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13699 Exhibit No. 1756, the affidavit of F. H. Loupatty, and Exhibit No. 1757, the affidavit of S. Pattinama, was received in evidence, and described * their sufferings and the tortures and ill-treatment of Mrs. Van Waveren, who died under the most miserable conditions.

13701 Exhibit No. 1758, and Exhibit No. 1759, related to the execution of 19 civilians at Sourabaya more than a week after the Japanese surrender, * with the knowledge of Major General YAMAMOTO, governor of Java at that time. This document of YAMAMOTO affirms the affidavit of Doctor Van Der Plas.

13702 Exhibit No. 1760, the statement of Major KATSUMURA, admitted that 239 persons in the "Ki" case were executed in strict secrecy. * To settle the case as soon as possible the case was dealt with on the spot. The investigating officer decided whether to inflict the death sentence, and his decision was approved by the higher officials on the authority of the commander-in-chief.

13703 Exhibit No. 1761, summary by the head of the War Crimes Section of N.E.F.I.S., described all prisons as places of terror and misery. The summary dealt only with 38 out of 104 prisons in Java and Medura. In these * 38, 1717 died, and the cause of death is stated in only 154 cases. In 1940, the average death rate in NEI prisons was 1.8%. The Tjipinang prison, near Batavia, had a death rate of 4% from May 1, 1943, to May 1, 1944, 51% from May 1, 1944, to May 1, 1945. This is 2257 deaths out of 4400. The monthly death rate increased from one to ten percent.

Exhibit No. 1751 showed that in this prison out of 4,000, five hundred were confined in the death ward from which only two survived.

13707 Exhibit No. 1762, the affidavit of Brigadier Blackburn, stated * that the film "Nippon Presents" had been made from an original in Java during the occupation by Japanese, which he believed was intended to give a faked impression of the treatment by the Japanese of their men and women PWs. English and Dutch PWs, and women and children were forced to play in the film. The film was captured after the liberation of Batavia and taken to Australia, where some of the players were gathered together by the NEI Film Unit to give the real

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13708 occurrences and conditions in women's and children's camps in Java. The statements made by him and the other actors in the Australian part of the film are given according to the truth as he and his co-actors expressed them. *The shots which were interpolated in Australia have been taken from other Japanese films and from films made by Allied cameramen of the camps at Batavia when conditions had been slightly better.

13709 Exhibit No. 1763, the statement of Major Schim Van Der Loeff, stated * that in September, 1945, he arrived in Batavia in charge of a NIGIS detachment. They captured several Japanese propaganda films, including one called "Australia calling". He learned
13710 how this film was made to create * an anti-war spirit in Australia. It was decided to send this film to Australia and to try and collect the same players, and to insert in the Japanese film cuts from films which showed the real conditions under which the PWs had lived. For these cuts they used films captured in
13711 Java. They also used some cuts from captured Japanese news reels. * The new cuts were not faked, but showed the real conditions of the PWs and women camps in Batavia.

Exhibit No. 1764, the film "Nippon Presents", was received in evidence.

DIRECT EXAMINATION OF CORNELIS C. LEENHEER,
by Lt. Col. Damste.

13733 * The witness stated that he was Dutch, and
13734 was serving as a civilian attached to the British Army, with a status of the rank of major. * Before the war he was employed by the U. S. Rubber Company in Sumatra as an agricultural assistant, controlling the native labor, welfare, and administration of the laborers. When Sumatra surrendered he was on guard duty in the protection camp at Lawesegalagala, a protection camp for the wives and children of the natives. After that he resumed his normal occupation until interned on March 17, 1943.

13735 * He was first interned in Sungei Sengkol Camp in Medan. On October 1, 1944, he was transferred to Si Rengo Rengo, which was about 200 miles from Medan. He worked in the kitchen for two years, and the last year was also a woodchopper. Kitchen people worked on two jobs.

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13736 After his release on October 1, 1945, he went back to Medan and joined the War Crimes Investigation Teams in Medan under Colonel Read-Collins. He interrogated Japanese suspects and officials of the Japanese Army, and some internees. * He read reports on all civilian internment camps, and had a comprehensive knowledge of conditions there, and he had notes on those camps made at that time or shortly afterwards.

13737 Japanese headquarters seemed quite cooperative but very unsatisfactory, since they had burned all their original documents after an order from the Southern Expeditionary Corps. He left Sumatra on September 11, 1946, and came to Tokyo, where he is connected with the British Division of * Legal Section, SCAP. His wife was also interned on July 17, 1942, after having been confined to the home for four months. She stayed at Tandjong Balai Camp until May, 1945, when she was transferred. He didn't see her from July, 1942, to September, 1945, and never had any communication whatever. His two children were interned.

From twelve to thirteen thousand civilians were interned in Sumatra. There were about 300 British, a few Americans, some Czechs and Belgians, but the majority were Dutch. There were about 70 internment camps in Sumatra during the war, but toward the end of 1945 there were three areas--the north Sumatra area, the middle Sumatra area, and the south Sumatra area. There were many shufflings of internees and re-shufflings, and the internees lost their possessions. Conditions differed in various camps in that each new camp conditions were worse than in the former one.

13739 * As for transportation of civilians, the witness himself was transferred only by train, but they also used trucks, tramways, trains, and ships. When he left Sungei Sengkel to go to Si Rengo Rengo, they had to break up at 5 a. m. and walk five miles to the station to get on a half-open cattle wagon, which held 50 men in a space of 7 by 30 feet. They arrived at Kisaran at night, when they got their first meal and latrine facilities. They stayed that night in the station, and next day went home to Rantaan Prapat. When they arrived at their destination they were told they had to walk another five miles. * When they protested they were told to get on the move, and were forced with rifle butts and sticks.

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13741 The sick and old were left behind, and were later picked up by trucks. 2,200 women and children were told in the morning that they would have to move to the jail in Padang, a distance of one kilometer. There was no transport, and they had to drag and push luggage. * The commander rode.

They were crowded into a jail originally meant for six hundred. Some could not find a place to sleep, and had to sleep in the open. The reason for the transfer, according to the Japanese, was that the camp had to be used for the military troops, but the camp leaders said it was meant as punishment for refusing to supply girls for Japanese canteens. There was no explanation of what the girls would be expected to do there.

13742 * In Si Rengo Rengo they had huts of about two by seven feet for each person. There were double-deckers. Each hut contained 220 people, and they were built of wood and dry grass. Maintenance was very bad, and after a rain they leaned over and had to be propped up. Some of the camps had plenty of shadow trees, but this one had none, being situated in a grassy valley. For shade they had to stay in the huts.

13743 * Sanitation was most unsatisfactory. Buildings were overcrowded and facilities were short. At Si Rengo there were only twenty lavatories for 2,000, and these were only holes in the ground. The water was usually from rivers or wells, and the rivers were always muddy.

13744 Medical attention was given by a medical orderly who didn't know anything about it. Each camp had its own Allied doctor, and when it was necessary to remove a patient to the hospital for operation he had to ask the medical orderly for his consent. The hospitals were just like the ordinary camp buildings, being a special barrack too small and too badly built. * At times of epidemic it could hold only 20% of the sick. Medical instruments were not provided, but the doctors succeeded in smuggling in some. The most frequent diseases were malaria, dysentery, and tropical ulcers.

