 1930 until they were silenced by the war.

KOBAYASHI, Seizo

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On 28 August 1946, C. A. Willoughby, Brigadier General, G-2, SCAP, made the following recommendation: "That KOBAYASHI be released from incarceration"

On 7 February 1946, after re-studying the evidence, G-2 again recommended favorable consideration of KOBAYASHI's release.

On August 22, 1947, Commander C. T. Cole, USN, IPS Attorney, after a further study of the evidence made the following recommendation: "A review of the case file-on KOBAYASHI reveals that there is insufficient facts to sustain the charges against him. It is recommended that he be released without preference of charges."

KUHARA, Fusenosuke

Subject was originally a successful war profiteer in World War One, but went bankrupt in 1923. Such evidence as there is may be taken to implicate him in a minor way in the general conspiracy but it ceases altogether in July 1941.

He was Minister of Communications in 1928 and Cabinet Advisor to the ABE, YONAI, and Second KONOYE Cabinets. He is asserted to have been implicated in the February 1936 Incident but was acquitted by court-martial in April 1938.

It has been asserted that he is an ardent nationalist, closely associated with military circles and aims, but there is no evidence as to his close association with military circles.

He appears to have been dishonest in business and tricky in Japanese internal politics, but there is nothing to indicate that he was a person of any considerable importance.

On 21 March 1946, Mr. K. N. Parkinson, Attorney IPS, after a study of the evidence made the following recommendation, in part: "The charges against the subject are based on rumor, the record being devoid of any substantiating evidence. Due to this, and after interrogations, the following conclusions have been reached: (a) That, the subject is not suitable for inclusion as a major war criminal in this trial. (b) That, whether or not the subject is suitable for inclusion in the subsequent trial cannot, as yet, be determined nor on what grounds."

In January 1947, CIE/G-2 made the following recommendation: "In summary, accusations directed against KUHARA appear to be of a political nature, but he can hardly be considered to rate as a war criminal. Unless it is decided as a matter of policy that unscrupulous political activity will form a basis for indictment, G-2 recommends his release from internment without preference of charges."

In August 1947, after a study of the evidence, an IPS Attorney made the following recommendation: "This man appears to have been dishonest in business and tricky in politics. But there is nothing to indicate that he was a person of any considerable importance, or to link him in any considerable way with major war crimes."

MATSUZAKA, Hirooasa

From 1933 to 1939 he was successively public prosecutor of the Supreme Court; public prosecutor of the Tokyo Court of Appeals; Director of the Bureau of Criminal Affairs; Minister of Justice; Councillor of the Bureau of Thought Guidance (Shiso Iin Kai); member of the Opium Commission; Chief Public Prosecutor of the Tokyo Court of Appeals. In July 1941 he was appointed Prosecutor General. In July, 1944 he was appointed Minister of Justice in the KOISO Cabinet and served in the same position from April, 1945 to August, 1945 in the SUZUKI Cabinet. In August, 1945 he was appointed to the House of Peers.

On 27 February 1947, G-2 made the following recommendation: "Unless it is decided as a matter of policy to place on trial public prosecutors for their part in prosecuting offenses under the 'Peace Preservative Laws', CIS/G-2 recommends that MATSUZAKA be released from internment without preference of charges."

On 21 August 1947, Mr. G. S. Woolworth, IPS Attorney, after a study of the evidence, made the following recommendation: "His file indicates that as Chief Prosecutor of the Tokyo Court of Appeals from 1939 to 1941, and as Prosecutor General of the Supreme Court from 1941 to 1944, he severely enforced thought control and other like war laws and he aided and abetted the war of aggression. I recommend that subject be held in Sugamo Prison and that further investigation of him be made with a view of his indictment."

MAZAKI, Jinzaburo

Subject has been described as one of the three leading figures of the Imperial Army from 1932 to 1945. However, he was purged by the Japanese Army militarists and placed on "reserve" on 10 March 1936. It has been stated that he was Inspector General of Military Education from 1934 to 1938. However, he was purged from this position on 16 July 1935. It has been said that he was the instigator of the February 26 incident in 1936. However, he was acquitted of responsibility for that incident by a court-martial which appears to have been "loaded" against him by Japanese Army militarists. The court-martial records show an absolute failure of proof against him, although KEMPEI and militarists imprisoned and sought to convict him from 6 July 1936 to his acquittal in October 1937.

He has been described as a member of the Supreme War Council in 1936. However, he was removed from army duty on 10 March 1936 and was in prison the last half of 1936, thus ceasing to be a supreme war councillor.

It has been stated in words and in effect that subject was an army militarist through the years of preparation for war and through the war years. In fact, subject was not in the army for the past 10 years; had been recommended by KONOYE to the Imperial on 14 February 1945 for an appointment to the "peace cabinet" to end the war; and was purged by the army militarists because he opposed their schemes to conquer China, to permit army to expand power over government by requiring War Minister to be an active general and by removing Inspector General at will, and to terrorize the government by incidents which he repeatedly obstructed at the risk of his own life.

It has been indicated that subject is an extreme nationalist. In fact, he has opposed strong nationalism and has attempted to teach Japan to avoid Fascistic totalitarianism and suicidal hostilities to the United States after having traveled in both Germany and the United States.

No record whatsoever has been found to substantiate the charge that subject was a military advisor to the China expeditionary force in 1944.

On 17 March 1947, Captain J. J. Robinson, USN, IFS Attorney, after a study of the evidence made the following recommendation: "... it appears that MAZAKI should be released from Sugamo Prison subject to recall whenever requested to return."

On 28 February 1947, G2 made the following recommendation: "Unless MAZAKI's political activity in the early and middle 30's, for which he has already stood trial and been acquitted in 1937, is construed as a basis for war crimes prosecution, it is CIS/G2's considered recommendation that MAZAKI be released from internment without preference of charges."

MIZUNO, Rentaro

Implied charges against subject are that as a member of the House of Peers, as Home Minister, and as Education Minister, and as a member of numerous political societies and committees, he held great influence in the forqation of the policies of the Japanese Government. Furthermore, that as member of these societies he strongly influenced Japanese wartime policies and showed himself an exponent of Japan's totalitarian organization at home and military aggression abroad.

The facts are that prior to his resignation as Education Minister in 1928 subject had held many important positions in the Government dealing mainly with internal affairs. From the time of his retirement at the age of 60, he seems to have taken very little interest in the development of Japanese policies and all of the positions he held during the 30's were purely honorary. It wasn't until 1941 that he once again came to the foreground as an active member of various IRRA organizations.

It might be presumed that the main reason for his placement in leading positions in these organizations was that he was one of the "grand old man" of Japanese politics. There is no evidence whatsoever to show any positive action on his part or to show that from 1928 onwards he at any time in any way influenced Japanese Government policies.

On 27 May 1947, CIS/G-2 made the following recommendation:
"G-2 strongly recommends that MIZUNO be officially cleared of charges."

An undated recommendation of the Legal Section states: "It is recommended that subject be interrogated and be released from house arrest without preference of charges."

On 22 August 1947, Mr. A. T. Laverge, The Netherlands' Prosecutor IPS, after a study of the evidence made the following recommendation: "It is strongly recommended that suspect, who is at present under house arrest, be released forthwith."

MURATA, Shozo

Subject is primarily a businessman who began as a clerk with the Osaka Mercantile Steamship Company and rose to become President of this company, the 10th largest in the world. Later in life he became member of the second and third KONOYE Cabinets, serving as Minister of Communications, Minister of Railways, and later in the SUZUKI Cabinet as Advisor to the Ministry of Transportation, all posts for which he was fitted by his experience in the shipping business.

