

Before the  
MILITARY COMMISSION  
convened by the  
COMMANDING GENERAL,  
United States Army Forces  
Western Pacific

UNITED STATES OF AMERICA

vs

PUBLIC TRIAL

TOKIZO MAKITA  
HISAKI ITAI

VOLUME IX  
PAGES 487 TO 489, INCL.

MANILA, P.I.

DATE: 15 July 1946

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CERTIFICATION

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

Paragraph 2, Special Orders 150, Headquarters United States Army Forces, Western Pacific, dated 2 July 1946; and

Paragraph 2, Special Orders 152, Headquarters United States Army Forces, Western Pacific, dated 5 July 1946

in the trial of the case of the United States of America against TOKIZO MAKITA and HISAKI ITAI.

Dated 28 July 1946

Archibald L. Parmelee  
ARCHIBALD L. PARMELEE  
Colonel, SAC  
President of Commission

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TOKIZO MAKITA  
HISAKI ITAI

Court No. 1  
High Commissioner's Residence  
Manila, P.I.  
15 July 1946

Met, pursuant to adjournment, at 0830 hours.

MEMBERS OF MILITARY COMMISSION:

COLONEL ARCHIBALD L. PARMELEE, CAC, Pres. and  
Law Member  
COLONEL RICHARD C. STICKNEY, INF.  
LIEUTENANT COLONEL JOHN E. STONE, QMC

APPEARANCES:

FOR THE PROSECUTION:

FIRST LIEUTENANT WILLIAM E. MURPHY, INF.

FOR THE DEFENSE:

SECOND LIEUTENANT ROBERT J. POLSKI, ORD.

INTERPRETERS FOR THE COMMISSION:

T/SGT YOSHIKI OGITA

REPORTERS FOR THE COMMISSION:

MARJORIA TITTLE  
WILLIAM E. RICE

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P R O C E E D I N G S

The Commission reconvened, pursuant to adjournment, at 0830 hours, 15 July 1946, in Court No. 1, High Commissioner's Residence, Manila, P.I.

COLONEL PARMELEE: The Commission is in open session.

LIEUTENANT MURPHY: Sir, may the record show that the following members of the Commission are present: Colonel Parmelee, Colonel Stickney, and Lieutenant Colonel Stone; that the accused are present together with their personal interpreter; and that the defense counsel and prosecutor are present.

COLONEL PARMELEE: The Commission, having carefully considered all the evidence in this case, is now ready to render its verdict.

The accused, their counsel, and personal interpreter if they so desire, and interpreter for the Commission will stand before the Commission.

(The accused together with their personal interpreter and the counsel, with official interpreter Yoshiaki Ogita, stood before the Commission.)

COLONEL PARMELEE: Tokizo Makita, this 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, finds you:

Of Specification one: GUILTY.

Of Specification two: GUILTY, except the word and figure "approximately 7", substituting therefor the figure "2";

and, except the words "Rodolfo Eslacin, and Remedios Nacanaynay", substituting therefor the words, "and Rodolfo Eslacin"; of the excepted words and figure NOT GUILTY, of the substituted words and figure GUILTY.

Of Specification five: GUILTY.

Of the Charge: GUILTY.

Hisaki Itai, this 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, finds you:

Of Specification one: GUILTY.

Of Specification two: GUILTY, except the word and figure "approximately 7," substituting therefor the figure "2"; and, except the words "Rodolfo Eslacin, and Remedios Nacanaynay", substituting therefor the words "and Rodolfo Eslacin"; of the excepted words and figure: NOT GUILTY, of the substituted words and figure: GUILTY.

Of Specification three: GUILTY.

Of Specification four: GUILTY, except the word and figure "approximately 5", substituting therefor the figure "3"; and, except the words "and Felicita Maulit", without substitution; of the excepted words and figure: NOT GUILTY, of the substituted figure: GUILTY.

Of the Charge: GUILTY.

The interpreter will translate the findings.

(Interpreter Yoshiaki Ogita translated the findings to the accused.)

COLONEL PARMELEE: Further, this 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, sentences you, Tokizo Makita, and you, Hisaki Itai:

To be hanged by the neck until dead.

The military police will remove the prisoners from the courtroom.

The Commission adjourns sine die.

(The Commission adjourned at 0835 hours, 15 July 1946, sine die.)

AUTHENTICATION OF RECORD

The foregoing 489 pages, contained in Volumes I to IX inclusive, together with Prosecution's Exhibits 1 to 6 inclusive, are hereby certified as the record of the proceedings of the Military Commission appointed by

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Dated 28 July 1946

*Archibald L. Parmelee*

ARCHIBALD L. PARMELEE  
Colonel, CAC  
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.

*Robert J. Polski*

ROBERT J. POLSKI  
2d Lieutenant, ORD  
Defense Counsel