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Medical supplies were provided, but were very scarce. At Si Rengo Rengo they received 1500 pills of quinine, each of one-third gram, for two months supply. This was 250 grams for more than 200 malaria patients. There were 600 malaria sufferers.

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* There were no drugs provided for dysentery, despite a big epidemic in June and July, 1945. To dress wounds they used old rags and banana tree leaves.

After the surrender, big supplies of quinine and other drugs were sent to the camp, and huge stores of supplies were found, both Japanese and pre-war. There was sufficient quinine for a normal supply of the Sumatra population for about two years.

Red Cross medicine was supplied only once, but in insignificant quantities.

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13,748

* The witness stated that sometimes medical officers inspected. The chief medical officer of the 25th Army visited Bangkinang Camp twice, but never any of the others. Another medical officer stated he had to ask for permission to visit the camps from the Divisional Commander but he never asked for it.

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A menu for a day consisted of two or three meals--breakfast, two ounces of polished rice; * lunch was four ounces of corn with vegetables, as was dinner. After April they never got any meat but from two to four times a week they got fish in the form of a kind of oyster at the rate of two ounces per day, only three percent was edible. There was an official ration laid down by the Japanese in 1942 and 1943--18 ounces of rice, two ounces of meat, eight ounces of vegetables, one ounce of sugar. In 1943 it went down to 11 ounces a day in bulk food such as rice and corn. There was always a shortage. The ordinance officer stated that a shortage of 10 percent in bulk food was officially accepted * and this was sometimes 15 to 20 percent. Vegetables were sometimes 90 percent rotten and in November 1944 they got one ounce of vegetables instead of seven. This improved in 1945. The ration laid down for laborers in Sumatra was 1½ pounds per day to be supplied by the company. However, the laborers had their own gardens with sweet potatoes, rice, vegetables and also had three to five ounces of fish or meat per day.

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The doctor's opinion was this diet was unsatisfactory in calories, proteins and vitamins.
* The effect was that the men went back mentally and physically and contracted all kinds of diseases.

In the beginning the average of all kinds of sickness was 10 to 15 percent and went up to 40 to 45. Camp leaders protested almost daily and one camp leader in Bangkinang wrote in 2½ years 400 letters without results.

Internees had garden duties, woodcutting and there was forced labor on the air dromes in 1942 and 1943.

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13,752

The women in one camp had to sweep the streets. Offenses against orders * resulted in beatings and punishments and this was done against the women. They also withheld food in the women's camp for two days because of an alleged crime.

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He knew of only two investigations by the Kempeitai after an alleged crime. In the cases without investigation the commandants knew about it and often took part in them themselves. * When a laborer committed a crime he was put in the dysentery barracks until he died. Another was tied to a pole and scalded with boiling water. This was done for doing something against orders. This kind of punishment came for slackness or anything done against camp orders or not being polite to the Japanese.

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* On May 1, 1943 all valuables and monies were taken from the internees. The money was never returned but some valuables were after the surrender.

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The death rate at the witness's camp was 6 to 8 percent and in South Sumatra it was 28 percent and in Palembang 53 percent. General YAHAGI, Chief of Staff of the 25th Army, visited Si Rengo Rengo in July 1945 and the visit was planned for General TANABE. This visit never came off. YAHAGI * only walked through the camp while the internees were lined up. He spoke to no one. They were not allowed to address him.

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* At various times there were requests for Red Cross inspections but this was always refused.

At the time of the surrender the internees were very thin or very swollen. The children had not grown.

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The witness also knew of the murder of five Chinese on March 13, 1942 in Medan by beheading by the Kempeitai. He knew this from statements by eye-witnesses. On March 15, 1943 three British civilians were murdered. This he learned from a Dutch police officer who investigated. * This police officer was ordered by the Kempeitai to find out what happened to these civilians and after he found out that the murder was done by the Japanese nothing more was ever heard about the matter.

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13,758 On March 15, 1942, 22 Dutch troops were killed. They had been taken prisoner just about 10 minutes after the witness went through there and he heard the news the next morning. He also had gotten a statement from * a native witness. There was only one Japanese who did his best to relieve the women internees.

CROSS-EXAMINATION BY MR. LOGAN

13,759 The witness stated that Sungei Sengkol Camp was built in 1910 * by the Arendsburg Tobacco Company as a hospital. It was used as such until the war and consisted of 8 barracks. The conditions existing there had not existed for a long time previous to his arrival, because he arrived on March 17, 1943 and the camp was opened on the 15th.

13,760 As to the number of lavatories, they were the same as before he arrived but the conditions in which the buildings were were not because they had become more delapidated since they had grass roofs which had to be maintained every year and there had been no maintenance for a year while the hospital was empty. * The internees attempted to fix the roofs, but they got nothing to repair them with until 1944.

13,761 Si Rengo Rengo was a hospital built for internees by a Chinese contractor with native labor. They differed from the buildings in other camps. Some had been erected especially for the internees. These * huts were atap and were very hot in day and cold at night. This is typical for this climate.

 The witness never saw any medical officer inspect the two camps. What he knew about other camps is what he read from sworn statements. He knew nothing about food at other camps from his own personal experience because he was not there.

13,762 * The food situation at Si Rengo Rengo where he was got worse during the war because it was 200 miles from the capital and the two nearest depots. He could not state that the NEI did not provide sufficient food for the consumption of its own people. Before the war rice was imported from Siam and Burma; during the war he did not know of any imports. The

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13,763

Netherlands Government, even before the invasion, had started growing foodstuffs on all possible estates. He did make an investigation concerning shipping and cutting off food in one case when the Muntok internees were transferred to Lubuklingau. The reason given by General YAMAMOTO was lack of shipping space because the food had to come from Palembang. This general did not state that a number of ships containing foodstuffs were sunk by allied submarines.

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In 1945 they did have vegetable gardens outside the camp * and they got the sweet potato leaves from these gardens.

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He did not personally see the forced labor in some of the other camps or the beatings in those camps. * He had already heard about these in camp during his internment. He personally had not taken any statements of anybody who saw the women beaten. When he stated the Japanese commanders knew about the corporal punishments he knew this of his own knowledge because he had seen the camp commandant at his camp thrash one of the boys, but he had not seen the women. The commandant who thrashed the boy was a sergeant. He never saw the Japanese commanders thrash their own soldiers and never heard of it.

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* He had not seen the incident where the laborer was sent to a dysentery barrack, but had gotten it from a statement by Dr. Messing. The same was true with respect to the man tied to a pole.

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The death figures were compiled out of statements from camp leaders and drawn after the war and were already compiled in the statements made. As to his own camp the figures were compiled by the statements, 123 out of 2,000 * died in 10 months. About ten days before YAHAGI visited, a Japanese civilian inspected and gave orders for cleaning the camp and the internees were used for this work. When YAHAGI visited the camp it was the best of the worst conditions. The internees were specially dressed. Everyone had some kind of a shirt. * The witness did not believe the camp commander wanted to make a favorable impression but the commander never told him anything about it.