As a cabinet member, subject was responsible for the action taken by those cabinets but appears to have had little part in the formulation of policies. He was strong in his support of free trade before the days of Japan's economic control. He was a leading light in the Japanese branch of Rotary International and active in the Japan-American Society

No evidence appears to show that he was connected with any of the ultra-nationalistic societies at any time or connected with military enterprise prior to the Pacific War.

It would appear that his acceptance of wartime positions was due to his economic interest in shipping and his patriotism and not with a view to interest in military expansion. His acceptance of the post as supreme civil advisor to Japanese military forces in the Philippines in 1942-43 can be viewed towards his patriotism and his economic interests and not from a desire to aid military expansion. The evidence indicated that his sympathies lay with the Philippine people and he brought their grievances to the attention of the military authorities there and urged authorities to take steps to ameliorate their conditions. It further reveals that his efforts in behalf of the Philippine people were unavailing.

On 6 March 1946, David Nelson Sutton, Associate Counsel, IPS, after investigation of the case of subject made the following recommendation: "I find nothing from the examination of this man or from my study and investigation of his activities which leads to the conclusion that he should be included as a war criminal and I respectfully recommend that he not be included in the list and that he be released from confinement."

On 14 June 1946, Colonel, R. S. Bratton, G2, SCAP, recommended to the Chief of Staff that because "evidence is considered insufficient to charge MURATA under any category under the war criminal indictments." It is recommended that he be released from confinement.

On 29 May 1946, Legal Section, SCAP, after a study of the evidence made the following recommendation: "Legal Section has no objection to release of MURATA except that the word 'unconditionally' should be omitted."

MURATA, Shozo, continued:

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On 5 June 1946, Mr. Joseph B. Keenan, Chief Prosecutor, IPS, made the following recommendation: "Although investigation does show responsible positions in the Japanese cabinets advising aggressive action, it does not point to MURATA, Shozo, as being one of the major war criminals. Therefore, without prejudice to his later appearance and without intending that he be exculpated from further subsequent charges which might be lodged, we have no objection to MURATA's release from confinement."

On 24 June 1947 CIS/G2 made the following recommendation: "G2 herewith reiterates its recommendation that MURATA be released without preference of charges, unless the Philippine phase of Legal Section, SCAP, investigation reveals evidence on the basis of which he can be charged with class 'B' or 'C' offenses."

On 31 May 1946, Roy L. Morgan, Chief of Investigation Section, IPS, in a memorandum to the Executive Assistant to the Chief Prosecutor, recommended that MURATA be released from Sugamo prison and that his name be deleted from the suspect list.

On 21 August 1947, David Nelson Sutton, IPS attorney who had previously recommended the release of subject, again made a study of the evidence and made the following recommendation: ".... I found nothing to change my original opinion. I do not feel that there is sufficient evidence to justify the prosecution of MURATA and I respectfully recommend that he be released from confinement."

NAKAJIMA, Chikuhei

One charge against subject is that he was Railways Minister at the time of the outbreak of the China Incident and that as a Cabinet member did not in fact prevent or cause withdrawal of troops from the occupation of portions of China. Subject explains that the Cabinet was opposed to the extension of the Incident and that the Prime Minister carried his opposition so far as to cause a rift in the Cabinet and resignation of influential members. The facts seem consistent with this explanation.

Subject is charged with supporting the extension of the anti-comintern pact to include Italy at Privy Council meeting in November 1937. From the report of the proceedings of this session of the Privy Council, this move would appear to be a normal defense measure.

Subject is charged with framing Japanese aggressive policy as a member of the Cabinet Advisory Council from October 1940 to October 1941. There is no evidence that this Council took any part in framing or furthering Japanese war policy.

Subject is charged with membership in various nationalist societies but there is no evidence of any great activity on his part in connection with these societies.

He is charged with having interests in the NAKAJIMA Aircraft Corporation, Ltd. However, he ceased to have any active interest in the corporation in 1931 and retained only financial interests. That a man is a shareholder in such a corporation and would benefit financially by war does not support any inference that he conspired to wage the war.

Evidence available only shows that subject was a businessman normally cooperating with his government's wartime policies and had only a normal political career, including nominal association with the IRAA.

On 7 March 1946, Mr. Henry A. Hauxhurst, Attorney IPS, made the following recommendation: "NAKAJIMA's position in the first KONOYE Cabinet may classify him as a war criminal but the writer does not feel that he should be treated as such unless the other members of the first KONOYE Cabinet, in office when the China Incident occurred, are included as war criminals."

On 12 June 1947, CIS/G-2, made the following recommendation: "Therefore, unless the expectable cooperation of a businessman with his government's wartime policies be considered as a basis for indictment and unless a normal political career including nominal association with the Imperial Rule Assistance Organizations be considered basis for indictment, G-2 recommends that NAKAJIMA be released from his internment without preference of charges."

NAKAJIMA, Chikuhei continued:

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On 22 August 1947, Lt. Col. Thomas F. Mornane, Associate Prosecutor Australian Division IPS, after a study of the evidence made the following recommendation: "In my opinion the file does not disclose sufficient evidence to justify the subject being charged with the commission of any war crime, nor is there anything to indicate that further investigations would reveal such evidence."

ODATE, Shigeo (ODACHI, Shigeo)

The subject was primarily engaged in administrative work in conquered areas or in the Home Ministry. None of these positions were of policy making rank except the positions of the Vice Minister of Home Affairs from August 1939 until July 1940 and the Minister of Home Affairs under KOISO from July 1944 to April 1945. Subject obviously had nothing to do with preparations for, or the waging of, war and appears only to be an able administrator who was called into the service by his government after policy was made and action was being taken.

Subject was absent from Japan, or in political retirement, prior to, during, and for some time subsequent to the events representing the initiation of the three aggressive wars.

The fact that the subject was Mayor of Japanese occupied Singapore and of the Metropolis of Tokyo would, in and of themselves, not be a basis for a class "A" war crimes charge.

The fact that subject was Vice Minister of Home Affairs in the ABE and YONAI Cabinets from the middle of 1939 to the middle of 1940 would not in itself be a basis for a class "A" war crimes charge, because holding of an official position in the government is not a basis for such a charge where there is no evidence of active participation in the conspiracy. Also the ABE and YONAI Cabinets were, with the exception of the War Ministry, Cabinets which were anti militaristic.

The great East Asia war was already going on in July 1944 when the subject became Home Minister in the KOISO Cabinet and there is no evidence to show that he actively participated, or even knew of any conspiracy to start this war.

As a Director of the Legislative Bureau of Manchukuo and one of the Directors of the General Affairs Board of the State of Manchukuo for periods between 1934 and 1937, the subject served in an administrative position passing on laws which previously received approval from higher officials and there would seem to be no question that the subject acquiesced in the army management of the affairs of Manchukuo at this period. However, this was some time after creation of the puppet state and circumstances would indicate that his functions were purely administrative.

As advisor to the puppet government in North China in 1937 and 1938, again the subject was a legal advisor and shows no evidence of policy making power.

Although subject was closely connected with KOKUSAKU KENKYUKAI, there is little evidence to indicate that he was consulted for any more than administrative information to be placed in reports issued by this society.

