

GENERAL

VOLUME NO. 12

DOCUMENTS NOS. 3031 - 3517

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LIST OF TWENTY MAJOR WAR CRIMINALS NOW IN SUGANO PRISON  
TENTATIVE ANALYSIS AS TO DISPOSITION

1. ABE, Genki  
(G)  
Former head of the Special Higher Police and Superintendent General of the Metropolitan Police Board.  
Vice Chief of Cabinet Planning Board, Dec 1941 to Nov. 1943.  
Home Minister, 7 April 1945 to 17 Aug. 1945.  
  
Indict for "B" and "C" crimes while on Planning Board and as Home Minister.
2. ANDO, Saburo  
(G)  
Retired as Lt. Gen. in 1934. Supreme Military Council in 1941.  
Minister Without Portfolio, 1942.  
Minister of Home Affairs, April 1943 to July 1944.  
  
Indict for "B" and "C" crimes while Supreme Military Councillor, Minister Without Portfolio and Home Minister.
3. ANAU, Eiji  
(N)  
A Career diplomat. Issued the famous "Anau Statement" warning other powers to keep hands off China in 1934. Vice Foreign Minister, July to October, 1941.  
Chief of Cabinet Information Bureau, April 1943 to July 1944.  
  
Cannot be indicted for "B" or "C" crimes.
4. AOKI, Kazuo  
(G)  
A Career government man. Vice-Chief Manchurian Affairs Board, 1938-1937. Vice-Chief or Chief of Cabinet Planning Board, 1937-1940. Finance Minister, Aug. 1939-Jan. 1940. Economic Advisor to WANG Ching-wei, 1940-1942. Minister Without Portfolio, Aug. to Oct. 1942. Greater East Asia Minister, Nov. 1942 to July 1944.  
  
Indict for "B" and "C" crimes while a member of the TOJO Cabinet. Indict for "B" and "C" crimes against China prior to 1941.
5. GOTO, Fumio  
(S)  
An important bureaucrat, high police official and several times Cabinet Minister in the 1930s. A leading organizer and official in the IRAA and IEAPS.  
Minister Without Portfolio, May 1943 to July 1944.  
  
Indict for possible "B" and "C" crimes while Minister.
6. HONDA, Kumatara  
(S)  
A Career diplomat. Retired in 1926. 7 Dec. 1940 to 19 Dec. 1941, Ambassador to China.  
  
RELEASE?????? There is just a slim possibility of developing "B" or "C" crimes in the China service.
7. ISHIHARA, Keichiro  
(S)  
An industrialist. Active in ultra-nationalistic plots during the 30s. ISHIHARA Mines and Industries employed POW labor during the war.  
  
Indict for "B" and "C" crimes .....the unlawful and wrongful use of POWs.
8. IVANURA, Michio  
(G)  
A Career Government man. Prosecutor General, 1940-1941.  
Minister of Justice, July 1941 to July 1944.  
  
Indict for "B" and "C" crimes while a member of TOJO Cabinet.
9. KISHI, Shinzuke  
(G)  
A career in government. Vice Minister of Commerce, 1939-1941.  
Minister of Commerce & Industry, Oct. 1941 to Oct. 1942. Vice Minister of Munitions, Oct. 1943 to Nov. 1944 (TOJO was Minister.) Minister Without Portfolio, Oct. 1943 to July 1944.  
  
Indict for "B" and "C" crimes while a member of TOJO Cabinet.



10. KODAMA, Yoshio  
(O)  
Jailbird, terrorist, extortionist, assassin, racketeer and profiteer. Purchasing agent for Navy, Dec. 1941 to end of war, accumulated fortune.  
Unless evidence of "B" or "C" crimes can be developed in connection with Navy activities, he cannot be indicted.  
Hold in prison as long as possible.
11. KUZUU, Yoshihisa  
(N)  
Helped form Black Dragon Society in 1901 - became President in 1937. Active in IRAA and IRAPS.  
Cannot indict for "B" or "C" crimes.
12. NISHIO, Toshizo  
(G)  
Military career man, full General. Chief of Staff and Chief of Military Affairs Division, Kwantung Army, 1934-36. CinC, Japanese Expeditionary Forces in China, Sept. 1939 to Aug. 1941. Supreme War Council, 1938. Reserve list, 1943.  
Indict for "B" and "C" crimes in China.
13. OKAWA, Shumei  
(N)  
Formerly in dock before IMTFE. Declared insane, now redeclared sane. Primarily a propagandist.  
Cannot indict for "B" or "C" crimes.
14. SASAKAWA, Ryoichi  
(O)  
Extremely wealthy, organized many nationalistic societies and parties during the 30s, participated in plots. Acted as purchasing agent for Army during war. Immediately began organization of potentially dangerous parties after war.  
Unless evidence of "B" or "C" crimes can be developed in connection with Army activities, he cannot be indicted.  
Hold in prison as long as possible.
15. SUMA, Yakichiro  
(N)  
A career diplomat. 1937-1939, Counsellor, Japanese Embassy, Washington. 1940-1946, Ambassador to Spain.  
Cannot be indicted for "B" or "C" crimes.
16. TADA, Hayao  
(G)  
Full General, retired in 1941. From 1929 to 1936 he held various field commands with the Kwantung Army. 1939-1941, Commander-in-Chief, Japanese Expeditionary Forces in North China. Appointed to Supreme War Council, July 1941.  
Indict for "B" and "C" crimes in China and Supreme War Council.
17. TAKAHASHI, Sankichi  
(S)  
Full Admiral, retired in 1939. Member of Supreme War Council. Active in Manchurian and China Societies. An organizer in IRAA and IRAPS.  
An outside chance to indict for "B" and "C" crimes as Supreme War Councillor.
18. TANI, Masayuki  
(G)  
Career diplomat. Vice-Foreign Minister, 1939-1940. Chief of Cabinet Information Bureau, Oct. 1941-April 1943. Foreign Minister, Sept. 1942 to Apr. 1943 (concurrently Chief of CIB). Apr. 1943 to Dec. 1943, Ambassador to Nanking.  
Indict for "B" and "C" crimes while TOJO Cabinet Minister and China activities.
19. TERASHIMA, Ken  
(G)  
Navy Admiral, retired 1934. Minister of Railways and Minister of Communications, 16 Oct. 1941 to 8 Oct. 1943.  
Indict for "B" and "C" crimes while in TOJO Cabinet.
20. TOYODA, Soeun  
(G)  
Navy Admiral. Supreme War Councillor, Nov. 1942. CinC Combined Fleet, Mar. 1944. CinC Overall Navy Command; concurrently CinC Combined Fleet and Naval Escort Command, 1 May 1945 to 29 May 1945. Chief of Naval General Staff, 29 May 1945 to end of war.  
Indict for "B" and "C" offenses while CinC of Navy and Chief of Staff.



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GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

8 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

RE: Presentation of "B" and "C" crimes before  
the International Tribunal.

1. Colonel Mornane presented the IPS Summation to the IMTFE on Counts 53, 54, and 55 of the indictment, which counts charged conventional war crimes and crimes against humanity (with the exception of the opium and narcotic phase).

2. The presentation was complete and exhaustive insofar as the consolidation of all evidence before the International Tribunal was concerned and the writing of a proper legal predicate to require from the Tribunal a complete finding as to the responsibility of the accused for the commission of these "B" and "C" atrocities.

3. In Appendixes A and B to the Summation, the details of the atrocities were particularized. In order that the Tribunal might be able to separate the various acts complained of as to time, each theater was dealt with separately on a month-by-month basis from December 1941 to the end of the war. A further breakdown was effected in order to show that the pattern of crimes was the same in every geographical area, no matter how far removed by either space or command.

4. It is this writer's opinion that this summation has placed the question of the legal responsibility of the accused (particularly the members of the Japanese Government) so squarely before the Tribunal that an adverse ruling on the part of the Tribunal on the facts would place Legal Section in a position where the established precedent would be an overwhelming obstruction to hurdle in the presentation of our proposed cases against the remaining suspects. It will be recalled that the writer in projecting a provisional charge, utilized certain sections of the IPS indictment as a basis for a proposed new form of charge. It was not believed at that time that the IPS was going to place the degree of emphasis on "B" and "C" crimes that it now appears has so been placed. It is true that the evidence and summation in regard to these "B" and "C" crimes constitutes only a fraction of the entire case against the accused now in the dock; but regardless of the relative degree of emphasis of one phase or another, there can be no doubt but that sufficient emphasis has been placed on these types of crimes to require the setting of a precedent.



Memo: Presentation of "B" and "C" crimes.

5. It is this writer's opinion that, while the YAMASHITA and HOMMA cases have set an adequate predicate for command responsibility that would justify any prosecution against a military or naval commander no matter how high or how low his degree, no precedent has yet been set that will arbitrarily hold heads of State responsible for the same type and character of crimes that have been previously charged against field commanders. Insofar as a new body of international law is concerned, and insofar as the application of the common law doctrine of "stare decisis", the rulings and judgments of the original tribunal at Nuerenberg and those of the IMTFE will be of the highest and the most compelling dignity known to the law. With reluctance, it must be added, that insofar as international law is concerned, even such an august body as our own Supreme Court must bow to the judgment of a still higher tribunal.

6. It is this writer's opinion, based purely on speculation and guesswork, that the International Military Tribunal for the Far East is going to apply the YAMASHITA doctrine squarely to the facts and hold the heads of State responsible. This concrete proposition was side-stepped at Nuerenberg, due to various factors that will not be discussed in this memorandum. The above observations have been made because the writer wants to point out that the present project in which Legal Section is now engaged will be subjected to a searching re-examination when the final verdict and opinions are rendered by the IMTFE.

L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

8 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

THRU: Mr. Liggitt

RE: Screening of Nineteen (19) Class "A"  
War Criminals.

1. The writer, one secretary, and two typists have spent the week, 1 March through 5 March 1948, in Rooms 379 and 381 of the War Ministry making the preliminary arrangements necessary for a thorough and comprehensive investigation of the nineteen (19) suspects to determine their indictability on "B" and "C" charges.

2. A complete examination has been made of all case files on the suspects as compiled by the Investigative Division of the International Prosecution Section. Six reports were submitted on 5 March 1948 making certain specific recommendations.

3. Some 4,000 odd documents, constituting the Exhibits introduced before the International Military Tribunal for the Far East, have been or are being bound so they will be readily accessible to investigators and attorneys. Arrangements have been made to have complete access to the stencil files of both the International Prosecution Section and the IMTFE, which arrangements will save countless manhours of labor in the reproduction of documents that would normally require typists. Other documents and investigative material are being accumulated for ready reference. The writer must devote his time in the immediate future to a hurried examination of some 2,000 odd documents now in the possession of the International Prosecution Section which were accumulated or translated too late to be introduced in evidence or which for some reason or other were of no value in establishing Class "A" crimes, whereas they may be of inestimable value in the establishment of "B" or "C" crimes. Further, it is necessary to review the complete file indexes, by name, of each of the suspects and some of their closely related co-workers. These file indexes alone are voluminous.



Memo: Screening of Class "A" War Criminals

4. The International Prosecution Section has available for the immediate use of Legal Section a Translating Division and Screening Division. As long as the writer is devoting his energies to the general propositions involved and trying to correlate information and evidence involving all of the suspects, he finds it impossible to devote any time to specific named cases, even though he knows that there is an enormous amount of work that can be done immediately in developing certain phases of the individual cases and that such work requires the aid and assistance of expert scanners and translators. It is, therefore, urged that additional attorneys and some investigators be immediately assigned to these suspects in order to use to the utmost the existing facilities of the International Prosecution Section before it completely disintegrates.

5. Messrs. Guthrie and Walton will have, either today or tomorrow, completed their part in the summation of the INOUE case. Both of these gentlemen have a comprehensive knowledge of the kind and character of work necessary to be performed in order to develop "B" and "C" cases against the suspects. The services of any other attorneys available from Prosecution Section could be utilized to the utmost.

L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

17 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

SUBJECT: Report on Nineteen (19) Class "A" War Crime Suspects.

I. INTRODUCTION:

The writer regrets that limitations on personnel have made it necessary for him to complete the preliminary investigation of the 19 Class "A" war criminals who are being examined for possible "B" and "C" offenses without having the collaboration of any other attorney in making this survey. Due to the magnitude of the task, the survey is in no sense complete, but it has proceeded to a point where very definite and positive ideas can be advanced as to the disposition of these cases.

It had been hoped that the exhaustive examination of source material located with the International Prosecution Section would develop considerable new evidence and enable the establishment of some new hypotheses and predicates upon which charges could be preferred. This has not been the case. Basically, the original ideas remain the same. Insofar as matters of form are concerned, rather than substance, several worthwhile changes in the original plan can now be projected.

This report is based on the examination of all files, documents and information in the possession of Legal Section, SCAP, the Investigative Division of the International Prosecution Section, the Record, with Exhibits attached thereto, of the International Military Tribunal for the Far East, and the documents in the Document Division of the International Prosecution Section which were not utilized as evidence before the IMTFE.

The suspects can arbitrarily be divided into four classes:

1. Cabinet members.
2. Those subject to indictment, other than Cabinet members.



Memo: Report on 19 Class "A" War Crime Suspects (Cont'd)

3. Those subject to indictment, but on whom recommendations are being made to transfer, if desired, to the control of another government.
4. Those suspects not subject to indictment for "B" or "C" crimes.

## II. FORM OF INDICTMENT AGAINST CABINET MINISTERS:

The charge against members of the Cabinet will be substantially the same as that now preferred against war criminals at the Yokohama trials, with the addition of the words, or words to like effect, "did commit high crimes against humanity".

The specifications fall into three distinct categories. Against some of the Cabinet members all three categories can be charged; against some, two; and against others, only one. The categories are:

1. Cabinet decisions which were per se violations of the Laws and Customs of War or were crimes against humanity.
2. Overt acts on the part of individual ministers or overt acts committed by their subordinates for which they were responsible which violated the Laws and Customs of War or were crimes against humanity.
3. Category "B" and "C" crimes committed by the armed forces or civilian populace during the time period when the individual Cabinet member held office.

## III. MANNER OF SUSTAINING CHARGES AGAINST CABINET MINISTERS:

### 1. The Charge:

The common denominator to the Charge (exclusive of considerations of the Specifications) against all Cabinet ministers is the basic proof of the general responsibility of the Japanese Cabinet for war crimes committed during their tenure of office, whether by direct participation or indirect responsibility. It is believed that sufficient evidence can be adduced



Memo: Report on 19 Class "A" War Crime Suspects (Cont'd)

to sustain this proposition, but it is not in any sense elemental. The peculiar wording of the then existing constitution of Japan, plus the de juri divorcement of the War and Navy Ministries from the cabinet, forces the Prosecution to the final, but tenable, position that the ones who control the purse strings must perforce be able to control the acts of those who would spend the money. It is believed that the difficulties inherent in establishing this proposition can be overcome and that the proof can be adduced to sustain the Charge.

2. The Specifications:

a. Cabinet decisions which were per se violations of the Laws and Customs of War or were crimes against humanity:

In making the proof under this particular specification, it may be well to abridge the use of the term per se. There is a possibility of developing proof that certain Cabinet decisions which may have appeared harmless on their face were actually violations of the Laws and Customs of War or crimes against humanity. It is the writer's opinion, however, that unless we could show scienter on the part of the individuals participating in such a decision, that they would have a good defense. If the particular Cabinet decision was deliberately camouflaged in its words, to charge knowledge of the camouflage, without proof, would be ridiculous. This is a proposition that will require considerable thought and study before a final conclusion can be reached. Of course, the responsibility for wrongful acts would still exist; it would simply have to be established under one of the other two type specifications irrespective of any Cabinet decision.

It had been hoped that many additional per se Cabinet decisions could be discovered in this current search; but on the cursory analysis no per se decision that was not previously contemplated as a possible charge has been discovered, although there are some decisions that can be



Memo: Report of 19 Class "A" War Crimes Suspects (Cont'd)

utilized if knowledge could be established as to the effect of the decision. Only three of the Cabinet ministers were members of the Tojo Cabinet at the time of Pearl Harbor.

- b. Overt Acts on the part of individual ministers or Overt Acts committed by their subordinates for which they were responsible:

This type of specification is self-explanatory insofar as the means and method of proof. The only catch to it is, as will be later discussed in detail, that some of the ministers did not appear to have committed overt acts, nor is there evidence now available that such was done by their subordinates.

