

TO IPS

For Translation  
Justing

DEFENSE ATTORNEYS FOR MAJOR WAR CRIMES

THIS FORM IS TO BE ATTACHED TO ALL STENCILS OR REQUESTS FOR TRANSLATIONS AND NO WORK WILL BE ACCEPTED BY THE DOCUMENT BRANCH OR TRANSLATION SECTION UNLESS APPROPRIATE SECTIONS ARE FILLED OUT AND APPROVED BY DIVISION CHAIRMEN.

DOCUMENT NUMBER 864

J.D.C. \_\_\_\_\_

Yes

No

Is Distribution of completed document to be made to all Defense Counsel.  
(Distribution to IPS, TIME Language Section, etc. will not be made at any time, without specific instructions from the Division Chairmen)

\_\_\_\_\_

If Document is an excerpt, is the original on file in the Document Branch.  
(Please remember that all originals, from which excerpts are processed, together with copies of the documents, MUST BE FILED WITH THE COURT CLERK SEVEN DAYS IN ADVANCE of date of contemplated use in Court).

\_\_\_\_\_

If the original is not on file with the Document Branch, please state who has the original:

\_\_\_\_\_

Division No. in which document is to be used: One

APPROVED:

Wm Logan, Jr  
American Chairman

Smith  
(Attorney)

Japanese Chairman

The following information is needed for work orders on stencils for FORMS OR MEMOS ONLY.

Number of copies \_\_\_\_\_

Is distribution to be made by the Document Branch \_\_\_\_\_

If answer to the preceding question is "No", do you desire all copies returned to your office? \_\_\_\_\_

\_\_\_\_\_  
Attorney or Administrative Officer

DD-864

DEFENSE ATTORNEYS FOR MAJOR WAR CRIMES  
TO BE ATTACHED TO ALL STENCILS

Date 24 Mar 47

To: Document Branch: Please Process this Document

In accordance with the following instructions and information.

Usual number of copies  
(if answer is No, indicate number) YES  NO

Usual distribution  
(if answer is No, indicate disposition of copies) YES  NO

If document is an excerpt, do you want this section to file original.  
(if answer is No, please notify this section of filing-forms for filing purposes are available in Room 183)(if answer is "YES" enclose original and indicate filing date.) YES  NO

If no certificate is attached and no original available, will witness be used. YES  NO

Is entire Document to be translated (to be indicated if English stencils are cut by secretaries) YES  NO

Phase One  
(number) 1

Priority Top  
(number) 1

Baris L. Smith  
Attorney

William Logan

RESTRICTED

DEPARTMENT OF STATE  
INTERIM RESEARCH AND INTELLIGENCE SERVICE  
Research and Analysis Branch

R & I. No. 2558.2

JAPANESE WAR PRODUCTION INDUSTRIES. Part II.  
The Aircraft Industry

Description

Discussion of the Japanese aircraft industry; corporate structure and the history of governmental control receive the major emphasis. The capacity, technological aspects of this industry are also discussed.

31 October 1945

II. THE AIRCRAFT INDUSTRY

A. Aircraft Production: Physical and Technical Aspects

Aircraft commanded top priority in the Japanese war production program. After 1941, strenuous efforts were made to increase plant output by the construction and equipment of new manufacturing facilities, by conversion of plant capacity less essential to the war program, and by diversion of labor and material resources to the aircraft program. Under this stimulus, aircraft production in Japan increased rapidly, but output was always small in comparison with U.S. productions, which reached upwards of 8,000 planes a month by the end of 1944.

Table 3. OFFICIAL JAPANESE REPORT AND AMERICAN JOINT TARGET GROUP ESTIMATES OF JAPANESE AIRCRAFT PRODUCTION TRENDS

Domei (4 September 1945; all types)		W.D.M.I.S. (30 August 1945: (aircraft: combat only)
<u>Low</u> - Dec. 1941 -	<u>550</u>	428
Dec. 1942 -	1,054	803
Dec. 1943 -	2,096	1,448
<u>Peak</u> - June 1944 -	<u>2,357</u>	2,034
Dec. 1944 -	2,204	2,450
July 1945 -	1,003	1,850

Note: If Trainer and Reconnaissance types are assigned a value of roughly 25 percent of total aircraft production, American estimates and Japanese official reports are comparable until December 1944 when the Japanese figures are considered to be far too low, by contrast with the best American estimates.

In order to achieve her 1944 level of aircraft production, it is believed that Japan was employing over 750,000 workers. Of this number, it has been estimated that about one-eighth were women. (See R & A 2271, Industrial Distribution of The Population of Japan.

\* \* \* \* \*

## B. Organization of the Aircraft Industry.

### 1. Brief History.

The origin of the Japanese aircraft industry coincides with World War I. Shortly before the war, Japan sent army and navy officers to France to study European developments in aerial warfare. During the years 1917-18, two private companies, Nakajima and Mitsubishi, and the Naval Arsenal at Hiro, built the first aircraft plants. Because of Japanese technical backwardness, these were based on foreign models. This dependence on copies or adaptations of foreign designs -- British, French, German, and American -- and the employment of foreign engineers and producers, was to continue to a

decreasing but still dominant degree until the eve of World War II. By the end of 1937, the Japanese had succeeded in creating two or three types of airplanes of their own design.

\* \* \* New companies were organized and the existing ones -- Mitsubishi, Nakajima, and Kawasaki -- were enlarged. With the conquest of Manchuria, Japan worked hard to create her own models, culminating in the successes of 1937. It was during the latter part of this period, too, that the aluminum and magnesium industries were first developed (1934-35).

\* \* \* \* \*

According to the Japanese Ministry of the Navy, in 1938-39, private industry composed 70-75 percent of the entire Japanese aircraft industry. The relatively satisfactory types produced at this time, formed the nucleus of the Japanese air force at the beginning of the war.

\* \* \* \* \*

### 3. Government Encouragement: Aircraft Manufacturing Industry Law.

The government's constant interest in the aircraft industry has increased in recent years. \* \* \* As a result, aircraft manufacturers of "doubtful competency and background" began to spring up all over Japan. Realizing the importance of the industry to the military program and the necessity for its control, the Government in 1938 passed the Aircraft Manufacturing Industry Law, requiring government license of all firms engaged in the manufacture of airframes weighing over 350 kilograms, or of engines of stroke volume capacity over 3,500 c.c. Licenses were granted only to companies having a minimum capitalization of ¥ 3,000,000 and an annual capacity of 100 tons of airframes, or 300 engines or propellers. In return for government authority over production, licensed companies were in a position to receive substantial monetary grants, tax exemptions, and import privileges. The salient features of the law are as follows:

#### Government Control:

(i) The Government may determine specifications; control prices, terms, and the supply of planes and parts; merge or dissolve companies; and

transfer, discontinue, or suspend manufacture of all or part of their products.

(ii) Under a military clause, the Government may issue instructions regarding plant expansion, manufacturing research, training of technicians; cooperation with other plants, storage of raw materials, drafting of plants, employees, or equipment; guards and counterespionage.

(iii) Land may be appropriated for plants or fields.

Manufacturers' Benefits:

(i) The Government compensates the manufacturers for losses. Subsidies are granted for airplane parts and materials not previously produced in Japan.

(ii) Under certain conditions manufacturers are exempt from income tax, business profit tax, and local taxes for six years. Import duties for tools for the industry were to be abolished for five years.

(iii) Capital may be increased for plant expansion and bonds may be sold in excess of the legal limits for the purchase of equipment.

Miscellaneous Data:

(i) Licenses are issued separately for aircraft manufacture and assembly.

(ii) The Aircraft Technical Commission was to be organized with 20 members under the Minister of Communications (Tsushin-sho). Its primary function is the standardization of aircraft. Any violation of the government regulations subjects the firm to fines varying from ¥ 500 to ¥ 2,000. (See Appendix IIc for text of the above-mentioned law).

4. Concentration of Production.

Whatever the reasons advanced for these measures, the manufacture of all military airplanes and of the relatively insignificant number of airplanes for the civil airlines was then concentrated in the hands of 14 licensed firms. (See Appendix II f for details concerning the 14 originally licensed companies). These companies were licensed for the production of complete airframes, engines, and propellers; the subcontracting of component parts to other producers was encouraged.

#### 5. Government Arsenals.

In addition to the production by the licensed civil companies, the naval aircraft factories at Hiro, Yokosuka, and Sasebo had at least a small production capacity. Recently they are believed to have confined their activities principally to research, experiment, and testing, and to the manufacture of models for later development of private mass production.<sup>1/</sup> Sasebo produced a single-engine float type fighter plane; Omura was equipped to manufacture engines and assemble planes. Mention should also be made of the Tachikawa Army Air Arsenal in Tokyo prefecture, which was assigned a small percentage of total aircraft manufacture and did considerable research on new models.

#### 6. Nature of the License Companies.

The licensed companies were of two types. Some were "integrated" companies -- that is, they produced in their own plants a large portion of the principal components going into the aircraft they manufactured. Others specialized in particular aircraft components. The most important "integrated" companies were Mitsubishi Jukogyo, Nakajima Hikoki, Kawasaki Kokuki, and Aichi Tokei Denki. Mitsubishi and Nakajima were the two names most often associated with Japanese aircraft, and the greatest proportion of planes had their final imprint, although they contained parts from many other sources. Companies such as these generally embraced several manufacturing plants. Other licensed companies, by contrast, are known to have been highly specialized. Sumitomo Kinzoku and Nippon Cakki Seizo (Japan Musical Instrument) produced propellers for several different plane types. Ishikawajima Koku Kogyo (Ishikawajima Aircraft) and Hitachi Kokuki (Hitachi Aircraft) manufactured engines on a smaller

---

<sup>1/</sup>

But they also engaged in mass production of privately developed aircraft and engines. Thus the "Judy" bomber and the new Nakajima Homane engine were made at Hiro.

scale, the latter making trainer engines mainly. Watanabe Tekkosho made components and probably assembled planes. Showa Hikoki Kogyo (Showa Aircraft Industry) manufactured a transport plane copied from the U.S. D.C.-3 (C-47).