ODATE, Shigeo (ODACHI, Shigeo) continued:

After the fall of the TOJO Cabinet in July 1944, subject was appointed Home Minister in the KOISO Cabinet. Upon being appointed he demanded the purge of the TOJO clique. He also firmly opposed fascist elements in the Imperial Rule Assistance Manhood Group and was consistently opposed to the IRAA organizations and refused to join them because of his opposition to any one party system until his becoming Home Minister made it practically compulsory to join the IRAA as one of its advisors.

In the summary, subject appears to be a Home Ministry Bureaucrat of outstanding administrative ability whose services have several times been drafted by the army. He was not even in Japan at the time of the Manchurian Incident and at the time of both the China Incident and Pearl Harbor he was in retirement from public office. There is no indication of any policy making at those critical times or at any other time. His character was sufficiently firm to bring him into frank opposition to the army even at the cost of being forced to resign his post. His whole career centers in his official Home Ministry duties and in his long administrative career has proved to be capable, honest, and respected.

On 17 June 1947, G2 made the following recommendations: "Therefore, G2 recommends that unless evidence has been uncovered to make ODATE's official duties a basis for charges against him, ODATE be released from internment without preference of charges."

On 22 August, 1947, Smith N. Crowe, Jr., IPS attorney, after study of the evidence made the following recommendation: "It is, therefore, respectively recommended that charges not be placed against the above subject and that he be released from Sugamo prison."

OGATA, Taketora

Evidence relating to subject discloses he was a newspaper man of prominence and ability. He does not appear to have attained political prominence until he became Minister without portfolio and Chief of the Information Board during the KOISO Cabinet in 1944. He was a member of a Cabinet Advisory Council in the SUZUKI Cabinet and again Minister without portfolio and Chief of the Information Board in the HIGASHIKUNI Cabinet in 1945, as well as a member of the Cabinet Advisory Council. In 1944, he was a member of the Supreme Council for the Direction of the War.

It is considered that subject appeared upon the political scene too late to be considered as a major war criminal. In all probability the man was more influenced by the surrounding circumstances than the circumstances by the man.

It is quite true that he held high office in the IRAA and IRAPS during the preparatory period and afterwards but as no attempt has been made under the charter for the IMTFE to declare such organizations illegal, and there is no evidence sufficient to justify prosecution on the ground that the subject was implicated in an important degree, it is not thought that he should be indicted for trial.

On 19 April 1947, CIS/G-2 made the following recommendation: "Unless it is decided as a matter of policy that membership in ideological and nationalistic societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, and unless prominence in the news world per se without consideration of motivating circumstances be considered such basis, CIS/G-2 recommends release of OGATA from internment under house arrest without preference of charges."

OKABE, Negakage

Before appointment as Minister of Education, subject never held any important position in the Japanese Government where he could influence politics. For three months when he was in the position of Parliamentary Advice Minister of War, there was no special incident or change of policy, and in any case subject not being in the army would not be able to influence army politics.

There is no evidence to indicate that subject was interested in the activities of the various societies, to which he belonged, in other than a cultural viewpoint and none of the societies seem to have been of a nationalistic and expansionist nature. Subject was prominent in the IRAA possibly through the close relationship with KONOYE who was the originator of this movement, but it must be noted that he did not acquire any position of real importance therein until after the outbreak of the Pacific War and even then he was only one of many who held similar positions.

There is no evidence to indicate that there is any special reason for subject's appointment as Minister of Education in the TOJO Cabinet in 1943 except that he was fairly well qualified for the job and as such a minister he could hardly have had great influence on Japanese war politics. As regards mobilization of student labor, all-out mobilization of the country in the second and third years of the war was a vital necessity which no Japanese, least wise a Minister of State, could oppose.

Because subject became Minister of Education when the Pacific War was already in its second year, no particular importance can be given to any nationalistic speeches which he may have made during that time.

On 18 February 1947, CIS/G-2 made the following recommendation: "It is CIS/G-2's considered opinion that nothing short of prejudiced exaggeration can indicate that OKABE was deeply involved in Japan's program of totalitarian suppression of thought at home and of assisting her plan of aggression abroad. CIS/G-2 recommends OKABE's release from internment."

On 20 June 1947, Mr. David Nelson Sutton, Attorney IPS, after a study of the evidence made the following recommendation: "It is my opinion that the evidence presently available would not justify his prosecution."

On 22 August 1947, Mr. A. T. Laverge, The Netherlands' Prosecutor IPS, after a study of the evidence made the following recommendation: "Evidence at present available must be considered insufficient to indict suspect as a Class A war criminal. It is recommended that suspect be released from custody without preference of charges."

OKURA, Kunihiko

On 16 February 1946, Mr. Henry A. Hauxhurst, Attorney IPS, interrogated the subject and in conclusion stated that there were at least three OKURAS prominent in Japanese business and politics, and that subject might be confused with some other man bearing the same surname. He also stated that: "Unless the pamphlets show something new about OKURA, Kunihiko, serious consideration should be given to releasing this suspect on such terms as may be decided upon."

On 7 March 1946, Mr. Hauxhurst again in closing his interrogation recommended: "We do not recommend him as a war criminal. On the basis of the investigation, the writer does not feel that OKURA comes within the war criminal class. At the time of the last report it was suggested that OKURA might be a victim of mistaken identify."

On 26 April 1947, CIS/G-2, after a study of the files made the following recommendation: "In summary, accusations directed against OKURA appear to be of an ideological and political nature, exaggerated by wartime propaganda and unsubstantiated by any specific evidence. OKURA appears to be an ideological bigot. He was politically unimportant. As head of OKURA SEISHIN BUNKA KENKYUSHO (The Okura Institute of Spiritual Culture) and its affiliated missions, his activities remained within ideological and patriotic limits. Unless it is decided as a matter of policy that membership in ideological and patriotic organizations in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, G-2 recommends release of OKURA from internment without preference of charges."

On 21 August 1947, Mr. David Nelson Sutton, Attorney IPS, made the following recommendation: "I concur in the view stated by Henry A. Hauxhurst on 7 March 1946 and in the summary prepared by G-2 dated 26 April 1947 that the evidence in the file does not justify indictment against OKURA for any offense and I respectfully recommend that he be released from confinement."

OTA, Kozo

On 22 August 1947, Mr. Joseph F. English, IPS Attorney, after a study of Subject's case made the following recommendation:

"I recommend that OTA, Kozo, be released from Sugamo for the reason that there is insufficient evidence to justify indicting him as a Class A, B or C criminal. The file discloses the following pertinent information upon the basis of which this recommendation is made:

"OTA is a lawyer and a former law professor who held no official governmental position until his appointment in 1939 as secretary to the Hiranuma Cabinet after the fall of which, in August 1939, he became a member of the House of Peers. At this time the China war was well under way.

"There is no concrete evidence of any positive action taken by OTA, either as a member of the House of Peers or a cabinet secretary, which could be used as a basis of charges sustainable in a Class A, B or C trial.

"There is evidence that OTA and HIRANUMA were connected with a "patriotic" association known as the Kokuhonsha; but that this organization was disbanded in 1936. There is also evidence that OTA was a member of the IRAA and other related organizations. These "societies were neither secret nor terroristic nor did they disband for the purpose of avoiding detection" (G-2, 10 April 1947). But there is little evidence, other than that he was a member and served on all preparatory committees of these organizations, that he positively used the organizations or conspired with others to use them for purposes forming the basis of charges as a Class A criminal.

"OTA was Minister of Education in SUZUKI's Cabinet in 1945. This fact will not justify Class A charges.

"There is no I.P.S. document in OTA's case file. The G-2 report of 10 April 1947, paragraph 7, states "in summary accusations directed against OTA appear to be of an ideological and political nature, exaggerated by wartime propaganda and unsubstantiated by any specific evidence."

