

BEFORE A  
MILITARY COMMISSION  
convened by the  
COMMANDING GENERAL  
PHILIPPINES-RYUKYUS COMMAND

(2705)

UNITED STATES OF AMERICA

VS

CINSAKU YUKI

)  
)  
)  
)  
)

PUBLIC TRIAL

VOLUME VI

PAGES 249 TO 250, INCL.

MANILA, P.I.

DATE: 12 April 1947

COPY NO: 1

BEFORE A  
MILITARY COMMISSION  
convened by the  
COMMANDING GENERAL  
PHILIPPINES-RYUKYUS COMMAND

UNITED STATES OF AMERICA )

vs )

CHINSAKU YUKI )

PUBLIC TRIAL

Court No. 3  
Former High Commissioner's  
Residence  
Manila, P. I.

Met, pursuant to adjournment, at 0900 hours, 12 April 1944

MEMBERS OF THE MILITARY COMMISSION:

COLONEL HARRY JAMES KEELEY, INF, President  
MAJOR BIENVENIDO M. ALBA, CAC, Law Member  
LIEUTENANT COLONEL EDWARD A. GROVE, FA

APPEARANCES:

FOR THE PROSECUTION:

MR. ABRAM N. JONES, CS, Chief Prosecutor

FOR THE DEFENSE:

MR. HENRY S. BERNARD, CS, Chief Defense Counsel  
MR. CYRIL E. MORRISON, CS, Assistant Defense Counsel  
MR. REUBEN BONDA, CS, Assistant Defense Counsel

INTERPRETERS FOR THE COMMISSION:

TOSHIRO HIRAIDE	Japanese
MIDO TAKEDA	Japanese
ROMUALDO TACCAD	Japanese
DICK INOKUCHI	Japanese
MRS. ROSARIO F. RODAS	Tagalog
MRS. PRISCILA Q. AGUAS	Tagalog

REPORTERS FOR THE COMMISSION:

ELDON N. RICH

I N D E X

GENERAL

PAGE NO.

Findings and Sentence

249

-----



## P R O C E E D I N G S

(The Commission then met in open session at 0900 hours, 12 April 1947, Courtroom No. 3, Former High Commissioner's Residence, Dewey Boulevard, Manila, P.I.)

COLONEL KEELEY: The Commission is in open session.

MR. JONES: The personnel of the Commission, prosecution and defense are present, the accused and his personal interpreter, the official interpreter and the reporter are all present.

COLONEL KEELEY: The Commission has considered the evidence presented during this case and is now ready to announce the findings and the sentence. The accused, his defense counsel, and the official interpreter will stand and face the Commission.

(Accused, his defense counsel and Interpreter Inokuchi arose and stood before the Commission.)

COLONEL KEELEY: Chinsaku Yuki, this Commission, in closed session and upon secret written ballot, not less than two-thirds of the members present concurring in each finding of guilt and sentence, finds you:

Of Specification 1 as amended:

GUILTY, except the names "AGUILAR (FNU), EDILBERTO DE LEON, and AMADO A. ROYOLA," and except the words "all unarmed," substituting therefor the words, "both unarmed;" of the excepted names and words NOT GUILTY, of the substituted words GUILTY;

Of Specification 2:

GUILTY, except the words, "permit members of the Imperial Japanese Army then under his command to;" of the excepted words NOT GUILTY;

Of Specification 3: GUILTY, except the words, "permit members of the Imperial Japanese Army then under his command to;" of the excepted words NOT GUILTY;

Of the Charge: GUILTY.

The interpreter will interpret the findings to the accused.

(Interpreter Inokuchi translated to the accused.)

COLONEL KEELEY: This Commission in closed session, by secret written ballot, not less than two-thirds of the members present concurring sentences you to:

LIFE IMPRISONMENT.

The interpreter will interpret the sentence to the accused.

(Interpreter Inokuchi translated to the accused.)

COLONEL KEELEY: The military police will escort the accused from the courtroom.

(Accused then removed from the courtroom by the military police.)

COLONEL KEELEY: The Commission adjourns sine die.

(The Commission adjourned sine die at 0905 hours, 12 April 1947.)