- c. Category "B" and "C" crimes committed by the armed forces or civilian populace during the time period that the individual ministers held office:

Establishing this proposition is simply a gigantic job of research, and, separation of evidence into time periods that correspond to the tenure of the individual minister. Some of the serious defects inherent in its establishment will be discussed later.

IV. THE INDIVIDUAL CABINET MINISTERS:

1. ABE, Genki.

ABE was Home Minister for a short period of five months preceding the Japanese surrender. He is exempt entirely from the first class of specification. If any real guilt can be established against him, and there is some evidence that it can, it must be established under the second class of specification. There is considerable information and evidence in hand that indirect responsibility can be established under Class 2 through the acts of his subordinates, but there is no evidence now before us of any personal overt acts during this period.

Insofar as establishing the Class 3 specification, we are confronted with the limitations of time in that he held office for such a short period.

ABE was Vice Chief of the Cabinet Planning Board from



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

December 1941 to November 1943. In this particular position he presents a special case. It is believed that, while this office was not of Cabinet level, certain overt acts committed by the Planning Board that were in violation of the Laws and Customs of War, such as the decision to utilize Prisoners of War in Industry, could be charged and established against ABE, as well as being an overt act for which an attempt will be made to hold all of the Cabinet members in office at the time of the decision.

2. ANDO, Saburo:

ANDO was Minister without Portfolio in 1943. A Minister without Portfolio holds a rather anomalous position in the Japanese Government. The question of his responsibility in this type of position will be most vigorously defended.

He can, however, be charged with some acts under the Class 1 type of specification. There is no indication that he can be charged under Class 2 and his responsibility under Class 3 would be defended specially on the grounds that a Minister without Portfolio has no responsibility.

ANDO was Home Minister from April 1943 to July 1944. In this position there is some evidence of Class 2 violations insofar as acts of his subordinates are concerned and it is believed that further investigation may develop personal acts. He can be charged with considerable Class 3 crimes which are known to have occurred in this time period.

3. AOKI, Kazuo:

AOKI's tenure as Minister without Portfolio in the Tojo Cabinet was for a three-month period prior to the organization of the Greater East Asia Ministry in November 1943, of which he became the first minister. He held this position continuously to July 1944. The charges against him are doubtful in the Class 1 type of specification.

The time period has not allowed a thorough analysis of the operation of the Greater East Asia Ministry, but it is believed that a considerable mass of evidence can be adduced against AOKI on the Class 2 type of specification.

His long tenure in office will allow considerable evidence under the Class 3 specification.



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

4. GOTO, Fumio:

GOTO's only connection with the Cabinet was that of Minister without Portfolio from May 1943 to July 1944. Some of the defects in establishing a case against a Minister without Portfolio have been previously discussed under ANDO.

There is no present evidence to charge him under the Class 1 type of specification.

There is no present evidence to charge him under the Class 2 type of specification.

The only remaining possibility to convict GOTO would lie under the Class 3 type (it is understood that this conclusion is reached only on the basis of the present survey). A good case against GOTO appears very doubtful.

5. IWAMURA, Michiyo:

IWAMURA was Minister of Justice from July 1941 to July 1944.

He can be charged under the Class 1 type of specification.

There is no present evidence that he or his subordinates have committed overt acts under the Class 2 type of specification.

His long tenure in office will enable substantial evidence to be adduced under the Class 3 type of specification.

6. KISHI, Shinzuke:

KISHI was one of TOJO's most trusted assistants. He was Minister of Commerce and Industry from October 1941 to October 1943 when this ministry was abolished, then continued as Vice Minister of Munitions (Tojo himself held this Ministry) and Minister without Portfolio until July 1944. KISHI can be indicted on the Class 1-type specification.

It is believed that evidence can be adduced to sustain some charges under the Class 2 type, particularly on the proposition utilizing Prisoner of War labor.

He is subject to a long time period under the Class 3 type of specification.



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

7. TANI, Masayuki:

TANI was Foreign Minister from September 1942 to April 1943 and concurrently held the post of Chief of Cabinet Information Bureau.

It is doubtful whether Class 1 type of specification can be sustained against him.

Under the Class 2 type of specification, although TANI was a minister for a short period of time, there is a mass of evidence connecting him with diplomatic correspondence through neutral nations sent by various allied Powers to protect specific violations of the laws and customs of war and to demand compliance.

The Class 3 type of specification can only cover the nine-month period during which he held Cabinet post.

8. TERASHIMA, Ken:

TERASHIMA was Minister of Railways and Minister of Communications from 16 October 1941 to 8 October 1943.

He is subject to some charges under the Class 1 type of specification.

There is no evidence that he or his subordinates committed any overt acts under the Class 2 type of specification.

He can be charged, as others, for responsibility for Class 3 type of specifications during his tenure in office.

V. METHOD OF TRIAL OF CABINET MEMBERS:

Although the writer is reluctant to make new observations in view of the previous ideas that have been discussed as to best possible method to try these Cabinet ministers, it is now his studied opinion that time, energy, and money can be saved and equal, or better, results be obtained by trying them all in a common trial.

While there is not an absolute coincidence as to their tenure in office, there is a definite continuity and rhythm in the manner, form, and nature of the proof that must be presented against them and the greater bulk of it can be presented against two or more of them concurrently. Exclusive of the



specifications, the charge will perforce have to be proved in an identical manner against each. The problem of preparing cases against individuals is simplified in a great degree when we consider the evidence first as a whole against all of them and then proceed to break it down into component parts. It is believed that fewer attorneys will be required to do the job and that the entire personnel necessary to work with them will be correspondingly smaller. Without going to any great length at this time in arguing in favor of a common trial, the writer believes that, for every sound argument advanced against the plan, he can bring forth two just as sound in favor of it.

VI. PATENT DEFECTS IN PROPOSED CASES AGAINST CABINET MINISTERS (EVIDENTIARY):

The results of this preliminary survey indicate that the cases against the eight (8) Cabinet members are much weaker than was anticipated. The most glaring defect is to be found in the lack of participation on the part of individual Cabinet members in specific overt acts. The International Prosecution Section had to concentrate on the top and the bottom of the over-all picture of Japanese aggression. The intermediates, the middle-men and the subordinates have been more or less ignored. Insofar as overt acts are concerned, it is in this middle strata that we must search to determine where the greatest crimes were committed by the civil, executive, and administrative agencies of the Japanese Government. It is now apparent that the development of this type of evidence will call for original investigation into areas and at sources that have been hitherto neglected.

Another serious defect, from an evidentiary standpoint, is the inability to develop a continuity under the Class 3 type of specification, from 7 December 1941 to 14 August 1945. With the exception of ABE's short tenure of five months in 1945, we have no members of the Cabinet to consider subsequent to July 1944; thus, some of our most fertile fields of "B" and "C" evidence as to atrocities and crimes against humanity cannot be presented. Some of the years themselves are broken to a considerable degree, particularly the years 1942 and 1943 when the greatest number of the eight suspects were serving at the same time. Where atrocity evidence can be divided into monthly periods, it presents no great problem, but a great deal of the general evidence as to war crimes is too vague for such a monthly division and there will be a serious question as to whether this type of testimony will be admitted against the individuals in these broken periods.



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

Although it is impossible to form an accurate opinion as to various degrees of guilt, it readily appears that the conduct of certain of these Cabinet members, from a standpoint of participation, far outweighs the others and, the manner, period of time in which they held office, also effects the degree of guilt or, it should be said, the measure of punishment under the evidence now available for use.

It has been previously pointed out that where a minister participated in a Cabinet decision which developed later to be a violation of the Laws and Customs of War, it will be necessary to charge knowledge on his part in order to sustain the Charge. This presents a very serious handicap from the standpoint of proof and it will require considerable effort on the part of the Prosecution to make this type of allegation stand up.

VII. PATENT DEFECTS IN PROPOSED CASES AGAINST CABINET MEMBERS  
(LEGAL):

Colonel Mornane presented the IPS Summation to the IMTFE on Counts 53, 54, and 55 of the Indictment, which counts charged conventional war crimes and crimes against humanity. This presentation was complete and exhaustive insofar as the consolidation of all evidence before the International Tribunal was concerned and the writing of a proper legal predicate to require from the Tribunal a finding as to the responsibility of the accused for the commission of these "B" and "C" atrocities. It is this writer's opinion that the Summation has placed the question of the legal responsibility of Cabinet members so squarely before the Tribunal that an adverse ruling by the Tribunal to the facts would place Legal Section in such a position that the established precedent would be an overwhelming obstruction to hurdle in the presentation of our proposed cases under the Class 3 type of specification.

The YAMASHITA and HONMA cases set an adequate predicate for command responsibility against military or naval commanders, no matter how high or low their degree. No precedent has yet been set that will arbitrarily hold heads of State responsible for the same type and character of crimes that have previously been charged against field commanders. It was not necessary for them to pass on this proposition at Nuremberg. The writer feels that the IMTFE is going to apply the YAMASHITA doctrine squarely to the facts and hold the heads of State responsible, but this is only a personal opinion. At any rate, it must be borne in mind that our present legal theories are subject to a serious modification or revision in the event of an adverse ruling by the IMTFE.



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

A great advantage for holding individuals responsible for "B" and "C" crimes on the command theory is held by the IPS and will not be available to Legal Section. This is found in the theory of conspiracy. IPS contends that if an individual once became a part of the conspiracy, he is responsible for all acts that flowed from the conspiracy, whether in office or out of it. Thus, a Cabinet member who served in the HIROTA Cabinet in 1936 is charged with atrocities that occurred between 1942 and 1945. If the IMTFE goes as far as the IPS would like in applying this theory, it should at least make our task somewhat easier, even though we cannot adopt the terms in pleadings.

VIII. THE CASES AGAINST TOYODA AND ISHIBARA:

1. TOYODA, Soemu:

TOYODA was at one time Commander of the Kure Naval District, Commander of the Yokosuka Naval District, Commander-in-Chief of the Combined Fleets, and, finally, Naval Chief of Staff from 29 May 1945 to the end of the war. He can be charged and tried in the conventional manner now employed for the trial of cases at Yokohama. The case against him has not yet been constructed. Only the threads of evidence that will lead to a full development are now in existence and it will require hard and concentrated effort on the part of attorney and investigator to develop this evidence within a reasonable period of time.

2. ISHIHARA, Koichiro:

ISHIHARA was an industrialist who had extensive mining interests in Malay, Japan, and possibly in Manchukuo. There is considerable evidence against him as a Class "A" suspect, but the only information of value as to "B" or "C" crimes lies in the fact that he employed Prisoner of War labor during the war.

From what little examination the writer has made of the two Prisoner of War camps where labor for ISHIBARA's mines lived, there did not appear to be sufficient evidence to indict any of the camp personnel. There are a great number of testimonials in the file thanking this personnel and ISHIBARA for the kind and considerate treatment extended to them during their imprisonment. While it is true that a violation of the Laws and Customs of War can be charged, it is difficult to see how a very strong case could be developed if these circumstances remain the same. Certainly, a more thorough investigation should be made before a final decision is reached.



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

IX. NISHIO AND TADA:

NISHIO, Toshizo, and TADA, Hayao, were both generals who spent most of their active military careers on duty in China. The writer has previously recommended that these two individuals be released to the Chinese Government if they so desire them. The basis for this recommendation has previously been submitted in two separate reports. Copies of these previous reports are attached hereto as Exhibits A and B.

X. SUSPECTS AGAINST WHOM CHARGES CANNOT BE SUSTAINED:

1. AMAU, Eiji.

AMAU was the subject of a previous report. A copy of said report is attached hereto as Exhibit C.

2. HONDA, Kumataro:

HONDA was the subject of a previous report. A copy of said report is attached hereto as Exhibit D.

3. SUMA, Yakichiro:

SUMA was the subject of a previous report. A copy of said report is attached hereto as Exhibit E.

4. TAKAHASHI, Sankichi

TAKAHASHI was the subject of a previous report. A copy of said report is attached hereto as Exhibit F.

5. KUZUU, Yoshihisa:

A report previously written on KUZUU has never been submitted. The original of this report is attached hereto and marked as Exhibit G.

6. KODAMA, Yoshio:

No "B" or "C" case exists against KODAMA at the present time. It is believed, however, that it is to the interest of the Occupation to hold him as long as possible and as soon as investigators are available, there are several avenues of investigation now open which might develop a "B" or "C" case against this suspect.



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

7. SASAKAWA, Ryoichi:

SASAKAWA is in the same category as KODAMA. There are several leads available that may allow the development of a "B" or "C" case against him. He should be held as long as possible.

XI. SUMMARY:

The results of this analysis show the following:

1. Eight former Cabinet Ministers against whom there is a possibility of sustaining "B" and "C" Charges.
2. Two non-Cabinet members against whom there is a possibility of sustaining "B" and "C" Charges in the conventional manner.
3. Two suspects who have been guilty of "A", "B", and "C" Charges, but whose crimes were all committed against the Chinese and recommendation have, therefore, been made that their custody be transferred to the Chinese Government.
4. Five suspects against whom no "B" or "C" Charges can be preferred.
5. Two suspects who, on the basis of information now in hand, are not guilty of "B" or "C" crimes, but whom it is deemed advisable to hold for further investigation.

On the basis of this summary, only ten of the 19 suspects could possibly be tried by Legal Section.

It has further been indicated that the preliminary investigation has been rather disappointing in developing new and concrete evidence against the remaining suspects. There are also several problems of law that are subject to a later change or clarification. While the basic case remains against the remaining ten suspects substantially as it was originally contemplated, the investigation upon which this report was based has at least developed some angles that are worthy of further consideration.

XII. RECOMMENDATIONS:

It is recommended that this report be submitted to a small



Memo: Report on 19 Class "A" War Crimes Suspects (Cont'd)

panel of competent attorneys; that a careful examination be made of the substance for the purpose of a de novo reconsideration of the entire project; and that as many comments and criticisms as possible be registered with the idea of strengthening the theory of the case and the evidentiary presentation thereon.

Incls. - 7

L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

5 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP  
SUBJECT: NISHIO, Toshizo

I. PRESENT STATUS:

Subject has been incarcerated in Sugamo Prison since 12 December 1945 as a Class "A" war crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 2 June 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject's custody be transferred to the Chinese Government for trial in China on possible Class "A", "B", and "C" charges.

*Exhibit A*



Memo: NISHIO, Toshinzo (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Chief of Staff, Kwantung Army in Manchuria and concurrently Chief Military Affairs Division, Headquarters, Kwantung Army.	March 1934 - March 1936
Vice-Chief of Army General Staff.	March 1936 - Dec. 1936
Commander, Second Army (in China)	Aug. 1937 - April 1938
Commander, Second Army (in China)	Aug. 1937 - April 1938
Inspector General of Military Education.	April 1938 to Sep. 1939
Commander-in-Chief of Japanese Expeditionary Forces in China, concurrently Commander, Third Army.	Sep. 1939 - Aug. 1941
Appointed Member of Supreme War Council.	March 1941
Placed on the reserve list.	May 1943
Mayor of Tokyo.	July 1944 to Aug. 1945

2. After subject's appointment as a member of the Supreme War Council, he held no active military commands or staff positions. It is not believed that service on the Supreme War Council in itself is sufficient evidence on which to predicate "B" or "C" charges.

3. There can be little doubt but that subject is guilty of "B" and "C" crimes in Manchuria and China. Due to the relationship of the Army to the political situation existing in Manchuria and China, it can be further surmised that subject was guilty of "A" crimes during his service in China.



Memo: NISHIO, Toshizo (Cont'd)

4. It is submitted that the nature and character of the possible war crimes committed by this subject do not justify a trial by a tribunal financed by and composed of almost exclusive United States personnel. Further, a commission so constituted, under the present authority of SCAP, could not consider any possible "A" crimes that might have been committed by subject, whereas no such handicap exists in a trial that would be conducted under the exclusive jurisdiction and control of the Chinese Government.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

5 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP  
SUBJECT: TADA, Hayao

I. PRESENT STATUS:

Subject has been under house arrest since 15 December 1945 as a Class "A" war crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 7 June 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject's custody be transferred to the Chinese Government for trial in China on possible Class "A", "B", and "C" charges.