Paragraph 8 of this report reads as follows:

"Unless it is decided as a matter of policy that membership in ideological and nationalistic societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, CIS/G-2 recommends release of OTA from internment without preference of charges."

SAKAI, Tadamasa

Subject held only one cabinet post, that of Agriculture Minister for three months from December 1939. Although he was active in politics, loyal to his country, and showed no adequate opposition to wrong policies, his actual participation in conspiracy seems inadequate.

Investigation discloses nothing derogatory about his activities in the House of Peers and as Minister of Agriculture as the implied conspiracy applied to the Agriculture Ministry in formulating food supply policies to further the conspiracy began long before subject's term.

The ABE Cabinet was mainly responsible for passage of Ordinance 901, whereby the War and Navy Ministers could expropriate factories and shops, and the abrogation of the arbitration treaty with the Netherlands, and failure to halt the war in China.

The above three provable items did not originate in subject's ministry, which leaves him only failing to oppose.

On 27 February 1946, Mr. V. G. Hancock, IPS attorney, made the following recommendations: "There is nothing in the files relating to Count SAKAI indicating that he was at any time active in promoting aggressive warfare nor was anything developed in interrogation. It is recommended that subject be not considered as a war criminal."

On 9 June 1946, Mr. R. T. Hummer, IPS attorney, made the following recommendation: "If further evidence in KIDO's case is required, it may be obtained from SAKAI. There appears to be no reason as far as IPS is concerned for further detaining SAKAI at Sugamo Prison."

On 21 February 1947, after evaluating the evidence, G2, SCAP, made the following recommendation: "Unless it is decided as a policy, that members in ideological societies or activities in IRAPS organizations form a basis for indictment, G2 recommends release of SAKAI without charges."

On 25 August 1947, Mr. T. R. Delaney, IPS attorney, after a study of the evidence, made the following recommendation: "It is recommended that no charges be filed against this man and that he be released. Nothing in the file even suggests that we refer him for Class "B" or Class "C" consideration."

SAKURAI, Hyogoro

Subject is a man who held many government positions. However only two main activities can be held against him. They are:

- 1) Activities while a member of various political and patriotic organizations; he was director of IRAA; director of IRAA Diet Members League; director of IRAP.
- 2) His activities while chief political advisor of the Burmese military government.

Subject was thoroughly investigated and interrogated about his membership in the above societies and insisted that his membership was only nominal and that he played no part in formulating any of the policies. There is no evidence to contradict this statement.

Regarding his services in Burma, subject contends that he spent only 4½ months in Burma although he held the position of advisor for almost three years. During all of that time, including the period when he was actually present in Burma, subject claims he was never consulted by the military leaders on any problem.

Subject is listed as a member in many Diet committees for the consideration of the problems of overseas development but claims that his membership was very unimportant, that he probably served on minor sub-committees, but that he never prepared any reports. There is no evidence to contradict this statement.

Furthermore subject has been confined to bed because of illness since 1943, except for brief periods.

On June 12, 1947 G2 made the following recommendation: "Unless it is decided as a matter of policy that membership in political societies in general and/or activity in the Imperial Rule Assistance organizations in particular will form a basis for indictment, and unless evidence sufficient for charges against SAKURAI of responsibility for aggressive militarism as a civilian advisor to the Japanese militarists in Burma has been uncovered by the IMTFE prosecution, G-2 recommends that SAKURAI be released from internment under house arrest without preference of charges."

On 22 August 1947 Major Robert Depo, Associate Prosecutor French Division IFS, after a study of the evidence made the following recommendation: "In spite of the many activities of SAKURAI, Hyogoro, both as a member of diverse political and patriotic organizations and as Chief Advisor to the Military Administration in Burma, a careful examination of his dossier shows that, based on the Indictment, there are no justifiable grounds for pursuing his case further. Under these circumstances, his release should be recommended."

SHIMOMURA, Hiroshi

The proposed charge is that the subject planned, prepared, initiated, and waged aggressive warfare, and conspired to perform the same in that he:

- (a) Incited the Japanese people to wage aggressive war and disseminated nationalistic propaganda as President of the Japan Broadcasting Corporation, Councillor and President of the Board of Information, and through his voluminous writings.
- (b) Aided in the formulation of national policies and participated therein as a director of the IRAA, IRAPS, the National Policy Investigation Society, the Great Japan Political Association, and as a Cabinet Minister without portfolio.

As a journalist whose manifold interests gave him an unusual capacity and opportunity to serve on numerous committees representing those interests, his associations from 1921 to 1936 were non-political. But in 1937 he entered the House of Peers and soon found himself involved in the IRAA. While he was exceedingly active in the IRAA and the IRAPS and their numerous committees, his former criticisms of party politics is consistent with a movement which abolished them. Unless the IRAA is considered nationalistic, there is no prewar association that can reflect unfavorably on him.

His writings lack the true jingoistic flavor. There is no utterance from him about divine missions, racial superiority, or hatred of foreigners. He had simplified the causes of war to so narrow a formula that he could satisfy himself of the justness of the proposed new order without embarrassing his intellect with such mental distortions.

Briefly, the evidence in favor of SHIMOMURA shows he has no record as an ultra-nationalist or a jingoistic propagandist, and he attained a position approaching policy-making only in the waning days of the war. The evidence against him is that although his motives may have been humanitarian and patriotic, he was guilty of a perverted logic, with disastrous after-effects.

On 30 March 1946, Mr. Roy L. Morgan, Chief Investigative Division, IPS, reported to Chief Prosecutor that the Executive Committee of IPS had agreed that subject should be released from Sugamo prison inasmuch as IPS would not include him as a defendant in the then forthcoming trial.

On 27 February 1946, CIS/G-2, after a study of the evidence, made the following recommendation: CIS/G-2 recommends that SHIMOMURA be released from House Arrest without preference of charges."

On 21 August 1947, Mr. Robert M. Vote, Assistant Prosecutor, IPS, after a study of the evidence, made the following recommendation: "It is recommended that SHIMOMURA be released from House Arrest without preference of charges."

SHINDO, Kazuma

Implied charges against subject are that he was one of the organizers of the Fascist Party in Japan in 1936, he was influential in Japan's political and military life, and that he made foundations in domestic affairs in preparation for aggression and totalitarian control.

Investigation discloses that the Fascist Parties which he was a member of were small in membership and that subject was only a member and not a policy maker. Investigation discloses that subject was only a minor figure in a minor movement toward Fascism which could not have had a great influence in the planning, preparation, initiating, and carrying out of aggressive warfare.

On 12 May 1947, CIS/G-2 made the following recommendation: "G-2 recommends that this minor figure in ideological Japanese nationalism be released without preference of charges."

On 22 August 1947, Mr. Robert L. ONETO, Associate Prosecutor for France IPS, after a study of the evidence made the following recommendation: "We have no sufficient evidence that SHINDO, by his nationalist policy, could have given a valuable help to the men who planned, prepared, initiated or waged aggressive wars against the Allied Powers. A minor figure, SHINDO can be released."

SHORIKI, Matsutaro

Subject was a member of the IRAA, the IRAPS, and the Great Japan political association serving as a member of the preparatory committee of all organizations. These appointments were motivated by his positions in the newspaper world and his activities in these societies are of little or no value in determining the war responsibilities.