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13,769 The murder of the five Chinese and three British took place about the time of the surrender. * It occurred in fact before the surrender on March 27, 1942. He had not seen any of the killing. He had seen four statements with respect to the five Chinese but had not personally taken any or talked to any eye witness. He did not take the statement with respect to the three British, but acted as interpreter. He did not take the statement of the Dutch police officer * but acted as interpreter. He also acted as interpreter for taking the statement of two Dutch police officials and had given the substance of what they had told. He had not taken statements on the 22 Dutch troops from any eye witness. He had, however, seen one statement and one report. He had made an investigation and the men were not killed while fighting, but while they were prisoners. * He had not made a personal investigation, it was impossible to reach the village where it happened.

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The witness had to send his own boy to Switzerland last year because he had gone blind in one eye because of lack of protein. He has recovered about 80 percent of his eyesight, but is still suffering from occupational malaria. His other child, a girl, is quite all right now.

13,772 * Medical supplies were very scarce in the camp. After the war huge stocks were discovered and a huge amount of quinine was sent in. There was one store in Medan and one in Seantar. As to other places in Sumatra he did not know. The Dutch stores must have been there from before the war. The others he did not know about. These stores were in the hands of the Japanese. He had not ascertained how many Japanese soldiers had died of sickness and disease.

CROSS-EXAMINATION BY MR. LEVIN

13,773 * The witness stated that so far as he could see from the statements, it was customary for the POW's to work in the kitchen, but he did not know from personal experience because he was not a POW. The investigators appointed after the war were for all camps. The only case he knew of good treatment was the one Japanese he had spoken of before. The reports they got

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13,774 in writing * from headquarters 25th Army were made up partly from memory and partly from copies, everything having been burned around August 15, 1943, and stated that internees should be treated as POW's.

CROSS-EXAMINATION BY MR. SAMMONJI

With respect to conditions on transfer of women internees to Padang Jail, the affidavit he saw was by Frater Hoppenbrouwers, a Catholic clergyman.

13,775 * The witness knew about the huge stocks of medical supplies from a statement of the head pharmacist of Rathkamp in Medan, who took official stock when the Japanese surrendered over the stores to Netherlands officials.

13,776 With respect to the killing of the three Britishers he had not found any other evidence except the statement of the police officer because circumstances are not favorable for spot interrogation. The Dutch police officer stated that the bodies showed that the men had been shot. * An investigation as to the reason of the killing was made but the police officer did not know the reason.

13,777 As to the killing of the 22 Dutch, investigation was impossible because of political circumstances, but the witness himself was about four miles from the place where the boys were captured. * These soldiers were killed along the high road at a very small village. 13,778 The witness had not seen their bodies. * The reason for the killing of these soldiers was not shown in this statement.

The witness stated that prior to the war he had no experience as a prosecutor or an attorney at law.

13,779 * After two years' internment his wife got kidney trouble and could not work any more. After the surrender until November 1, 1946 she had been in the hospital for about six months.

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RE-DIRECT EXAMINATION BY LT. COL. DAMSTE

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* So far as bulk food is concerned this had to come from Palembang to Muntok. There are about 1,200 internees and in an average of 300 grams per day it would take 1,100 tons of bulk per month, which could have been shipped in a small Chinese prau. The Japanese on the whole were well fed and well clothed.

Exhibit 1766, synopsis on Sumatra was offered and received in evidence.

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Exhibit 1767, interrogation of E. A. Lloyd, * covers the same material testified to by Sister Bullwinkel and also certain Australian servicemen.

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Exhibit 1768-A, statement of Sgt. Melkianus Latuperissa, * stated that at Kotaradja, North Sumatra, on March 18, 1942, fifty Dutch POW's were pushed into sloops, taken to open sea and shot.

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Exhibit 1769, statement of Wing Commander P. S. Davis, gives * a summary of conditions of POW camps at Pakan Baru, Central Sumatra, where originally 2,000 Dutch and British POW's were confined. Surroundings were filthy, accommodations bad and heavy labor started immediately. Little and poor food was provided. Labor consisted in building a railway under a group of Japanese soldiers from the Burma railway gang with the same slave-driving conditions as shown in the testimony of Colonel Wilde. Dysentery was unavoidable because the men had been lodged in an overcrowded jail at Padang under bad sanitary conditions together with native coolies.

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No medicine * was supplied and no dressings although large stores were available. The number of sick rose to about 40 percent. The least sick had to work in the garden. One hundred and seventy shipwrecked POW's arrived in bad condition and many died because of bad care. The death rate rose to 80 and more per month but forced labor was still increased. The commander showed no interest and there were several instances of brutality and cruelty. The deponent was told that No. 2 Camp was to be the sick camp with all sick returned to him until fit to act as replacements

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- 13,787 or to work at the camp. * The witness and the senior medical officer made repeated appeals for improved conditions and less work but the appeals were useless since they were informed that food was unavailable and the only medicine available was herbs. The least sick were forced to do garden work because the Japanese said the ration situation would deteriorate due to lack of transport. The allied doctors had difficulty in dealing with the 800 sick.
- 13,788 About September 17, 1944 the deponent was ordered to expect the arrival of further sick and he heard from a Korean guard that another ship had been torpedoed with heavy casualties. On September 19 two ambulances arrived * with about 20 cases, most dying in a day or two. The rest were at Padang. A week later 150 sick and dying arrived and the witness was ordered to produce as much clothing as possible since the Japanese said they could not. At the end of November 1944 the witness was informed that another camp had been established. The men arrived in very bad condition but were immediately put out to railway construction work.
- 13,789 * At this period the general situation was deteriorating rapidly and the witness made repeated appeals for improvement but all were refused. The witness produced reports showing the death rate of 80 per month was due to lack of food and heavy work but the Japanese informed him that he considered that all officers should do more work and that the POW's were trying to sabotage the Japanese war efforts. Conditions were deteriorated further.
- 13,790 On June 16, 1945 he was informed that the railway must be finished by August 15 and every available man sent to work. Medical parades were * held and the men forced to go out. The health situation was deteriorating rapidly and the whole group was exhausted and depressed. Supervision by the Kempetai was increased and all sorts of disciplinary pressure was brought to bear.
- 13,791 Exhibit 1770, affidavit of Private W. Hagedoorn, stated that in Kota Tjane, North Sumatra, in October 1944 the POW's * were forced to march day and

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night for 90 miles in 68 hours. The slackers were beaten.

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Exhibit 1771, affidavit of K. E. Krijogsmen, stated * that he was taken POW on March 17, 1942 and interned at Lawe Segala Camp in June 1942. In May 1943 he was told by the Japanese commander that POW's would soon have to enlist in the Japanese Army. On May 29 a Japanese officer and a Kempetai arrived at the camp. The interpreter told the men that they had five minutes to decide whether they would enlist in the Japanese army. The POW's were divided into three groups: those rejected medically unfit, volunteers and those who refused. The witness was with the volunteers. The names of all volunteers were recorded. Everyone was allowed to return to his quarters. * On May 29, 1943 those who refused to enlist were taken to Kota Tjane. The witness was driver to the camp commander and drove the prisoners. The men were locked in the jail and were bound hand and foot and publicly shown to the population. They were executed on May 29, 1943 with the population watching. * The execution was murder.

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Exhibit 1772, affidavit of Mrs. A. E. Prins, * stated that at Brastagi, North Sumatra in the month of September 1944 she and another woman were camp managers. The supply of food was extraordinarily bad and for 2½ months had neither sugar nor fat. The official rations were rice for grown-ups, 200 grams; children, 100 grams and vegetables 50 grams per head daily. In reality they got only 140 grams for grown-ups, 80 for children and 20 grams of vegetables.