*Exhibit B*



Memo: TADA, Hayao (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Chief of Staff, 16th Division (Manchuria)	Aug. 1929 - April 1931
Major General, attached to Kwantung Army Headquarters, concurrently Councillor to Minister of War, Manchukuo Government.	1932 - 1934
Commander, North China Garrison	Aug. 1934 - April 1936
Commander, 11th Division (in China)	April 1936 - Aug. 1937
Vice-Chief of General Staff and concurrently Director of Army Staff College.	Aug. 1937 - Aug. 1938
In Manchuria.	Aug. 1938 - 1939
Commander-in-Chief, Japanese Expeditionary Forces in North China.	1939 - July 1941
General and Member of Supreme War Council.	July 1941
Retired.	September 1941

2. Subject was placed on the reserve list prior to Pearl Harbor and subsequent to his retirement he held no military commands or staff position. It is not believed that his membership on the Supreme War Council is in itself sufficient to predicate charges and sustain a case for "B" or "C" war crimes.
3. There can be little doubt but that subject is guilty of "B" and "C" crimes in Manchuria and China. Due to the relationship of the Army to the political situation existing in Manchuria and China, it can be further surmised that subject was guilty of "A" crimes during his service in China.



Memo: TADA, Hayao (Cont'd)

4. In one of the interrogations of subject, he admitted that as Vice-Chief of Staff, he prepared all the plans for the Japanese conquest of Nanking, Hankow and Canton.
5. It is submitted that the nature and character of the possible war crimes committed by this subject do not justify a trial by a tribunal financed by and composed of almost exclusive United States personnel. Further, a commission so constituted, under the present authority of SCAP, could not consider any possible "A" crimes that might have been committed by subject, whereas no such handicap exists in a trial that would be conducted under the exclusive jurisdiction and control of the Chinese Government.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

4 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

SUBJECT: AMAU, Eiji

I. PRESENT STATUS:

Subject has been incarcerated in Sugamo Prison since 12 December 1945 as a Class "A" crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 19 June 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be released from custody immediately.

*Exhibit C*



Memo: AMAU, Eiji (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Secretary and later Councillor to the Japanese Embassy in Soviet Russia.	Sept. 1929-June 1933
Chief of the Intelligence Section of the Foreign Ministry.	June 1944-April 1937
Minister Extraordinary and Plenipotentiary to Switzerland.	April 1937-Aug. 1939
Envoy Extraordinary and Ambassador Plenipotentiary to Italy.	Sept. 1939-March 1941
Vice-Foreign Minister.	Aug. 1941-Oct. 1941
Chief of Cabinet Information Bureau.	April 1943-July 1944

2. Subject is a career diplomat who never ascended the highest rungs in the Japanese diplomatic corps. His greatest claim to infamy rests on the famous "Amau Statement" made to the press on 17 April 1944, wherein the Japanese policy of Asia for the Asiatics and the claim for an absolute Japanese sphere of influence in China was first baldly announced. His statement was not a policy that was originated by subject, but an announcement of policy that had been determined in the Foreign Ministry.
3. The Tri-Partite Pact was negotiated at the time subject was Ambassador to Italy. He has admitted that he was extremely angry at SHIGEMITSU because this pact was negotiated without him having any knowledge of what was going on.
4. Subject's position as Chief of the Cabinet Information Bureau was a purely administrative position. He did not have cabinet or ministerial rank and had nothing to do with the formation or execution of high policy in Japan.
5. Reports in the files of the International Prosecution Section are unanimous in that it was not felt subject could be charged with a Class "A" crime on the basis of the evidence then in hand and serious doubt was expressed that additional investigation would develop any evidence upon which a Class "A" charge could be preferred.



AMAU, E1j1 (Cont'd)

6. This writer concurs in the opinion that existing evidence is insufficient to charge subject with a Class "A" crime. Examination of all evidence and information does not indicate a single act on the part of subject which makes him suspect to a "B" or "C" crime and it is not believed that additional investigation could develop any evidence of "B" or "C" crimes.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY.



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

5 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

SUBJECT: HONDA, Kumataro

I. PRESENT STATUS:

Subject has been under house arrest since 1 December 1945 as a Class "A" war crime suspect. His address is 1102, 7-Chome, Kamine-Guro, Meguro-Ku, Tokyo, Japan.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 17 May 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be released from custody immediately.

Note: It is possible that the Chinese Government may be interested in subject due to his service as Ambassador to the Nanking puppet government.

*Exhibit D*



Memo: HONDA, Fumataro (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Born 18 December 1874.

Served in various capacities  
in the Foreign Ministry and  
diplomatic corps of the  
Japanese Government. 1895 to 1926

Retired. 1926

Ambassador Extraordinary and  
Plenipotentiary to the  
Nanking puppet government. Dec. 1940 to Jan. 1941

Diplomatic Advisor to Foreign  
Ministry. May 1944 to May 1945

2. Subject had what appears to be a long and honorable career in the Japanese foreign service prior to his retirement in 1926.
3. During his retirement, from 1926 to 1940, he held no official position and devoted most of his time to writing and lecturing on diplomatic subjects as a member of the Kokuhonsha (National Foundation Society). Nothing that he wrote or said in this interim could in any sense be construed to constitute a possible "B" or "C" crime.
4. There is no evidence that any of his activities as Ambassador to the Nanking puppet government were of such a nature as to make him suspect to "B" or "C" crimes. The reviewing authorities at the International Prosecution Section were of the opinion that the evidence was wholly insufficient to sustain a Class "A" indictment against subject. It was further believed that additional investigation would be of no value.
5. There is a possibility that the Chinese Government might be interested in subject for his activities in China during 1940 to 1942, but it is this writer's opinion that intense investigation of the subject during this period could not develop evidence of "B" or "C" crimes that would justify subject's prosecution before an American military commission.



Memo: HONDA, Kumataro (Cont'd)

6. Subject's relationship to the Foreign Ministry as Advisor in 1944 and 1945 did not place him in the Ministerial or Cabinet level and he could not have had any part in decisions on the formation of policy and the execution thereof. It is not believed that subject could have possibly committed any "B" or "C" crimes during this period.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

5 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

SUBJECT: SUMA, Yakichiro

I. PRESENT STATUS:

Subject has been under house arrest since 6 December 1945 as a Class "A" war crime suspect. His address is 101 Nichome, Ogikubo, Tokyo, Japan.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (2) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 22 April 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be released from custody immediately.

*Exhibit E*



Memo: SUMA, Yakichiro (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Second Secretary, Japanese Foreign Ministry, on duty in China.	Oct. 1927 to Jan. 1930
Secretary in the Government General of Formosa.	Feb. 1930 to July 1932
Subject held various diplomatic posts in China.	1932 to 1937
Councillor, Japanese Embassy, Washington.	April 1937 to July 1939
Chief of the Information Bureau of the Foreign Ministry.	Oct. 1939 to Dec. 1940
Envoy Extraordinary and Minister Plenipotentiary, Japanese Legation, Madrid.	Dec. 1940 to Aug. 1945

2. Subject is a career diplomat who held many and varied posts in the Japanese foreign service. There is no indication in the files that he could have been guilty of "B" or "C" offenses while serving his long tours of duty in China.
3. He spent the entire war period as Ambassador to Spain and the files reflect no possible "B" or "C" offenses during this tour of duty. The last reviewing authority in the International Prosecution Section did not believe there was sufficient evidence in hand to sustain an indictment against subject as a Class "A" war criminal, although he was of the opinion that further investigation might uncover such evidence as to Class "A" crimes.
4. It is possible that the Chinese Government might be interested in subject in regard to his activities in China, but there is no evidence now in the files that it has ever evidenced such interest.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

5 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP  
SUBJECT: TAKAHASHI, Sankichi

I. PRESENT STATUS:

Subject has been incarcerated in Sugamo Prison since 15 December 1945 as a Class "A" war crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 9 June 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be released from custody immediately.

*Exhibit F*



Memo: TAKAHASHI, Sankichi (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Commander, First Air Squadron.	April 1929 to Feb. 1932
Vice-Chief of Naval General Staff.	Feb. 1932 to Nov. 1933
Commander-in-Chief of Combined Fleet.	Nov. 1934 to Dec. 1936
Appointed Supreme War Councillor.	December 1936
Placed on the reserve list.	April 1939
Member of the Asia Development Committee.	July 1939
Member of the Greater East Establishment Council.	February 1942

2. Subject, a career naval man, was retired from active duty more than two years before Pearl Harbor.
3. Although he was appointed Supreme War Councillor in 1936, it is not believed that his activity in this capacity is sufficient to justify an indictment on a "B" or "C" charge.
4. His very slight activities during the war as a committee member in Greater East Asia affairs appears to have been nominal and he took no decisive or active part in the formation of Greater East Asia policy. For this activity, he could not be charged with "B" or "C" crimes.
5. The last reviewing authority to submit a recommendation for the International Prosecution Section recommended further limited investigation, but the nature of this investigation involved possible activities that could only constitute Class "A" crimes.



Memo: TAKAHASHI, Sankichi (Cont'd)

6. Subject was active in the Navy at the inception of and throughout the first years of the Manchurian aggression and at the time of the first Shanghai incident. The Chinese Government has not evidenced any interest in having his custody transferred.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

12 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

SUBJECT: KUZUU, Yoshihisa

I. PRESENT STATUS:

Subject has been incarcerated in Sugamo Prison since 22 November 1945 as a Class "A" war crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 29 April 1945, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be released from custody immediately.

Exhibit C



Memo: KUZUU, Yoshihisa (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Born.	1874
Helped organize Kokuryu Kai (Black Dragon Society).	1901
President, Black Dragon Society.	

2. In addition to subject's lifelong connection with the Black Dragon Society, he was a member of twelve or more other ultra-nationalistic organizations. His entire career has been tied up in the work of these organizations.
3. On 30 May 1943, subject published an open letter in the Nippon Times, "Black Dragon Society Demands Unconditional Surrender by United States and Britain". This long and vitriolic communication is a perfect example of the arrogant jingoistic propaganda that was so long disseminated throughout Japan by the Black Dragon Society.
4. Subject has never held an official position in the Japanese Government and he was in no way connected with the armed forces or any other agency actively engaged in fighting with men, machines or materials. The writer will forgo the expression of an opinion as to whether subject is or is not guilty of Class "A" war crimes. It can be definitely said, however, that there is not one iota of evidence or information upon which a charge for a "B" or "C" crime could be predicated.
5. Due to subject's extreme age and the fact that the International Prosecution Section has recommended his release from internment on any possible Class "A" charges, it is with reluctance that this writer now recommends his release from prison.

/s/ L. P. B. Lipscomb  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

12 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

SUBJECT: KUZUU, Yoshihisa

I. PRESENT STATUS:

Subject has been incarcerated in Sugamo Prison since 22 November 1945 as a Class "A" war crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the twenty (20) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 29 April 1945, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be released from custody immediately.



Memo: KUZUU, Yoshihisa (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Born.	1874
Helped organize Kokuryu Kai (Black Dragon Society).	1901
President, Black Dragon Society.	1937 to 1945

2. In addition to subject's lifelong connection with the Black Dragon Society, he was a member of twelve or more other ultra-nationalistic organizations. His entire career has been tied up in the work of these organizations.
3. On 30 May 1943, subject published an open letter in the Nippon Times, "Black Dragon Society Demands Unconditional Surrender by United States and Britain". This long and vitriolic communication is a perfect example of the arrogant jingoistic propaganda that was so long disseminated throughout Japan by the Black Dragon Society.
4. Subject has never held an official position in the Japanese Government and he was in no way connected with the armed forces or any other agency actively engaged in fighting with men, machines or materials. The writer will forgo the expression of an opinion as to whether subject is or is not guilty of Class "A" war crimes. It can be definitely said, however, that there is not one iota of evidence or information upon which a charge for a "B" or "C" crime could be predicated.
5. Due to subject's extreme age and the fact that the International Prosecution Section has recommended his release from internment on any possible Class "A" charges, it is with reluctance that this writer now recommends his release from prison.

L. P. B. LIPSCOMB  
2 PROSECUTING ATTORNEY



*Specimen*

CORRECTED COPY

SECRET PRIORITY

25 April 46

FROM: WASHINGTON DC (THE JOINT CHIEFS OF STAFF)

TO : SCAP (TO MACARTHUR)

NR : W 85467

The following directive, prepared by the Department of State to implement the policy adopted by the Far Eastern Commission on 3 April 1946 under the provision of paragraph II, A, 1 of its terms of reference, has been received from the State, War and Navy Departments for transmission to SCAP for his guidance in accordance with paragraph III, 1 of those terms of reference. This directive supercedes the directive forwarded to you as the enclosure to SM-3665, 6 October 1945.

DIRECTIVE ON THE APPREHENSION, TRIAL AND PUNISHMENT  
OF WAR CRIMINALS IN THE FAR EAST

1. The term "War Crimes" as used herein includes:
  - a. Planning, preparation, initiation or waging of War of aggression or a war in violation of International Treaties, agreements and assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing.
  - b. Violations of the laws or customs of War. Such violations shall include but not be limited to murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of, or in, occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, or elsewhere improper treatment of hostages, plunder of public or private property, wanton destruction of towns or villages or devastation not justified by Military necessity.
  - c. Murder, extermination, enslavement, deportation and other inhumane acts committed against any civilian population, before or during the war or persecution on political, racial and religious grounds in execution of or in connection with any crime defined herein whether or not in violation of the Domestic Law of the Country where perpetrated.
2. The offense need not have been committed after a particular date to render the responsible party or parties subject to arrest, but, in general, shown to have been committed since, or if the period immediately preceding the Mukden Incident of September 18, 1931. The preponderance of cases may be expected to relate to the years since Lukouchiao incident of July 7, 1937.
3. You will take all practicable measures to identify, apprehend \_\_\_\_\_, and detain all persons suspected of having committed War Crimes, as defined in paragraph 1 above, and

PRIORITY SECRET



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SECRET PRIORITY

FROM: WASHINGTON DC NR: W 85467 25 APRIL 1946 CONT'D

all persons whom any 1 of the United Nations or Italy charges with such crimes.

4. You will hold suspected War Criminals in close confinement, without access to the press or other media of public information, and without distinction as to rank or position, as befits ordinary criminals.

5. As Supreme Commander for the Allied Powers, you have:

- a. Power to appoint special International Military Courts (which term should be held to include Tribunals of any type) composed of Military, Naval or Air Force Officers or civilians representing any 2 or more of the State members of the Far Eastern Commission for the trial under any applicable law, Domestic or International, including the Laws and Customs of War, of the Far Eastern War Criminals indicted by the Governments of those States.
- b. Power to prescribe, subject to consultation with representatives of these Governments, rules of procedure for such courts. You will appoint to each International Court a Judge nominated by each state represented on the Far Eastern Commission which signified its desire to participate in the work of such court. In the appointment of the International Courts and in all trials before them, the International Character of the courts and of the authority by which they were appointed and under which they act should be properly emphasized and recognized, particularly in dealings with the Japanese people. You will have,
  - (1) The responsibility for carrying out the judgments of any International Courts appointed by you,
  - (2) The power to approve, reduce or otherwise alter any sentences imposed by any such courts, but not to increase the severity thereof, after consultation with the Allied Council for Japan and the representatives in Japan of the other powers, members of the Far Eastern Commission.

6. You should,

- (a) Promptly establish an agency, acting under your command to investigate reports of War Crimes, to collect and analyze evidence, to arrange for the apprehension and prompt trial of suspects, to prepare, supervise and conduct the prosecution of individuals and organizations before International Military Courts or Tribunals, and to recommend to you which individuals and organizations should be prosecuted, before what courts they should be

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SECRET PRIORITY

FROM: WASHINGTON DC NR: W 95467 25 APRIL 1946 CONTINUED

tried and what persons should be secured as witnesses, and

- (b) Should provide, after discussion with the local representatives of the nations involved, and in a manner consistent with efficient administration, for equitable inclusion in the membership of such agency of suitable representatives of the states members of the Far Eastern Commission. This agency should advise you and other military commanders for the Allies on matters relating to War Criminals. This agency should attach importance to the investigation of the evidence that offenses of the types described in paragraph 1 A above have been committed, should collect and analyse the evidence of such offenses and should recommend to you a plan as indicated in paragraph 5 above for the appointment of an International Court for the trial of such offenses and the charges to be preferred. This agency should also maintain a central record and information office of Japanese War Criminals and War Crimes, the records and files of which should be available to any interested United Nation.

7. The military command of any nation (including the United States) participating in the Occupation of areas previously occupied by Japan may establish Special National Military Courts to deal with War Criminals not held or requested by you for trial by an International Military Court or Tribunal of the types referred to in paragraph 6 above. Such courts should be separate from courts which may be set up to deal with current offenses against the Occupation of infractions of Military Discipline. Your authorization will be required for the setting up of such courts within your command.