Subject has been accused of strongly backing the Axis and urging adherence to the Tripartite Alliance and actively promoting militaristic propaganda through his newspaper. However, no reliable evidence of such activity has been found. From 1937 onward, subject's newspaper, the YOMIURI, carried propaganda as did all other important newspapers in Japan. Obviously, no newspaper could continue to operate during this period without passing out required propaganda.

Subject was appointed councillor to the Cabinet Board of Information in July 1943 but denies that he was ever asked for advice and no evidence to the contrary appears. Before Pearl Harbor the subject's name is not linked with any of Japan's political or military leaders.

Accusations against subject appear to be of an ideological and political nature, exaggerating wartime propaganda and unsubstantiated by any specific evidence other than the fact that he was a prominent newspaper manager, who had to fill political positions and who had to submit to rigid government censorship and control over his newspaper in order to stay in business.

On 9 May 1947, CIS/G-2 made the following recommendations: "Unless it is decided as a matter of policy that activity in the IRAA and/or success in the newspaper business (without consideration of motivating circumstances) are basis for indictment, G-2 recommends release of SHORIKI from internment without preference of charges."

On 8 March 1946, Mr. Henry A. Hauxhurst, IPS Attorney, after a study of the evidence, made the following recommendation: "In view of the interrogations on SHORIKI, Matsutaro on 21 January 1946, and 23 January 1946, coupled with the interviews and statements of the persons above indicated, it is the feeling of the writer that SHORIKI does not qualify as a war criminal and it is respectfully suggested that this case be closed."

On 17 October 1946, Mr. Eugene D. Williams, Associate Prosecutor, IPS, made the following comment and recommendation: Mr. Henry A. Hauxhurst and Mr. Sokis Horwitz studied the charges against SHORIKI and found them to be unsubstantiated. "In view of the circumstances, it is respectfully submitted that an early review of this matter be had and that suitable recommendations touching the release of this prisoner should be made. I feel that this is one case where perhaps a real injustice has been done to a man, perhaps induced by the activities of his business and personal enemies."

On 22 August 1947, Mr. F. S. Tavenner, Jr., Associate Prosecutor, IPS, made the following recommendation: "It is believed that the proof is not sufficient to warrant the prosecution of the subject and, therefore, his release is recommended."

TOKUTOMI, Iichiro

Subject was a highly prolific nationalistic writer, speaker, and popular philosopher. Although he was one of the foremost exponents of Japanese nationalism, and while his ideological writings show a close parallel to the lines followed by the conspiracy, there seems to be no direct evidence connecting him to any of the conspirators.

He never held any government position of importance and obtained his most important political post after the start of the war when he participated in the organization of IRAPS.

Subject is 84 years old and requires practically continuous nursing care and at his age his general debility will probably be progressive, leaving to doubt whether he would be able physically to stand trial.

Many of his political appointments, which came late in life, seem to have placed him only in the position of a figure-head and to have been awarded because of his eminence in the journalistic field and his popularity among the Japanese masses.

On 21 June 1947, G-2 made the following recommendation: "TOKUTOMI's career, in its literary gravitation toward nationalism, does not appear to provide sufficient evidence for indictment as a Class A, B or C war criminal. G-2 recommends that this 84-year old man be released from internment under house arrest without preference of charges."

On 22 August 1947, 1st Lt. Kurt STEINER, Attorney IPS, after a study of the evidence made the following recommendation: "The case file on TOKUTOMI, Iichiro, fails to reveal evidence sufficient to warrant indictment of subject as a Class A, B or C War Criminal. The character of the information available does not offer the likelihood that further investigation will lead to such evidence. In view of these facts it is recommended that TOKUTOMI, Iichiro be released."

1934 Jun 12	Relieved of his post as the acting chief of the 1st Section of the Information Department because of the return of secretary of foreign affairs SATO Toshihito.	Foreign Ministry
1934 Dec 26	Raised to the 4th pay grade.	Foreign Ministry
1934 Apr 29	Decorated with the 6th Order of Merit with the Order of the Sacred Treasure in recognition of service in 1931-34 Incident.	Foreign Ministry
1936 Feb 15	Raised to the senior grade of the 6th Court rank.	
1936 Apr 11	Appointed 3rd secretary of an embassy and concurrently consul. Promoted to the 5th rank of the civil service. Raised to the 1st pay grade. Ordered to serve in China. Ordered to reside in Shanghai.	Cabinet Foreign Office
1936 Dec 26	Promoted to the 4th rank of the higher civil service.	
1936 Dec 26	Appointed 2nd secretary of an embassy; his concurrent post as consul remaining the same. Promoted to the 4th rank of the higher civil service. Raised to the 2nd pay grade. Ordered to serve in China.	Cabinet Cabinet Foreign Office.
1938 Feb 23	Relieved of his concurrent post.	Cabinet
1938 Feb 23	Ordered to serve in Belgium	Foreign Office
1938 Jul 23	Ordered to attend on the Imperial Japanese Representative at the 4th International Aviation Private Law Conference held in Brussels, Belgium.	Cabinet
1938 Dec 27	Raised to the 1st pay grade.	Foreign Office
1939 May 19	Decorated with the 5th Order of Merit with the Order of the Sacred Treasure.	
1940 Jan 29	Appointed 1st secretary of an embassy. Promoted to the 3rd rank of the higher civil service. Ordered to serve in Belgium.	Cabinet Foreign Ministry
1940 Jul 15	Raised to the junior grade of the 5th Court rank.	
1940 Dec 6	Appointed secretary of foreign affairs.	

1940 Dec 6	Conferred the 3rd rank of the higher civil service. Cabinet Raised to the 1st pay grade. Appointed chief of the 6th Section of the Investigation Department.	Foreign Ministry
1941 Jan 22	Appointed concurrently information official of the Information Bureau. Conferred the 3rd rank of the higher civil service. Cabinet Assigned to the 1st Section of the 3rd Department of the Information Bureau.	Cabinet
1942 May 19	Sent to China.	Foreign Ministry
Nov 1	Appointed chief of the 3rd Section of the Commercial Bureau.	"
Dec 2	Appointed Chief of the Ceremony Section of the Minister's Secretariate.	"
Dec 10	Relieved of his concurrent post.	Cabinet
Dec 16	Appointed concurrently ceremonial officer. Conferred the 3rd rank of the higher civil service.	Imperial House- hold Ministry "
1943 Mar 31	Promoted to the 2nd rank of the higher civil service. (principal /post/)	Cabinet
1943 Mar 31	Raised to the second pay grade.	Foreign Ministry
" Apr 23	Promoted to the 2nd rank of the higher civil service. (concurrent /post/)	Cabinet
" May 1	Promoted to the senior grade of the 5th Court rank.	
" May 11	Decorated with the 4th Order of Merit with the Order of the Sacred Treasure.	
1940 Apr 29	Decorated with the Order of the Dual-Rays of the Rising Sun, in recognition of service in the China Incident.	
1945 Jan 10	Appointed councillor of an embassy. Conferred the 2nd rank of the higher civil service. Cabinet Ordered to serve in France.	"
1946 Mar 2	Appointed concurrently liaison official of the After-War Local Liaison Office. Conferred the 2nd rank of the higher civil service.	"
Mar 1	Relieved of his residence in France.	Cabinet

