

(Excerpt from Ex. 3834)

EXCERPT FROM THE RECORD OF THE TRIAL
UNITED STATES OF AMERICA vs SHIGERU SANADA, et al

Before the
MILITARY COMMISSION
Convened by the
COMMANDING GENERAL
United States Army Forces
CHINA

UNITED STATES OF AMERICA :

-vs-

SHIGERU SANADA :
YUSUJI WAKO :
RYUHEI OKADA :
SOTOJIRO TATSUTA :

PUBLIC TRIAL

VOLUME III

PAGE 276

SHANGHAI, CHINA

DATE 1 MAY 1946

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Defense Transcript Exhibit 8
Statement by TOJO, Hideki
* * * * *

I as the Minister of War at the time of the trial of the 'Doolittle Fliers' who attacked the Japanese mainland on 18 April 1942, attest to the following facts for Lt Gen SANADA Shigeru:

1. That the aforementioned POWs were tried in Shanghai by order of the CHU-O (I do not clearly recall whether or not it was by order of the Grand Imperial Hqs or the Minister of War. Whenever CHU-O is used in the following sentences, the above meaning will apply).
 2. That the basic regulations governing this trial were issued by the CHU-O: that upon receipt of these regulations, the Army CG must not deviate from such regulations.
 3. That eight (8) POWs were sentenced to death was reported to the CHU-O.
 4. That the sentences of five (5) of the aforementioned eight (8) POWs were mitigated by the graciousness of the Emperor who exercised his supreme authority.
 5. That the aforementioned special favor of mitigation and the approval of the execution of the death sentence for the remaining three (3) were issued by the CHU-O.
 6. That the President of the Court (Judge) alone has the authority to pass any sentence; that the Army CG has no authority to void or to mitigate such sentences;.....
- (p. 1)

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辯護士法
法廷證 第

第三〇四號

亞米利川百不西對澤田茂具ノ他ノ裁判記録ヨリノ抜粹
在中國合衆國陸軍司令官ノ白葉ニカカル重特委任曾ニ於テ
水田對 澤田 茂
和光 ユーメイ
岡田 隆平
山田 外次郎

公判

第三卷
中國上經

二七六頁ヨリ
一九四六年五月一日

辯護士法廷證第八號馬本泉英機墮地

私ハ一九四二年四月十八日日本工ヲ攻襲シタルドウリツトル號飛行士
ノ裁判ノ時ノ陸軍大臣トシテ澤田中將ノ爲メ次ノ事實ニ就キ證言ヲ致シ
マス

一 上記ノ浮遊ハ中央ノ命令ニテ上級テ裁判ニ附セラレマシタ（私ハ此ノ命令ハ大本營ノ命令カ以テ且大田ノ命令テアツタカラ明確ニハ思ヒ起スコトハ出来マセン次ノ又中央トイフコトハ上記ノ意味テ使用致シマス）

二 此ノ裁判ヲ規定スル根本ノ規定ハ中央テ發布致シマシタソウシテ此等ノ規定ヨ受領處多曉ユハ軍司令官ハ斯カル規定ヨリ逸脱スルコトヲ待マセン

三 右八名ノ浮遊ハ死刑ニ判決セラレタト中央ニ報告セラレマシタ

四 上記八名ノ浮遊ノ中五名ノ宣告ハ大權ヲ行使サレル陛下ノ御召ニ依ツテ減刑セラレマシタ

五 上記ノ減刑ノ特別ノ恩恵ハ残り三名ノ死刑宣告ノ執行ノ許可ハ中央ニ依ツテ發セラレマシタ

六 裁判長ノミカ判決ヲ與フル權限ヲ有シテ居リ、軍司令官ハ判決ヲ無効ナラシメ又ハカカル判決ノ輕重ヲナス權限ヲ有シマセン