

RESTRICTED

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

#184

#158

Yokohama, Japan
23 September 1947

UNITED STATES OF AMERICA VS MASAO HACHIYA
UNITED STATES OF AMERICA VS KENSI ITO
UNITED STATES OF AMERICA VS MITSUO TAKAGANE
UNITED STATES OF AMERICA VS HIDEO YOSHIDA
UNITED STATES OF AMERICA VS HATSUO ISHIMORI
UNITED STATES OF AMERICA VS MASAKIYO SHINOHARA
UNITED STATES OF AMERICA VS KIYOSHI YASUE

No. 169

Review of the Staff Judge Advocate

1. The attached record of trial by common trial of Masao Hachiya, Kensi Ito, Mitsuo Takagane, Hideo Yoshida, Hatsuo Ishimori, Masakiyo Shinohara, and Kiyoshi Yasue at Yokohama, Japan from 12 May 1947 to 19 May 1947, by a Military Commission appointed by paragraph 1, Special Orders No. 98, Headquarters Eighth Army, United States Army, dated 28 April 1947, as amended by paragraph 22, Special Orders No. 108, same headquarters, dated 9 May 1947, having been referred to the Staff Judge Advocate, this review thereof is submitted to the Commanding General.

Personal Data Concerning Accused

NAME: Masao Hachiya
AGE: Twenty-one (21)
RESIDENCE: 235 Highashinison, Hokkaido.
MARITAL STATUS: Not shown
RELATIVES: Parents, two sisters and four brothers.
EDUCATION: Six years of school.
VOCATION: Cattle herder.
MILITARY CAREER: Army since 1 May 1945
CLEMENCY RECOMMENDED BY COMMISSION: No

DATE OF CONFINEMENT: 19 April 1946
DATE OF ARRAIGNMENT: 12 May 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 12 May 1947 to 19 May 1947
DATE OF SENTENCE: 14 May 1947
SENTENCE: CHL for one (1) year and three (3) months.

NAME: Kensi Ito
AGE: Not shown
RESIDENCE: Not shown
MARITAL STATUS: Not shown
RELATIVES: Not shown
EDUCATION: Not shown
VOCATION: Not shown
MILITARY CAREER: Not shown
CLEMENCY RECOMMENDED BY COMMISSION: No.

DATE OF CONFINEMENT: 21 March 1946
DATE OF ARRAIGNMENT: 12 May 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 12 May 1947 to 19 May 1947
DATE OF SENTENCE: None
SENTENCE: Not Guilty (R. 52)

NAME: Mitsuo Takagane
AGE: Twenty (20)
RESIDENCE: No. 15, 2 Chome, Kitaichijo, Hokkaido.
MARITAL STATUS: Not shown
RELATIVES: Parents, two sisters and three brothers.
EDUCATION: Stopped schooling at the age of fifteen.
VOCATION: Postal clerk.
MILITARY CAREER: Army since September 1944.
CLEMENCY RECOMMENDED BY COMMISSION: No.

DATE OF CONFINEMENT: 2 April 1946
DATE OF ARRAIGNMENT: 12 May 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 12 May 1947 to 19 May 1947
DATE OF SENTENCE: 14 May 1947
SENTENCE: CHL for one (1) year and three (3) months.

NAME: Hideo Yoshida
 AGE: Twenty-two (22)
 RESIDENCE: Niku, Tanno-Mura,
 Tokoro-Gun, Hokkaido.
 MARITAL STATUS: Not shown
 RELATIVES: Parents, one brother and
 six sisters.
 EDUCATION: Finished schooling at the
 age of 14.
 VOCATION: Farm hand.
 MILITARY CAREER: Army from 1 May 1945.
 CLEMENCY RECOMMENDED BY COMMISSION: No.

DATE OF CONFINEMENT: 19 April 1946
 DATE OF ARRAIGNMENT: 12 May 1947
 PLACE OF TRIAL: Yokohama, Japan
 PERIOD OF TRIAL: 12 May 1947 to
 19 May 1947
 DATE OF SENTENCE: 14 May 1947
 SENTENCE: CHL for one (1) year and
 three (3) months.

NAME: Hatsuo Ishimori
 AGE: Thirty-three (33)
 RESIDENCE: Not shown
 MARITAL STATUS: Married
 RELATIVES: Wife and three children.
 EDUCATION: Six years.
 VOCATION: Farmer
 MILITARY CAREER: Army two years.
 CLEMENCY RECOMMENDED BY COMMISSION: No.

DATE OF CONFINEMENT: 1 July 1946
 DATE OF ARRAIGNMENT: 12 May 1947
 PLACE OF TRIAL: Yokohama, Japan
 PERIOD OF TRIAL: 12 May 1947 to
 19 May 1947
 DATE OF SENTENCE: 19 May 1947
 SENTENCE: CHL for two (2) years.

NAME: Masamiyo Shinohara
 AGE: Twenty-two (22)
 RESIDENCE: No. 7 Takasainashitgai,
 Ikoda-Cho, Hokkaido.
 MARITAL STATUS: Single
 RELATIVES: Father
 EDUCATION: Seven years.
 VOCATION: Blacksmith
 MILITARY CAREER: Army from 1 May 1945.
 CLEMENCY RECOMMENDED BY COMMISSION: No.

DATE OF CONFINEMENT: 19 April 1946
 DATE OF ARRAIGNMENT: 12 May 1947
 PLACE OF TRIAL: Yokohama, Japan
 PERIOD OF TRIAL: 12 May 1947 to
 19 May 1947
 DATE OF SENTENCE: 14 May 1947
 SENTENCE: CHL for one (1) year and
 three (3) months.

NAME: Kiyoshi Yasue
 AGE: Thirty-four (34)
 RESIDENCE: Shigaichi, Aza-Nakayubetsu,
 Kitami-No-Kuni.
 MARITAL STATUS: Married
 RELATIVES: Wife and two children.
 EDUCATION: Not shown
 VOCATION: Not shown
 MILITARY CAREER: Not shown
 CLEMENCY RECOMMENDED BY COMMISSION: No.

DATE OF CONFINEMENT: 2 April 1946
 DATE OF ARRAIGNMENT: 12 May 1947
 PLACE OF TRIAL: Yokohama, Japan
 PERIOD OF TRIAL: 12 May 1947 to
 19 May 1947
 DATE OF SENTENCE: 14 May 1947
 SENTENCE: CHL for one (1) year and
 three (3) months.

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

Charges and Specifications:

Pleas

Findings Sustained

Legally

HONCHIYA

Charge: Accused at the time and place set forth in the specification, and during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

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Yes

Specification: On or about 26 May 1945, accused did willfully and unlawfully violate and desecrate the dead body of Lieutenant Darwin T. Emory, an American PW, by stabbing said body with a bayonet mounted upon a rifle

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Yes