8. Military Commanders of Forces of Occupation in the Far East should promptly comply with a request by the government of any 1 of the United Nations or Italy for the delivery to it of any person who is stated in such request to be charged with a War Crime, subject to the following exceptions:

- a. Persons who have held high political, civil or military positions in the Japanese Empire or in 1 of its Allies, Co-Belligerents or Satellites, will not be delivered, pending decision whether such person should be tried before an International Military Court or Tribunal. Suspected War Criminals desired for trial before such a court or tribunal or persons desired as witnesses at such trials will not be turned over to the Nation requesting them so long as their presence is desired in connection with such trials.

PRIORITY SECRET



Lipscomb

Secret : to be seen only by officers

INCIDENTS TO BE PLEADED BY WAY OF

PARTICULARS

- 1. 18 Sept. 1931. Japan attacked the Republic of China, thereafter the Japanese Government adopted and supported the aggression. *witnesses: Gens Minami, Ishihara, Premier Wakatsuki*
- 2. 6 Feb. 1932. Japan refused to accept assistance from the United States, Great Britain, and France in the settlement of the dispute. *Gen. Koiso witness*
- 3. 15 Sept. 1932. Japan recognized the independence of Manchukuo.
- 4. 1932 and thereafter. Japan established a general superiority of rights in favor of its own nationals, which effectively created monopolies in commercial, industrial, and financial enterprises in the Republic of China. This amounted to economic exploitation of Manchukuo.
- 5. 27 March 1933. Japan resigned from the League of Nations. *Hashimoto, Kingoro*
- 6. 7 July 1937. Japan attacked the Republic of China, and thereafter the Japanese Government adopted and supported the aggression. *Gen. Masaki (witness)*
- 6A. 25 Sept. 1937. Japan refused to participate in Far Eastern Adv. Com. of League of Nations. *D*
- 7. 27 October 1937 ) Japan refused to discuss the applica-  
12 November 1937 ) -- tion of the stipulations of the Nine  
Power Treaty (conference of Brussels). *W*
- 8. November 1938. Greater East Asia Co-Prosperity Sphere commenced. *D*
- 9. 31 March 1939. Japan annexed Sinnan Islands (Spratley Islands). *W*
- 10. 27 Sept. 1940. Japan entered into Tripartite Agreement with Germany and Italy. *D*
- 11. 30 November 1940. Japan recognized the independence of the National Government of the Republic of China (puppet) and on same date entered into a Treaty of Basic Relations with this government. *W*

*D* Matouoka  
*W* Shiraton  
*P* Oikawa  
*A* Arita

Secret



INCIDENTS TO BE PLEADED BY WAY OF PARTICULARS. CONTIN'D.

12. 22 Sept. 1940 ) Japan entered into agreements with the  
1 Feb. 1941 ) Government of France (Vichy) providing  
29 July 1941 ) for the landing of Japanese troops and  
                  ) the construction of air bases in French  
                  ) Indo-China for the purpose of its attack  
                  ) on the Republic of China.
13. 7 December 1941) Japan attacked U.S., Great Britain, and  
8 December 1941) Thailand.
14. 20 December 1920 to ) Japan established military and  
7 December 1941 ) naval bases and erected fortifi-  
                          ) cations in the Mandated Islands  
                          ) of Marshall, Mariana and Caroline.
15. 11 Jan. 1942. Japan invaded Netherlands East Indies  
after declaration of war by the Netherlands on Dec. 8, 1941.
16. 19 February 1942. Japan invaded Portuguese Timor.

D.

Hiranuma, Kisaburo.

Togo, Shigenori

Tojo, Hideki

Admiral Shimada

Admiral Nagano

Lt. Gen Suzuki, Tenchi

Gen

Sugiyama

Shigenimita

Hoshino (Zaibatsu)

Nakamura

(?) Furusaka, Jiro (newspaper man)

Maximus KIDO



ABE, Genki

ANDO, Saburo

AMAU, Eiji

AOKI, Kazuo

GOTO, Fumio

HONDO, Kumataro

ISHIHARA, Koichiro

IWAMURA, Michiyo

KISHI, Shinsuke

KODAMA, Yoshio

KUZUU, Yoshihisa

NISHIO, Toshizo

OKAWA, Shumei

SASAKAWA, Ryoichi

SUMA, Yakichiro

TADA, Hayao

TAKAHASHI, Sankichi

TANI, Masayuki

TERASHIMA, Ken

TOYODA, Soeum



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ABE, Genki

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ANDO, Saburo

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AMAU, Eiji

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AOKI, Kasuo

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GOTO, Fumio

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KUZUU, Yoshihisa

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NISHIO, Toshiso

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OKAWA, Shumei

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SASAKAWA, Ryoichi

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SUMA, Takichiro

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TADA, Hayao

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LIST OF TWENTY MAJOR WAR CRIMINALS NOW IN SUGAMO PRISON  
TENTATIVE ANALYSIS AS TO DISPOSITION

1. ABE, Genki  
G

Former head of the Special Higher Police and Superintendent General of the Metropolitan Police Board.  
Vice-Chief of Cabinet Planning Board, Dec. 1941 to Nov. 1943.  
Home Minister, 7 April 1945 to 17 Aug. 1945.

Indict for "B" and "C" crimes while on Planning Board and as Home Minister.

2. ANDO, Saburo  
G

Retired as Lt. Gen. in 1934. Supreme Military Council in 1941.  
Minister Without Portfolio, 1942.  
Minister of Home Affairs, April 1943 to July 1944.

Indict for "B" and "C" crimes while Supreme Military Councillor, Minister Without Portfolio, and Home Minister.

3. AMAU, Eiichi  
N

A Career diplomat. Issued the famous "Amau Statement" warning other powers to keep hands off China in 1934.  
Vice Foreign Minister, July to October, 1941.  
Chief of Cabinet Information Bureau, April 1943 to July 1944.

Cannot be indicted for "B" or "C" crimes.

4. AOKI, Kazuo  
G

A Career government man. Vice-Chief Manchurian Affairs Board, 1936-1937. Vice-Chief or Chief of Cabinet Planning Board, 1937-1940. Finance Minister, Aug. 1939-Jan. 1940  
Economic Advisor to WANG Ching-wei, 1940-1942.  
Minister Without Portfolio, Aug. to Oct. 1942.  
Greater East Asia Minister, Nov. 1942 to July 1944.

Indict for "B" and "C" crimes while a member of the TOJO Cabinet.  
Indict for "B" and "C" crimes against China prior to 1941.

5. GOTO, Fumio  
S

An important bureaucrat, high police official and several times Cabinet Minister in the 1930s.  
A leading organizer and official in the IRAA and IRAPS.  
Minister Without Portfolio, May 1943 to July 1944.

Indict for possible "B" and "C" crimes while Minister.

6. HONDA, Kumataro  
S

A Career diplomat. Retired in 1926. 7 Dec. 1940 to 19 Dec. 1941, Ambassador to China.

RELEASE????? There is just a slim possibility of developing "B" or "C" crimes in the China service.



7. ISHIHARA, Koichiro  
S  
A industrialist. Active in ultra-nationalistic plots during the 30s. ISHIHARA Mines and Industries employed POW Labor during the war.  
Indict for "B" and "C" crimes.....the unlawful and wrongful use of POWs.
8. IWAMURA, Michio  
G  
A Career Government man. Prosecutor General, 1940-1941. Minister of Justice, July 1941 to July 1944.  
Indict for "B" and "C" crimes while a member of TOJO Cabinet.
9. KISHI, Shinsuke  
G  
A Career in government. Vice Minister of Commerce, 1939-1941.  
Minister of Commerce & Industry, Oct. 1941 to Oct. 1943.  
Vice Minister of Munitions, Oct 1943 to Nov 1944 (TOJO was Minister)  
Minister Without Portfolio, Oct 1943 to July 1944.  
Indict for "B" and "C" crimes while a member of TOJO Cabinet.
10. KODAMA, Yoshio  
G  
Jailbird, terrorist, extortionist, assassin, racketeer, and profiteer.  
Purchasing agent for Navy, Dec. 1941 to end of war, accumulated fortune.  
Unless evidence of "B" or "C" crimes can be developed in connection with Navy activities, he cannot be indicted. Hold in prison as long as possible.
11. KUZUU, Yoshihisa  
H  
Helped form Black Dragon Society in 1901---became President in 1937. Active in IRAA and IRAPS.  
Cannot indict for "B" or "C" crimes.
12. NISHIO, Toshio  
G  
Military Career man, full General. Chief of Staff and Chief of Military Affairs Division, Kwantung Army, 1934-36. C in C, Japanese Expeditionary Forces in China, Sept 1939 to Aug 1941.  
Supreme War Council, 1938.  
Reserve list, 1943.  
Indict for "B" and "C" crimes in China.
13. OKAWA, Shumei  
H  
Formerly in dock before IMTFE. Declared insane, now redeclared sane. Primarily a propagandist.  
Cannot indict for "B" or "C" crimes.



14. SASAKAWA, Ryoichi  
O  
Extremely wealthy, organized many nationalistic societies and parties during the 30s, participated in plots... Acted as purchasing agent for Army during war. Immediately began organization of potentially dangerous parties after war.  
Unless evidence of "B" or "C" crimes can be developed in connection with Army activities, he cannot be indicted. Hold in prison as long as possible.
15. SUMA, Yakichiro  
N  
A Career diplomat. 1937-1939, Counsellor, Japanese Embassy, Washington. 1940-1946, Ambassador to Spain.  
Cannot be indicted for "B" or "C" crimes.
16. TADA, Hayao  
G  
Full general, retired in 1941. From 1929 to 1936 he held various field commands with the Kwantung Army. 1939-1941, Commander in Chief, Japanese Expeditionary Force in North China. Appointed to Supreme War Council, July, 1941.  
Indict for "B" and "C" crimes in China and Supreme War Council.
17. TAKAHASHI, Sankichi  
S  
Full Admiral, retired in 1939. Member of Supreme War Council. Active in Manchurian and China Societies. An organizer in IRAA and IRAPS.  
An outside chance to indict for "B" and "C" crimes as Supreme War Councillor.
18. TANI, Masayuki  
G  
Career diplomat. Vice-Foreign Minister, 1939-1940. Chief of Cabinet Information Bureau, Oct. 1941-Apr 1943. Foreign Minister, Sept 1942 to Apr 1943 (concurrently Chief of CIB). Apr 1943 to Dec 1943, Ambassador to Nanking.  
Indict for "B" and "C" crimes while TOJO cabinet minister and China activities.
19. TERASHIMA, Ken  
G  
Navy Admiral, retired 1934. Minister of Railways and Minister of Communications, 16 Oct 1941 to 8 Oct 1943.  
Indict for "B" and "C" crimes while in TOJO Cabinet.
20. TOYODA, Sojun  
G  
Navy Admiral. Supreme War Councillor, Nov 1942. C in C, Combined Fleet, Mar 1944--C in C Overall Navy Command; concurrently C in C Combined Fleet and Naval Escort Command, 1 May 1945 to 29 May 1945. Chief of



20. TOYODA, Soemu  
(continued)

Naval General Staff, 29 May 1945 to end of war.

Indict for "B" and "C" offenses while C in C of Navy  
and Chief of Staff.

CAPITULATION

Good possibility of sustaining "B" or "C" indictment.....	10
ABE	NISHIO
ANDO	TADA
AOKI	TANI
IWAMURA	TERASHIMA
KISHI	TOYODA
Some possibility of sustaining "B" or "C" indictment.....	4
GOTO	ISHIHARA
HONDA	TAKAHASHI
Outside possibility of sustaining "B" or "C" indictment.....	2
KODAMA	SASAKAWA
No possibility of sustaining "B" or "C" indictment.....	4
AMAU	OKAWA
KUZUU	SUMA



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TENTATIVE ANALYSIS AS TO DISPOSITION

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Former head of the Special Higher Police and Superintendent General of the Metropolitan Police Board.  
Vice Chief of Cabinet Planning Board, Dec 1941 to Nov. 1943.  
Home Minister, 7 April 1945 to 17 Aug. 1945.  
Indict for "B" and "C" crimes while on Planning Board and as Home Minister.
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(G)  
Retired as Lt. Gen. in 1934. Supreme Military Council in 1941.  
Minister Without Portfolio, 1942.  
Minister of Home Affairs, April 1943 to July 1944.  
Indict for "B" and "C" crimes while Supreme Military Councillor, Minister Without Portfolio and Home Minister.
3. AMAU, Eiji  
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Chief of Cabinet Information Bureau, April 1943 to July 1944.  
Cannot be indicted for "B" or "C" crimes.
- ✓ 4. AOKI, Kacuo  
(G)  
A Career government man. Vice-Chief Manchurian Affairs Board, 1936-1937. Vice-Chief or Chief of Cabinet Planning Board, 1937-1940. Finance Minister, Aug. 1939-Jan. 1940. Economic Advisor to WANG Ching-wei, 1940-1942. Minister Without Portfolio, Aug. to Oct. 1942. Greater East Asia Minister, Nov. 1942 to July 1944.  
Indict for "B" and "C" crimes while a member of the TOJO Cabinet. Indict for "B" and "C" crimes against China prior to 1941.
- ✓ 5. GOTO, Fumio  
(S)  
An important bureaucrat, high police official and several times Cabinet Minister in the 1930s. A leading organizer and official in the IRAA and IRAPS.  
Minister Without Portfolio, May 1943 to July 1944.  
Indict for possible "B" and "C" crimes while Minister.
6. HONDA, Kumataro  
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A Career diplomat. Retired in 1926. 7 Dec. 1940 to 19 Dec. 1941, Ambassador to China.  
RELEASE?????? There is just a slim possibility of developing "B" or "C" crimes in the China service.
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Indict for "B" and "C" crimes .....the unlawful and wrongful use of POWs.
- ✓ 8. IWAMURA, Michiyo  
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A Career Government man. Prosecutor General, 1940-1941.  
Minister of Justice, July 1941 to July 1944.  
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- ✓ 9. KISHI, Shinsuke  
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A career in government. Vice Minister of Commerce, 1939-1941.  
Minister of Commerce & Industry, Oct. 1941 to Oct. 1943. Vice Minister of Munitions, Oct. 1943 to Nov. 1944 (TOJO was Minister.) Minister Without Portfolio, Oct. 1943 to July 1944.  
Indict for "B" and "C" crimes while a member of TOJO Cabinet.



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Jailbird, terrorist, extortionist, assassin, racketeer and profiteer. Purchasing agent for Navy, Dec. 1941 to end of war, accumulated fortune.  
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Military career man, full General. Chief of Staff and Chief of Military Affairs Division, Kwantung Army, 1934-36. CinC, Japanese Expeditionary Forces in China, Sept. 1939 to Aug. 1941. Supreme War Council, 1938. Reserve list, 1943.  
Indict for "B" and "C" crimes in China.
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Indict for "B" and "C" crimes in China and Supreme War Council.
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Indict for "B" and "C" crimes while TOJO Cabinet Minister and China activities.
- ✓ 19. TERASHIMA, Ken  
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Navy Admiral, retired 1934. Minister of Railways and Minister of Communications, 16 Oct. 1941 to 8 Oct. 1943. ✓  
Indict for "B" and "C" crimes while in TOJO Cabinet.
20. TOYODA, Soeum  
(G)  
Navy Admiral. Supreme War Councillor, Nov. 1942. CinC Combined Fleet, Mar. 1944. CinC Overall Navy Command; concurrently CinC Combined Fleet and Naval Escort Command, 1 May 1945 to 29 May 1945. Chief of Naval General Staff, 29 May 1945 to end of war.  
Indict for "B" and "C" offenses while CinC of Navy and Chief of Staff.



ABE, Genki -- War Crimes Suspect -- Now in Sugama Prison

OUTLINE OF METHOD TO DEVELOP CASE FOR "B" AND "C" CRIMES

1. The Period Prior to December, 1941.

1932-1936	-Head, Special Higher Police Division, Metropolitan Police Board
Feb.-1937	-Chief, Public Peace and Order Section, Police Bureau
Jun 1937	-Director, Police Bureau
1937-1939	-Superintendent General, Metropolitan Police Board
1940	-Superintendent General, Metropolitan Police Board

ABE was the father of the Japanese counterpart to the OGPW and GESTAPO-- The Special Higher Police. Through this instrumentality all freedom of speech, thought, and action was ruthlessly suppressed while at the same time protection was afforded to the extremists of the far right to pursue unhampered, their course of terror, extortion, intimidation and murder in driving the Japanese people along the road of aggressive warfare.

