

1400-30
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Serial No.

In reply address:
The Island Commander,
Navy #926, C/O F.F.C.,
San Francisco, Calif.

HEADQUARTERS,
ISLAND COMMAND, GUAM.

July 20, 1945.

From: The Island Commander.
To : Lieutenant Colonel Teller Ammons, Army of the
United States, Judge Advocate, Military
Commission of Guam.

Subject: Additional charges and specifications in the
case of Sameul T. Shinohara, an inhabitant
and resident of Guam.

1. The subject-named man will be tried before the
Military Commission of which you are judge advocate upon the
following additional charges and specifications, intelligence
of which did not reach me until July 20, 1945. You will notify
the senior member of the Commission accordingly, inform the
accused of the date set for his trial, and summon all witnesses,
both for the prosecution and the defense. You will carefully
comply with the procedure set forth in Section 2, Article IV,
of Proclamation No. 4, dated 29 August, 1944.

CHARGE I

TREASON.

Specification 1

In that Sameul T. Shinohara, an inhabitant and
resident of Guam and subject to the Military Government thereof,
having been, prior, during and subsequent to the Japanese
invasion and occupation of Guam, an inhabitant and resident of
Guam owing allegiance to the Naval Government of Guam and the
United States of America, did, on the Island of Guam, on or
about December 11, 1941, wilfully, knowingly and treasonably
adhere to Japan, an enemy of the United States, and give aid
and comfort to Japan, in that he, the said Shinohara, did, on
or about December 11, 1941, aid, assist and participate in the
taking by and for the use of the Japanese military forces of an
electric generator of the value of about five hundred dollars
(\$500.00), said generator, of the value aforesaid, being the
property of Ignacia Bordallo Butler, an inhabitant of Guam; the
United States during said period being at war with Japan.

Specification 2

In that Samuel T. Shinohara, an inhabitant and
resident of Guam and subject to the Military Government thereof,
having been, prior, during and subsequent to the Japanese
invasion and occupation of Guam, an inhabitant and resident of
Guam owing allegiance to the Naval Government of Guam and the
United States of America, did, on the Island of Guam, in or

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about the month of December, 1941, wilfully, knowingly and treasonably adhere to Japan, an enemy of the United States, and give aid and comfort to Japan, in that he, the said Shinohara, did, in or about the month of December, 1941, organize, solicit and promote the organization of residents of Guam into an organization known as the Dai Nisi, for the purpose of assisting the Japanese military forces, and the members of said organization did in fact assist the Japanese military forces by building fortifications, airfields, fox-holes and tunnels for the use of the Japanese military forces; the United States during said period being at war with Japan.

Specification 3

In that Samuel T. Shinohara, an inhabitant and resident of Guam and subject to the Military Government thereof, having been, prior, during and subsequent to the Japanese invasion and occupation of Guam, an inhabitant and resident of Guam owing allegiance to the Naval Government of Guam and the United States of America, did, in or about the month of April, 1942, wilfully, knowingly and treasonably adhere to Japan, an enemy of the United States, and give aid and comfort to Japan, in that he, the said Shinohara, did, in or about the month of April, 1942, supply to Japanese military and naval forces provisions and refreshments; the United States during said period being at war with Japan.

CHARGE II

ASSAULT AND BATTERY.

Specification 1

In that Samuel T. Shinohara, an inhabitant of Guam, and subject to the Military Government thereof, did, on or about December 10, 1941, at or near Agana, Guam, wilfully and maliciously, and without justifiable cause, assault one George J. McMillin, captain, U.S. Navy, by striking the said McMillin in the face; he the said McMillin being the then Governor of Guam and the official representative of the United States of America; the United States then being in a state of war.

Specification 2

In that Samuel T. Shinohara, an inhabitant of Guam, and subject to the Military Government thereof, did, on or about January 1, 1942, at or near Agana, Guam, wilfully and maliciously, and without justifiable cause, assault one George J. McMillin, captain, U.S. Navy, by striking the said McMillin in the face; he the said McMillin being the then Governor of Guam and the official representative of the United States of America; the United States then being in a state of war.

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CHARGE III

DESECRATION OF FLAG.

Specification

In that Samuel T. Shinohara, an inhabitant of Guam, and subject to the Military Government thereof, did, in or about the month of February or March, 1942, in or near Agana, Guam, publicly defile and cast contempt upon the flag of the United States of America by using a flag of the United States of America for the purpose of wiping off a bar; the United States then being in a state of war.

HENRY L. LARSEN,
Major General, U. S. Marine Corps,
The Island Commander.