#### 7. Research and Development.

Realizing that Japanese aviation products would continue to be several years behind foreign material unless adequate provision were made for research, design, and testing, the Government set up an Aeronautical Research Institute under direction of Tokyo Imperial University in 1918. Experimental laboratories were similarly instituted by the Army and Navy Air Services. The larger civil producers had their own departments for research and design which worked for either the Army or Navy, or, in a few cases, for both. The Army and Navy made heavy demands upon the aircraft companies for the experimentation and development of new military aircraft and endeavored to allocate their orders to compensate for experimentation undertaken. In theory, all these agencies were to work in close harmony for the advancement of Japanese aviation. Actually, there appears to have been a lack of coordination, and to remedy this the Government in the 1938-39 budget provided an original sum of ¥ 500,000 for the establishment of a Central Institute of Aeronautical Research under the Aviation Bureau (Roku-Kyoku) of the Communications Ministry, (Tsushin-sho). The object, in addition to providing newer and better equipment, was undoubted to provide a central controlling head for the coordination of all research having to do with aviation. The cost of the entire project was to be ¥ 130,000,000.

\* \* \* \* \*

#### (a) Institutions Operating in 1941.

(i) The Aeronautical Research Institute. Located at Komaba, a suburb in the western part of Tokyo, one mile west of the Shibuya station on the Yamanote line. It has confined its work primarily to pure scientific research and secondarily to the practical application of its discoveries to actual airplane design. There are twelve sections devoted to physics, chemistry, metallurgy, materials, wind tunnel work, engines, airframes,



instruments, physiology, construction, diesel engines and propellers. Equipment, while considered modern in 1939, has long been outstripped by that used abroad. Some of the Institute's important work has been in the field of diesel engines, the designs of which were turned over to Mitsubishi for building and into the design for the long distance "Kamikaze" which flew from Tokyo to London in 1937.

\* \* \* \* \*

The Ministry having been inaugurated to carry out this policy with particular emphasis on aircraft, an Aviation Ordnance Bureau (Koku Heiki-kyoku) was created within the Ministry to take over from the War and Navy Ministries all their former administrative functions concerning aircraft and related industries. This transfer, which became effective on 15 January 1944, appeared to represent a coordination rather than a shifting of responsibility, because the Bureau was to be staffed principally by officers of the Army and Navy. Lt. Gen. Saburo Endo was designated as Chief of the Bureau.

(ii) Aviation Industrial Association (Koku Kogyo Kai): Semi-official Cartel. When the new Ministry assumed its duties, an Aviation Industrial Association was formed on 16 January 1944 to coordinate the production of aviation supplies. Formation of this Association indicated that the Japanese Government was hoping to expand production of aircraft by unifying direction and centralizing the priority system. The detailed powers of this Association and similar ones in other industries were derived from the National General Mobilization Law of 1938 and, in particular, from the Major Industries Association Ordinance of 1 September 1941.

The division of functions between the Munitions Ministry and the semi-official Aviation Industrial Association was as follows: the Aviation Ordnance Bureau of the Ministry drafted general production schedules to be assigned to the Association; the Association was then responsible within its field for control of production, the supply of funds, material, and labor required, and the allocation of schedules among its member enterprises. Despite its semi-official title and cast, the Association was effectively dominated by

instruments, physiology, construction, diesel engines and propellers.] Equip-  
ment, while considered modern in 1939, has long been outstripped by that used  
abroad. Some of the Institute's important work has been in the field of  
diesel engines, the designs of which were turned over to Mitsubishi for  
building and into the design for the long distance "Kamikaze" which flew from  
Tokyo to London in 1937.

\* \* \* \* \*

The Ministry having been inaugurated to carry out this policy with  
particular emphasis on aircraft, an Aviation Ordnance Bureau (Koku Heiki-kyoku)  
was created within the Ministry to take over from the War and Navy Ministries  
all their former administrative functions concerning aircraft and related  
industries. This transfer, which became effective on 15 January 1944, appeared  
to represent a coordination rather than a shifting of responsibility, because  
the Bureau was to be staffed principally by officers of the Army and Navy.  
Lt. Gen. Saburo Endo was designated as Chief of the Bureau.

(ii) Aviation Industrial Association (Koku Kogyo Kai): Semi-  
official Cartel. When the new Ministry assumed its duties, an Aviation  
Industrial Association was formed on 16 January 1944 to coordinate the pro-  
duction of aviation supplies. Formation of this Association indicated that  
the Japanese Government was hoping to expand production of aircraft by unifying  
direction and centralizing the priority system. The detailed powers of this  
Association and similar ones in other industries were derived from the  
National General Mobilization Law of 1938 and, in particular, from the Major  
Industries Association Ordinance of 1 September 1941.

The division of functions between the Munitions Ministry and the  
semi-official Aviation Industrial Association was as follows: the Aviation  
Ordnance Bureau of the Ministry drafted general production schedules to be  
assigned to the Association; the Association was then responsible within its  
field for control of production, the supply of funds, material, and labor re-  
quired, and the allocation of schedules among its member enterprises. Despite  
its semi-official title and cast, the Association was effectively dominated by

the industrial leaders in the field and was essentially a business organ. The nature of this domination is revealed in the history of the Association and an analysis of its personnel.

\* \* \* \* \*

#### APPENDIX IIc

#### AIRCRAFT MANUFACTURING INDUSTRY LAW

(A Translation of the Full Text taken from the Official Gazette, March 11, 1938)

Article 1. The aircraft manufacturing industry as mentioned in the present law signifies enterprises of manufacturing the aircraft as specified by ordinance or the fuselages, motors, or propellers of the said aircraft.

The manufacture of parts or accessories of aircraft conducted by persons who are engaged in the enterprises as mentioned in the foregoing paragraph or their manufacture of the materials to be used in their enterprises for manufacturing aircraft or their repair of aircraft shall be regarded as a part of their enterprises.

Article 2. Persons who desire to be engaged in the aircraft manufacturing industry shall obtain the permission of the Government.

Article 3. Those who may obtain the permission as mentioned in the foregoing article shall be limited to the joint stock companies (kabushiki kaisha) which were established in accordance with the provisions of the law and ordinance of the Empire and which have the majority of the shareholders, the majority of the directors, the greater part of the capital funds, and the greater part of the right to vote represented by the subjects of the Empire or the juridical persons which were established in accordance with the provisions of the law and ordinance of the Empire.

The juridical persons as mentioned in the foregoing paragraph shall not have the majority of the staff members, shareholders, or officials executing the business, or the greater part of the capital funds, or the greater part of the right to vote represented by the nationals of foreign countries or the juridical persons of foreign countries.

When persons who have obtained the permission as mentioned in the foregoing article have ceased to be under the provisions of the foregoing two paragraphs, the said permission shall become null and void.

Article 4. The companies which have obtained the permission as mentioned in Article 2 shall commence their enterprises within the periods specified by the Government.

The Government may permit the prolongation of the periods as mentioned in the foregoing paragraph only when it recognizes that there exist good reasons for such prolongation.

When the companies which have obtained the permission as mentioned in Article 2 have failed to commence their enterprises within the periods as mentioned in the foregoing two paragraphs, the permission as prescribed by Article 2 shall become null and void.

Article 5. The companies which are engaged in the aircraft manufacturing industry (to be referred to as aircraft manufacturing companies hereinafter) shall, in accordance with the provisions of ordinance, determine their plans of enterprises and reports to the same to the Government. When they desire to change the plans of enterprises, they shall also report the matter to the Government.

The Government may order changes in the plans of enterprises when it deems such measures as necessary.

Article 6. The Government may determine the specifications of the fuselages, motors, propellers, parts, or accessories of the aircraft or materials for manufacturing the aircraft, after referring the matter to the aircraft technical commission.

Aircraft manufacturing companies shall not manufacture or use anything which is subject to the specifications determined in accordance with the provisions of the foregoing paragraph and which does not conform to the specifications. However, an exception is made when the permission of the Government has been obtained (for the manufacture or use of such things).

The regulations concerning the aircraft technical commission shall be determined by Imperial ordinance.

Article 7. When aircraft manufacturing companies desire to transfer, discontinue, or suspend the whole or a part of their enterprises, they shall obtain the permission of the Government in accordance with the provisions of ordinance.

Resolutions for the merger or dissolution of aircraft manufacturing companies shall not take effect unless the approval of the Government has been obtained for them in accordance with the provisions of ordinance.

Article 8. The aircraft manufacturing industry shall be regarded as an industry which may expropriate or use the land as mentioned in Article 2 of the land expropriation law and as such shall be subject to the application of the said law.

Article 9. Aircraft manufacturing companies shall, in accordance with the provisions of Imperial ordinance, be exempted from the income tax and the business profit tax in regard to their enterprises for the year during which the permission as mentioned in Article 2 was obtained and the following 5 years.

Article 10. The Hokkaido, prefectures, cities, towns, and villages and similar bodies shall not impose taxes upon the aircraft manufacturing companies which have obtained exemption from the income tax and the business profit tax in accordance with the provisions of the foregoing article, against their enterprises which have been exempted from the taxes. However, an exception is made when the permission of the Government has been granted in consideration of special circumstances for the imposition of such taxes.