His career in the Police is a most interesting study and considered from the standpoint of possible "A" crimes would be most important. But other than give to the investigator and prosecutor the background to the man, and a general picture of his character and inclinations, it has no value in the consideration of "B" and "C" crimes.

2. The Period Subsequent to December, 1941.

a. Dec., 1941 -- Nov., 1943 -Vice-Chief, Cabinet Planning Board.

"The purpose of the Planning Board was to make universal plans for the economy of Japan according to decided policy..... When the Planning Board made a decision deemed important from the national point of view, it was in fact executed by the competent Ministry or Department charged with that function. (see Exhibits 841 & 842) These answer ~~completely~~ the question rather completely that the Planning Board was at the time the brain that correlated all facts and issued general instructions". (IMTFE Record -- Pages 8612-8613 Summary, Pages 1278-1279)

ABE, from his special knowledge and study of the Chinese (he spent several years in China) is bound to have been considered an expert on Chinese affairs and probably also on Korean. From evidence now in the record of USA vs KONO et al (still being tried at Yokohama) the Planning Board played a large part in working out the plans for the importation of Chinese Slave Labor into Japan. The Cabinet Decision was made on Feb., 1942--so the work of the planning board must have been done prior to that. This decision is a clear violation of the laws of war. ABE can probably be connected with it.



The Planning Board can probably be connected with the decision to utilize unlawfully POWs in industrial establishments engaged in war work and the setting up of the iniquitous "Dispatch System" for POWs.

**LEADS INTO THE PLANNING BOARD and ABE's connection:**

Lt. Gen. SUZUKI, Teichi -- Chief of Planning Board from 4 April 1941 to 8 Oct. 1943. Now a defendant before the IMTFE. Check the master index to the Record for every reference. Check with G-2 and IPS for former interrogations and reports.

MIYAMOTO, Takenosuke -- Vice-Chief of Planning Board from 7 April 1941 to 24 Dec. 42. Check him through the files of G-2 and IPS. If there are no former interrogations or interviews, pick him up and examine.

SUDO, Hideo -- Acting Vice-Chief of Planning Board, 24 Dec. 1942 to 27 Dec. 1942. He was probably a minor official in the Board all the time. He should be a mine of information.

NOTE: There is a discrepancy as to the exact position and tenure of ABE as Vice-Chief or Vice-President of the Board. "War Politics in Japan" differs from the G-2 Report and the IPS Dossier.

b. 7 April 1945 to 17 Aug. 1945 -- Home Minister. also Director, Air Defense General Headquarters.

ABE's responsibility as Home Minister for his Police is exactly analogous to a field commanders responsibility for his troops in so far as violations of the laws and customs of war are concerned.

**Responsibility:**

Mistreatment, abuse and murder of American airmen in Japan by the civilian police and the civilian population before they reached the Military.

NOTE: Bob Neptune can furnish countless examples of this from the case files now in his possession.

Mistreatment, abuse and murder of POW's, Chinese and Korean laborers in industrial work camps by the special "Thought Control" police; at least one of which was stationed at each camp.

Check on the possible use of these "Thought Control" police in the civilian internment camps.



The murder of 40 odd Chinese in the Akita Prefecture by Chief of Police Miura of Hanaoka and his men following the Chusan Re Riot of July 1, 1945. (See case of USA vs. KONO et al, Yokohama)

Activities of individual "Thought Control" and Special Higher Police. (See Legal Section's file on HOMMA, Fukachiki)

ABE is alleged to have been one of the die-hards in the SUZUKI Cabinet who refused to accept the terms of the Potsdam Declaration.

LEADS TO BE DEVELOPED:

NADAO, Hirokichi -- Vice Home Minister, 9 Apr 45 to 19 Aug 45.

ODACHI, Shigio -- Home Minister, 22 July 44 to 7 April 45.  
(See Legal Section File -- Check with G-2 and IPS)

KARASAWA, Toshiki -- Vice Home Minister, 22 April 43 to 25 July 44.

YAMAZAKI, Iwao -- Vice Home Minister, 22 July 44 to 9 April 45.

MAKOTO, Yamada -- Official in Home Ministry in Charge of Chinese Labor Affairs -- a witness for defense in USA Vs. KONO et al -- check testimony.

Get IPS file, interrogation of General TANAKA, dated 28 March 1946 (287 - Serial NO 12.

Get IPS interrogation of ABE, 5, 8 and 9 April 1946, Document NO. 287 Serial 15.



1-A WAR CRIMINALS INTERNED IN SUGAMO PRISON-UNINDICTED

	<u>NAME</u>	<u>RANK</u>
2529	ABE, GENKI ✓	HOME MINISTER
2530	AMAU, EIJI ✓	CIVILIAN
643	ANDO, KISABURO ✓	LT. GENERAL
1940	AOKI, KAZUO ✓	OFFICIAL
1499	GOTO, FUMIO ✓	OFFICIAL
	* ISHIHARA, KOICHIRO ✓	CIVILIAN
1960	IWAMURA, MICHIYO ✓	CIVILIAN
2368 *	KISHI, NOBUSAKE ✓	CIVILIAN
2537 *	KODAMA, YOSHIO ✓	Lst. LT.
1959 *	KUZU, YOSHIHISA ✓	CIVILIAN
2533 *	NISHIO, TOSHIZO ✓	GENERAL
1555-1567	SASAKAWA, RYOICHI ✓	CIVILIAN
2544	TAKAHASHI, SANKICHI ✓	ADMIRAL
2545	TANI, MASAYUKI ✓	AMBASSADOR
2302	TERASHIMA, KEN ✓	REAR ADMIRAL
2353	TOYODA, SOEMU ✓	ADMIRAL

LIST OF UNINDICTED IN HOSPITAL OR HOUSE ARREST

2532 *	HONDA, KUMATARO ✓	CIVILIAN
504 *	SUMA, YAKICHIRO ✓	CIVILIAN
2542 *	TADA, HAYAO ✓	LT. GENERAL

TRANSFERRED TO HOSPITAL ARREST

* OKAWA, SHUMEI	CIVILIAN
-----------------	----------

\* No FILE



1-A WAR CRIMINALS INTERNED IN SUGAMO PRISON-UNINDICTED

	<u>NAME</u>	<u>RANK</u>
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2530	AMAU, EIJI ✓	CIVILIAN
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TRANSFERRED TO HOSPITAL ARREST

* OKAWA, SHUMEI	CIVILIAN
-----------------	----------

\* No FILE



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

File No.:

Subject: Release of Class "A" Suspects

Note No.:

1

From: L.P.B. Lipscomb . To: Chief, Legal Section

Date: 2 February 1948

1. It is suggested that the following named Class "A" suspects now being held in Sugamo Prison or in protective custody can be immediately released:

Suma, Yakichiro  
Amau, Eiji  
Takahashi, Sankichi

2. SUMA was a Korea diplomat and spent the years 1940 to 1946 as an envoy and minister to Spain. There is no possibility to hold him on a "B" or "C" charge.

3. AMAU is notorious primarily for the famous 'AMAU Statement' made in 1934. After leaving the second Konoye Cabinet, he did not reappear in public life until April, 1943, when he became chief of the Information Bureau. This was a comparatively insignificant bureau.

4. TAKAHASHI was retired as an admiral in April, 1939. While some of his activities since that time were ultra-nationalistic, he cannot be charged with "B" or "C" offenses and both G-2 and IPS doubted that a Class "A" charge could be supported against him.

3 Incls

*L.P.B.*  
L. P. B. L.



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
MILITARY INTELLIGENCE SECTION, GENERAL STAFF  
ALLIED TRANSLATOR AND INTERPRETER SECTION

NOTE: Translation directed by Commander-in-Chief

Received ATIS: 5 FEB 48

DIGEST OF LETTER

TO: General MacARTHUR

FROM: YAMATO, Kiju (大和喜重)  
HIROSHIMA Ken, FUKUYAMA Shi, TOMOGARA Cho 23  
20 Jan 48

The writer states that he understands that many Class A war criminal suspects are to be released because of lack of evidence. It is the writer's opinion that the war activities of ANDO, Kisaburo (安藤紀三郎), GOTO, Fumio (後前文夫), ABE, Genki (阿部源基), KODAMA, Yoshio (児玉馨夫), and others who are to be cleared were as dastardly as those of TOJO. To free these men is a blunder comparable to releasing a ferocious tiger among innocent people. The writer requests a thorough investigation and punishment of these dangerous men.

*Turned over to Col. Rudenil  
personally for investigation & contact  
26 Feb. 1948. LPSL*



LIST AND SYNOPSIS OF UNINDICTED MAJOR WAR CRIMES SUSPECTS

a. Under house arrest (11)

1. HONDA, Kumataro - Date of Internment Order: 1 Dec 45

B.B.-P 32  
WPS-44  
Guthrie  
A

Advisor New Asia Movement of Imperial Rule Association, Sep 44. Extremely active behind the scenes: strong pro-Axis and Nationalist. Born Dec 1874. This career diplomat retired from service in 1936, but became Ambassador to Nanking from 1940 to 1942. He was advisor to the East Asia Development Headquarters in 1944.

2. KANOKOGI, Kazunobu - Date of Internment Order: 17 Nov 45

B.B. P. 11-15-26-108  
128-143  
WPS-56  
Hansen  
A  
PPJ  
91-92

Black Dragon, Councillor of Imperial Rule Assistance Association. Chairman Board of Directors of Press Patriotic Association, 42. Long involved in Nationalistic activities. Born Nov 1884. Address: 617, Jomyo-ji, Kamakura (possibly 647, Jomyo-ji, Kamakura. Professor, organizer of "Secret Societies." Councillor of East Asia Development General Headquarters 1944 to 1945. Prominent in Japanese "Secret Societies." Professor of Kyushu Imperial University. Councillor of the Board of Information, June 45. Dean of Law and Litt. Attached to Hqs of the National Spiritual Mobilization Headquarters. Member Kokokugaki Sinkai (Patriotic Organization) 1940 to 1941. Chairman of the Board of Directors of the Dai Nippon. Press National Service Association 1944 to 1945.

3. KUHARA, Fusanosuke - Date of Internment Order: 17 Nov 45

B.B. P. 19-66-71-  
77  
WPS-5-17-32-110-  
111-114  
A  
Pace

Millionaire industrialist and personal friend of Premier TANAKA. Suspected of participation in Tokyo military revolt and reported very active behind scenes. An expansionist, per JAGD C-1. Bosom friend of General Sadao ARAKI. Advocated strong chain policy. Very closely connected with the army and its policies. Communications Minister, 1928 to 1929. Cabinet Advisory Councillor, 1939 to 1940. President of KUHARA & Co; KYOHO Life Ins Co; Secretary of SEIYUKAI Party.

4. MIZUNO, Rentaro - Date of Internment Order: 1 Dec 45

WPS-P. 39-45-64-  
84-98  
A

Councillor, Imperial Rule Assistance Political Society. President of GEA affairs Hqs of IRAA. President of the Asia Development GHQ of the IRAA. A Black Dragon. Born Jan 1868. Address: 61 Shirokane Saru-machi, Shibaku, Tokyo. This politician has held many and varied posts in Japanese Government and political organizations, such as Vice-Minister of Home Affairs in the Terauchi Cabine

Smitz



4. (Cont'd) MIZUNO, Rentaro

from 1918 to 1919, Vice-Governor of Korea from 1919 to 1922, Minister of Home Affairs in the Kato Cabinet from 1922 to 1923, Director of the East Asia Development Hqs of the IRAA in 1943 and Advisor to the Imperial Rule Assistance Political Society in 1944.

5. NAKAJIMA, Chikuhei - Date of Internment Order: 1 Dec 45

Industrialist, politician, member of the Diet, a leading expansionist, president Seikukai Party (Reformist Faction 1930 to 1940). Aircraft Magnate. Leader of Seiyukai. Founder and former president of the Nakajima Aircraft Co. Among his more important governmental positions were those of Minister of Commerce and Industry from 1932 to 1934. Minister of Railways from 1937 to 1939. Member of the Cabinet Advisory Council in 1940. Member of the Great East Asia Sphere Assoc. Establishment Administration in 1942. Councillor of Imperial Higashikuni Cabinet.

6. OGATA, Taketora - Date of Internment Order: 6 Dec 45

State Minister 22 Jul 44 to 7 Apr 45; 17 Aug 45 to 9 Oct 45. Director of Imperial Rule Assistance Assoc. President Board of Information Jul 1944 to Apr 1945. Black Dragon Member. Cabinet Advisory Board under Suzuki. Born 1888. Address: 331 Hyakunin-cho, 3-Chome, Yodobashi-ku, Tokyo. Age 57. Newspaper editor. Civilian Volunteer Corps. Vice Chairman.

SAKURAI, Hyogoro - Date of Internment Order: 1 Dec 45  
Many times member of the House of Representatives, SAKURAI became Parliamentary councillor of the Commerce and Industry Ministry in 1931 and again in 1934. He was at one time Chief Secretary of the Minseito Party. In 1940 he became a director of the Imperial Rule Assistance Assoc., and was later Chief Political Advisor to the Military Administration in Burma. He sponsored the transfer of Burmese religious relics to Japan. Minister without Portfolio Suzuki Cabinet. Was Supreme advisor to Jap Forces in Burma since Aug 1943. State Minister 7 Apr 45 to 17 Aug 45.

8. SHIMOMURA, Hiroshi - Date of Internment Order: 1 Dec 45

State Minister 7 Apr 45 to 17 Aug 45. In and out of Government service for many years. From 1921 to 1936 worked with Asahi Shimbun, retiring as its vice president. Nominated to the House of Peers in 1937. He has been Director of the Imperial Rule Assistance Political Society; President of the Broadcasting Association of Japan; Member of the Educational Investigation Council;

B.P. 110

W.P.J. 72-46-64-85-  
98-106-115-117 A  
125

Walter

13.B. - 107 Walter

W.P.J. 6-12-13-71A  
32-33-34-36-56-66-  
74-86-122-124-126

W.P.J. 32-33-46-7.  
65-88-124

Atb-A

PPJ  
4. 921

8288  
Subcom A



8. (Cont'd) SHIMOMURA, Hiroshi

Councillor of the Board of Information; Minister without Portfolio, and President of the Board of Information in the Suzuki Cabinet of 1945. President of Broadcasting Corporation of Japan since June 1943. Born March 1875. Address: 22 Donon-chofu, 3-chome, Omori-ku, Tokyo.

9. SUMA, Yakichiro - Date of Internment Order: 6 Dec 45

*Smith* **A** Nom de plume: Shoryu, Sanjin. Major Positions: Minister to Spain 1940 to 1945. Spokesman of the Foreign Office 1939 to 1940. Counselor of the Japanese Embassy in Washington, 1937 to 1939 (U.S. requested recall). Counsel-general at Banking, 1933 to 1937.

10. TADA, Hayao - Date of Internment Order: 1 Dec 45

*B.B. 15*

*Walker* **B** Closely allied with the Manchurian and China aggressions from 1939 to 1941. He was Commander in Chief of the North China Expeditionary Force. Became a full General and Supreme War Councillor in 1941.

11. TOKUTOMI (Soho), Iichiro - Date of Internment Order: 1 Dec 45

*BB-109-128*

*WPS-45-56-67-75-90*

*Butcher* **A**

One of Japan's leading journalists, TOKUTOMI founded the Kokumin Shimbun, has been president of the Dai Nippon Press Association, advisor to the Greater East Asia Federation and advisor to the Greater East Asia Development Headquarters of the Imperial Rule Assistance Assoc. He has been influential throughout the war through his writings in all leading newspapers of the land. Black Dragon Member. Born Jan 1863. Address: 2832 Sanno 1-chome, Omori-ku, Tokyo.

b. In Sugamo Prison (39)

1. ABE, Genki - Date of Internment: 4 Nov 45

*WPS-34-120-123* **A**

*Sefton*  
*PPJ*  
*10,43,117*

Chief of the Special Service Section of the Metropolitan Police Board, 1932. Director of the General Affairs Department of Shizuoka-ken, 1936. Head of the Police Training School. Director, Police Affairs Bureau of the Home Ministry, 1937 to 1939. Superintendent-General of the Metropolitan Police Board, 1937 to 1939. Same position under Yonai Cabinet. Continued in office under Kono Cabinet until Dec 1940. Member of the IRAA, Investigation Committee, May 1941. Vice-president of the Cabinet Planning Board, Dec 1941 to Nov 1943. Home Minister 7 Apr 45 to 17 Aug 45.