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They were continuously complaining, but they got no results. They had spoke to an officer named TANAKA who had charge of food supply and after he left the commander was so furious that he struck both women. Discontentment increased daily and the women threatened to break out to get food. They proposed a hunger demonstration * and demanded a supply of official rations. The commander promised to see what he could do but there was no improvement.

They asked for permission to get food from outside but this was refused. The managers proposed to the inmates, in order to stop a demonstration, that they wait until November 25, 1944, hoping that by that

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13,799

day there would be improvement. They told the commander that they could not prevent the inmates from breaking out if there was no improvement on the ration due on November 20 and pointed out to him that he would get into trouble. They asked him to appoint other managers but he refused. * He promised that the request for more food would be answered on November 20, however, they were the same. They complained daily and the promises were never kept. It was agreed that 40 women would leave the camp on November 26 but 386 actually left.

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The managers were ordered to bring the women back. They went out to ask the women to return but the women refused to do so before they had settled their business. The Japanese also got no results. By 9:00 P.M. all had returned. This had been reported to the M.P.'s * and the camp managers were interrogated. The managers were accused of having incited the women and were beaten. They were ordered to line up the women who were away but the whole camp came to the office. The Japanese understood that this was a demonstration and one got so furious that he struck a woman with a golf club. After 15 minutes the women were dismissed but the managers had to remain. They were again questioned and beaten and ordered * to write down the names of all the guilty.

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The lists were taken on the 27th to the commander and included all persons who had been present the evening before. They could hear the women being interrogated screaming. * When the witness entered she saw a curtain rod on the table which had been used on one of the women. She protested against the mistreatment and she was told that the investigation would be stopped if everyone would plead guilty. The witness told him that the Japanese were guilty and was struck with this rod. When the investigation was over the witness could not walk without help. Under ordinary circumstances she could not have done her daily work for some days.

The witness refused to go to be interrogated again the same day but on the morning of the 28th she was ordered to the Japanese office with some other ladies. They were taken to the penitentiary at Kaban Djahe and they were locked up. The cells were without

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13,804

light or ventilation and was dirty with urine and feces. These cells were for lunatics in transit. There were no beds nor toilet. On the 29th she was taken to a room in the outer building where she saw all kinds of cudgels, belts and whips and on the floor was a coal fire with irons. * The witness was threatened with torture if she refused to plead guilty. She was made to stand on a chair after her wrists had been tied behind her back and a rope was run over a pulley and she was held suspended until she could hardly reach the seat of the chair with the points of her toes. Each time that she lowered herself to get a little more support, the rope was tightened and drawn higher. She was beaten with a rubber stick while in that position. After ten minutes they suddenly let her go, the shock causing unbearable pain. She was taken back to her cell and thrown in.

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About nine o'clock she was again taken to the torture chamber and again suspended and questioned. She was not beaten. The head of the M.P.'s had entered. He slapped her face because she had spoken about officers and ordered her follow him to his office. He ordered a typewriter and ordered the witness to type out the names of the women * who had been out of the camp. The witness said she was unable to do this and he told her to dictate. She dictated the names of all the women who lived in the camp and she was taken back to her cell and for the first time got some food consisting of 72 grains of maize. There was no water.

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On the morning of the 30th she was again taken to the head of the M.P.'s and was interrogated but not ill-treated and was told that she could be shot for escape. Mrs. Akins was also interrogated and later told the witness she was condemned to death. * An hour later they were taken back to the camp. The camp managers were taken to a bungalow. The rest to the camp. They expected to be shot. They were placed with their faces to the wall. They heard three Japanese enter and open the locks of their rifles. A further Japanese entered and roared at the men to fire but nothing happened. On another command * they were struck and then taken out of the room and back to the camp. For ten days the witness could not move her arms

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and use her hands and had to be helped by other people. It was impossible for her to work.

13,809 Exhibit 1773, affidavit of Amir Bin Sarodin,
* showing that the aborigines of Sumatra suffered from enslavement.

13,811 Exhibit 1774, affidavit of L. G. Emmels,
* showed that at Medan, Northeast Sumatra, the methods of torture used were water tests and severe beatings. The treatments drove some of the victims to suicide.

13,812 Exhibit 1775, affidavit of Suyker, showed
* that at Shibolga, Northwest Sumatra, the prisoners were beaten, tortured with injuries, the water test and exposure of the naked victim to the local population.

13,813 Exhibit 1776, affidavit of J. C. Teerlink,
* stated that at Tandjong Karang, South Sumatra, there were beatings, burnings of moustaches and other tortures. The Kempeitai officers condoned ill-treatment.

13,814 Exhibit 1777, affidavit of Dr. Lo Djien Sioe,
13,815 * stated that they arrived at Kertopati, Palembang and
* were taken to the Kempeitai. They were given something to eat and a conversation started. Without warning they were beaten with fists. On the next morning, August 17, 1943, he was interrogated by a corporal and beaten with fists and a horsewhip. The Deponent was left lying throughout the night on a cement floor without cover.

The next day the witness came into a cell and found some Ambonese policemen who had been accused of participating in an anti-Japanese plot. Although the witness was extremely dizzy and ill he was not allowed to lie down and had to sit up.

13,816 Food was bad and consisted of a helping of white rice and a few slices of cucumbers three times
* a day and did not have a calory-value of 500 per man per day. The cell was about 2x4 meters and they were packed pretty much like sardines. Hygienic conditions were pretty bad. When the witness became fit he was again beaten on the lower half of his body so that it

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was impossible to sit. He had to stand or lie on his belly.

One Indonesian was kept standing in the middle of a circle and used as a ball and the water cure was applied to him. This man died without regaining consciousness.

13,817

* Mr. Stevens received the worst treatment. He was tortured time and time again by the water cure, hanging head down and fire treatment. The witness saw his wounds.

13,818

Daily each prisoner was beaten with a stick or a horsewhip or a rope. The screams and groans were heard all the time. There were several special torture chambers and the lightest treatment was standing in the sun for the whole day. Men so punished got food only in the morning. During August and September 1943 there was a raid among the Ambonese suspected to be in a plot against the Japanese. The Kempeitai * participated in this. The witness continued to be interrogated about all kinds of things and since he could not reply properly had to undergo tortures. He was once accused of owning a firearm, which was not true. On that occasion he was brought by car to a plantation. A pit was prepared and he had to kneel while a saber was put to his neck. However, they did not go through with this. In September 1943 many prominent people were arrested.

13,819

* The witness had won the confidence of the Kempeitai and was allowed to attend the POW's.

13,820

Exhibit 1778, affidavit of F. R. Kramer, stated * that in the jail at Pematang Siantar, Northeast Sumatra, more than 300 of the 550 POW's died in two years from dysentery and malnutrition. POW's expected to die were put into a special cell and dying was speeded up by leaving the patient outside in the sun.

13,821

Exhibit 1779, * synopsis on Timor and Lesser Sunda Islands was admitted into evidence.

13,822

Exhibit 1780, affidavit of Private R. B. Crow, stated * that at Oesapa Besar in February 1942, eight Australian POW's were shot without trial.

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Exhibit 1781, interrogation of T. W. Binderman, stated that at Babaoe, Dutch Timor in February 1942 an Australian medical corporal in charge of the hospital was hanged and his throat cut.

