

Translated by  
Defense Language Branch

Excerpt from Military Criminal Code

(April 10th 1908, Law No. 40)  
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Chapter I.

General Provisions

Article 8. Army personnel includes the persons enumerated in the following:

1. Persons on the active list of the Army. However those who have not yet entered barracks or those on leave are to be excluded.
2. Reservists who have received orders for calling out.
3. Reservists who are taking up the duties of army personnel in various units without being called out.
4. In addition to the persons enumerated in the preceding two clauses, reservists who are wearing army uniforms or who are actually fulfilling their duties of service.
5. Persons who have voluntarily enlisted themselves in the National Army Conscript and are actually in service.

Article 9. Persons enumerated in the following shall be included correspondingly as Army Personnel:

1. Army students.
2. Civilian employees of the Army.
3. Naval personnel taking up duties in the Army.

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In case exception is to be established with regard to persons as enumerated in No. 1 of preceding clause, it shall be decided by order.



Def. Doc. # 2693

CERTIFICATE OF SOURCE AND AUTHENTICITY

I, MIYAMA, Yozo, who occupy the post of the Chief of the Document Section of the 1st Demobilization Office, hereby certify that the document hereto attached, written in Japanese, consisting of 2 pages and entitled "Excerpts from 'the Military Criminal Code' which was in effect on 28 July 1942" is an exact and authorized excerpt from an official document in the custody of Japanese Government (the First Demobilization Office).

Certified at Tokyo,  
on this 3 day of October, 1947

/s/ MIYAMA, Yozo (seal)  
The Chief of the Document Section  
of the First Demobilization Office

I hereby certify that the above signature and seal were affixed hereto in the presence of the Witness.

At the same place,  
on this same date.

Witness: /S/ YOSHIDA, Masao (seal)



INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

SITTING AT TOKYO, JAPAN

CERTIFICATE OF CLERK

I, Paul M. Lynch, Clerk of the International Military Tribunal for the Far East, do hereby certify that the annexed and foregoing 3 pages of writing is/are a true, correct and compared transcript of Exhibit No. 3353, including language corrections, if any, as the same appears on file in this office.

I further certify that this exhibit was admitted into evidence on the 24th day of October, 1947 as shown by the daily record at pages 31684, of the proceedings entitled:

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of this Tribunal on this 20th day of February, 1948.

(SEAL)

INTERNATIONAL MILITARY TRIBUNAL  
FOR THE F.A.R. EAST  
GENERAL SECRETARY  
UNITED STATES OF AMERICA  
CHINA  
GREAT BRITAIN  
RUSSIA  
AUSTRALIA  
C.N.A.D.  
FRANCE  
NETHERLANDS  
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/s/ Paul M. Lynch  
Paul M. Lynch, Court Clerk  
International Military Tribunal  
for the Far East

A CERTIFIED TRUE COPY

*H. C. Bishop*  
H. C. BISHOP  
CAPTAIN, QMC