Article 11. When aircraft manufacturing companies import tools, machinery, or materials necessary to their enterprises with the permission of the Government, an exemption from the import duty shall be made for 5 years from the day of the enforcement of the present law under the provisions of ordinance.

Article 12. The Government may grant, under the provisions of ordinance, encouragement money to aircraft manufacturing companies when they are engaged in the manufacture of such kinds of aircraft, fuselages, motors, or propellers which have never been manufactured in this country, within the limits of the budget. Encouragement money may also be granted for the manufacture of such kinds of parts or accessories of aircraft or materials for manufacturing aircraft as have never been manufactured in this country.

Article 13. Aircraft manufacturing companies may, when expanding their enterprises, effect an increase in their capital in order to obtain funds to meet the expenses for establishing facilities belonging to their enterprises, subject to the permission of the Government, even before their capital is fully paid up.

Article 14. Aircraft manufacturing companies may, with the permission of the Government, issue debentures beyond the limits as stipulated by the Commercial Law, when obtaining funds to meet the expenses required for establishing facilities belonging to their enterprises. However, the total amount of debentures shall not exceed 200 per cent of the amount of paid stock shares.

The provisions of the foregoing paragraph shall not be applied when the property stated in the last balance sheet to be in the possession of the companies fails to reach the amount of paid stock shares.

Mortgages on the belongings of the enterprises of the companies in accordance with the provisions of the factory mortgage law shall be required for issuing debentures according to the provisions of the first paragraph. However, an exception is made when there exist special circumstances and when the Government recognizes that there is no need for such mortgages.

Article 15. The Government may cause the aircraft manufacturing companies to file reports in regard to the conditions of their business and property.

The Government may issue orders or make disposition, such as are deemed necessary from the standpoint of control, in regard to the business and accounting of aircraft manufacturing companies.

The Government may, when such measures are deemed necessary from the standpoint of control, cause the government officials concerned to inspect the offices of aircraft manufacturing companies, their places of business, factories, warehouses, and other places and examine the conditions of their business or property or documents or books or other articles. In such a case, the government officials concerned shall be caused to carry with them certificates showing their identities.

Article 16. The Government may, when such measures are deemed necessary from the standpoint of public interests, order the aircraft manufacturing companies to change sale prices or sale terms of aircraft, fuselages, motors, or propellers and issue orders with reference to matters required in regard to the supply of these products.

Article 17. The Government may, when such measures are deemed necessary from the military point of view, issue orders to the aircraft manufacturing companies in regard to matters enumerated in the clauses given below. The Government also may issue similar orders in regard to matters enumerated in Clauses 1 to 5 when such measures are deemed necessary from the standpoint of public interests.

1. Expansion or improvement of facilities.
2. Manufacture of the aircraft specified by the Government or the fuselages, motors, or propellers of the aircraft.
3. Researches in regard to special matters concerning aircraft and/or establishment of special facilities concerning aircraft.
4. Training of technicians for the manufacture of aircraft or the fuselages, motors, or propellers of aircraft.
5. Joint use of facilities for manufacturing aircraft or the fuselages, motors, or propellers of aircraft and/or cooperations with other aircraft manufacturing companies.
6. Preservation of materials for the manufacture of aircraft.
7. Offering of employees or factories and other facilities to be used by the Government.
8. Establishment of special plans of enterprises and/or necessary drill in regard to such plans.
9. Guard of factories and/or establishment of facilities required for preventing espionage.
10. Presentation of reference material in regard to aircraft.
11. Matters which are not enumerated in the foregoing clauses and which are considered necessary under special circumstances.

The Government shall, in accordance with the provisions of Imperial ordinance, compensate for the losses incurred owing to the orders issued in regard to Clauses 1 to 4 or Clauses 6 to 11 of the foregoing paragraph.

The orders to be issued concerning the compensation as mentioned in the foregoing paragraph shall be issued within the limits of the total amount of compensation which has been approved by the Imperial Diet as required by such orders.

When the parties concerned have failed to reach an agreement between themselves in regard to their shares of expenses required in the case of Clause 5 of Paragraph 1, the Government shall decide the matter. In case of dissatisfaction with the decision of the Government, an appeal may be made to the ordinary law court within three months following receipt of a notice about the decision.

Article 18. When the Government is about to issue orders in accordance with the provisions of Article 16 or Clause 1 of Paragraph 1 of the foregoing article, or decide the amount of the compensation as mentioned in Paragraph 2 of the foregoing article, it shall refer the matter to the commission on the aircraft manufacturing industry, except in the cases which are otherwise stipulated by Imperial ordinance.

Regulations concerning the commission on the aircraft manufacturing commission shall be determined by Imperial ordinance.

Article 19. When aircraft manufacturing companies have violated the present law or orders issued in accordance with the provisions of the present law or disposition made on the basis of the present law, the Government may suspend or restrict their business, cancel the permission granted to them in accordance with the provisions of Article 2 and/or discharge the directors or auditors performing the duties of directors.

Article 20. The present law shall be applied mutatis mutandis according to the provisions of Imperial ordinance in regard to enterprises of manufacturing parts or accessories of aircraft or materials for the manufacture of aircraft, which do not belong to the aircraft manufacturing industry as mentioned in Article I.

Article 21. Persons who have violated the provisions of Article 2 by engaging themselves in the aircraft manufacturing industry without obtaining the necessary permission of the Government shall be punished with a fine not exceeding ¥ 5,000.

Article 22. Persons who fall under one of the clauses given hereunder shall be punished with a fine not exceeding ¥ 2,000:

1. Persons who have failed to report their plans of enterprises or execute the plans of enterprises in violation of the provisions of Paragraph 1 of Article 5.

2. Persons who have executed their plans of enterprises in violation of the orders for changes in the plans of enterprises issued in accordance with the provisions of Paragraph 2 of Article 5.

3. Persons who have transferred, discontinued, or suspended their enterprises in violation of the provisions of Paragraph 1 of Article 7.

4. Persons who have violated the orders issued in accordance with the provisions of Article 16 or Paragraph 1 of Article 17.

Article 23. Persons who fall under one of the clauses given hereunder shall be punished with a fine not exceeding ¥ 500:

1. Persons who have failed to file the report as stipulated in Paragraph 1 of Article 15 or filed false reports.

2. Persons who have violated the orders issued, or the disposition made, in accordance with the provisions of Paragraph 2 of Article 15.

3. Persons who have refused, obstructed, or evaded the inspection and/or examination by the government officials concerned as stipulated in Paragraph 3 of Article 15, or refused to answer the questions asked by the government officials concerned, or made false statements in reply to their questions.

Article 24. Aircraft manufacturing companies shall not be immune from punishment for the violation of the present law or orders issued in accordance with the provisions of the present law or disposition made on the basis of the present law in regard to their business by their representatives, employees, or other workers, on the ground that the violation was not conducted under their instructions.

Article 25. The penal regulations to be applied on the basis of the present law or orders issued on the basis of the present law shall be applied, in the case of juridical persons, to the directors (riji), directors (torishimariyaku), or other officials executing the business of the juridical persons and in the case of minors or incompetent persons, to their legal representatives. However, an exception is made in regard to the minors who have the same capability as adults concerning their business.

#### Supplementary Rules

The date for the enforcement of the present law shall be determined by Imperial ordinance.

Persons who are actually engaged in the aircraft manufacturing industry or who have succeeded to the aircraft manufacturing enterprises of some other persons, at the time of the enforcement of the present law, may be engaged in the industry, in spite of the provisions of Article 2, for only one year from the day of the enforcement of the present law.

When persons who fall under the foregoing paragraph have applied for the permission as mentioned in Article 2 within the period as specified in the foregoing paragraph, they may continue engaging in the industry pending a decision on the issuance or non-issuance of the permission applied for.

When persons who fall under the second paragraph have obtained the permission in accordance with the provisions of Article 2, they shall be regarded as having obtained the permission from the year of the commencement of their enterprises and accordingly the provisions of Article 9 shall be applied to them only in regard to that portion which follows the day of the granting of the permission.

The provisions of Article 11 shall not be applied in regard to the imports made by persons who fall under Paragraph 2 before they obtain the permission in accordance with the provisions of Article 2.

## APPENDIX III

## LICENSED AIRCRAFT MANUFACTURERS

The following list shows the aircraft firms licensed under the Aircraft Industry Manufacturing Law of 1938, their capitalization, location of factories, activity for which licensed (1 - Complete airplanes; 2 - Assembly of planes; 3 - Airframes; 4 - Engines; 5 - Propellers) and their production for the year ending 30 June 1940.

Mitsubishi Jukogyo (Mitsubishi Heavy Industries Co.) Yen 120,000,000. (Not exclusively an aircraft firm). Factories at Nagoya. Licensed for 2, 3, and 4. Production 475 airframes, 1380 engines, chiefly for the Navy.

Nakajima Hikoki (Nakajima Aircraft Co.) Yen 50,000,000. Airframe factory at Ota, Gumma Pref. Engine factory at Tokyo. Licensed for 2, 3, and 4. Production 545 airframes, 1380 engines. Next to Mitsubishi in size and importance.

Kawasaki Kokuki Kogyo (Kawasaki Aircraft Engineering Co.) Yen 50,000,000. Factories at Kobe (airframes and engines) and at Kamigahara (engines). Licensed for 2, 3, and 4. Production 135 airframes, 135 engines.

Aichi Tokei Denki (Aichi Clock and Electric Engineering Co.) Yen 30,000,000. (Not exclusively aircraft). Factory at Nagoya. Licensed for 1. Production 90 airframes, 230 engines.

Tachikawa Hikoki KK (Tachikawa Aircraft Co.) Yen 25,000,000. Factories at Tachikawa, Tokyo Pref. Licensed for 2 and 3. Production 210 airframes, 90 engines.

