

Restricted

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Staff Judge Advocate

Yokohama, Japan
4 May 1948

UNITED STATES OF AMERICA VS JUNSAURO TOSHINO
UNITED STATES OF AMERICA VS SHUSUKE WADA
UNITED STATES OF AMERICA VS KAZUTANE AIHARA.
UNITED STATES OF AMERICA VS SHIN KAJIYAMA.
UNITED STATES OF AMERICA VS SUKETOSHI TANOUÉ.
UNITED STATES OF AMERICA VS JIRO UEDA
UNITED STATES OF AMERICA VS HISAO YOSHIDA
UNITED STATES OF AMERICA VS RISAKU KOBAYASHI
UNITED STATES OF AMERICA VS SHO HATTORI.

Review of the Staff Judge Advocate

1. The attached record of the common trial of Junsaburo Toshino, Shusuke Wada, Kazutane Aihara, Shin Kajiyama, Suketoshi Tanoue, Jiro Ueda, Hisao Yoshida, Risaku Kobayashi, and Sho Hattori at Yokohama, Japan, from 10 March 1947 to 9 May 1947, by a Military Commission appointed by paragraph 32, Special Orders No. 41, Headquarters Eighth Army, United States Army, dated 18 February 1947, as amended by paragraph 15, Special Orders No. 56, same headquarters, dated 8 March 1947, having been referred to the Staff Judge Advocate, this review is submitted to the Commanding General.

Personal Data Concerning Accused

NAME: Junsaburo Toshino
AGE: 45
RESIDENCE: 198 Kita Sava, Matsuyama
City, Ehime-Ken, Shikoku Island,
Japan
MARITAL STATUS: Married
RELATIVES: Two children
EDUCATION: Graduated physical education
school
VOCATION: Physical education instructor
MILITARY CAREER: Army since 1941,
Captain in Infantry
DATE OF CONFINEMENT: 28 July 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: 9 May 1947
SENTENCE: Death by hanging
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Shusuke Wada
AGE: 43
RESIDENCE: Sakae-Machi, Hojo-Machi,
Osen-Gun, Ehime-Ken, Shikoku Island,
Japan
MARITAL STATUS: Married
RELATIVES: Stepmother and two children
EDUCATION: Graduated business school
VOCATION: Businessman
MILITARY CAREER: Civilian employee
of army, as interpreter, from 1942 on
DATE OF CONFINEMENT: 21 June 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: 9 May 1947
SENTENCE: CHL for life
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Kazutane Aihara
AGE: 36
RESIDENCE: 645 Minami-Yoshi-Mura,
Osen-Gun, Ehime-Ken, Shikoku Island,
Japan
MARITAL STATUS: Married
RELATIVES: Not shown
EDUCATION: Graduated middle school
VOCATION: Teacher and farmer
MILITARY CAREER: Soldier since 1941
DATE OF CONFINEMENT: 16 April 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: 9 May 1947
SENTENCE: Death by hanging
CLEMENCY RECOMMENDED BY COMMISSION:
No

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NAME: Shin Kajiyama
AGE: Not shown
RESIDENCE: Not shown
MARITAL STATUS: Not shown
RELATIVES: Not shown
EDUCATION: Not shown
VOCATION: Ship captain
MILITARY CAREER: Not shown

DATE OF CONFINEMENT: 19 April 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: Not guilty

NAME: Suketoshi Tanoue
AGE: 30
RESIDENCE: 716 Hisasue, Kasuga-machi,
Kumamoto-Shi, Kumamoto-Ken, Kyushu
Island, Japan
MARITAL STATUS: Married
RELATIVES: Wife, daughter, parents,
brother and sister
EDUCATION: Nine years of schooling
VOCATION: Bookkeeper
MILITARY CAREER: Army since 1939.
Attained rank of sergeant.

DATE OF CONFINEMENT: 8 October 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: 9 May 1947
SENTENCE: CHL for 25 years
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Jiro Ueda
AGE: 35
RESIDENCE: 2160-1, Kokuga, Robi-Shi,
Yamaguchi-Ken
MARITAL STATUS: Married
RELATIVES: Wife and one child
EDUCATION: Nine years of schooling
VOCATION: Worked on railroad
MILITARY CAREER: Army since 1941

DATE OF CONFINEMENT: 4 October 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: 9 May 1947
SENTENCE: CHL for 20 years
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Hisao Yoshida
AGE: 37
RESIDENCE: 3986 Kominato-Hakarazaki-
Machi, Hawanabe-Gun, Kogoshima-Ken
MARITAL STATUS: Married
RELATIVES: Wife and one son
EDUCATION: Eleven years of schooling
VOCATION: Office worker
MILITARY CAREER: Army since 1941