This affidavit also examined the murder at Oesapa Besar.

13,823 Exhibit 1782, affidavit of Lt. Col. W. W. Leggatt, stated * that at Babaoe in February 1942, three Australian POW's were killed by being tied together and their throats cut.

13,824 Exhibit 1783, affidavit of S. Graca, stated * that at Tatu Meta in February 1942, seven Australian soldiers were bound with telephone wire by piercing through their wrists and then bayoneted.

At Dilli, Portuguese Timor in March 1942, an officer was tied to a tree and bayoneted for about 20 minutes and then stabbed to death.

13,825 Exhibit 1784, affidavit of Mr. Augustun, * stated that at Soeway in August 1942, the Japanese murdered by beheading a Dutch lieutenant.

Exhibit 1782, affidavit of Lt. Col. Leggatt, stated that at Oesapa Besar conditions were bad for food, drinking facilities, accommodation and sanitation. Medicines were not provided but the POW's had enough of their own.

13,826 Exhibit 1785, the report of Captain De Thouars, Private Brants and Lieutenant De Vries, stated * that at Flores Island conditions were terrible with no dwellings being provided in the first month. Sick had to stay in the open air. There were no bed pans but only a little hole dug at each bed place. Some of the men had to go 40 to 60 times a day and new holes had to be dug until a patient had to be moved. If the patient was too sick to roll over, a hole was dug through his sleeping mat.

Food was bad and health deteriorated--more than half were ill. The sick were forced to labor. Of the 2,079 Dutch POW's, 211 died within a year. Discipline

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was harsh with corporal punishment causing death sometimes. POW's were not protected against air raids.

13,827 Exhibit 1786, affidavit of Lt. L. L. McKenzie, stated * that at Soemba Island interrogations were held under beatings and threats.

13,828 Exhibit 1787, affidavit of Sgt. C. H. Van Der Sloot, stated * when on February 16, 1942 with some 20 Javanese soldiers he was taken to Timor in a voyage of four days, during which they were badly fed and given nothing to drink for one day, they were sent to Koepang airfield, walking on foot for five days. During this trip the witness's hands were tied behind his back. The day following his arrival the Deponent had to act as interpreter * with the Japanese. There were more than 1,000 Australians. A medical officer asked for medical treatment and medicine for the sick. This was bluntly refused. The men lived in a barbed wire and bamboo inclosure in the open air. After a fortnight about 50 Australians died and were buried within the inclosure. The area was about two acres.

13,830 The food was very poor with only dry rice supplied with the men doing their own cooking and breakfast lasted from six to eleven. The Australians asked that conditions be improved. The witness transmitted this request but received a blunt refusal. No vegetables nor meat were supplied. The witness during two weeks asked for improvement several times on orders * and also on his own accord but to no avail.

The Japanese demanded a 500 man working party to repair roads, cut trees and dig. There were only about 300 men a day fit to do some work. The remainder were too sick or weak. Food supply amounted to one liter of rice porridge per man per day.

13,831 There * were wounded personnel with about 30 in two weeks being operated upon for extraction of shell splinters. The patients were tied to a chair. The doctors were compelled in some cases to operate without anesthetics. Admission to the hospital at Koepang was refused.

In July 1942 a Timorese had cut a telephone wire. He and two brothers were sentenced to death. The suspect

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who was cutting the wire was merely asked his name and why he had cut the wire. He stated his name and said that he wanted the wire for private use. The two others were never asked any questions.

13,832

The same day on orders the witness had to draw up a document in Malay * announcing the death sentence and instructing the public to watch. The witness was told to attend and when he arrived he saw three new graves. The three convicted, with their hands tied behind their backs, were made to kneel before the graves, facing the firing squad. The sentence was read in Japanese warning anyone committing sabotage would be shot. The witness translated. The three were shot. One was still alive and moaned. One of the bystanders was forced to throw a heavy stone at the head of the wounded man. The graves were ordered filled up by bystanders.

13,833

Exhibit 1782, affidavit of Lt. Col. Leggatt, * stated that at Cesapa Besar Camp an Australian POW who had struck a Japanese NCO and escaped was killed without trial on instructions from headquarters.

At Flores, two POW's were executed without trial.

13,834

Exhibit 1788, affidavit of W. F. H. Plas, * stated that at Soemba conditions were bad, although there was only a small number of internees. Accommodations and food were inadequate, property was looted and severe beatings occurred.

Exhibit 1789, affidavit of C. J. Sequeira, stated that at Liquica, Portuguese Timor, Portuguese civilians were interned. Accommodations were bad as were food and medical care. Internees were exposed to air attacks without protection.

13,835

Exhibit 1790, affidavit of Pte. E. Simoes, * stated that at Aileu in September 1942, the Japanese, directing the natives, made an attack on Portuguese guards and killed most * of them.

13,836

13,837

Exhibit 1791, affidavit of Flight Officer * Beattie, stated that at Ainaro in October 1942, two

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Priests were murdered. At Atsabe in December 1942 the Japanese, when attacking Australian forces, used 50 to 60 natives as a screen. They also burned the native huts at Mt. Katrai and shot the women and children. This was a regular practice.

13,837 Exhibit 1792, affidavit of L. A. N. Rodreigues, * stated that the Japanese attacked and sacked native villages in Portuguese Timor, using indiscriminate machinegun fire.

Exhibit 1787, showed that two natives were killed without proper trial and 1781 showed that a native was killed without trial.

13,838 Exhibit 1793, the report of Major General Y. TANAKA, stated * that in September 1944 he ordered a punitive action against the islanders of Loeang and Ser-mata because some Kempetai had been murdered by the natives.

13,839 * The suppression party, about September 29, 1944, arrived at Sulmata Island. Most of the natives had retreated into the mountains but there was some resistance. The party captured some of the remaining natives, investigated the mutiny and inquired about information as to the whereabouts of Yoos, son of the Radja, who was directing the whole thing. When the party landed Yoos had gone to the south coast, stirred up the natives and spread false news that the Australians were landing. The party followed Yoos but could not find him. They questioned the village chiefs but got no answers. This made the searching extremely difficult.

13,840 A part of the party was sent to Luan Island and when charged with rifle fire they fired back. The Radja and his family tried to shoot * the Japanese by bows. The Radja and his family were arrested and returned to Sulmata. The main body of the party continued to search for Yoos and ordered the Radja to search him out within three days with the death penalty to be imposed in case of default. The Radja assented but could not find Yoos and he was executed. Yoos was found and arrested. After Yoos was arrested TANAKA was asked for instructions. He ordered Yoos and other suspected criminals brought to Lautem and executed.

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13,841

* The natives of Luan were especially atrocious. They moved to Sulmata to join the attack against the air watch party. As a result of assault to M.P.'s and stiff resistance TANAKA had 34 natives executed on Moa Island. About 60 people who joined the mutiny were put to death.

13,842

Exhibit 1794, statement of Lt. S. OHARA, gave * a further description of the killing on Moa Island. The natives were killed by bayonetting, three at a time. The witness organized a brothel in which native women were forced to act as prostitutes as punishment.

13,844

Exhibit 1795, affidavit of Chung Hai Cheng, * stated that he acted as interpreter for the Kempeitai at Dilli. Conditions were very bad and the prisoners very weak. Both men and women were beaten. At Manatuto the Portuguese Chief was murdered and his cut up remains put in a sack and sent to his wife.