Tokyo Gasu Denki Kogyo KK (Tokyo Gas and Electric Engineering Co.) Yen 36,000,000. (Not exclusively aviation). Main factory at Omari, Tokyo Pref. Branch factory at Haneda (Tokyo). Licensed for 2, 3, and 4. Production 35 airframes, 380 engines.

Kawanishi Kokuki KK (Kawanishi Aircraft Co.) Yen 15,000,000. Factory at Naruo (Kobe). Licensed for 2, 3, 4, and 5. Production 60 airframes, 250 engines.

Watanabe Tekkosho (Watanabe Iron Works.) Yen 15,000,000. Factory at Fukuoka. (Not exclusively aircraft). Licensed for 2 and 3. Production 95 airframes. Probably also casts engine blocks for engine manufacturers.



Nippon Kokuki (Japan Aircraft Co.) Yen 5,000,000. Factory at Yokohama. Licensed for 2 and 3. Production 25 airframes.

Sumitomo Kinzoku Kogyo KK (Sumitomo Metal Industry Co.) Yen 100,000,000. (Not exclusively aircraft.) Factory at Osaka. Licensed for 5. Production not known, but the plant probably became one of the principal suppliers of propellers.

Nippon Gakki Seizo KK (Japan Musical Instrument Manufacturing Co.) Yen 8,750,000. (Not exclusively aircraft.) Main factory at Hamamatsu. Branch factory at Yokohama. Licensed for 5. Definite production figures lacking. The plant is the oldest propeller factory in Japan, and probably divided with Sumitomo the bulk of the production.

Showa Hikoki Kogyo KK (Showa Aircraft Engineering Co.) Yen 30,000,000 (7,500,000 p. u.). Factories at Tokyo and Heijo. Licensed for 2, 3, and 4. Production 10 airframes (organized in 1933 -- had difficulty getting initial equipment from abroad).

Nippon Koku Seisakusho KK (Japan Aviation Engineering Co.) Yen 3,000,000. Factory at Hiratsuka, Southwest of Yokohama. Licensed for 2, 3, and 5. (Organized in 1937 primarily as a propeller factory).

Tokyo Ishikawajima Zosenjo (Tokyo Ishikawajima Dockyard Co.) Yen 16,000,000. (Not exclusively aircraft). Factories at Tokyo and Yokohama. Licensed for 4. Production estimated at 300 engines -- association with and contiguity to Japan Aircraft Co., increases its strength as a potential producer).

Source: M/A Tokyo #9749. March 27, 1937 - RS 2085-630; Annual Aviation Intelligence Report 1940, 9505.  
BFDC Japan: File 15720

Excerpts, pages II-101; II-112; II-113; II-114 - II-124;  
II-161 - II-169.

新護國

被告側文書第八六四

原文一頁

國務省

部外秘

第一チエツク山田  
後井花山一談  
第二チエツク  
岩井

864

中間調査及情報局

調査及解剖部

分析課

分析

調査及解剖第二五五八、二

日本軍需生産工業

第二部

航空機工業

記述

日本航空機工業の說明

檢討

及政府に依り統制の歴史・此の工業の生産

能力及生産技術の向上より見たる状況の概況

技術

檢討

一九四五年十月三十日

二、航空機工業

一、航空機生産——外形上及技術的諸相

航空機ハ日本、軍需生産計畫中最又急ヲ

要スルモノデアリ。一九四一年後ハ、工場ヲ新設シ

又新生産設備ヲ施シ、或ハ戦争計畫上緊

要度、低ク工場ノ能力ヲ更々、或ハ燃力及

材料資源ヲ航空機計畫ニ轉換シテ工場生

産ノ増加ニ異常ナル努力ガナサレタ。コレガ

依リ日本ニ於ケル航空機ノ生産ハ急激ニ増加

W.W. 864

シタガ生産高ハ米國合衆國ノ生産ニ比シテ常

ニ少イモノデアワタ。其ノ米國合衆國ノ生産

高

ハ一九四四年ノ末項ニハルハ月産約八、〇〇〇機

以上

ニ達シヤシタ。

原文ニ頁一

第三表一 日本航空機生産状況ニ関スル公式日本

報告及米國合同目標圍ノ判断

同盟

形式

ダブル・デー・エス・アイ・エス

W.D.M.I.S.

一九四五年九月四日・各種

一九四五年八月三日・航空機(戦闘機)

最低一九四二年十二月 五五〇

四二八

一九四三年十二月 一〇五四

一〇三

一九四三年十二月 一〇九六

一〇四一

最高一、九四四年五月一ニバ五七

三、〇〇四

一、九四四年十月一ニシヨ

二、四五〇

一、九四五年七月一ニシヨ

一、八五〇

注意・練習機及偵察機ヲ總生産航空機ノ五分

約(ハーパーセント)

トニ十五トマツ米國ノ判断ト日本ノ公報報告

ハ大体合ツテキル

トキ一、九四四年十二月マデ對比スルコトガデヤル

其ノ際ノ日本側ノ数字ハ米國ノ最又正シ

ノ判断ニ比シ餘リ低又過ガルキト考へ

ヤウニ

ラレル

航空機生産一、九四四年ノ標準ヲ遂行スルヲ  
被國

×ニハ日本ハ七五〇〇〇〇人以上、<sup>務</sup>勞働者ヲ使用

シテ居ソタヌト信セラレテ居ル。コノ数字ノ内

約八分一ハ婦人ゲマツタヌト考ヘラレテ来タ。

分析

(調査及解剖第三七一、<sup>産業分布</sup>産業別日本人口表ヲ見

ヨ)

x  
x x  
x x  
x x  
x

2. 航空機<sup>工業</sup>生産機種

一、略史

日本航空機工業ノ<sup>次</sup>盤錫、第一世界戦争

ト同時デアル。コノ最中、少シ前、日本ハ

歐西維巴ニ於ケル空中戰發達ヲ研究シテ陸

海軍コ人ヲ佛國ニ送ラタ。一九一七年カラ一

九一八年ニ至リ中島・三菱・民間會社及海

軍工廠カ先ヅ航空機工場ヲ建テタ。是等

工場ハ日本ガ技術的進歩ニ應ジテ居ラタ。

外國ノ規模ニ見做ラタモノアリ。斯ク外

一 英國 佛國 獨逸 及 米國

國ノ機械ノ模倣或ハ採用ヲ果シテ後列強ニ劣ラズ

ハナリツ、アツタガ第二世界戰爭ノ直前

迄々尚ホ其大部分ヲヤクシ。一九三七年末

ニナルト日本人ハ日本人ノ創案ノ飛行機ニ三種

自身設計

相当多ク繼續サレタ

上ノ Hirof

製造ニ成功シテ居タ。

××××× 新會社ハ組織セラレ既存ノ會社！

三菱・中島及川崎一ハ擴張セラレタ。滿洲

一攻略ト共ニ日本ハ自國<sup>設計</sup>創業<sub>機械</sub>ヲ

創ルノニ懸命デアツテ遂ニ一九三七年ハ成功

ニ到達シタノデアフタ。而シテ又、アルミニウ

ム及マグネシウム工業が最初ニ發達シタノモ

コノ時以ノ末期ノコトデアフタ(一九三四年)

一九三五年)