1934 Jun 12	Relieved of his post as the acting chief of the 1st Section of the Information Department because of the return of secretary of foreign affairs SATO Toshihito.	Foreign Ministry
1934 Dec 26	Raised to the 4th pay grade.	Foreign Ministry
1934 Apr 29	Decorated with the 6th Order of Merit with the Order of the Sacred Treasure in recognition of service in 1931-34 Incident.	Foreign Ministry
1936 Feb 15	Raised to the senior grade of the 6th Court rank.	
1936 Apr 11	Appointed 3rd secretary of an embassy and concurrently consul. Promoted to the 5th rank of the civil service. Raised to the 1st pay grade. Ordered to serve in China. Ordered to reside in Shanghai.	Cabinet Foreign Office
1936 Dec 26	Promoted to the 4th rank of the higher civil service.	
1936 Dec 26	Appointed 2nd secretary of an embassy; his concurrent post as consul remaining the same. Promoted to the 4th rank of the higher civil service. Raised to the 2nd pay grade. Ordered to serve in China.	Cabinet Cabinet Foreign Office.
1938 Feb 23	Relieved of his concurrent post.	Cabinet
1938 Feb 23	Ordered to serve in Belgium	Foreign Office
1938 Jul 23	Ordered to attend on the Imperial Japanese Representative at the 4th International Aviation Private Law Conference held in Brussels, Belgium.	Cabinet
1938 Dec 27	Raised to the 1st pay grade.	Foreign Office
1939 May 19	Decorated with the 5th Order of Merit with the Order of the Sacred Treasure.	
1940 Jan 29	Appointed 1st secretary of an embassy. Promoted to the 3rd rank of the higher civil service. Ordered to serve in Belgium.	Cabinet Foreign Ministry
1940 Jul 15	Raised to the junior grade of the 5th Court rank.	
1940 Dec 6	Appointed secretary of foreign affairs.	

1940 Dec 6	Conferred the 3rd rank of the higher civil service. Cabinet Raised to the 1st pay grade. Appointed chief of the 6th Section of the Investigation Department.	Foreign Ministry
1941 Jan 22	Appointed concurrently information official of the Information Bureau. Conferred the 3rd rank of the higher civil service. Cabinet Assigned to the 1st Section of the 3rd Department of the Information Bureau.	Cabinet
1942 May 19	Sent to China.	Foreign Ministry
Nov 1	Appointed chief of the 3rd Section of the Commercial Bureau.	"
Dec 2	Appointed Chief of the Ceremony Section of the Minister's Secretariate.	"
Dec 10	Relieved of his concurrent post.	Cabinet
Dec 16	Appointed concurrently ceremonial officer. Conferred the 3rd rank of the higher civil service.	Imperial House- hold Ministry "
1943 Mar 31	Promoted to the 2nd rank of the higher civil service. (principal /post/)	Cabinet
1943 Mar 31	Raised to the second pay grade.	Foreign Ministry
" Apr 23	Promoted to the 2nd rank of the higher civil service. (concurrent /post/)	Cabinet
" May 1	Promoted to the senior grade of the 5th Court rank.	
" May 11	Decorated with the 4th Order of Merit with the Order of the Sacred Treasure.	
1940 Apr 29	Decorated with the Order of the Dual-Rays of the Rising Sun, in recognition of service in the China Incident.	
1945 Jan 10	Appointed councillor of an embassy. Conferred the 2nd rank of the higher civil service. Cabinet Ordered to serve in France.	"
1946 Mar 2	Appointed concurrently liaison official of the After-War Local Liaison Office. Conferred the 2nd rank of the higher civil service.	"
Mar 1	Relieved of his residence in France.	Cabinet

1946 Apr 20

Appointed concurrently secretary (jimukan) of
the Cabinet.

Promoted to the 1st rank of the higher civil service.

Appointed chief of the Kyoto Special Construction
Branch-Office of the War-Damages Reconstruction
Board.

Cabinet

1947 Sep 30

Given the 27th grade pay.

Foreign Ministry

ABE, Genki	Cabinet Minister; Prominent in governmental affairs since 1931; Vice President, Cabinet Planning Board 1941-44; Minister Home Affairs in Suzuki Cabinet, 5 April 1945.
AMAU, Eiichi	Vice Minister of Foreign Affairs, Aug 1941; President Board of Information under Tojo; Ardent Nationalist.
ANDO, Kisaburo	President IRAA 1941-43; Minister of State without Portfolio 1942-43; Home Minister Tojo Cabinet, 1943-44.
AOKI, Kazuo	Advisor to the Greater East Asia Ministry since August 1944; Minister Greater East Asia Affairs under Tojo; Ardent Nationalist.
GOTO, Fumio	Vice President of IRAA, 1943-44; Minister in Tojo Cabinet; President Youth Corps of IRAA; Nationalist; Director of Police Bureau of Home Office; Home Minister, Okada Cabinet, 1934-36.
HONDA, Kumataro	Advisor New Asia Movement of Imperial Rule Assistance Association, Sep 1944; extremely active behind the scenes; strong pro-Axis and Nationalist.
ISHIHARA, Koichiro	Member of several ultra-nationalistic societies; made extensive use of his economic influence to promote the war; Member of the "New Zaibatsu".
IWAMURA, Michiyo	Director, Criminal Affairs Bureau of the Justice Ministry, 1934; Procurator General Supreme Court, 1937; Justice Minister in the 3rd Konoye Cabinet and held the same position through the Tojo Cabinet.
KISHI, Shinsuke (Nobusuke)	Vice Minister of Munitions under Tojo, 1943; Minister of Commerce and Industry, Tojo Cabinet 1941; Leader of "Young Bureaucrats".
KODAMA, Yoshio	Has long record of promoting aggression through violence, speeches, writings, and leadership in nationalistic and Fascist Organizations; operated "International Black Market."
KUZUU, Yoshihisa	Head of Black Dragon since 1937; Director IRAA, 1944.
NISHIO, Toshizo (General)	Supreme Military Councillor, 1941; Inspector General of Military Training, 1941; C-in-C Jap Expeditionary Forces in China, 1939-41; Governor of Tokyo area, 1944.

SASAKAWA, Ryoichi Founder and President of Kokusui Taishu To (Society involved in the 15 May assassinations); One of the most active Fascist organizers prior to, and during the war; Held membership in numerous Japanese Fascistic societies.

SUMA, Yakichiro Councillor U. S. Embassy, 1937; Councillor Manchukuo Embassy, 1939; Director Information Bureau Foreign Service, 1939-40; Minister to Spain, 1940-45.

TADA, Hayao
(Lt. Gen.) Supreme War Councillor, 1941; his name is linked intrigue with that of Gen. DOIHARA; C-in-C Jap Forces in China, 1939-41.

TAKAHASHI, Sankichi
(Admiral) C-in-C of Combined and First Fleets; Supreme War Councillor; Advisor to East Asia Development Headquarters of IRAA.

TANI, Masayuki Vice Minister of Foreign Affairs in Abe and Yonai Cabinet, 1939-40; President Board of Information, 1941-43; Foreign Minister in Tojo Cabinet, 1942-43; Ambassador to Nanking Puppet Regime, 1943.

TERASHIMA, Ken
(Vice Admiral) Railway & Communications Minister; Tojo Cabinet, 1941-43; Advisor to the Transportation & Communication Ministry, 1944.

TOYODA, Soemu
(Admiral) Member of Board of Admirals and Navy Advisory Board, 1940; Member of Supreme Military Council, 1942; C-in-C of Combined Fleet, 1944; Chief of Naval General Staff, 1945.

MATERIAL ON

RELEASES

187

1. Prepare check sheet for Mr. Keenan's signature to Chief of Staff recommending release of 23 people.

#3 and # 23 are being held out.

Add NAKAJIMA, Chikuhei and ODACHI, Shigeo to list.