2. AIKAWA, Yoshisuke - Date of Internment: 17 Dec 45

WPS-31-122-124-126  
210

A  
Peele

Member of Cabinet Advisor Board, Koiso Cabinet, advisor to Board of Technology, a leading Nationalist and Industrialist. Former President of the Manchuria Industrial Development Corp, Nissan Company Ltd, Nissan Automobile Co., Hitachi Electric Power Co. Ltd, and Chairman of many Manchurian industrial enterprises. This man is a brother-in-law of Kuhara Fusanosuke. He resigned his position as president of the Manchoukuo Heavy Industries Company Ltd and other companies in 1942. In 1943 he became a member of the House of Peers and a member of the Cabinet Advisory Council, and in 1944 a Councilor to the Board of Technology. Age about 65.

3. AMAU, Eiji - Date of Internment: 13 Dec 45

WPS-34-116-118-120

A  
Smith

Vice Minister of Foreign Affairs in Aug 41. President Board of Information under Tojo. An ardent Nationalist. Was for long time Foreign Office Spokesman and authored the famous Amau Statement warning other powers to keep hands off China in April 1934. He was Vice Minister of Foreign Affairs in 1941 and succeeded Tani as President of the Bureau of Information under Premier Tojo. He was head of Foreign Office Information Dept (Johobu) for number of years.

4. ANDO, Kisaburo - Date of Internment: 12 Dec 45

B.B. 124

R - A

WPS-12-31-26-44-56  
73-47-118-119

Walter

This retired Lt. General, Supreme War Councilor, had a career in North China and Manchuria prior to the rise of his political star at home where he became President of the Imperial Rule Assistance Association, a Minister of State without portfolio, Home Minister (first army man to hold this position), and Director of Air Defence, General Headquarters of the Home Ministry. Home Affairs minister 20 Apr 43 to Jul 44 under Tojo, Supreme Military Councilor, 1941. Said to be an intimate friend of Tojo. An ardent Nationalist. Born Feb 1879. Address: 9, Shimizu-Cho, Suginami-Ku, Tokyo.

5. AOKI, Kazuo - Date of Internment: 13 Dec 45

WPS-31-77-98-106-109  
108-110-119

Smith

Advisor to the Greater East Asia Ministry since Aug 44. Minister Greater East Asia Affairs under Tojo. Reported close to Tojo. An ardent Nationalist. Age 56. Finance Ministry Official. Vice President of Imperial Rule Assistance Association. Supreme advisor to the Nanking Government 1940 to 1942. This member of the House of Peers rose through various posts in the Ministry of



5. (Cont'd) AOKI, Kazuo

Finance and more lately held positions as Vice President of the Manchuria Affairs Board in 1936 and 1937, President of the Cabinet Planning Board in 1939, financial advisor to the Nanking Government 1940 to 1942, and Vice President of the Imperial Rule Assistance Association.

6. GODO, Takuo - Date of Internment: 16 Dec 45

Unofficial envoy to Germany representing Japans side of China incident from 1937 to 1938. Aug 1939 to Jan 1940 Minister of Commerce and Industry and concurrently of Agriculture and Forestry. Abe Cabinet played important part in colonial exploitation of Manchuria. Proposed admirer of Nazi economy.

7. GOTO, Fumio - Date of Internment: 13 Dec 45

This man has had a long career in Government Office, having been director of the Police Bureau of the Home Office, Director General of the General Affairs Dept of the Government General of Taiwan, Minister of Agriculture and Forestry, Home Minister, Director of the Imperial Rule Assistance Association, Director of the General Affairs Bureau of the Imperial Rule Assistance Association, Vice President of the Imperial Rule Assistance Association, Minister without Portfolio in the Tojo Cabinet and President of the Youth Corps of the IRAA, Home minister 8 Jul 34 to 9 Mar 36. Address: 29 Konno-cho, Shibuya-Ku, Tokyo.

8. IDA, Iwakuzu - Date of Internment: 13 Dec 45

IDA was a member of the New Political structure Preparatory Committee in 1940 and became a member of the House of Peers and Director of the Imperial Rule Assistance Association in 1942, IRAPS 1942, Director PAA since Aug 1944. Born 1881. Address: 62 Nagatacho 2-Chome, Kojimachi-Ku, Tokyo.

9. IKEZAKI, Chuko - Date of Internment: 12 Dec 45

Several times a member of the House of Representatives. Parliamentary Councilor of Education in 1937. Appointed Parliamentary Councilor of Business Affairs Bureau in 1941. Has published a number of books of Far Eastern Affairs.

PPJ-7, 92, 81, 83,  
86, 87, 90, 111, 113  
A

WPS-33-44-56-64-73  
78-98-109

BB-67, 68, 99, 79, 103,  
124

WPS-6-72-16-31-33-36  
39-44-56-64-73-78-  
98-119

B.B. 63-108  
WPS-6-33-44-58-64  
65-73  
Smith

WPS-34, 46, 67, 80, 103  
Walter



- BB. 46, 47, 63, 89, 100  
Sutherland A
10. ISHIHARA, Koichiro - Date of Internment 10 Dec 45  
A leading Japanese Expansionist and Nationalist. A shipping Magnate.
- Lifecomb  
WPS-31-81-105-107-109  
118  
PPJ 21
11. IWAMURA, Michiyo - Date of Internment 15 Sep 45  
Possible first name Nicheya. Member of the TOJO "PEARL HARBOR" Cabinet.
- Price B
12. KAWABE, Shozo - Date of Internment 13 Dec 45  
Commanded a detachment during the China Incident. Assistant Inspector of Military Education in 1939 after which he became Chief of General Staff of Japanese Army in China. He was commander in Chief of Burma Army in 1943 to 1944, in which capacity he issued a declaration of Burmese independence. When relieved he became Commander in Chief of the Central Army. He served as Military Attache to Germany.
- Smith A
13. KIHARA, Jitaro - Date of Internment 2 Jan 46  
Consul in Manila during occupation. Liaison Officer in the Manila Police Department. Former Council General at Deval, P.I.
- BB. 58-63  
Walter A
14. KIKUCHI, Takeo - Date of Internment 13 Dec 45  
Retired in 1927 with rank of Lt. General and later quite prominent in educational activities. President of the Educational Association of Miyazaki-Ken. He is believed to be one of the accusers of Dr. Minobe who was forced to resign from the staff of the Tokyo Imperial University because of his so called unconstitutional teachings.
- Sutherland A
15. KISHI, Nobusake - Date of Internment 17 Sep 45  
Member of the "Tojo Pearl Harbor Cabinet."
- BB. 61, 63, 93, 106, 124, 125  
Lifecomb  
WPS-33-56-64, 74, 82  
98  
PPJ-39
16. KOBAYASHI, Junichiro - Date of Internment 13 Dec 45  
Vice President of the Youth Corps Aug 44 to Jan 45. Reported among Japan's most influential politicians. Director of the Imperial Rule Assistance in 1943. A member of the Liaison Headquarters and of the Imperial Rule Assistance Political Society.

PPJ - Black Dragon Book .



17. KOBAYASHI, Seizo - Date of Internment 13 Dec 45

President of the Imperial Rule Assistance Political Society. Minister in Koiso Cabinet. A very influential politician in Japan. Declined Presidency of Political Association of Great Japan. Advocated Japanese expansion to the South. This retired admiral in his younger days served in naval attache offices in London and Washington. He attended the Geneva Naval Conference in 1930. Commander in Chief of the Combined and First Fleet from 1936 to 1940. He became a member of the Supreme Military Council as early as 1933. In recent years he has been Chairman of the Central Cooperative Council, Advisor Political Society, a member of the House of Peers and Minister without portfolio in the Koiso Cabinet. Born Oct 1877. Address: 1741 Fukuzawa 4-chome, Satagaya-Ku, Tokyo.

BB-128,129

*Smith*

WPS-18-17-31-36-78-  
122

18. KODAMA, Yoshio - Date of Internment 25 Jan 46

Young politician. In and out of prison several times. Known for his book "Gokuchu Gokagai" meaning In and Out of Prison. In and out of China several times during the war. At one time published the Yamato Shimbun, Tokyo newspaper.

BB-47,49,109,132

*Smith*

19. KURODA, Shigemori - Date of Internment 5 Oct 45

Japanese Commander in Philippine Islands, 1945. Military Prisoner at XI Corps Stockade (Omori) Yokohama as of 17 Sep 45. Interned 15 Sep 45. Turned in by the Japanese Government C.I.C. Japan. Commanding Officer of the 26th Division Supreme Commanding Officer of the Philippine Islands. Commander in Chief of forces in the Philippine Islands, May 43. Chief of Staff of the Southern Expeditionary Army Jul 42. Chief of the General Affairs Section of the War Ministry 1939. Lt. General 1939. Vice Inspector of Military Education 1939-July 1942. Commanding General of the 26th Division in North China Feb 1941. Town of Lopez, Toyabas, wholesale massacre.

*Walter*

*B*

20. KUZUU, Yoshihisa - Date of Internment 22 Nov 45

Head of Black Dragons since 1937. Director Imperial Rule Assistance Association, 1944. He was said to have been right hand man for the late MITSURU TOYANA. Director of the Dai Nippon Seisanto (Great Japan Production Party), 1936. One of the principle members of the Kokuryukai, 1936. President and Executive Director of the Kokuryukai succeeding UCHIDA, Ryohei in 1938.

BB-63,113

*Kutsumi*

WPS-C-33-45-52-66-  
74-82



20. KUZUU, Yoshihisa (Cont'd)

- Leader of the Senji Taisei Kyoka Renmei (League for the Strengthening of Wartime Policy).

21. MATSUZAKA, Eiromasa - Date of Internment 13 Dec 45

This member of the House of Peers had a long career in the Judicial field, occupying such posts as Procurator, Judge, Director of the Criminal Affairs Bureau of the Justice, Ministry Procurator General of the Supreme Court and Minister of Justice, Suzuki Cabinet. He has more recently since October 1945 been a member of the Private Advisory Board to the Justice Minister. Sent abroad (Europe and United States) as Judicial Officer in 1931. In 1935 to 1937 was Procurator of Tokyo Court of Appeal. In 1937 was Director of Criminal Affairs Bureau of the Justice Minister. From June 1939 through July 1941 Chief Procurator, Tokyo Court of Appeal. Born March 1884. Address: 43, Seishu, 1-Chome, Suginami-Ku, Tokyo.

BB-129

*Wm. Smith*

*Spencer*  
A.

WPS-32-121-127

PPJ-11-19-303

22. MASAKI, Jinzaburo - Date of Internment 26 Nov 45

Military counselor to the Expeditionary Forces in China, Sep 1944. Inspector General of the Military Education Jan 1934 to Jul 1935. Report to be close associate of General ARAKI and "A Notorious Fascist Conspirator", Chief instigator at the attempted Coup-de-etat. Participated in 1936 Tokyo Uprising. Vice Chief of the General Staff from Jan 1932 till June 1933. Member of the Supreme War Council, date of appointment not known until March 1936. Retired from active military service in March 1936. An extreme Nationalist and influential Expansionist. Reported very active behind the scenes. A leader in the Military Revolt of Feb 1936. Very intimate terms with General Koiso and General Araki. Was once a candidate for the post of Premier. He filled the post of Inspector General of Military Education and took part in the Supreme War Council in 1936. Became a military advisor to the Japanese Expeditionary Forces in China in 1944. Age 69. Address: Japan, Tokyo, Setagaya-Ku, Setagaya, 1-Chome 168.

BB-24, 25, 38, 46, 48,  
66, 68, 69, 72, 76, 77,  
78, 80, 85, 86, 87, 90,  
91, 92, 93, 100, 105

*Price*  
A

23. MURATA, Shozo - Date of Internment 5 Oct 45

Ambassador to Philippine Puppet Government from 1943 to 1945. Minister of Communications and Railways in the Second and Third KONOE Cabinets. President of Osaka Steamship Co. (OSK), 1934 to 1940. A big industrialist

*Smith*  
A

WPS-32-114-116



23. MURATA, Shozo (Cont'd)

and expansionist. Member of the "Black Dragon". Born 6 Oct 1878 in Tokyo. Address: Tokyo, Shinagawa-Ku, Kami Osaki Chojamaru, 270.

24. NISHIO, Toshizo - Date of Internment 13 Dec 45

This retired General was concurrently Inspector General of Military Training and member of the Supreme Military Council in 1938. In 1939 he was appointed Commander in Chief of the Japanese Expeditionary Forces in China. In 1944 he became Governor of Tokyo Metropolis. Supreme Military Councilor in 1941. Born Oct 1881. Address: 67 Tansu-Machi, Azabu-Ku, Tokyo.

25. ODATE, Shigeo - Date of Internment 16 Dec 45

Mayor of Tokyo. Minister of Home Affairs, Keiso Cabinet 22 Jul 1944 to 7 Apr 1945, councilor of Board of Information, 1945. Born 1892. Address: 2297, Midori-ga-oka, Meguro-Ku, Tokyo.

26. OKABE, Nagakage - Date of Internment 12 Dec 45

A member of the House of Peers; entered the foreign ministry and served as Attache to the Embassy in Washington, Secretary to the Foreign Office, etc. He later rose to high positions such as Chief Keeper of the Privy Seal, Parliamentary Vice Minister of War in the Hirota Cabinet in 1936 and Minister of Education in the Tojo Cabinet from 1943 to 1944.

27. OKURA, Kuniyiko - Date of Internment 12 Dec 45

Industrialist. Ex president of Odawara Paper Mills. Founded Okura Spiritual Culture Institute. President of Tung Wen College in Shanghai, Tokyo University. Director of Jap-German Buddhist Society. Latter may have served as cover for Jap German intelligence collaboration. Written number of books. Most popular "My Thoughts".

28. OTA, Koza - Date of Internment 13 Dec 45

A professor of law. OTA was attorney for the Defense of Participants in the May 15, 1932 Incident in which Premier Inukai was assassinated. He was later a professor of law at Hosei University. Chief Secretary of the Hiramama Cabinet. Councilor of the Imperial Rule Assistance Association which he helped to organize

WPS-58

Walter A

WPS-32-109-111-113-121

Kutner A

WPS-32-33-40-65 A 74

86-118-

PPS-19-21-74-125

Spencer

BO-26

Price A

WPS-86

Smith

WPS-6-32, 35, 45 A 74

87, 108, 123



28. OTA, Kozo (Cont'd)

in 1940, member of the Board of Directors, Imperial Rule Assistance Political Society and Minister of Education in the Suzuki Cabinet. Member and organizer of Kokuhonsha. Born Dec 1889. Address: 57 Sekiguchi Dei-Machi, Koishikawa-Ku, Tokyo.

29. OTA, Masataka - Date of Internment 13 Dec 45

From a newspaper career which was crowned by the Vice Presidency of the Hochi Shimbun, OTA graduated to such government positions as Parliamentary Councilor of Finance in 1931, Parliamentary Vice Ministry of Finance in 1937 and Director of the Policy Bureau of the IRAPS. Director of Imperial Rule Assistance Association since 1940.

30. SAKAI, Tadamasa - Date of Internment 16 Dec 45

A count. Director of Imperial Rule Assistance Association 1943. Vice President House of Peers since Oct 44. Leader of Ultrationalistic Fascist Kinkai Gakuin. Born June 1893. Address: 12, Hara-Michi, Koishikawa-Ku, Tokyo.

31. SASAKAWA, Ryoichi - Date of Internment 12 Dec 45

Leader of the Kokusui Taishu To and other Ultrationalistic organizations.

32. SHINDO, Kazuma - Date of Internment 12 Dec 45

President of the Genyosha (Black Ocean Society). Was graduated in economics from Waseda University. Secretary to the late NAKANO, Seigo. A Director of the Kyushu Nippo. One of the principle members of the Tohokai (Easter Society). Appointed President of the Genyosha, Dec 44. Comments: A Japanese radio broadcast reports that SHINDO is known as a leader of the "Reform movement, especially of youth". In the 1936 edition of the Aikoku Undo Nenkan SHINDO is listed as one of the principle members of the Tohokai, a society whose purpose it was "to study diplomacy, the national defense, finance, economics and other actual phases of the administration in order to solve the Far Eastern problem". NAKANO was the only other principle member listed. On 24 Dec 44 the Japanese radio announced that SHINDO had been appointed president of the Genyosha, succeeding TOYAMA, Mitsuru, who had died earlier in the fall of that year.