×××××



日本、海軍省ノ言フトコトニ依ルト、一九三八年

又一九三九年ニハ日本、航空機工業、市市七十

乃至

パーセント

ハ七十五ハ民間工業デアツタ。コノ時期ニ

製衣作セラレタ可成、<sup>(備)</sup>製又ハ機種ハコノ戦争

ノ當初ニ於ケル日本航空兵力ノ中核ヲナシ

夕。

x  
xx  
x  
xx  
x

三、政府ノ奨励・航空機製造事業法

航空機工業ニ就テ、政府ノ関心ハ近年

間断ナキ

強マフタ。xxxxxx 其ノ結果トナシ。

能力を疑はしむ信用を置かれ航空

機製作業者等が日本各地に族出

シタ。軍計畫上ニ於ケル工業ノ重

要ナルト具ノ統制ノ必要ナルコトヲ感

シタ政府ハ一九三八年、航空機製作

事業法ヲ制定シテ、機体ノ重量三

五〇匹ヲ超ユルモノ及發動機ノ衝程

容量三〇五〇立方センチヲ超ユルモノ

製作ニ従事スル会社ハ總テ政府ノ

認可ヲ要スルコトナシタ。而シテ資

本金三百萬圓ヲ起正、年産機件百

若クハ

噸、糸動機或、プロペラ等、三百基ノ

能力ヲ有スル會社が認可セラレタ。生

産上ニ於ケル政府ノ統制ノ代償トシテ、

認可ヲ受ケテ會社ハ多額ノ保奨勵金

ヲ受ケ、免稅セラル及輸入上ノ特權

が與ヘラレル便宜がアツタ。コノ法律ハ

特ニ

規定スル特異ナル点ハ以下ノ通りナ

アツ。

政府ノ統制。

1210 864

11

(1) (2) 政府の仕様書ヲ決定シ、價格

條件及飛行機ト部品ノ供給ヲ統

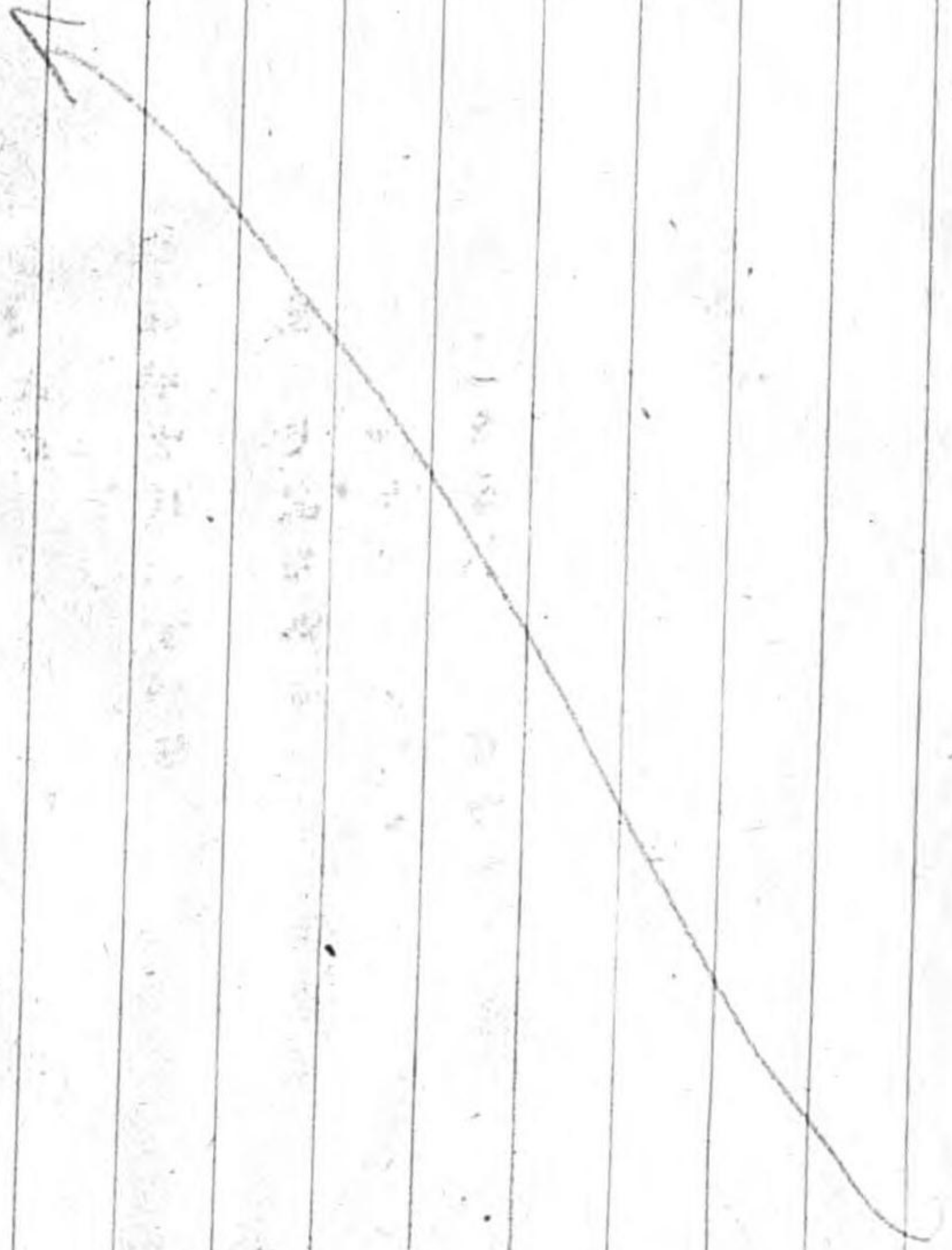
制シ、會社ヲ或ハ合併又或ハ解散シ

一原文四頁

又ハ是等會社ノ生産品ノ全部

或ハ一部ヲ他ニ移シ、中止シ或ハ一時

停止スルコトガ出來ル。



11

(1) 12  
辯護圖書(六四)

第一卷ノ 秋田  
和ニキニノ 石井  
譯 海老原 隆  
12

買

44864

政府ノ軍條令ニ基キ工場擴張、製法研究、技術者養成、他工場トノ協力、資材貯藏、工場従業員設備ノ徵用、警備又防諜ニ関シ訓令ヲ發スルコトヲ得

(三) 土地ハ工場又ハ耕作地ニ充用スルコトヲ得  
其他ノ用ニ備置  
或ハ飛行場ノ用

製造業者ノ特典

(二) 政府ノ製造業者ニ損失ヲ補償ス

従前日本ニ於テ製造カレタル飛行機部与品

及材料ニ對シテハ獎勵金ヲ交付サル

(一) 製造業者ハ一定ノ條件ニヨリ六箇年間所得

稅營業收益稅、地方稅ヲ免除セラル

四頁 該工業用、<sup>器具</sup>機具、輸入税ハ五箇年間廢止  
セルル

(三) 工場擴張ノ爲、資本増加及設備<sup>購入</sup>費收、<sup>為</sup>二

法律規定<sup>度</sup>カレタル<sup>度</sup>期限ヲ超<sup>レ</sup>ル社債ノ發行ヲ

爲<sup>ス</sup>コトヲ得

雜項

(二) 航空機製造業<sup>ノ</sup>組立業<sup>ニ</sup>對シ 認<sup>許</sup>

五箇年<sup>ノ</sup>發行セル

(三) 航空機技術委員會<sup>ハ</sup>逓信大臣<sup>ノ</sup>下ニ二十名<sup>ノ</sup>委員

ヲ以テ組織セルル。本委員會<sup>ハ</sup>航空機ノ規格化<sup>ヲ</sup>

セラル。目的トス<sup>ル</sup>政府<sup>ハ</sup>命令<sup>ニ</sup>違反セル會社<sup>ハ</sup>  
規程

五百圓<sup>ヨリ</sup>二箇圓<sup>迄</sup>ノ罰金<sup>ニ</sup>處セルル(上述法律)

四頁 本文 附屬 卷二 卷三

五 製造ノ集中

NW 864

此等ノ處置ヲトシテ如何ナル理由ヲ如何ニ爲スニ係ラズ

總テ、軍用航空機及民間航空路用ノ比較

的軍用セテラザル多數ノ航空機ノ製造業者ハ

十四、許可會社、予ニ集中セラレタリ(附屬書)

予ニ當基礎許可會社ニ關スル詳細卷照

此等ノ會社ハ全部ノ機體發動機及パイロ等

ノ製造ニ付許可セラレ。他ノ製造業者ニ對スル

組立部分ノ下請ニ獎勵セラレ。

五 設置 造兵廠

許可ヲ受ケタル民間會社ノ製造ニ加フルニ

五頁

五頁 廣 橫須賀、佐世保等、海軍航空機工場、

少クトモ<sup>多</sup>少量ノ製造能力ヲ有ス。最近此等ハ其

WW864

活動ヲ<sup>下</sup>進テ 研究、実験、試験、及最近發展セル民間

規範

大量生産<sup>定</sup>ニ對スル模型、製作ニ限リト信セ

ヲ<sup>下</sup>進テ 進シ

佐世保(工場)ハ單々發動機、フドー型戦闘機ヲ

生産ス。

製造ス。大村(工場)ハ發動機、及組立羽根板製

製作

航空機組立

作<sup>上</sup>設備ヲ有ス。東京府、立川陸軍飛行

航空

機<sup>上</sup>廠ニ在リテ一<sup>言</sup>ヲ要スル。同廠ハ航空機製

全生産中、其一部少數ヲ担当セル方。

造<sup>上</sup>ノ割當ハ少量ニテ、相當重要ナル新機

型ノ研究ヲ進シテ居リ。

型ノ研究ヲ進シテ居リ。

頁未段

航空機及



主頁 奔動機、大量生産を爲す爲に「ユロイ」

爆撃機、新中島木マレコ、<sup>二二二</sup>奔動機、<sub>廣</sub>工場に於て

WW 864

新製造セラシカ

六 許可會社の性質

許可會社の三種の型 <sup>カアロ</sup> 一 組立會社

綜合

即ち其製作する航空機、主要なる組成部分

大部分を自己工場に於て製作する會社

他の特殊なる航空機組成部分に専門的

製作する會社 <sup>ニテナク</sup> 最も重要なる組成會社

綜合

三菱重工業、中島飛行機、川崎航空機以後

知時計電機會社等 <sup>ニテナク</sup> 三菱及中島、日本

航空機 <sup>ト</sup> 自給を以て <sup>關</sup> 聯する <sup>ヲ</sup> 持ツ <sup>ニテナク</sup> 航空機 <sup>ト</sup> 自給を以て <sup>關</sup> 聯する <sup>ヲ</sup> 持ツ <sup>ニテナク</sup>