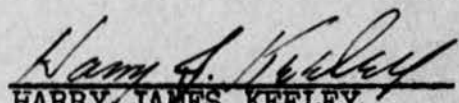
AUTHENTICATION OF RECORD

The foregoing 250 pages, contained in Volumes I to VI, inclusive (together with Prosecution's Exhibits 1, 2, 3, 4 and 6 and Defense' Exhibits A, B, C, D, F, G, H), are hereby certified as the record of the proceedings of the Military Commission appointed by

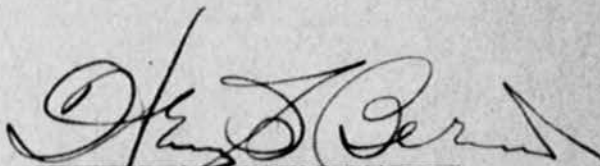
Paragraph 2, Special Orders 64, Headquarters, Philippines-Ryukyus Command,  
dated 19 March 1947,

in the trial of the case of the United States of America against Chinsaku YUKI.

Dated 24 April 1947.

  
HARRY JAMES KEELEY  
Colonel, INF  
President of Commission

THIS ACKNOWLEDGES that the above-described record was submitted to defense counsel prior to being certified by the President of the Commission.

  
HENRY S. BERNARD, CS  
Chief Defense Counsel



WAR CRIMES TRIAL STATUS REPORT~~LEGAL SECTION, GHO, SCAR (TOKYO)~~  
(Reporting Office)File Number 7-66Date of Report 6 May 1947Title of case U. S. vs MORIYAMA, MomoichiPART A1. Names and Nationalities of AccusedMORIYAMA, Momoichi, - Japanese2. Nature, Place and Date of Offense3. Names and Nationalities of Victims4. Probable Place and Date of TrialPART B5. Place and Date of TrialWD AGO Form R-5392  
21 June 1946

Yokohama, Honshu, Japan

29 Apr 47 - 29 Apr 47

(Over)

Inclosure 2 to WD Letter (AGAM-PM 000.5 (20 Jun 46) WDSCA) 21 June 1946

6. Judgment and Sentence (Relate to Specific Accused)

Guilty - 12 years imprisonment at hard labor.

---

PART C

7. Action of Reviewing Authority (Specify authority and date and relate to specific accused)

8. Action of Confirming Authority (Specify authority and date and relate to specific accused)

9. Date and Place of Execution of Sentence

INSTRUCTIONS:

Prepare Trial Status Reports for every case in trial status promptly after reference for trial (Part A), at the conclusion of the trial (Part B) and at the completion of final action in the case (Part C) and transmit by fastest means in triplicate at each stage of the proceedings to the Director, Civil Affairs Division, WDSS, The Pentagon, Washington 25, D. C.



WAR CRIMES TRIAL STATUS REPORT

Legal Section, GHQ, SCAP (Tokyo)  
(Reporting Office)

File Number T-66

Date of Report 20 July 46  
~~20 July 46~~

Title of case UNITED STATES vs MORIYAMA, Momoichi

PART A

1. Names and Nationalities of Accused

**MORIYAMA, Momoichi - Japanese**

2. Nature, Place and Date of Offense

Between 1 June 1943 and 30 June 1944, & or near Kamiso, Hokkaido, Japan, then a civilian foreman of the Asano Cement Company, Kamiso, Hokkaido, Japan, a company employing Prisoners of War held captive by the Armed Forces of Japan, did violate the Laws and Customs of War.

3. Names and Nationalities of Victims

**British: Arthur T. Walker; Herbert Harrocks; Clifford Hirst; J. Dunne; R. V. Fallows; Clifford G. Gough; A. H. Andrews; L. A. C. Greenan.**

4. Probable Place and Date of Trial

**Yokohama, Honshu, Japan -- 3 August 1946**

PART B

5. Place and Date of Trial

WD AGO Form R-5392  
21 June 1946

(Over)

Inclosure 2 to WD Letter (AGAM-PM 000.5 (20 Jun 46)WDSCA)21 June 1946

6. Judgment and Sentence (Relate to Specific Accused)

---

PART C

---

7. Action of Reviewing Authority (Specify authority and date and relate to specific accused)

---

8. Action of Confirming Authority (Specify authority and date and relate to specific accused)

---

9. Date and Place of Execution of Sentence

---

INSTRUCTIONS:

Prepare Trial Status Reports for every case in trial status promptly after reference for trial (Part A), at the conclusion of the trial (Part B) and at the completion of final action in the case (Part C) and transmit by fastest means in triplicate at each stage of the proceedings to the Director, Civil Affairs Division, WDSS, The Pentagon, Washington 25, D. C.

25-89621-300