33. SHIODEN, Nobutaka - Date of Internment 13 Dec 45

*Smith*  
RD-62  
WPU-39-65-66-A 88, 99

Retired Lt. General, one time representative to the League of Nations. Elected to the Diet in 1942. Director of the Imperial Rule Assistance Association since Aug 44. Vice President of GEA League. An ardent Nationalist. A member of the post war planning committee. Head of the Anti Semitic Society of Japan. According to the Aikoku Undo Nonkan, he was an advisor to the Kenkoku Koen-kai (Society for Lectures on National Establishment) which was founded in Sep 1923 and stood for the idea of one Emperor over all people, imperialization of the world, perfection of national defense, promotion of martial spirit, and the establishment of an economic policy based on the Imperial nation. The same source (Aikoku Undo Nonkan) of 1936 states that he was Director of the San Roku Kurabu (Three-Six Club) which was organized in preparation for the 1936 crisis. In 1936 the members of this club began working for a Showa reform, their aims being purification of politics through the promotion of Kodo rule, national advancement through a union of the people and the military and improvement of local conditions in village communities.

*Walter*  
RD-63  
WPU-6, 32, 33, 65, 66, 75, 88, 98, 122, 124 A

34. SHORIKI, Matsutaro - Date of Internment 13 Dec 45

President of the Yomiuri Shimbun. Former chief of Criminal Section of Metropolitan Police Privy Councilor Koiso Cabinet. Member of Cabinet Advisory Board (shinnin rank). Helped organize Imperial Rule Assistance Association 1940. Born 1885. Address: 1 or 2 Shiboku-Machi, Shiba-Ku, Tokyo.

*Luther*  
WPU-45-75-89 A

35. TAKAHASHI, Sankichi - Date of Internment 13 Dec 45

Advisor of the Imperial Rule Assistance Association, member of Supreme Military Council, councilor GHQ New Asia Movement. Very influential among younger officers of the Japanese Fleet. Advocated war against United States and Britain. One time chief of Staff of Combined Fleet. President of the Naval Staff College, Commander in Chief of the East Asia Development Headquarters of the Imperial Rule Assistance Association. Born Aug 1883. Address: 83, Shirokane Imazato-Cho, Shiba-Ku, Tokyo.

*Alf*  
RD-127  
WPU-38, 35, 90, 109, 111, 120 A  
PPJ-21-55

36. TANI, Masayuki - Date of Internment 27 Feb 46

One of the best known of the Foreign Diplomats, Tani has worked up through the Foreign Office through various positions at home and abroad. He has been Councilor at the Embassy at Manchukuo, Minister to Austria and Hungary, Minister at large in China, Vice Minister of Foreign



36. TANI, Masayuki (Cont'd)

Affairs, President of the Board of Information, Foreign Minister in the Tojo Cabinet, and Ambassador to Nanking. Foreign Minister 17 Sep 42 to 20 Apr 43. Born Feb 1889.

*Price*  
WPS-32-9A 119

37. TERASHIMA, Ken - Date of Internment 16 Sep 45

Member of the Tojo "Pearl Harbor" Cabinet

*Smith*  
BA. 116-118

38. TOYODA, Soemu - Date of Internment 13 Dec 45

EX. 1103-10057  
15 Jan. 42

Commander in Chief Combined Fleet 28 Oct 1944. Supreme Military Councilor 1942. Chief of Navy General Staff May 29, 1945. Reported extremely nationalistic and anti foreign. Born May 1885. Address: 518 Shimouma 3-Chome, Setagaya-Ku, Tokyo.

WPS-105

*BA*

39. YOKOYAMA, Yui - Date of Internment 15 Jan 46

Well known and mistrusted by widely different circles of society both foreign and Japanese during the war.

*Walter*  
*A*



		Class "A" to be tried in Tokyo.	Class "A" & "B" to be tried as "A" Tokyo.	Class "A" & "B" to be tried in China.	Class "B" to be tried in the Philippines.	Held for further investigation	Released without prejudice.	Order of trial.	Estimated time for trial
①	ABE, Genki (F)	X						4b	1 mo.
③	AIKAWA, Yoshisuke (P)	X						7c	1 mo.
①	AMAU, Eiji (S)	X							
①	ANDO, Kisaburo (W)	X						1e	1 mo.
①	AOKI, Kazuo (G)	X						4a	1 mo.
③	GODO, Takuo (L)	X						5b	1 mo.
①	GOTO, Fumio (F)	X						4e	1 mo.
①	HONDA, Kumataro (G)	X						3a	1 mo.
①	IDA, Isakuzo (S)	X							
②	IKEZAKI, Chuko (W)	X						5e	1 mo.
②	ISHIHARA, Koichiro (G)	X						10a	1 mo.
①	IWAMURA, Michiyo (L)	X						8b	1 mo.
②	KANOKOGI, Kazunobu (L)	X						3b	1 mo.
	<del>KAWABE, Shozo (P)</del>			X					
①*	KIHARA, Jitaro (S)	X							
②	KIKUCHI, Takeo (W)					X			
①	KISHI, Nobusake (G)	X						5a	1 mo.
③	KOBAYASHI, Junichiro (L)	X						2b	1 mo.
①	KOBAYASHI, Seizo (P)	X						9c	1 mo.
②	KODAMA, Yoshio (S)	X							
③	KUHARA, Fusanosuke (F)	X						8c	1 mo.
	<del>KUROBA, Shigemori (W)</del>				X				
②	KUZUU, Yoshihisa (G)	X						1a	1 mo.
①	MATSUZAKA, Hiromasa (L)					X			
①	MASAKI, Jinzaburo (P)	X						3c	1 mo.
①*	MURATA, Shozo (S)	X							
①	<del>MIZUNO, Rentaro (S)</del>						X		
③	NAKAJIMA, Chikuhei (W)	X						3e	1 mo.
	<del>NISHIO, Toshiro (W)</del>			X					
①	ODACHI, Shigeo (G)	X						6a	1 mo.
①	OKABE, Nagakage (L)	X						6b	1 mo.
②	OKURA, Kunihiko (P)	X						5c	1 mo.
①	OGATA, Taketora (G)	X						2a	1 mo.
②	OTA, Masataka (W)	X						4e	1 mo.
②	OTA, Kozo (S)	X							
②	SAKAI, Tadamasa (G)	X						8a	1 mo.
①	SAKURAI, Hyogoro (L)		X					9b	1 mo.
②	SASAGAWA, Ryoichi (L)	X						1b	1 mo.
①	SHIMOMURA, Hiroshi (P)	X						6c	1 mo.
②	SHINDO, Kazuma (P)	X						2c	1 mo.
②	SHIODEN, Nobutaka (S)	X							
③	SHORIKI, Matsutaro (W)	X						2e	1 mo.
①	SUMA, Yakichiro (S)	X							
	<del>TADA, Hayao (W)</del>			X					
①	TAKAHASHI, Sankichi (G)	X						9a	1 mo.
①	TANI, Masayuki (L)	X						7b	1 mo.
①	TERASHIMA, Ken (F)	X						1c	1 mo.
②	TOKUTOMI, (Sohe) Iichiro (G)	X						9a	1 mo.
①	TOYODA, Soemu (S)	X							
②	YOKOYAMA, Yui (W)					X			
		41	1	3	1	3	1		

\* TO BE TRIED JOINTLY.



GENERAL HEADQUARTERS  
SUPREME COMMANDER ALLIED POWERS  
LEGAL SECTION

3 February 1948

MEMORANDUM:

TO : Chief, Legal Section.  
RE : Members of Tojo's Cabinet at the time of Pearl Harbor now in Sugamo.

1. Out of the 20 Class A war criminal suspects now held by the Allied authorities, only three were members of the Tojo Cabinet at the time of the attack upon Pearl Harbor:

KISHI, Shinsuke was Minister of Commerce and Industry from 18 October 1941 to 1 November 1943 and Minister without Portfolio from 1 November 1943 to 22 July 1944.

IWAMURA, Michiro was Minister of Justice from 18 October 1941 to 22 July 1944.

TERASHIMA, Ken was Minister of Railways and Communications from 18 October 1941 to 8 October 1943.

L. P. B. LIPSCOMB  
Prosecution Section



INTERNATIONAL PROSECUTION SECTION  
DOCUMENT DIVISION

17 March 48

MEMO FOR: Mr. Monaghan, Inv. Div.

FROM : Yale Maxon

SUBJECT : FUJITA, Isamu

1. A confidential and highly reliable Japanese informant, prominent in Japanese trade circles, has stated that Subject brought back a full cargo of Persian opium to the Orient three or four years ago for which he received a remuneration of some 600,000 to 800,000 yen. Same informant also stated that Subject runs a restaurant in his own home in Kyoto at the present time and is making money hand over fist.

2. He further stated that Subject was very close to OKAWA, Shumei, whom he used to meet often in a tea house near Shimbashi Station, Tokyo. He is said to have close Army connections which in the past resulted in various concessions and favors. Originally a communist, he became a right extremist. Informant believes that Subject is fully capable of becoming a left extremist again in the future.

3. It is my recollection that this character had close connections with the East Asia Research Institute and with dangerous individuals such as TOKUGAWA, Yoshichika. Recommend opening a case file on him.

Yale Maxon

*Copy Mr Lipscomb Room 379*



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

8 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP  
THRU: Mr. Liggitt  
RE: Screening of Nineteen (19) Class "A"  
War Criminals.

1. The writer, one secretary, and two typists have spent the week, 1 March through 5 March 1948, in Rooms 379 and 381 of the War Ministry making the preliminary arrangements necessary for a thorough and comprehensive investigation of the nineteen (19) suspects to determine their indictability on "B" and "C" charges.

2. A complete examination has been made of all case files on the suspects as compiled by the Investigative Division of the International Prosecution Section. Six reports were submitted on 5 March 1948 making certain specific recommendations.

3. Some 4,000 odd documents, constituting the Exhibits introduced before the International Military Tribunal for the Far East, have been or are being bound so they will be readily accessible to investigators and attorneys. Arrangements have been made to have complete access to the stencil files of both the International Prosecution Section and the IMTFE, which arrangements will save countless manhours of labor in the reproduction of documents that would normally require typists. Other documents and investigative material are being accumulated for ready reference. The writer must devote his time in the immediate future to a hurried examination of some 2,000 odd documents now in the possession of the International Prosecution Section which were accumulated or translated too late to be introduced in evidence or which for some reason or other were of no value in establishing Class "A" crimes, whereas they may be of inestimable value in the establishment of "B" or "C" crimes. Further, it is necessary to review the complete file indexes, by name, of each of the suspects and some of their closely related co-workers. These file indexes alone are voluminous.



Memo: Screening of Class "A" War Criminals

4. The International Prosecution Section has available for the immediate use of Legal Section a Translating Division and Screening Division. As long as the writer is devoting his energies to the general propositions involved and trying to correlate information and evidence involving all of the suspects, he finds it impossible to devote any time to specific named cases, even though he knows that there is an enormous amount of work that can be done immediately in developing certain phases of the individual cases and that such work requires the aid and assistance of expert scanners and translators. It is, therefore, urged that additional attorneys and some investigators be immediately assigned to these suspects in order to use to the utmost the existing facilities of the International Prosecution Section before it completely disintegrates.

5. Messrs. Guthrie and Walton will have, either today or tomorrow, completed their part in the summation of the INOUE case. Both of these gentlemen have a comprehensive knowledge of the kind and character of work necessary to be performed in order to develop "B" and "C" cases against the suspects. The services of any other attorneys available from Prosecution Section could be utilized to the utmost.

*L. P. B. Lipscomb*  
L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
LEGAL SECTION

8 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP

RE: Presentation of "B" and "C" crimes before  
the International Tribunal.

1. Colonel Mornane presented the IPS Summation to the IMTFE on Counts 53, 54, and 55 of the indictment, which counts charged conventional war crimes and crimes against humanity (with the exception of the opium and narcotic phase).
2. The presentation was complete and exhaustive insofar as the consolidation of all evidence before the International Tribunal was concerned and the writing of a proper legal predicate to require from the Tribunal a complete finding as to the responsibility of the accused for the commission of these "B" and "C" atrocities.
3. In Appendixes A and B to the Summation, the details of the atrocities were particularized. In order that the Tribunal might be able to separate the various acts complained of as to time, each theater was dealt with separately on a month-by-month basis from December 1941 to the end of the war. A further breakdown was effected in order to show that the pattern of crimes was the same in every geographical area, no matter how far removed by either space or command.
4. It is this writer's opinion that this summation has placed the question of the legal responsibility of the accused (particularly the members of the Japanese Government) so squarely before the Tribunal that an adverse ruling on the part of the Tribunal on the facts would place Legal Section in a position where the established precedent would be an overwhelming obstruction to hurdle in the presentation of our proposed cases against the remaining suspects. It will be recalled that the writer in projecting a provisional charge, utilized certain sections of the IPS indictment as a basis for a proposed new form of charge. It was not believed at that time that the IPS was going to place the degree of emphasis on "B" and "C" crimes that it now appears has so been placed. It is true that the evidence and summation in regard to these "B" and "C" crimes constitutes only a fraction of the entire case against the accused now in the dock; but regardless of the relative degree of emphasis of one phase or another, there can be no doubt but that sufficient emphasis has been placed on these types of crimes to require the setting of a precedent.



Memo: Presentation of "B" and "C" crimes.

5. It is this writer's opinion that, while the YAMASHITA and HOMMA cases have set an adequate predicate for command responsibility that would justify any prosecution against a military or naval commander no matter how high or how low his degree, no precedent has yet been set that will arbitrarily hold heads of State responsible for the same type and character of crimes that have been previously charged against field commanders. Insofar as a new body of international law is concerned, and insofar as the application of the common law doctrine of "stare decisis", the rulings and judgments of the original tribunal at Nuerenberg and those of the IMTFE will be of the highest and the most compelling dignity known to the law. With reluctance, it must be added, that insofar as international law is concerned, even such an august body as our own Supreme Court must bow to the judgment of a still higher tribunal.

6. It is this writer's opinion, based purely on speculation and guesswork, that the International Military Tribunal for the Far East is going to apply the YAMASHITA doctrine squarely to the facts and hold the heads of State responsible. This concrete proposition was side-stepped at Nuerenberg, due to various factors that will not be discussed in this memorandum. The above observations have been made because the writer wants to point out that the present project in which Legal Section is now engaged will be subjected to a searching re-examination when the final verdict and opinions are rendered by the IMTFE.

L. P. B. LIPSCOMB  
PROSECUTING ATTORNEY



SECRET

DANGEROUS POTENTIAL IN THE RELEASE OF  
CERTAIN CLASS "A" WAR CRIME SUSPECTS.

L.P.B. Lipscomb  
Prosecution Div.

Chief  
Legal Section

5 Feb 47

1

1. KODAMA, Yoshio, KUZUU, Yoshihisa, SASAKAWA, Ryoichi, and OKAWA, Shumei are now incarcerated in Sugamo Prison as Class "A" War Crime Suspects. This writer has carefully examined their dossiers to determine whether or not they can be prosecuted as Class "B" or "C" War Crime offenders. On the basis of this examination there appears to be no possibility to hold or charge any of the above named for a Class "B" or "C" crime.

2. This writer feels compelled to point out that, in his judgment, irreparable damage will be done to the Occupation and to the future of Japanese democracy if these four individuals are released from prison and allowed again to pursue their poisonous courses of action as free men. Our technical definitions of "War Crimes" may be in error, but it appears to the writer if these men are not war criminals, that the assumption that such exists is wrong.

3. Consider KODAMA; he was born in 1911 and is still a young man. In 1932, at the age of 22, he was one of Hidezo TOYAMA's most supple and dangerous tools in the plots and counter plots of the terroristic societies. He made the unsuccessful plans to murder MAKINO, SAIONJI, ICHIKI and SEKIYA. He was in and out of prison innumerable times in the 30's. Between 1939 and 1941 he was frequently in China as a non-official member of Army Headquarters or of consulate staffs carrying on propaganda activities. In 1941 he became a purchasing agent for the Navy in China and is believed to have accumulated a fortune around 26,000,000 yen. Also in 1941 he was involved in the attempt to assassinate Baron HIRANUMA. With the cessation of hostilities and before his arrest, he plunged into the peace and was associated with SASAKAWA in the organization of the SEIWA HOON KAI (HOLY PEACE ASSOCIATION). G-2 states: "In summary, KODAMA appears to be doubly dangerous. His long and fanatic involvement in ultra-nationalistic activities, violence included, and his skill in appealing to youth make him a man who, if released from internment, would surely be a grave security risk." Further, "KODAMA's past performance indicates that he is the sort of man G-2 considers more dangerous than either the superannuated ideologists or professional men who aided Japan's wartime effort....."