研究九々發達

製衣

設計及ヒ

1060864

日本航空機製造ハ研究生車試験ニ適當

ナル施設ヲ為スニ非ラザレバ外國品ニ數年ノ後シ

ヲトレル狀態ヲ繼續スヘキコトヲ知ツテ政府ハ

一九二八年  
東京帝國大學ヲ指導ノ下

航空工

所

所

ニ飛行研究所ヲ創立シタリ。実験研究九々

同時ニ陸海軍航空部ニヨリ創立セラレタリ。

民間大製造業者ハ陸軍又ハ海軍ノ何レカ特

ニハ双方ノ爲ニ働リ自己ノ研究九々企画ヲ

設計

有シタリ。陸海軍ハ航空機會社ニ軍用新航

空機ノ實驗ト發展ニ関シ激烈ニ要求ヲ為シ

大ナル

且ツ着手サレタル實驗ヲ補償スル爲メ注文ヲ

実施也

ニ對シ之ニ報スル

WU 864 (84)  
19

19

六頁 割當ワルコストニ努力シタリ。理論上ハ此等ノ機關

ハ日本ノ航空ノ進歩キ付キ密接ナル

ハ相互同ノ連絡

キ動カヘキモリナリキ 事實ニ整合一致ヲ欲キ

政府ハ之ヲ救フ為メ一九三ハ一三九年

豫算ニ於テ 遞信省ヲ航空局ノ下ニ航空研

究協會ヲ創設スル 爲メ五拾萬圓ノ基金ヲ

計上セリ 其目的ハ從來ヨリ新ラシク具

備セタル施設ヲナス外

良質ノ備品ヲ準備ニ加フルニ航空士團タル

總テノ研究ノ整合一致ノ爲メ中央ノ支脚

機構ヲ準備スルニ限リ

全計画ノ費用

一億三千萬圓ナリキ

テアワタ

テアワタ

テアワタ

テアワタ

+ + + + +

頁六

(a) 一九四一(昭和十六年)年ニ活動セル協會

組織

(一) 航空研究協會 駒場ニ所在ス

東京 西郊 山手線澁谷驛ヨリ西方ニマ

イル。地

其ノ仕事ハ最初純粹ナル科學的研究ニ限リ

レタルモ 次ニ其發見ヲ 現象ノ飛行機設計ニ

航空

事實ニ適用タルコトトナシタリ

應用

物理

資料

十二部門あり 即チ 醫術 化學 冶金 風洞

作業 發動機 航空機體 機械 生理學 構造

テイクセル 發動機 及 フロウパイプ 等ヲ 夫々 分担

レタ。

第一卷ノ  
第二千エック  
山田

Translated by Manijya

p. 1

裝備ハ一九三九年ノ昭和十四年ニ於テ新式ト思ハレタガ外國

テ使用サレタモノニトスル前ニ凌駕サレテキタ。此ノ協會

ノ重要ナル仕事ノ若干ハディーゼル機関ノ方面デアリキツテ此ノ

機關ノ設計ハ三菱へ引渡シテ製作サレ一九三七年ノ昭和十一年ニ

東京カラ倫敦マデ飛行シタ長距離神風號ノタメニ設計サレタ

ニモ採リ入レラレタ。  
x x x x x x

該省ハ航空機ニ関シ特ニ強調シテ此ノ方策ヲ遂行スル

タメニ出達シタモノデ航空機及關係事業ニ関シ陸海軍兩

省カラ凡テニ省ノ前行政機關ヲ接收シテ航空兵器局ガ

同省内ニ創設サレタ。此ノ移讓ハ一九四四年ノ昭和十九年

一月十五日附ヲ以テ實施サレタガ此ノ責任ノ轉移ト謂フ

研究所

其製作ノ局サレ

重点ヲ置キ

創設サレ

從來行政上ノ業務ヲ一切

官

スモノ如クニ着ヘ

ル様ニナツ

ヨリ、寧ろ協力ヲ表示スル様ニ思考サレタ。其ノ理由ハ  
同局…主トシテ陸海軍將校ニ依ツテ占メラレテ斗ク、カラテアル

陸軍中將遠藤三郎が同局長官ニ任命サレタ。

(11) 航空工業會…半官同業者組合

此設  
新省が事務ヲ開始シタトキ、航空機補充生産ヲ整調スル  
ニ關スル

連絡ヲ計ル

タメニ航空工業會が一九四四年ノ昭和十九年ノ一月十六日

ニ組織サレタ。同會ノ組織サレタコトハ、日本政府が令指

主義ノ一元化ヲ計ル

ヲ統一シ且シ重点的組織ヲ集中シテ、航空機生産ノ増大

ヲ望シタコトヲ表示シタ。同會及他<sup>其ノ</sup>業<sup>主</sup>中ノ類似者ニ  
ニ於テ同種

關スル細目權限ハ、一九三八年ノ昭和十三年ノ、國家總動員法、

及特ニ一九四一年ノ昭和十六年ノ、九月一日附主要事業団体令

HW864 23

カラ取

軍

カラ得たモノである。

23

P.3

区分、左ノ通り

デアンク。

該省航空兵器局ハ同會へ割當テラレル

托スヘキ

總括的生產目錄ヲ立案レタ。同會ハ生產統制資金

所要

事務

材料及必需勞務等、供給及同會員事業間ノ目錄割當ニ

生産豫定

對シ其分野内ニ於テ責任ヲ担ジタ。其ノ半官的名稱及

性格

ヲ負担シ

ニ於ケル

分割ニ拘テ同會ハ事實上此ノ分野ノ事業的指導者

ニ依テ支配サレ本質的ニ全ク一個ノ商業機關デアンク。

性質

斯ル支配ノ種類ハ同會ノ歴史上ニ又其ノ職員ノ分析

ニ依ルコトニ依リ

ニ於テ明カキヤル

x  
x  
x  
x  
x  
x

W.W. 864

P. 24

附錄 第二

航空機製造事業法

(一九三八年) 昭和十三年三月十一日官報ヨリ採リタル全文、

譯文)

第一條 本法ニ於テ航空機製造事業ト稱スルハ命令ヲ以テ定ムル航空機又ハ其ノ機体・發動機若ハプロペラノ製造ヲ為ス事業ヲ謂フ。

前項ノ事業ヲ營ム者、為ス航空機ノ部分品若ハ附屬品、製造其ノ事業者、用フル航空機材料、製造又ハ航空機ノ修理ハ之ヲ當該事業ノ一部ト看做ス。

第二條 航空機製造事業ヲ營マントスル者ハ政府ノ許可ヲ受クベシ。

P. 4 24



W62864

P. 8

25

第三條 前條ノ許可ヲ受クルコトヲ得ベキ者ハ帝國法令ニ依リ

設立シタル株式會社ニシテ其ノ株主ノ半数以上取締役ノ

半数以上資本ノ半額以上及議決權ノ過半数ガ帝國臣民

又ハ帝國法令ニ依リ設立シタル法人ニ屬スルモノニ限ル。

前項ノ法人ハ其ノ社員株主若ハ業務ヲ執行スル役員ノ

半数以上又ハ資本ノ半額以上若ハ議決權ノ過半数ガ外國人

又ハ外國法人ニ屬セザルモノナルコトヲ要ス。

前條ノ許可ヲ受ケタル者前ニ項ノ規定ニ該當セザルニ

至リタルトキハ許可ハ其ノ効力ヲ失フ。

第四條 第二條ノ許可ヲ受ケタル会社ハ政府ノ指定スル期間

内ニ其ノ事業ヲ開始スベシ。

25

P. 5

W1864

P.8 26

26

P.6

政府ハ正當ノ事由アリト認ムル場合ニ限リ前項ノ期間ノ  
延長ヲ許可スルコトヲ得。

第二條ノ許可ヲ受ケタル會社前二項ノ期間内ニ其ノ  
事業ヲ開始セザルトキハ第三條ノ許可ハ其ノ効力ヲ失フ。

第一卷ノ秋田(45)