Take #10 to Mr. Lopez with dossier to get his recommendation.

2. Prepare a check sheet to be signed by Mr. Keenan to G-2 that states now is the time to wind up any suspects that they might have and if they have anybody in mind that should be prosecuted to please submit the names of those people.
3. Prepare a check sheet to be signed by Mr. Keenan to the Legal Section suggesting that the three named in Tab C be turned over to the Legal Section for disposition.
4. Find dossiers under "E".
5. Let us start making further investigation on those that are being held for further investigation. As soon as any additional information is secured same will be placed in the file and copies turned over to Mr. Keenan for consideration.
6. ~~Mr. Lea~~ would like to get a full set of SAONJI-HARADA

GENERAL HEADQUARTERS
 SUPREME COMMANDER FOR THE ALLIED POWERS
 INTERNATIONAL PROSECUTION SECTION

24 June 1947

TO: All Staff Attorneys

SUBJECT: Assignments for study of case files and
 Preparation of dossiers on possible Class A
 Defendants now in custody.

<u>Attorney</u>	<u>Name</u>	<u>Case File</u>
✓ Brown	→ IDA, Iwakusu	210
	→ KANCKOGI, Kazunobu	54
Cole	→ GODO, Takuo	264
	→ IWAMURA, Michiyo	92
	→ KOBAYASHI, Seizo	202 152
✓ Comyns-Carr ✓	KUHARA, Fusanosuke	107
	MASAKI, Jinsaburo	60
Crowe	→ KAWABE, Shozo	200
	→ ODACHI, Shigeo	265
Cunningham	→ HONDA, Kumataro	198
	→ SUMA, Yakichiro	281
Delaney	SAKAI, Todamasa	326
	TAKAHASHI, Sankichi	169
✓ Edwards	→ SASAKAWA, Ryochi	185
	→ SHICTEN, Nobutake	180
English	→ OTA, Kozo	186
	→ KURUDA, Shigenori	320
	→ TANI, Masayuki	91
Laverge	→ GOTO, Fumio	221
	→ MIZUNO, Rentaro	197
	→ OKABE, Nagakage	190
Lopez	→ NISHIO, Toshizo	51
	→ KIHARA, Jitaro	460
	→ TADA, Hayao	53
✓ Mornane	→ KISHI, Nobusuke	77
	→ NAKAJIMA, Chikuhei	192
Nolan	→ ANDO, Saburo	52
	→ OGATA, Taketora	266
Oneto Depo	→ ABE, Genki	287
	→ SAKURAI, Hyogo	183
	→ SHINDO, Kazuma	177
Quilliam ✓	AIKAWA, Yoshisuke	214
	OTA, Masataka	184
Sandusky	→ AMAU, Eiji	216
	→ KODAMA, Yoshio	194
	→ KOBAYASHI, Junichiro	152 202
Steiner	→ ISHIHARA, Koichiro	208
	→ KIKUCHI, Takeo	203
	→ TOKUTSUKI, Ichiro (Soho)	172
Sutton	→ IKEZAKA, Chuko	207
	→ MURATA, Shozo	114
	→ OKURA, Kunihiro	189

<u>Attorney</u>	<u>Name</u>	<u>Case File</u>
Tenner	— SHORIKI, Matsutaro	181
Vote	— SHIMOMURA, Hiroshi	187
	— TOYODA, Soemu	173
Wiley	— ACKI, Kazuo	215
	— TERASHIMA, Ken	70
Woolworth	— KUZUU, Yoshihisa	105
	— MATSUZAKA, Hiromasa	195
	— YOKUYAMA, Yui	175

August 18, 1947.

MEMORANDUM

TO: MR. JOSEPH B. KEENAN, Chief of Counsel, IPS.

FROM: LUKE LEA

1. There are confined in Sugamo Prison 38 war suspects and 12 under house arrest who possibly might be Class "A" war criminals. The names of the suspects are attached hereto in Appendix "A" which also shows the number of times they were interrogated by IPS, G-2 and Legal Section recommendations, and into which possible trial groups classification they might fall.

2. In a conference with Mr. Monaghan, Chief of the Investigative Division, the other day he stated that, without interfering with any of the existing work it would be possible for two men to be assigned to the task of:

- (1) interrogating the men who have never been interrogated or other necessary interrogations;
- (2) filling in the now existent dossiers of the suspects with the G-2 and Legal Section recommendations regarding each possible war suspect.

3. In connection with the Legal Section's recommendations, which were prepared by a special group of attorneys assigned to Legal Section subsequent to the termination of the Philippine Island war trials, Mr. Monaghan was advised by Mr. Emory Smith, Chairman of this special group, that their recommendations did not have the concurrence of Mr. Carpenter, Chief of Legal Section, and, therefore, carry no official sanction.

4. It is recommended that a special study be made to determine if there are persons, not under house arrest or confined to Sugamo, who should possibly be considered as Class "A" War Suspects.

5. It is requested that two men from the Investigative Division be assigned to this work immediately so that full and complete information upon each suspect can be given to you as promptly as possible.

6. It would be the purpose of this investigation to determine into which category any of the accused might fall with a view of a common trial for different categories, such as Japanese General Staff, Industrialist-Zaibatsu, diplomatic, propagandists, government officials, etc.

7. It is suggested that further consideration should be given to KURUSU and NOMURA in connection with their activities prior to the outbreak of hostilities.

8. When such information is furnished you will then be able to decide upon your policy for further proceedings.

LUKE LEA

APPENDIX "A"

<u>NAME</u>	<u>NUMBER OF INTERROGATIONS*</u>	<u>G-2 RECOMMENDATION</u>	<u>LEGAL SECTION RECOMMENDATION</u>	<u>POSSIBLE TRIAL GROUP</u>
ABE, Genki	3	See attachment	See attachment	Cabinet Member
AIKAWA, Yoshisuke	5	Release	" "	Industrialist
AMAU, Riji	2	Release	" "	Diplomat, Propagandist
ANDO, Kisaburo	1	Release	" "	Cabinet Member
AOKI, Kasuo	3	See attachment	" "	Cabinet Member
GODO, Takuo	3	See attachment	" "	Industrialist, Cabinet Member
GOTO, Fumio	4	Release	" "	Cabinet Member
HONDA, Kumataro	1	See attachment	" "	Diplomat
IDA, Iwakusu	4	See attachment	" "	Government Official
IKEZAKI, Chuko	4	See attachment	" "	Government Official
ISHIHARA, Keishiro	2	Release	" "	Industrialist (Zaibatsu)
IWANURA, Michiyo	2	Release	" "	Cabinet Member

* In many instances the number of interrogations listed does not necessarily mean that the prisoner was questioned that number of times concerning his own implication of guilt but were last minute interviews conducted at the start of the present trial to ascertain if any of the prisoners could offer any evidence against the present defendants.

