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G. W. Waters

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HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Staff Judge Advocate
APO 343

Yokohama, Japan
13 September 1948

UNITED STATES OF AMERICA VS YOSHIAKI KARIYA

Review of the Staff Judge Advocate

1. The attached record of trial of Yoshiaki Kariya at Yokohama, Japan, tried from 18 September 1947 to 25 September 1947, by a Military Commission appointed by paragraph 1, Special Orders Number 216, Headquarters Eighth Army, United States Army, dated 15 September 1947, as amended by paragraph 1, Special Orders Number 219, Headquarters Eighth Army, United States Army, dated 18 September 1947, having been referred to the Staff Judge Advocate, this review thereof is submitted to the Commanding General.

Personal Data Concerning Accused

NAME: Yoshiaki Kariya	DATE OF CONFINEMENT: 21 December 1945
AGE: 29 years	DATE OF ARRAIGNMENT: 18 September 1947
RESIDENCE: 1 Jo-Dori, #33, Hokkaido, Muroran City, Chiribetsu-Cho	PLACE OF TRIAL: Yokohama, Japan
MARITAL STATUS: Married	PERIOD OF TRIAL: 18 thru 25 September 1947
RELATIVES: Father, mother, two brothers, five sisters, wife and two children.	DATE OF SENTENCE: 25 September 1947
EDUCATION: Six years of primary school	SENTENCE: CHL for eleven (11) years.
VOCATION: Farmer	CLEMENCY RECOMMENDED BY COMMISSION: No.
MILITARY CAREER: 1 March 1940 to 30 December 1941 (Pvt.)	

2. Synopsis of Charge, Pleas, Findings and Legal Sufficiency:

<u>Charge and Specifications</u>	<u>Pleas</u>	<u>Findings</u>	<u>Legally Sustained</u>
Charge: Accused at times and places set forth in specifications hereinafter listed, and during the time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
Sp 1: Between 15 April 1943 and 7 May 1943, accused did willfully and unlawfully mistreat J. Pellencau, a Dutch Prisoner of War, by beating and otherwise abusing him, thereby contributing to his death.	NG	G, except the words "thereby contributing to his death"; of the excepted words, Not Guilty.	Yes
Sp 2: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat D. G. Bailey, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes

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Sp 3: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat G. Bolton, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 4: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat A. G. Dowsett, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 5: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat T. Kime, A British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 6: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat T. Owens, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 7: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat D. Smith, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 8: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat S. H. Fawcett, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 9: In or about March 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat W. M. Adams, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 10: In or about April 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat Tan Chew Oon, a British Prisoner of War, by beating and otherwise abusing him. NG G Yes

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Sp 11: In or about August 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat E. V. Crozier, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 12: In the Spring of 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat G. L. Stacey, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 13: In February 1943 and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat R. Welsh, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 14: In or about June 1943, and on numerous other occasions between 1 February and 11 May 1945, accused did willfully and unlawfully mistreat A. Souter, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 15: On numerous occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat L. B. Blasbory, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 16: On numerous occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat J. Parry, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 17: On numerous occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat T. Denny, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 18: In or about February 1943 and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat J. C. Laird, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 19: In or about June 1943, and on numerous other occasions between 1 February 1943 and 11 May 1945, accused did willfully and unlawfully mistreat J. W. de Wilde, a Dutch Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes

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