笠原翻譯

第二卷ノ

岩村

27

第五條 航空機製造事業ヲ營ム會社(以下

航空機製造會社ト稱ス)ハ命令ノ定ムル所ニ依リ

事業計畫ヲ定メ政府ニ之ヲ届出ヅヘシ之ヲ

亦変更セムトスルトキ亦同ジ

政府必要アリト認ムルキハ事業計畫ノ変更ヲ

命スルコトヲ得

第六條 政府ハ航空機技術委員會ノ議ヲヘテ

航空機ノ機体、發動機、プロペラ、部品、

材料又ハ附屬品ニ付其ノ規格ヲ定ムルコトヲ得

航空機製造會社ハ前項ノ規定ニ依リ規格ヲ

定メタルモノニ付テハ規格ニ適合スルモノニ非サルハ之ヲ

九 WW864  
28

製造又ハ使用スルコトヲ得ズ。但シ政府ノ許可ヲ受ケ

之ノ製造又ハ使用ニ関シ

タルモノニ付テハ此ノ限リニ在ラス

航空<sup>(機)</sup>技術委員會ニ関スル規程ハ勅令ヲ以テ

之ヲ定ム

第七條 航空機製造會社其ノ事業ノ全部又ハ

一部ヲ讓渡シ、廢止シ、又ハ休止セシトスルトキハ命令ノ

定ム所ニ依リ政府ノ許可ヲ受クベシ。

航空機製造會社ノ合併又ハ解散ノ決議ハ

命令ノ定ム所ニ依リ政府ノ認可ヲ受クルニ非サレハ

其ノ效力ヲ生ゼス。

28

九 NW 864  
29

第八條 航空機製造事業ハ土地收用法

第二條ノ土地ヲ收用スルコトヲ得ル事業トシ

同法ヲ適用ス

第九條 航空機製造會社ニハ勅令ノ定ムル

所ニ依リ第三條ノ許可ヲ受ケタル年及其翌年

ヨリ五年間其ノ事業ニ付所得税及營業收益税

ヲ免除ス

第十條 北海道 府県及市町村其ノ他之ニ

準スヘキモノハ前條ノ規定ニ依リ所得税及營業

收益税ヲ免除セラレタル航空機製造會社ニハ其ノ

免除セラレタル事業ニ対シ課税スルコトヲ得ス但シ特別

3

29

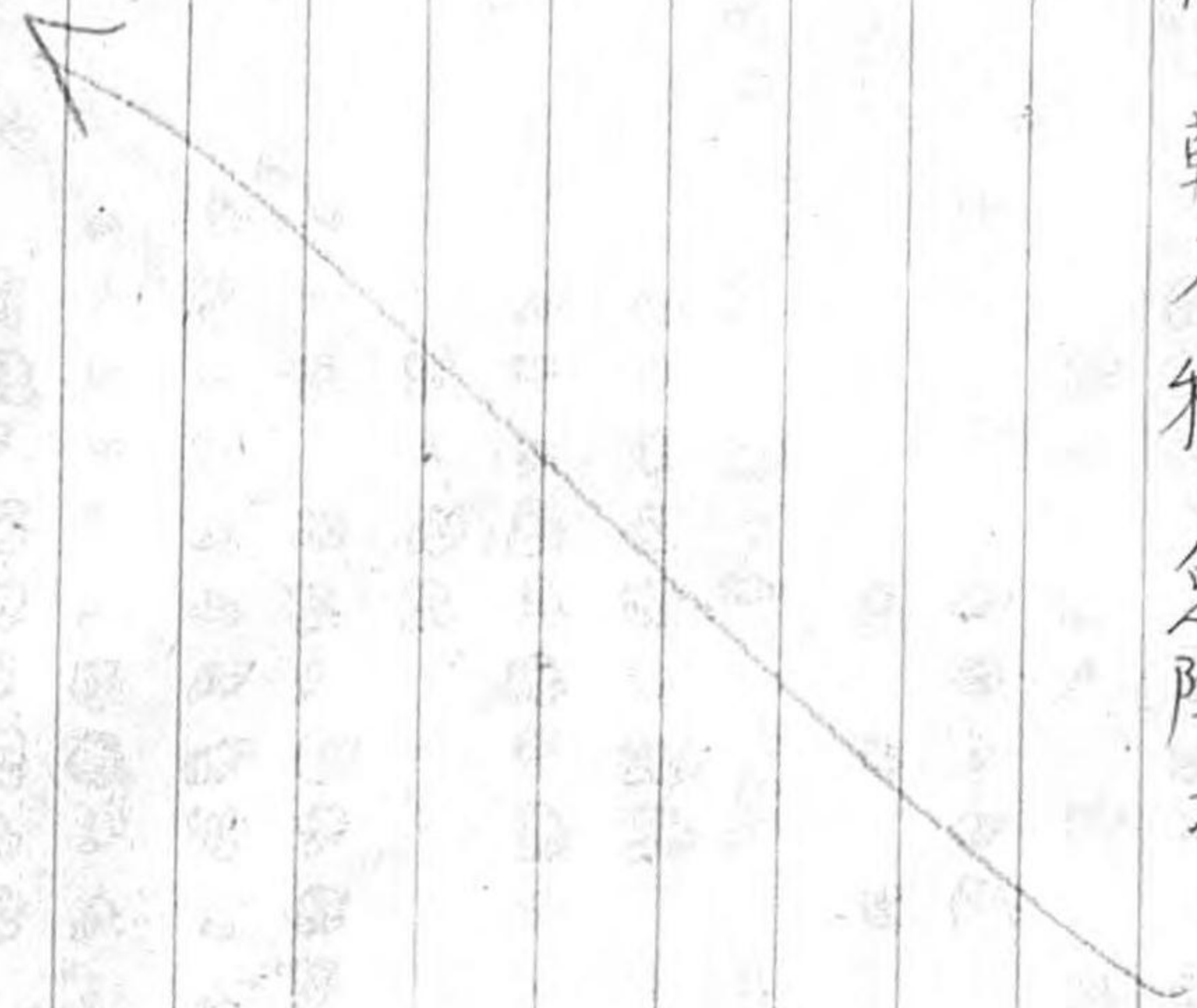
MM 864  
九 30

ノ事情ニ基キ政府ノ認可ヲ受ケタル場合ハ此ノ限ニ  
在ラス

第十一條 航空機製造會社其ノ事業ノ爲ニ  
要ナル器具、機械又ハ材料ヲ政府ノ認可ヲ受ケ輸入  
スルトキハ本法施行ノ日ヨリ五年間勅令ノ定ムル所  
依リ輸入税ヲ免除ス

30

4



WW864  
31

辯護團側文書ハ六四

第一ノエフ 岩本

譯者 石坂

第二ノエフ 山田

第十二條

航空機製造會社本邦に於て未だ製造セラレタルコトナキ航空機又ハ

其ノ機体、發動機若ハプラペラノ製造ヲナス場合ニ於テハ政府ハ

命令ノ定ムル所ニ依リ豫算ノ範圍内ニ於テ之ニ奨勵金ヲ交付ス

ルコトヲ得航空機ノ部分品、材料又ハ附屬品ニシテ本邦ニ於テ未ダ

製造セラレタルコトナキモノヲ製造スル場合亦同ジ。

第十三條

航空機製造會社ノ事業擴張ノ場合ニ於テ政府ノ認可ヲ受ケ

其ノ事業ニ屬スル設備ノ費用ニ充ツル為ニ株金金額拂込

前ト雖モ其ノ資本ヲ增加スルコトヲ得。

第十四條

航空機製造會社ハ政府ノ認可ヲ受ケ其ノ事業ニ屬スル設

備ノ費用ニ充ツル為ニ商法ニ規定スル制限ヲ超エテ社債ヲ券

集スルコトヲ得、但シ社債ノ總額ハ拂込ミタル株金額ノ二倍

ヲ超スルコトヲ得ズ。

且取終ノ貸借対照表ニ依リ會社ニ現存

2.

スル財産ガ掛込ミタル株金額ニ滿タザルトキハ前項ノ規定ヲ適

用セズ。

第一項ノ規定ニ依リ募集スル社債ニ付テハ工場

抵當法ニ依リ會社ノ事業ニ屬スルモノヲ抵當ト為スコトヲ

要ス但シ特別ノ事情アル場合於テ政府其ノ必要ナレト

認メタルトキハ此ノ限ニ在ラス。

第十五條

政府ハ航空機製造會社ニ對シ業務及財産ノ状況ニ關シ

報告ヲ為サシムルコトヲ得。

政府ハ航空機製造會社ニ

對シ業務及會計ニ關シ監督上必要ナル命令ヲ發シ又ハ

處分ヲ為スコトヲ得

政府監督上必要アリト認ムルト

キハ當該官吏ヲシテ航空機製造會社ノ事務所、營業



第十六條

所、工場、倉庫其ノ他、場所ニ臨檢シ、業務若ハ財産ノ状  
 況又ハ帳簿書類其ノ他、物件ヲ検査セラルコトヲ得、此ノ場  
 合ニ於テハ、其ノ身分ヲ示ス證票ヲ携帯セラルベシ。

政府ハ公益上必要アリト認レルトキハ航空機製造會社ニ  
 對シ航空機又ハ其ノ機体、發動機若ハプロペラノ販賣、  
 價格若ハ販賣條件ノ變更改ヲ命ジ又ハ此等製品ノ供  
 給ニ関シ必要ナル事項ヲ命ズルコトヲ得。

第十七條

政府ハ軍事上必要アリト認レルトキハ航空機製造會社ニ對  
 シ左ノ各號ニ掲グル事項ヲ命ズルコトヲ得、政府公益上必要  
 アリト認レルトキ第一號乃至第五號ニ掲グル事項ニ付亦同ジ  
 一、設備ノ擴張又ハ改良