APPENDIX "A" p. 2

<u>NAME</u>	<u>NUMBER OF INTERROGATIONS</u>	<u>G-2 RECOMMENDATION</u>	<u>LEGAL SECTION RECOMMENDATION</u>	<u>POSSIBLE TRIAL GROUP</u>
KANOKOGI, Kasunobu	1	See attachment	See attachment	Propagandist
KAWABE, Shozo	3	Release	" "	General Staff
KIHARA, Jitoro	NONE	See attachment	" "	Diplomat
KIKUCHI, Takeo	1	Release	" "	General Staff
KISHI, Shinsuke	2	Release	" "	Cabinet Member
KOBAYASHI, Junichiro	2	Release	" "	Industrialist, Propagandist
KOBAYASHI, Seiso	2	Release	" "	Cabinet Member
KODAMA, Yoshio	2	See attachment	" "	Propagandist
KUHARA, Fusanosuke	1	Release	" "	Industrialist, Govt. Official
KURODA, Shigemori	1	See attachment	" "	General Staff
KUZUU, Yoshihisa	2	Release	" "	Govt. Official, Propagandist
MATSUZAKA, Hiromasa	1	See attachment	" "	Cabinet Member
MAZAKI, Jinsaburo	5	Release	" "	General Staff
MIZUNO, Rentaro	NONE	See attachment	" "	Government Official
MURATA, Shozo (report of interrogation)	1	See attachment	" "	Industrialist, Cabinet

APPENDIX "A" - p. 3

<u>NAME</u>	<u>NUMBER OF INTERROGATIONS</u>	<u>G-2 RECOMMENDATION</u>	<u>LEGAL SECTION RECOMMENDATION</u>	<u>POSSIBLE TRIAL GROUP</u>
NAKAJIMA, Chikuhei	1	Release	See attachment	Cabinet Member, Industrialist
NISHIO, Toshizo	10	Release	" "	General Staff
OGATA, Taketoro	2	See attachment	" "	Propagandist
ODATE, Shigeo	2	Release	" "	Cabinet Member
OKABE, Nagakage	1	Release	" "	Cabinet Member
OKURA, Kunihiko	1	Release	" "	Industrialist, Zaibatsu
OTA, Kozo	3	See attachment	" "	Govt. Official, Cabinet
OTA, Masataka	1	Release	" "	Propagandist, Govt. Official
SAKAI, Tadamasa	2	Release	" "	Govt. Official
SAKURAI, Hyogoro	NONE	Release	" "	Govt. Official
SASAKAWA, Ryoichi	4	See attachment	" "	Industrialist, Propagandist
SHIMOMURA, Hiroshi	1	Release	" "	Propagandist
SHINDO, Kazuma	1	Release	" "	Govt. Official, Propagandist
SHIOTEN, Nobutake	2	Release	" "	Propagandist

APPENDIX "A" - p. 4

<u>NAME</u>	<u>NUMBER OF INTERROGATIONS</u>	<u>G-2 RECOMMENDATION</u>	<u>LEGAL SECTION RECOMMENDATION</u>	<u>POSSIBLE TRIAL GROUP</u>
SHORIKI, Matsutaro	2	Release	See attachment	Propagandist
SUNA, Yakichiro	6	Release	" "	Diplomat
TADA, Hayao	3	Release	" "	General Staff
TAKAHASHI, Sankichi	2	Release	" "	General Staff
TANI, Masayuki	1	See attachment	" "	Cabinet, Diplomat
TERASHIMA, Ken	6	Release	" "	Cabinet
TOKUTOMI, Iichiro	NONE	Release	" "	Propagandist
TOYODA, Soemu	NONE	See attachment	" "	General Staff
YOKOYAMA, Yui	4	See attachment	" "	Propagandist

19 H - 3 possible release

5 R. →

☒ Check SUMA's health - for return SUGAMO

IKEZAKI, Chuko

Release for ^{ill} health and other reasons

Yokoyama, Yui

Release with note to G-2 we concern in
his close surveillance.

Shihara - Hold and try - combination of Zaiatsu,
propagandist, intrigue thru
organizations and close contact
with political figures.

YOKOYAMA, Yui release as A B or C but watch
by Jap police. Notify G-2
check sheet —

IKEZAKI, Chuzo - Release

TOYODA, Soemu - interrogate with Vote before
decision

Application for condition OKAWA
latest med report - previous reports
routine daily
whose case is he under
any reason why not send back to
Suzuno

Secret

JBK/TG/1p

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
AND
FAR EAST COMMAND

OUTGOING MESSAGE

DATE: 30 SEP 1947

FROM: SCAP (KEENAN)
TO : WAR (CSCAD WC)ROUTINE
PAREN PAREN REURAD WILLIAM EIGHT SIX NINE
FIVE ZERO CMA FINAL SCREENING OF SUGAMO SUSPECTS IS NEAR
COMPLETION IN CONJUNCTION WITH CARPENTERS LEGAL SECTION PD
DEFINITE REPORT WILL PROBABLY BE READY WITHIN TEN DAYS.PD
PRESENT INDICATION POINTS TO POSSIBILITY THAT SUSPECTS
APPERTAIN TO CLASS BAKER AND CHARLIE RATHER THAN TO ABLE PD
IF THIS IS THE CASE CMA THE CESSATION OF THE INTERNATIONAL
MILITARY TRIBUNAL FOR THE FAR EAST WILL CLOSE ABLE CLASS
TRIALS PD THE BAKER AND CHARLIE TRIALS WOULD CORRESPONDINGLY
BE CONDUCTED BY CARPENTERS SECTION WITH GENERAL INDICATIONS
THAT TERMINATION OF ALL HIS TRIALS WILL BE AT APPROXIMATELY
THE SAME TIME AS INTERNATIONAL MILITARY TRIBUNAL PD THIS
WOULD DEFINITELY COMPLETE THE ENTIRE WAR CRIMINAL SITUATION
INSOFAR AS THE UNITED STATES IS CONCERNED PD NO FURTHER
ACTION ON THIS MATTER SHOULD BE TAKEN UNTIL MY REPORT IS
COMPLETED PD

MR. KEENAN'S FILE

Secret

OFFICIAL:

APPROVED BY:

R. M. LEVY
Colonel, AGD
Adjutant General

THEODORE GOULSBY
Lt. Col., Cav.
Executive Officer
International Prosecution Section

MEMO FOR RECORD:

This secret radio is in reply to W 86950 requesting confirmation of Keenan's recommendation to take no action against possible Class A accused until International Trial is completed.

TG

GENERAL HEADQUARTERS, FAR EAST COMMAND
ADJUTANT GENERAL'S OFFICE
RADIO AND CABLE CENTER

INCOMING MESSAGE

S E C R E T

PRIORITY

23 Oct 47

FROM: WAR (CSCAD WC) (DRAPER)
TO: CINCFE (PERSONAL TO MACARTHUR)
NR: WAR 88868

Reurads May C 52563, Sep C 55811, Oct C 56091, ourads Jun WAR 80435, Sep WAR 86950, Oct WAR 88472, Keenan's rad Jun WAR 80433 to CINCFE for IPS, Aug WD TC 8437. Re Gen Eberle's memo to Gen Whitlock, Deputy Chief of Staff for SCAP at time of Gen Eberle's visit to Far East May 47 and memo dtd 6 Aug 47 from WCB to Chief Counsel re review of dossiers 48 Jap prisoners suspected of class A war crimes.

As indicated by above references Dept of Army has been cognizant for sometime of situation existing with reference to Major Japanese war criminals confined at Sugamo Prison.

1. Rad C 55811 states: "Present indication points to possibility that suspects appertain to Class B and C rather than to A. If this is the case, the cessation of the Internatl Mil Tribunal for the Far East will close A class trials."

You have auth to try as B and C criminals before US Mil Commissions already established those eligible for trial in such categories. If after screening there remain any which in your opinion must be held for trial as Class A criminals, names and dossiers are urgently requested as auth to try class A individuals before National Mil Commissions would require apl of FEC. A decision by that body would probably not be rendered at an early date and might be unfavorable.

NO SIG

ACTION: Int'l Pros.

INFORMATION: Commander in Chief, Chief of Staff, AG, LEGAL

66647

COPY