13,845

Exhibit 1796, * synopsis of the Celebes and the surrounding islands was received in evidence.

13,846

Exhibit 1797, affidavit of Medical Officer Mingelen, stated * that at Ralla in March 1942, eight Dutch POW's were killed by bayonetting.

13,847

Exhibit 1798, affidavit of Major T. ODUMURA, * stated that at Tomohon in September 1944 the Deponent brought two American airmen POW's to that place. The commander saw these Americans the first day and on two other occasions and once questioned them. Permission was asked several times to kill them. The Deponent said he had no authority and he would have to go to headquarters for it. He was asked on three occasions to go to headquarters for authority. He finally spoke to the colonel and told the colonel that it would be better to send the men to the POW camp at Java and the colonel said that war conditions did not * permit it and also because of possible American landings it was necessary to execute the Americans because they might give away some of the Japanese secrets. The Deponent told the colonel that this was against international law, but the colonel stated that the POW's were under the jurisdiction of the Second Area Army Headquarters. He said they must be executed. The same day after supper the witness heard

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the colonel stated that the Americans would have to be executed that same evening and the witness was ordered to execute them that same night. The witness * turned the job over to the man who had been urging the execution. The next day this man reported that everything had been completed but he did not get the details. So far as the Deponent knew there had never been a trial, court-martial hearing or any form of judicial process before the execution.

13,852

Exhibit 1799, affidavit of Y. HAYASHI, stated * that at Toli-Toli in October 1944, eight American POW airmen were executed.

13,854

Exhibit 1800, affidavit of Captain G. TANI-GUCHI, stated that he knew that nine Americans had been detained at Kendari in October 1944 and one in January 1945 and two in February. On October 1, 1944 an American plane left Morotai and on the same day the plane was hit by Japanese gunfire and crashed off the coast of the Celebes. There were 11 men in the plane but two died in the crash. * The natives reported nine men on the islands and the witness sent a boat and ten men to pick them up. They were brought to Kendari and turned over to the commanding officer of the Tokkei Tai.

13,855

The witness informed Admirals OSUGI at Makassar and FURUKAWA at Kendari. The men were kept there for six or seven weeks. On November 23, 1944 the witness received an order from Makassar to execute the nine POW's. The order was sent by Admiral OSUGI. It said to dispose of or execute the prisoners and * was so ordered that it was unlikely that it was a mistake. When the message was brought to the witness he told a lieutenant that they should go ahead with it. The lieutenant said he would make the arrangements. He next reported that the POW's would be executed the next day or two days later. He cautioned the lieutenant to abide by the Samurai Code.

About this time an order was received from the 23rd Air Unit at Kendari to send four of the POW's to them. His lieutenant stated that they wanted to execute four. The witness sent the four. The other

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13,856 five * were executed either the next day or two days later as scheduled but the witness did not attend nor did his lieutenant. The lieutenant reported that the men had been executed and the Deponent sent a radio message stating that this had been done. This was sent to Admiral OSUGI. As to the other four * the witness had a report stating that four had been executed.

13,858 Exhibit 1801, statement of Colonel M. NAKA-MURA, stated * that at Singkang in July 1945 he took
13,859 * steps to have one of his men see an officer on the staff of Lt. General TESHIMA to have five American fliers removed to Second Army jurisdiction. He had been trying to have them removed ever since he arrived at Singkang. He reason was that they interfered with the Kempeitai questioning of natives and their other duties and he felt that they should be kept by the Second Army. Three days later after the second trip to see General TESHIMA's man the execution was held.
13,860 This was probably * in the last two or three days of July 1945. The colonel had suggested that the Kempeitai dispose of the Americans, taking this for an order the deponent ordered the execution. The deponent was told the date and place of execution. About three days later the witness left Kempeitai quarters with other officers and men. * They arrived at the place of execution which was a small clearing surrounded by trees and bushes. A grave had been dug among the trees. The Americans were kept before a large tree and blindfolded. The Americans were brought one after the other to the grave, placed in a kneeling position and executed.

13,862 * The witness returned after the execution and ordered his officer to report the execution to Second Army Headquarters and it was reported to him that a report had been made. The witness stated there was never any court-martial hearing, trial or other legal process given and he knew that they could not be executed without a court-martial and the Kempeitai could not do so without a court-martial or orders from higher authority. He felt that TESHIMA must have given approval since he had always told his officer that even the natives must receive a court-martial or hearing before execution and he would have followed this procedure in the Americans' case. Also at the execution

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there were at least two soldiers from the Second Army jail.

13,864 Exhibit 1802, statement of Col. Koba, stated * that at Beo, Talaud Islands in March 1945 four Allied airmen were executed as punishment without trial on the order of General KATSURA and at Rainis, Talaud in June 1945 another airman was executed under the same order.

13,865 Exhibit 1803, affidavit of Lt. Y. NAKAMURA, * stated that at Maros in July 1945, four Allied airmen were executed.

13,866 Exhibit 1804, affidavit of Lt. Commander G. T. Cooper, stated * at the POW Camp at Macassar accommodations were bad, there being no furniture, bedding, and clothing. Camps were overcrowded and labor exhausting. Sanitation was bad, medical supplies were inadequately provided and bad health resulted and a high death rate. * No Red Cross parcels were distributed and no recreation provided. There was no mail. Discipline was terrorizing with severe corporal punishment.

13,867

13,868 Exhibit 1805, report of Dieudonne, stated that at this camp * POW's had to climb and stand in a tree full of red ants. Various tortures were applied such as severe beatings, resulting in bruised and cracked ribs and skin grafting. The camp commander took part in the beatings. There was strangling, watertest and confinement in cells. Sick people were forced to labor. * Men were executed.

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* Exhibit 1806, affidavit of Captain S. N. Paul, stated that when the deponent first arrived at Tijku Camp there was a Lt. KOBUTA in charge and two enlisted men. * This lieutenant issued orders both to the Japanese and to the Indian POW's. In August 1944 the witness moved 1½ miles from the camp and the officers and NCO's came along. Lt. KOBUTA remained the officer in charge and a certain Cpl. TANAKA acted as second in command. He took orders and discussed them with KOBUTA and gave orders. TANAKA told the deponent and other Indians that they were to be part of the Japanese Army. In February 1945 he told them they were no longer POW's but by Japanese order part of the Japanese Army. He said it was an order of the high command. * Several protested it as against the rules of war and their desires. TANAKA said they had to do it. He started teaching them the Japanese procedure and customs as a regular procedure doing fatigue duty.

The first meal of the day was about 6:30 A.M. which differed from the POW's since for the last three months they had been given no meal before starting work. * At 12:00 o'clock they got their first meal of the day and generally carried rice supplied by the Japanese. The original amount was ten ounces but it was reduced to five. There were some tinned vegetables, but mostly they lived on jungle leaves. The next meal was when they returned at 7:00 P.M. The only thing they ate was the rice left over from the midday meal. Before the evening meal they were given half an hour's military training. He saw TANAKA on many occasions beat the Indians on parades with his hands or with sticks. Every prisoner had received a beating * and about 20 POW's were beaten each day. Most slaps were hard enough to knock the man to the ground.