DATE OF CONFINEMENT: 10 October 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: Not guilty

NAME: Risaku Kobayashi
AGE: Not shown
RESIDENCE: 1502 Aza-Fukasa-Mura,
Sunto-Gun, Shizuoka-Ken
MARITAL STATUS: Not shown
RELATIVES: Not shown
EDUCATION: Not shown
VOCATION: Not shown
MILITARY CAREER: Army since 5 December
1942

DATE OF CONFINEMENT: 4 October 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: Not guilty

NAME: Sho Hattori
AGE: 38
RESIDENCE: 1877 Shibukawa-Machi,
Jumma-Gun, Jumma-Ken
MARITAL STATUS: Not shown
RELATIVES: Not shown
EDUCATION: Not shown
VOCATION: Not shown
MILITARY CAREER: Army since 1943

DATE OF CONFINEMENT: 24 February 1946
DATE OF ARRAIGNMENT: 10 March 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 10 March 1947
to 9 May 1947
DATE OF SENTENCE: 9 May 1947
SENTENCE: CHL for 10 years
CLEMENCY RECOMMENDED BY COMMISSION:
No

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2. Synopsis of Charges, Pleas, Findings, Legal Sufficiency and Sentence:

| <u>Charges and Specifications:</u> | <u>Pleas</u> | <u>Findings</u> | <u>Legally Sustained</u> |
|---|--------------|--|--------------------------|
| <u>TOSHINO</u> | | | |
| Charge: Accused, at the times and places set forth in the specifications hereto attached, did violate the Laws and Customs of War. | NG | G | Yes |
| Sp 1: Between 13 December 1944 and 15 December 1944, inclusive, aboard the Japanese Troop Transport "Oryoko-Maru", the accused, Junsebuo Toshino, then and there having custody of approximately 1,619 American and Allied PW's, as PW guard commander, did willfully and unlawfully mistreat, abuse and cause intense mental and physical suffering, impairment of health and death to: Lt. Col. John P. Adams, Maj. Wesley W. Bertz, Lt. Col. Arden R. Boellner, Maj. Lawrence A. Bosworth, Lt. Col. Edward H. Bowes, Lt. Col. John B. Brettell, Maj. James V. Bradley, Lt. Col. Jasper E. Brady, Jr., Capt. Walter J. Buboltz, Paymaster Otis A. Carmichael, Maj. Coleman T. Caruthers, Maj. Howard M. Cavender, Maj. Robert E. Chrisman, Lt. David L. Coale III, Maj. Wade R. Cochran, Maj. Harold Cogswell, Lt. Col. Francis S. Conaty, Thomas J. Coolidge, Lt. Courtney R. Draper, Lt. Col. Willis H. Drummond, Maj. John Filozof, Capt. Eugene Forquer, Maj. William A. Gay, Maj. John G. Goldtrap, Lt. Shields Goodman, Maj. Robert F. Haggerty, Maj. George B. Hart, Maj. Samuel Heisinger, Chief Pharmacist's Mate Dudley A. Henson, Maj. Richard F. Hill, Maj. Stanley Holmes, Maj. Samuel C. Jones, Maj. Dale J. Kirnee, Maj. John V. King, Lt. Leslie W. King, Maj. Irving R. Mandelson, Lt. Col. Cyril Q. Marron, Pharmacist's Mate First Class Richard H. Mayberry, Maj. John S. Miner, Maj. Lloyd C. Moffitt, Maj. George A. Muzzey, Maj. John Neiger, Lt. Col. Howard R. Perry, Jr., Lt. Col. Thomas N. Powell, Sr., Maj. Thomas N. Powell, Jr., Maj. Leslie G. Ross, Maj. Ralph E. Rumbold, Lt. Col. Norman B. Simmonds, Maj. Charles B. Sneed, Maj. Campbell H. Snyder, Maj. Joseph O. Stensland, Lt. Col. Allen Thayer, Maj. John W. Turner, Jr., Maj. Gordon A. Utke, Maj. Miller P. Warren, Lt. Col. Alvin T. Wilson, Lt. Col. John P. Woodbridge, American PW's, by neglecting and refusing to provide adequate quarters, food, drinking water, ventilation, sanitary and hygienic facilities, and medical attention and by neglecting and refusing to provide reasonable measures for protection from the hazards of war. | NG | Guilty, except for the words "Lt. Col. Thomas N. Powell, Sr.", and the words "adequate quarters, food", and the words "sanitary and hygienic facilities", and the words "and by neglecting and refusing to provide reasonable measures for protection from the hazards of war". Of the excepted words, Not Guilty. | Yes, in part |

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