二、政府ノ指定スル航空機又ハ其ノ機体、發動機若ハプロペラノ製造  
ペラノ製造

三、航空機ニ関スル特殊事項ノ研究又ハ特殊設備ノ施設

四、航空機又ハ其ノ機体、發動機若ハプロペラノ製造

技能者ノ養成

五、航空機又ハ其ノ機体、發動機若ハプロペラノ製造ニ関

シ設備ノ共用其他他ノ航空機製造會社ニ対スル協力

六、航空機用材料ノ保有

七、從業者又ハ工場其他ノ設備ノ政府ニ対スル供用

八、特殊志事業計畫ノ設定又ハ其ノ計畫ニ付必要ナル

演練

4

九、工場ノ警備又ハ防諜上必要ナル施設

十、航空機ニ関スル資料ノ提出

十一、前各號ニ掲グルモノヲ除クノ外特ニ必要ナル事項

前項第一號乃至第四號又ハ第六號乃至第十一號ノ

命令ニ因リ生ジタル損失ハ勅令ノ定ル所ニ依リ政府之ヲ

補償ス。前項ノ補償ヲ伴フベキ命令ハ之ニ因リ要ス

ベキ補償金ノ總額ガ帝國議會ノ協賛ヲ經タル

金額ヲ超エザル範圍内ニ於テ之ヲ為スコトヲ要ス。

第一項第五號ノ場合ニ於テ費用ノ負擔ニ付當事者間

ニ協議調ハザルトキハ政府之ヲ裁定ス、裁定ニ對シ不服アル

者ハ裁定ノ通知ヲ受ケタル日ヨリ三月内ニ通常裁判所ニ

出訴スルコトヲ得。

第十八條 政府第十六條若ハ前條第一項第一號ノ命令又ハ前條第二項ノ

補償金額ノ決定ヲナサントスルトキハ勅令ニ別段ノ規定アル場

合ヲ除クノ外航空機製造事業委員會ノ議ヲ經ベシ、

航空機製造事業委員會ニ關スル規定ハ勅令ヲ以テ之ヲ  
定ム。

第十九條 航空機製造會社本法若ハ本法ニ基キテ發スル命令又ハ之ニ

基キテ為ス處 之ニ違反シタルトキハ政府ハ其ノ業務ヲ

停止シ若ハ制限シ、第二條ノ許可ヲ取消シ又ハ取締役若ハ

其ノ職務ヲ行フ監査役ノ解任ヲ為スコトヲ得。

第二十條 航空機ノ部分品、材料又ハ附屬品ノ製造事業ニシテ

W 864

第一條ノ航空機製造事業ニ屬セザルモノニ関シテハ勅令ノ定ムル所ニ依リ本法ヲ準用ス。

第二十一條 第二條ノ規定ニ違反シ許可ヲ受ケズシテ航空機製造事

業ヲ營ミタル者ハ五千円以下ノ罰金ニ處ス。

第二十二條 左ノ各號ノ一ニ該當スル者ハ二千円以下ノ罰金ニ處ス

一 第五條第一項ノ規定ニ違反シテ事業計画ノ届出ヲ

為サズ又ハ届出デタル事業計画ヲ實施セザル者

二 第五條第二項ノ規定ニ依リ變更命令ニ違反シテ

事業計画ヲ實施シタル者

三 第七條第一項ノ規定ニ違反シテ事業ヲ讓渡シ、廢止

シ又ハ休止シタル者

WW864

8

四、第十六條又ハ第十七條第一項ノ規定ニ依ル命令ニ違反  
シタル者

第二十三條

左ノ各號一ニ該首スル者ハ五百円以下ノ罰金ニ處ス

一、第十五條第一項ノ規定ニ依ル報告ヲ為サズ又ハ虚偽ノ  
報告ヲ為シタル者

二、第十五條第二項ノ規定ニ依ル命令又ハ處分ニ違反シタ  
ル者

三、第十五條第三項ノ規定ニ依ル當該官吏ノ臨検検査  
ヲ拒ミ妨ゲ若ハ忌避シ又ハ其ノ質問ニ對シ答辯ヲ

為サズ若ハ虚偽ノ陳述ヲ為シタル者。

第二十四條

航空機製造會社其ノ代理人、雇人其ノ他ノ從業

者か其ノ業務ニ関シ本法若ハ本法ニ基キテ發スル命令又ハ  
 之ニ基キテ為ス處分ニ違反シタルトキハ自己ノ指揮ニ出テ  
 ザルノ故ヲ以テ其ノ處罰ヲ免ルルコトヲ得ズ。

第二十五條

本法又ハ本法ニ基キテ發スル命令ニ依リ適用スベキ罰則ハ  
 其ノ者か法人ナルトキハ理事、取締役其ノ他ノ法人ノ業務ヲ  
 執行スル役員ニ、未成年者又ハ禁治産者ナルトキハ其ノ  
 法定代理人ニ之ヲ適用ス 但シ營業ニ関シ成年者ト  
 同一ノ能力ヲ有スル未成年者ニ付テハ此ノ限ニ在ラズ。

附則

本法施行ノ期日ハ勅令ヲ以テ之ヲ定ム。  
 本法施行ノ際現ニ航空機製造事業ヲ營業ム者又

NW 864

40

ハ其ノ事業ヲ繼承シタル者ハ本法施行ノ日ヨリ一年ヲ

限リ第二條ノ規定ニ抱ラズ其ノ事業ヲ営ムコトヲ得。

10

40



辭護團創文書八六四

秋田譯

第一卷  
第二卷  
石井  
岩村

41

第十三頁

010864

前項該者ノ者前項

于示セル期間内ニ第貳條

記載シタル許可ヲ申請セル

トキハ申請ニ對シ許

可或ハ却下ノ決定アル

迄事業ヲ繼續シ得ル

モトトス。

第九條ノ規定ハ  
第貳項該者ノ者第

貳條ノ規定ニ基ツキ許可ヲ

取得セルトキハ右ノ者事業ヲ

開始ノ年ヨリ許可ヲ

辭護團側文書八六四

42

2

42

第十三頁

取得（付テタル年ト）セルモイト見（着）做シスモイトス。

隨テ第九條ノ規定ハ許可

支附ノ日（以後）後續スル部分ニ

（付テ）適用スザルモイトス。

第十一條ノ規定ハ第貳

項（ニ掲グル）該事ノ者ガ第貳條ノ規定ニ

據ル許可（付テ受クル）前（付テ）ニ為（ス）ル

輸入ニ（付テ）對シテハ適用セザルモイトス。

附屬書第II号

指定航空機製造業者

W 864

第十三頁

1212864

一九三八年、航空機製造

事業法ニ基キ許可ヲ受ケ

タル航空機製造會社、其投下資本

工場ノ位置、許可サレタル常

業(一)航空機完成品。(二)航

空機ノ組立。(三)航空機ノ

機体。(四)發動機。(五)プロペラ

及ヒ一九四〇年六月三十日ヲ以テ

終ルル年度ニ對スル其生産高

等ハ次表ニ示ス通りナリ。

辯護團側文書八六四

44 4

44

第十三頁

1212864

三菱重工業 7 兆億貳千万円。

(航空機 三菱重工業株式会社)  
專業會社ニアラス)

工場 名古屋 二、三及七

四ニ對シ 指定<sup>許可</sup>サル。 生産高

航空機々体 四七五、發射機

一三八〇。主トシテ海軍用。

中島飛行機 (中島飛行

機株式會社) 五千万円。

機体工場 群馬縣太田。發

動機工場 東京。二、三及七 四二

辯護團側文書八六四

45

45

第十三頁

對之指定 許可

生産高機

NRW 864

体五四五、發動機一三八〇。

規模及之重要性 = 於三菱 =

次が。

川崎航空機工業 (川崎)

航空機工業株式會社

五千万円。工場 神戸 (機体)

(KAWASAKI)

及之發動機。外 = 各務原 (發)

動機) = 三及之四 = 對之指定 許可

生産高 機体一八五、發動機

一三五。

第十三頁

NR 864

愛知時計電機(愛知時計

計電機工業株式會社)

參千五百日。(航空機專業ニアラス)

工場名古屋。一ニ對シテ指定許可

生産高 機体九〇。發動機

二三〇。

立川飛行機株式會社

貳千五百萬日。工場東京

都下、立川。二及ヒ三ニ對シ

指定許可。生産高 機体二一〇、

發動機 九〇。

辯護團側文書八六四

47

47

第十三頁

NW 864

東京瓦斯新電氣工業

株式會社。 參千六百萬円。

(航空機 專業 = アラズ) 本工

場 東京都下 大森。 分工場

羽田(東京)。 二、三及七 四 =

對之 指定 許可 生産高 機体

三五、發動機 三八〇。

川西航空機株式會社。

資千五百万円。 工場 鳴尾(神戸)。

二、三、四及七五 = 對之 指定 許可。

辯護團側文書八六四

48

48

第十三頁

生産高

機体六〇。

發動機

二五〇。

HW 864

渡辺鉄工所。

壱千五百万円。

工場福岡。

(航空機專業ニアラス) 二及ヒ三ニ

對シ指定<sup>許可</sup>。

生産高機体九五。

恐ラク各發動機製造業<sup>者用トシテ</sup>ニ對シ

ル發動機鑄造<sup>物</sup>部分<sup>品</sup>ヲモ製

作シタルモノト看ラル。

第十四頁

日本航空機株式會社。

五百万円。

工場横浜。二及ヒ



辯護團側文書八六四

49

49

9

第十四頁

三ニ對シ 許可 指定。 生産高 機体ニ五。

WLR 864

住友金屬工業株式會社。

壹億圓。(航空機專業ニアラズ)

工場大坂。 五ニ對シ 許可 指定。 生産

高不詳、但シ右工場ハ恐ラノ 主要

プロペラヲ供給者ノ 一ツト ナリシモノ  
ト着ラシ。

日本樂器製造株式會社。

八百七十五萬圓。(航空機專業ニ

アラズ) 本工場 茨松、分工場

辯護團側文書八六四

49

49

9

第十四頁

三ニ對シ 許可 指定。 生産高 機体ニ五。

NR 864

住友金屬工業株式會社。

壹億圓。(航空機專業ニアラズ)

工場大坂 阪 五ニ對シ 許可 指定。 生産

高不詳、但シ右工場ハ恐ラノ 主要

プロペラキ供給者ノ 一ツト ナリシモノ  
ト着ラシ。

日本樂器製造株式會社。

八百七十五萬圓。(航空機專業ニ

アラズ) 本工場 茨、松、分工場

第十四頁

横浜。五 = 對<sup>許可</sup>シテ指定。生産高ノ

的確<sup>シ</sup>數字ナシ。右工場ハ日

本ニ於ケル最古ノプロペラ<sup>ト</sup>工場

ニシテ、恐<sup>ラ</sup>ク此種<sup>プロペラ</sup>生産ノ大部分<sup>カラ</sup>

住友ト令担<sup>セ</sup>ルモノト着<sup>ラ</sup>ル。

昭和飛行機工業株式會

社。資<sup>本</sup>千<sup>萬</sup>圓（七百五十<sup>萬</sup>圓拂

込<sup>済</sup>）。工場 東京及ヒ平城<sup>場</sup>。

二、三及ヒ四 = 對<sup>許可</sup>シテ指定。生産

高機体一〇（一九三八年創立

第十四頁

— 海外ヨリ \* 初期施設用機材

\* 取寄 = 困難セリ。

WHL 864

株式會社 日本航空製衣

作所。 参。百万円。 工場 平

塚。 横浜<sup>ノ</sup>南西方 = 三及ヒ五 =

壽<sup>許可</sup> 指定。 (一九三七年創立)

元来 プロペラ<sup>ト</sup> 製衣 造工場 トシテ

成立ヲ見<sup>タルモノ</sup>。

東京石川島造船所。

壹千六百万円。(航空機專業 =

辯護團側文書八六四

52

52

第十四頁

アラズ。工場 東京及横浜。四

ニ對シテ 許可 指定。生産高 発動機

矢多〇〇台ト推定 サレ——日本航

空機會社トノ提携ヲ連絡ニ依リ

有カトナル 潜在的 生産者トシテ 機能ヲ

強化 セシモノト見ユル。

典據

源泉資料 以 東京第1

九七四九号。一九三七年三月二十七日

RS二〇八五一六八〇。一九四五年度

航空情報年報、九五〇五。

ALW 864

辯護團側文書八六四

53

53

第十四頁

B F D C 日本

綴一五七二〇

拔萃 II一〇一 II一一二

II一一三 II一四一 II一四四

W 864

II一六一一 II一六九頁