About March 1945 three of the Indian soldiers were ill treated by TANAKA and KOBUTA. The complaint was that they were bad workers in the gardens. They, in fact, had beri-beri, which the deponent explained to TANAKA. However, he beat them one by one by slapping until they fell to the ground. * He then beat them on knuckles, knees and the head until three became unconscious. One man died about a week later. After the beatings this man had to work on fatigue carrying vegetables. He became unconscious during work and later

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13,900

died despite injections to keep him alive. The witness had been a doctor in India for three years and would say that this man died as a result of his beatings. The other two men were ill and were put on light work and their condition was not as bad as the first man's.
* Both of the other men recovered.

13,901

Later the witness saw another man beaten and tied to a tree where he was kept for 24 hours without food or water. His hands were tied behind with a rope to the trunk of the tree. He had to perform his natural functions while tied. He was beaten for more than 15 minutes before he was tied to the tree with firewood sticks.

13,902

In July 1945 * TANAKA and another beat another man with heavy sticks on the head for more than one half an hour. KOBUTA watched and said nothing and did not interfere. When the man became unconscious he was revived by water and then beaten again. After he was beaten he was made to kneel on firewood with a piece of wood behind his knees. They tied his hands behind his back and beat him. He could not remain upright and they would beat him when he fell down. This took one half an hour. While this was being done one of the men poured petrol on his feet and lit it. When the beating was finished he was tied with his hands behind his back to the trunk of a tree and left there all night. He was secretly supplied with food and water. * The reason for the beating was that he refused to implicate others in certain thefts and TANAKA wanted to torture him until he implicated the others.

13,903

The following day TANAKA and KOBUTA stated that they wanted to behead this man. The deponent stated it was useless and he should receive some other punishments for the thefts he admitted committing himself. They did not behead him and left his punishment to the Indians who blackened his face with soot and hung his shoes around his neck.

In April 1945 * a man suffering from dropsy and in bad condition since he was swollen with water needed immediate treatment. The witness had no instrument and he had asked for medicine and instruments but they had been refused. He asked to have the patient admitted to

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to the hospital but this was refused. The witness was later supplied with an injection needle and it took him eight to ten hours to get part of the water out with great pain to the patient. His life might have been saved with proper treatment.

13,904

In February 1945 the deponent heard KOBUTA * tell a man that he had been disobedient and ordered him to make two camps and a garden. This man wished to appeal to higher authorities. TANAKA threatened him with severe punishment such as beheading. The man did not go to higher authority and continued to work. Later an M.P. came and started questioning and slapping the man very severely for a period of 15 minutes. For ten days this man was put on half rations. * They wanted this man to sign a statement confessing many crimes and threatened to behead him if he did not. The man finally signed.

13,906

* During the period that he was with TANAKA and KOBUTA he actually saw one or both of them beat or severely slap POW's with sticks.

In March 1945 an Indian confessed taking a tin of fish. He was brought and tied to a tree and beaten. He then disappeared. A few days later TANAKA stated he had been captured and beheaded by the M.P.'s.

When the Japanese surrendered TANAKA asked the witness to sign the roll that this man had died from natural cause. The roll showed that he had died from beheading following conviction and TANAKA wanted to show this as natural. TANAKA was then armed and the deponent signed.

13,908

On April 10 the prisoners were taken away from the camp and kept for three or four days. When they returned they were all very ill, two spitting blood. They were all bruised and swollen and in a state of exhaustion. KOBUTA told the deponent that these four were to be beheaded as an example to others against theft. Later he saw them taken away by M.P.'s * to an area where other prisoners had been seen going with spades. They were never seen again. The next day KOBUTA stated that these four had been beheaded.

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About July 1945 two men were accused of stealing a phial of medicine and TANAKA stated that they were to be beheaded. They were tied to a tree and kept there. The next morning they were stripped naked and taken away by TANAKA. They were never seen again. TANAKA and his guards had swords. Later TANAKA stated that the two POW's had been beheaded.

13,909

* In August 1945 before the surrender TANAKA told him that another man was going to be beheaded for stealing and lying. The witness never saw the man again and TANAKA admitted that he had beheaded him.

Two men were accused of escaping and upon recapture were beheaded by the M.P.'s.

13,910

In September 1943 after they went to Halmaheras dysentery broke out. Captain USHIDA was in charge. The deponent asked * for medicine but this was refused. TANAKA and KUBOTA were responsible for not giving a full ration of food. The POW ration was put in the same store as the ration for the guards. They only issued out rice, salt and dry vegetables but did not give any biscuits or greens. However, he had seen them take out these biscuits for the guards or police. Out of 40 bags of rice 15 went to the Japanese and 25 to the POW's for a month. There were eight Japanese and 190 men.

TANAKA had stated that because of his friends in the KEMPEITAI he could do anything he wanted in punishing POW's without getting permission.

13,911

* As a result of food being kept away from them the men contracted beri-beri from which some died. A lot needed hospital treatment and drugs which could not be procured. TANAKA did not allow the men to go to the hospital on the grounds that no Indians could go. During the last six months the Japanese were very harsh in the treatment of the sick who all had to attend the morning parade and stand at attention while listening to a lecture. Some collapsed and when they did they were left lying. Men had to be supplied to replace those who collapsed, mainly from the sick whom were known to be unfit for work. * This was told to the Japanese on many occasions. After the parade * KOBUTA and TANAKA

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would go over to those who had collapsed and hit them or kick them. Most were genuine cases. They would then select some of the sick who were to be given an injection. One would be ordered not to have any. They decided who was to get injections and who was not permitted to have any. The injections were made by the deponent or the Japanese medical orderly. It was an injection of vita camphor to strengthen the heart. Some of the men had to be carried by prisoners to the barracks. The camphor supply was obtained from the Japanese and often the witness was able to give injections only to those * who really needed them and this was from supplies which were stolen. He had to do this secretly because he was allowed to give injections only to the men picked up. The others would have died without the secret injections. They would not allow the men to go to the Japanese dental people and no reason was assigned for this.

13,914

In the early phase there were six guards and in the last fortnight they had five additional ones. He often saw these guards * administer beatings with hands and sticks. Two men died in March or April 1945 of amoebic dysentery. The deponent had asked for emetine but had been refused despite the fact that there was some available. When he asked to be able to take the men to the hospital this was refused. Both men died. They would have both been able to recover if given the emetine.

13,915

* When they arrived in Halmaheras two-thirds of the POW's had no footwear and had to go barefooted, resulting in sores on the feet and legs. This infection spread quickly and there was some permanent disability and some death. They refused supplies.

13,916

Exhibit 1807, statement of Lt. Comdr. P. E. Carr, stated that at Pomela in October 1943 * a wounded Australian flier was left to die although medical treatment was available. He was not given an anaesthetic because he had refused to give information further than needed under international law.

13,917

Exhibit 1805-A showed that in Macassar three escaped Dutch POW's had been beheaded without trial and a second group was likewise beheaded after ill-treatment.

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13,918 Exhibit 1808, statements of Lt. R. J. Hensel, stated * that at Menado in March 1942, five Dutch NCO's who had participated in guerilla activities but surrendered were executed.

Exhibit 1809, affidavit of Major W. C. Van Den Berg, stated that two Dutch NCO's who had defended the airdrome were beheaded after serious ill-treatment.

13,919 Exhibit 1806 showed that through 1945 * there had been a number of beheadings of Indians.