4. SASAKAWA was born in 1899 and by 1931 he had accumulated a substantial fortune. From 1931 on he apparently had no business

SECRET



SECRET

CHECK SHEET: Dangerous Potential in the Release of Certain Class "A" War Crime Suspects. (Cont'd)

connections and devoted his entire time to the organization of nationalistic societies and the dissemination of propaganda, participation in blackmail and extortion plots, and bending every effort to force the Japanese nation along the road of aggression and expansion. He worked for the Army during the war in some kind of civilian capacity as a business agent. It is rumored that he amassed a fortune estimated from 200,000,000 to 500,000,000 yen. After the war he is alleged to have organized the ZENKOKU KINROSHA DOMEI (All Japan Proletarian Party), a party vehemently opposed to the expansion of any liberal or democratic tendency in Japan. He organized the HOLY PEACE ASSOCIATION with KODAMA as mentioned in Paragraph 2 above. In a recent letter SASAKAWA stated his entire philosophy by remarking that his father counseled him, when the father was in imminent danger of death, to do whatever he believed would be in the best interest of mankind regardless of laws and regulations. G-2 says of him: "In summary, SASAKAWA appears to be a man potentially dangerous to Japan's political future.....He chafes for continued power.....He is not above wearing any new cloak that opportunism may offer."

5. KUZUU is one of the elder ideologists, born in 1874. He is included on this list because in 1901, with UCHIDA RYOHEI, he organized the KOKURYU KAI (Black Dragon Society) and has always been intimately connected with it, becoming President in 1937 upon the death of UCHIDA. The influence of this society in the Japanese program of aggression and expansion is inestimable. His arrogant open letter "Black Dragon Society Demands Unconditional Surrender by United States and Britain", published on 30 May 1943, is a most perfect sample of jingoistic propaganda. No individual could have been so longly and closely associated with such an organization and not be a menace to the development of liberal and democratic tendencies in Japan.

6. OKAWA, Shumei was originally a defendant in the dock before the IMTFE. He was removed on the grounds of insanity (after the episode where he slapped TOJO on the head), and has since been declared sane again. All of the evidence introduced against him was Class "A" in nature. He is probably the most brilliant of the propagandists associated with the rise of Japanese aggression and expansion.

7. Character does not change overnight. These men have a perverted, but none the less brilliant type of astuteness and

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SECRET

CHECK SHEET: Dangerous Potential in the Release of Certain  
Class "A" War Crime Suspects. (Cont'd)

intelligence. Their release without trial would be, to them, the final proof of their superior intelligences and abilities. Their inflated egos would be further inflated and it is inevitable that they would immediately start undermining and destroying the present efforts of the Japanese people to establish a democratic government and pursue a peaceful way of life.

8. As a security measure alone, it is urged that some plan should be immediately devised, to bring these men (and others like them if such there be), to their just desserts.

-----L.P.B.L.-----

SECRET



Form of Indictment For Major War Criminals

The charge will be substantially the same as is now provided in Class "B" cases that "the following-named Japanese, formerly a member of the Imperial Japanese Government at the time and places set forth in the specifications attached hereto did violate the Laws and Customs of War and commit high crimes against humanity".

The specifications will allege the detailed acts complained of against the accused. The general type of overt acts to be charged will be as follows:

Participating in Cabinet decision to make an illegal declaration of war against the United States and its allies.

Participating in the Cabinet decision to make a sneak attack upon Pearl Harbor and Singapore.

Secondly, specifications will allege responsibility on the part of the individual Cabinet minister for ordering, authorizing, and permitting the Commanders-in-Chief of the several Japanese Naval and Military forces in each of the several theaters of war in which Japan was then engaged, and the officials of the Japanese War Ministry, and the persons in charge of each of the camps and labor units for Prisoners of War and civilian internees in territories of or occupied by Japan and the military and civil police of Japan, and their respective subordinates frequently and habitually to commit the breaches of the Laws and Customs of War, against the armed forces of the countries hereinafter named and against many thousands of Prisoners of War and civilians then in the power of Japan belonging to the United States, the British Commonwealth of Nations, the Republic of France, the Kingdom of the Netherlands, the Commonwealth of the Philippines, the Republic of China, the Republic of Portugal, and the Union of Soviet Socialist Republics.



Immediate trial of Former Class "A" Suspects.

L. P. B. Lipscomb

Chief, Legal Section

21 Sept. 1948.

1. In line with our conversation yesterday further consideration has been given to the possibility of placing the former Class "A" war criminal suspects we propose to try on trial by October 31, 1948. All of the attorneys actively engaged in the preparation of these have been consulted and the decision arrived at is unanimous on the part of all attorney personnel of the War Crimes Tribunal Division.
2. The case against TOYODA, Soem, former Chief of Staff of the Japanese Navy and Commander-in-Chief of the Combined Fleet, can be commenced prior to October 31, 1948.
3. The case against TANURA, Hiroshi, former Chief of the Japanese Prisoner of War Information Bureau, can be commenced prior to October 31, 1948.
4. The case against KODAMA, Yoshie, terrorist and racketeer, can be commenced prior to October 31, 1948 conditioned on the attorney in charge being satisfied that the available evidence is sufficient to sustain a conviction.
5. The prospective case against nine former members of the Japanese cabinet during the period 1941-1945, which was to be handled as a joint trial, cannot be commenced by October 31, 1948. The earliest possible deadline that can be set for this case is January 1, 1949 and this deadline is in a degree contingent on several now unknown factors.
6. Since the inception of the program, by Legal Section, against these former Class "A" suspects this writer has pointed out most emphatically that it would be impossible to proceed in an orderly manner to try these cabinet ministers before the decision of the International Tribunal of the Far East is handed down. Regardless of the fact that the IMTFE is supposed to be trying so called Class "A" criminals, the indictment specifically alleges "B" and "C" offenses against individuals who occupy an identical status with the nine cabinet ministers mentioned above. It would be sheer folly to attempt to plead and try the instant case without having the definitive decision in hand.
7. An enormous amount of work and effort has gone into the preparation of these cases. A great deal more is required. This division believes that the suspects are guilty of war crimes and that the guilt can be established in court. It further believes that a well-rounded picture of International War Crimes arising out of World War II cannot be completely drawn without putting this type of case to trial on the presently projected theories.
8. These trials are not small matters. They have tremendous import both to the present and to the future of mankind. If the job cannot be done



properly it is better to leave it undone. The writer and his staff have done their utmost to facilitate the mission of the War Crimes Tribunal Division in the shortest possible time and with the least wasted effort. Again, it is our considered judgment that the deadline of October 31 is impossible.

-----LPBI-----



SECRET

Imperial Household Records

A.C. Carpenter  
Chief, Legal Sec.

Asst. Chief of Staff  
G-2

2 Sept. 1948

LPBL

1. Legal Section will appreciate the cooperation of G-2 in obtaining certain official Japanese government records that are now known to be lodged in the General Affairs Section of the Imperial Household.
2. For several years an intensive search has been made to discover documents containing the names of individuals who attended the series of liaison conferences held in Japan subsequent to July 1941 and prior to the outbreak of the war. Insofar as is now known, the search in the past has been fruitless.
3. Through a combination of circumstances, the attorney and investigator of War Crimes Tribunal Division, this section, who are working on the prospective case against TERASHIMA, Ken have come into the possession of positive knowledge as to the existence of these records. TERASHIMA, by letter, advised his daughter that it was necessary to prove conclusively that he was not present at certain liaison conferences taking place in the Fall of 1941. The daughter and her husband started an intensive search for documents that would disprove his attendance. Mr. McKnight, an investigator, was called to the TERASHIMA home in Tokyo and informed by the daughter that she had personally gone to the General Affairs Section of the Imperial Household and examined a document described as "Sandaisha Meibo", and that her father's name did not appear as one being in attendance at these conferences. The question as to whether TERASHIMA was or was not present is of little consequence. It is now definitely known that the above document establishes conclusively the ones who were present at these conferences and might possibly contain much additional and valuable information as to what took place at the liaison conferences.
4. A Japanese named INEMARU is in charge of the General Affairs Section of the Imperial Household and has the custody of the "Sandaisha Meibo". It is known to this section that he has personally vowed that these records will never fall in the hands of the occupation authorities and that he will destroy them before allowing such an event to occur.



From: A.C. Carpenter  
Chief, Legal Sec.

To: Asst. Chief of Staff 2 Sept. 1948  
~~C-2~~

5. Considering the delicacy of this matter, the importance of the subject matter involved, and the difficulties confronting this section in attempting to obtain this document through the normal channels of investigation and procurement, it is earnestly urged that you cooperate with Mr. Lincoln P. B. Lipscomb, the Chief of the War Crimes Tribunal Division, in devising some plan by which the records can be seized.

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



ABE, Genki -- War Crimes Suspect -- Now in Sugama Prison

OUTLINE OF METHOD TO DEVELOP CASE FOR "B" AND "C" CRIMES

1. The Period Prior to December, 1941.

1932-1936	-Head, Special Higher Police Division, Metropolitan Police Board
Feb.-1937	-Chief, Public Peace and Order Section, Police Bureau
Jun 1937	-Director, Police Bureau
1937-1939	-Superintendent General, Metropolitan Police Board
1940	-Superintendent General, Metropolitan Police Board

ABE was the father of the Japanese counterpart to the OGPW and GESTAPO-- The Special Higher Police. Through this instrumentality all freedom of speech, thought, and action was ruthlessly suppressed while at the same time protection was afforded to the extremists of the far right to pursue unhampered, their course of terror, extortion, intimidation and murder in driving the Japanese people along the road of aggressive warfare.

His career in the Police is a most interesting study and considered from the standpoint of possible "A" crimes would be most important. But other than give to the investigator and prosecutor the background to the man, and a general picture of his character and inclinations, it has no value in the consideration of "B" and "C" crimes.

2. The Period Subsequent to December, 1941.

a. Dec., 1941 -- Nov., 1943 -Vice-Chief, Cabinet Planning Board.

"The purpose of the Planning Board was to make universal plans for the economy of Japan according to decided policy..... When the Planning Board made a decision deemed important from the national point of view, it was in fact executed by the competent Ministry or Department charged with that function. (see Exhibits 841 & 842) These answer ~~completely~~ the question rather completely that the Planning Board was at the time the brain that correlated all facts and issued general instructions". (IMTFE Record -- Pages 8612-8613 Summary, Pages 1278-1279)

ABE, from his special knowledge and study of the Chinese (he spent several years in China) is bound to have been considered an expert on Chinese affairs and probably also on Korean. From evidence now in the record of USA vs KONO et al (still being tried at Yokohama) the Planning Board played a large part in working out the plans for the importation of Chinese Slave Labor into Japan. The Cabinet Decision was made on Feb., 1942--so the work of the planning board must have been done prior to that. This decision is a clear violation of the laws of war. ABE can probably be connected with it.



The Planning Board can probably be connected with the decision to utilize unlawfully POWs in industrial establishments engaged in war work and the setting up of the iniquitous "Dispatch System" for POWs.

LEADS INTO THE PLANNING BOARD and ABE's connection:

Lt. Gen. SUZUKI, Teiichi -- Chief of Planning Board from 4 April 1941 to 8 Oct. 1943. Now a defendant before the IMTFE. Check the master index to the Record for every reference. Check with G-2 and IPS for former interrogations and reports.

MIYAMOTO, Takenosuke -- Vice-Chief of Planning Board from 7 April 1941 to 24 Dec. 42. Check him through the files of G-2 and IPS. If there are no former interrogations or interviews, pick him up and examine.

SUDO, Hideo -- Acting Vice-Chief of Planning Board, 24 Dec. 1942 to 27 Dec. 1942. He was probably a minor official in the Board all the time. He should be a mine of information.

NOTE: There is a discrepancy as to the exact position and tenure of ABE as Vice-Chief or Vice-President of the Board. "War Politics in Japan" differs from the G-2 Report and the IPS Dossier.

b. 7 April 1945 to 17 Aug. 1945 -- Home Minister. also Director, Air Defense General Headquarters.

ABE's responsibility as Home Minister for his Police is exactly analogous to a field commanders responsibility for his troops in so far as violations of the laws and customs of war are concerned.

Responsibility:

Mistreatment, abuse and murder of American airmen in Japan by the civilian police and the civilian population before they reached the Military.

NOTE: Bob Neptune can furnish countless examples of this from the case files now in his possession.

Mistreatment, abuse and murder of POW's, Chinese and Korean laborers in industrial work camps by the special "Thought Control" police; at least one of which was stationed at each camp.

Check on the possible use of these "Thought Control" police in the civilian internment camps.



The murder of 40 odd Chinese in the Akita Prefecture by Chief of Police Miura of Hanaoka and his men following the Chusan Ro Riot of July 1, 1945. (See case of USA vs. KONO et al, Yokohama)

Activities of individual "Thought Control" and Special Higher Police. (See Legal Section's file on HOMMA, Fukachiki)

ABE is alleged to have been one of the die-hards in the SUZUKI Cabinet who refused to accept the terms of the Potsdam Declaration.

LEADS TO BE DEVELOPED:

NADAO, Hirokichi -- Vice Home Minister, 9 Apr 45 to 19 Aug 45.

ODACHI, Shigio -- Home Minister, 22 July 44 to 7 April 45.  
(See Legal Section File -- Check with G-2 and IPS)

KARASAWA, Toshiki -- Vice Home Minister, 22 April 43 to 25 July 44.

YAMAZAKI, Iwao -- Vice Home Minister, 22 July 44 to 9 April 45.

MAKOTO, Yamada -- Official in Home Ministry in Charge of Chinese Labor Affairs -- a witness for defense in USA Vs. KONO et al -- check testimony.

Get IPS file, interrogation of General TANAKA, dated 28 March 1946 (287 - Serial NO 12.

Get IPS interrogation of ABE, 5, 8 and 9 April 1946, Document NO. 287 Serial 15.



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS  
INTERNATIONAL PROSECUTION SECTION

FILE NO. 206

21 March 1946

SUBJECT: Status of interrogation of Lt. General  
ISHIDA, Otagoro.

MEMORANDUM TO: Chairman, Executive Committee.

1. The above subject was confined to Sugamo as the alleged head of Kempei Tai during the years 1942 to 1944, it having apparently been assumed that as the alleged occupant of such position his office would have played a great part, particularly, in connection with atrocities throughout the war.

2. The interrogation of the above subject commenced the first week in February and was concluded this date.

3. It is not believed that the above subject is suitable for inclusion as a major war criminal in this or any subsequent trial.

4. It is believed that the subject may be valuable as a witness as to certain specific phases of the case, particularly those relating to atrocities, and has expressed his willingness to testify on any phase concerning which he possesses knowledge, and has likewise expressed his willingness to cooperate in any form or manner that may be desired. It is believed that if used as a witness on any phase in which he is competent, he will stand up under any form of cross examination. His reputation appears to be unimpeachable. He is a moderate, modest, retiring, and somewhat courageous person. This latter is supported by the views of General TANAKA who likewise believes that if he were released from Sugamo and authorized to cooperate with him, that General ISHIDA could be of material assistance to him in the establishment of our case.

5. It is believed that through General ISHIDA and General TANAKA that proof can be afforded as to the establishment of the Prisoners of War Bureau and its function placing responsibility wherever desired.

6. Both Generals ISHIDA and TANAKA say that on or about the first week of April 1945 the authority of Kempei Tai and in fact all military forces dealing with prisoners of war in Japan proper were placed under the direct command of an Area Commander. It is believed that if atrocities in Japan proper can be established that the placing of responsibility therefor can be directly established through the above individuals, particularly General ISHIDA.

7. In considering General ISHIDA as a possible witness it should be born in mind that he alleges his parents as having lived in Sacramento,



California for 23 years and that his sister has resided in Hawaii for approximately 50 years and continues to reside there. He professes a sincere love for America and I have had no reason to question these statements.

Respectfully submitted,

K. N. PARKINSON



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

**CHECK SHEET**

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File No.:

Subject:

Note No.:

From:

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