

CERTIFICATION

THIS CERTIFIES that this volume is a part of the proceedings of the Military Commission appointed by

Paragraph 14, Special Orders 218, Headquarters, United States Army Forces, Western Pacific, dated 23 September 1946;

Paragraph 25, Special Orders 224, Headquarters, United States Army Forces, Western Pacific, dated 30 September 1946;

Paragraph 2, Special Orders 227, Headquarters, United States Army Forces, Western Pacific, dated 3 October 1946; and

Paragraph 23, Special Orders 228, Headquarters, United States Army Forces, Western Pacific, dated 4 October 1946,

in the trial of the case of the United States of America against Masao NANJO.

Dated 30 November 1946.

Richard C. Stickney
RICHARD C. STICKNEY
Colonel, INF
President of Commission

BEFORE A
MILITARY COMMISSION
convened by the
COMMANDING GENERAL
United States Army Forces
Western Pacific

UNITED STATES OF AMERICA)
vs) PUBLIC TRIAL
MASAO NANJO)

Court No. 2
High Commissioner's Residence
Manila, P.I.
14 November 1946

Met, pursuant to adjournment, at 1300 hours.

MEMBERS OF MILITARY COMMISSION:

COLONEL RICHARD C. STICKNEY, INF, President and
Law Member
LIEUTENANT COLONEL WILLIAM MACKINTOSH, ORD
MAJOR ROBERT W. FRITZ, CE
MAJOR MILTON B. HERR, SigC

APPEARANCES:

FOR THE PROSECUTION:

MR. THOMAS D. AITKEN, CS

FOR THE DEFENSE:

MR. ROBERT L. WARD, CS, Defense Counsel
MR. JOHN J. SCHAUER, CS, Co-Defense Counsel

OFFICIAL INTERPRETERS FOR THE COMMISSION:

2d LT. HAKUZO NITTA)
T/3 TAKEO SAITO) Japanese
2d LT. TAICHI NISHIHARA)
2d LT. JAMES NAKAMURA)
FILOMENA ZOSA)
PEDRO GENOVES) Ilongo (Visayan)
MACARIO E. BELAONG)

OFFICIAL REPORTERS FOR THE COMMISSION:

HELEN R. SOLOMON
GENEVIEVE A. ROBERTS

P R O C E E D I N G S

The Commission reconvened, pursuant to adjournment, at 1300 hours, 14 November 1946, in Court No. 2, High Commissioner's Residence, Manila, P.I.

COLONEL STICKNEY: The Commission is in open session.

MR. AITKEN: Let the record show that all the members of the Commission, the prosecution, the assigned defense counsel, the defendant and his personal interpreter, the assigned interpreters in Japanese, and the reporter are all present in court.

COLONEL STICKNEY: The Commission has heard, carefully analyzed and evaluated all the evidence in the case. As the result, the Commission has arrived at a judgment and sentence in the case of the defendant and will now announce them.

The accused, Masao Nanjo, his defense counsel and the Commission interpreter will take their positions in front of the Commission.

(The accused, Masao Nanjo, his defense counsel, Mr. Ward and Mr. Schauer, and the Commission Interpreter Nitta, stood before the Commission as directed.)

COLONEL STICKNEY: Findings and sentence:

Masao Nanjo, the Commission in closed session and upon secret written ballot, at least two-thirds of the members present at the time the vote was taken concurring in each finding of guilty, finds you:

Of Specification 1, GUILTY, except the word "hacienda," substituting the word "barrio," and except the words "mistreat, torture and"; without substitution of the excepted words, NOT GUILTY, of the substituted words, GUILTY;

Of Specification 2, GUILTY, except the words "mistreat, torture and"; without substitution of the excepted words, NOT GUILTY;

Of Specification 3, NOT GUILTY;

Of Specification 4, NOT GUILTY;

Of Specification 5, as amended, NOT GUILTY;

Of Specification 6, GUILTY;

Of Specification 7, GUILTY, except the words "an undetermined number of," substituting the word "four"; of the excepted words, NOT GUILTY, of the substituted word, GUILTY;

Of the Charge, GUILTY.

(Interpreter Nitta translated to the accused.)

COLONEL STICKNEY: Further, this Commission in closed session and by secret written ballot, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to DEATH BY HANGING.

(Sentence was then translated to the accused by Interpreter Nitta.)

COLONEL STICKNEY: The Military Police will escort the accused from the courtroom.

(The accused was escorted from the courtroom by the Military Police.)

COLONEL STICKNEY: I would like to ask both the prosecution and the defense to watch for the records, including today's volume, and to get them to me in twenty-four hours.

The Commission adjourns sine die.

(The Commission adjourned sine die at 1320 hours, 14 November 1946.)