13,920 Exhibit 1810, statements of H. Dallinga, stated * that at Teling, Menado food was bad in quality and quantity and consisted in the beginning mainly of burned rice. No medicines were supplies resulting in the death of ten. Discipline was by terrorization, severe beatings and torture and confinement. On July 3, 1942 two POW's were executed and at another place an American officer and three priests and another Dutch were executed. These POW's were moved to jail for about six weeks and got no water or food for three days and then only a little.

13,921 * No medical care was given. After their return to camp they got only one meal of rice per day. No medicines were supplied and the sick were sent to jail where they died of starvation and illness. The only medical attention was from a Japanese doctor and he tried to buy watches. On June 19, 1945 two internees were executed.

13,922 Exhibit 1811, report of H. J. Koerts, stated * that at Pare-Pare, Southwest Celebes in a camp severe beatings occurred. At Bodice the internees lived in cow sheds and pigsties. There and at Bolong food was insufficient.

13,923 Exhibit 1812, affidavit of Mrs. A. L. Rolff, stated that at Aermedidi, a women's internment camp at Menado, beatings were regular. Four young girls were beaten and then forced to stand night and day for a week without food. Food was insufficient and beri-beri resulted. * Medical supplies were inadequate and the Japanese attitude was the sooner the POW's died the better. Sanitation was bad.

Exhibit 1813, affidavit of C. H. Wensveen, stated that at Menado at the Tokeitai Headquarters the

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suspects were confined in overcrowded cells, forced to sit all day, were not allowed to speak and were not given sufficient food. There were severe beatings and tortures and rape. The same condition prevailed at the military prison. At Makale food was scanty and there were no medicines. At Macassar the prisoners sometimes could not go to the lavatory * for three days and the use of soap was forbidden. At Macassar corporal ill-treatment was used.

Exhibit 1808 showed that at Menado in February and March 1942, eighteen persons were kept in a death cell where they were severely ill-treated, bound together and kept in the sunshine each day. When they collapsed they were set up-right again by kicking and thrashing. For six days they got no food then had to dig pits and were executed.

13,926

Exhibit 1814, statement of Djon Sampok, stated * that at Lolobata, Halmaheira in March 1944 one native was beheaded without trial.

Exhibit 1815, statement of Hoesin Bin Abdullah, stated that at Foelic in September 1943 the Japanese killed two natives without trial.

13,927

Exhibit 1816, affidavit of Mairuhu, * stated that at Soegi, Morotai in September 1944, four natives were put to death by beheading without trial. One escaped.

Exhibit 1817, synopsis of the Ambon Islands was received in evidence.

13,928

Exhibit 1818, affidavit of Major George De Vardon Westley, stated that * he was with the 2/21 Australian Infantry Battalion on Amboina in February 1942. The Australian forces consisted of 800 on the Ambon side and 300 on the Laha side. The deponent was taken prisoner in February 1942 and remained until the surrender in 1945. He heard nothing as to the fate of the 300 on the Laha side and despite a party being sent in September 1945 he found no trace, but he did find the remains of 200 men but could not identify them.

Exhibit 1819, evidence of Lt. Comdr. NAKAGAWA in the Tokyo Naval General Court Martial of November 8,

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1945, stated that he was a lieutenant * in the Japanese Naval Force at Laha. The occupation force * began landing on the beach about two A.M., January 31, 1942 and captured the airfield on the morning of February 3, 1942. The POW's taken at the airport were about 400, 210 Australian, 60 Dutch and the rest natives. On the morning of February 1 the reconnoiters captured ten soldiers lead by an Australian and took them to Sowacoad. Fifty more Australian POW's were taken on February 2. The first ten POW's * were bayoneted to death before the force left Sowacoad. They were killed by order of the commanding officer, Rear Admiral HATAKEYAMA, because they would become a drag on the movement of the rear forces.

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13,933

* On February 4 the Ensign at Sowacoad sent a report to HATAKEYAMA that they did not know what to do for treatment of POW's who had either rebelled against the commander or deserted because of language difficulty. The Admiral ordered that they should kill the POW's on the following day. In compliance with this order on February 5 the deponent took 30 petty officers and men to Sowacoad and in the forest about 200 meters from the airfield they dug holes and killed the POW's with * bayonets. The men were divided into three groups, one group to lead the POW's, the second to prevent disorder on the way to the forest and the third for beheading or stabbing. The POW's were sent to the spot one by one and made to kneel with a bandage on his eyes. They were either beheaded with a sword or stabbed through the breast with a bayonet. The POW's were all Australians. All corpses were buried. The only Japanese officer present was the deponent and he was in over-all command and he was on the spot when the last victim was executed. * He reported to Admiral HATAKEYAMA that the order had been carried out.

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13,936

In addition there were billeted in the airfield barracks some 200 Australians and some 60 Dutch. These men had stated when they found out that the Japanese force was only 170 that they would have continued fighting if they had known this fact. They were disobedient in their assigned work. This was partly due to language difficulty. About thirty were especially disobedient. * The commanding officer ordered on the evening of February 5 that these 30 be murdered. This was done by

Page

twenty enlisted men about three P.M. the following day. The same system was followed as in the previous case. As in the previous case the deponent stood in the middle as general command and only witnessed the last execution. This was reported to the commander. All the victims were enlisted men.

13,937

* On February 17 or 18 the commanding officer disclosed his intention to kill all the remaining POW's. His reason was that the Japanese had available only 340 to 350 men for all the guards in the district and desertions of POW's was noted. Rumors ran among the natives that the Allied troops would soon attack and enemy planes were coming in. If the deserting POW's could divulge the Japanese situation, it would be unfavorable. When he asked the commander about the provisions of international law, which stipulated that these men should not be treated as enemies, he stated that this was right, that the captives interned were to be classified into another group and it would not violate international law to kill them.

13,938

A few days later * the deponent was told by the commander to kill all POW's at Laha. On the 20th he took 60 enlisted men from various platoons and 30 from a minesweeper, totaling 90, to Laha. They dug holes in a forest. He divided the 90 men into nine groups: two for the killing; three for watching; and two for dispatching the POW's; * one for guard and the last for emergency. The POW's were taken by truck from the barracks to a detachment building and from there on foot. The same system was used in killing them. The victims numbered about 220 in all. The deponent gave overall directions and ascertained the final accomplishment. It took 3½ hours. Most of the group was buried in one hold but because it was not big enough a dugout nearby was used. The witness reported this to the commanding officer directly.

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* In the first three cases the orders were issued by Rear Admiral HATAKEYAMA. In the last case the deponent did not know whether the order was issued by the commander himself or in compliance with an order from HATAKEYAMA.

Exhibit 1819-B, the record of evidence of Comdr. HATAKEYA before the Tokyo General Court Martial on November 8, 1945 confirmed his story.

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DIRECT EXAMINATION OF JOHN CHARLES
VAN NOOTEN, by Lt. Col. Mornane

13,943

* The witness stated that he was a lieutenant in the Australian force and resided in Victoria, Australia. In 1942 he was a member of the 2/21 Australian Infantry Battalion and on February 3, 1942 was captured at Amboina. On the Ambon Town side 809 Australians and approximately 300 Dutch POW's were captured. This did not include those captured at Laha, which was a separate force.

13,944

* The men were confined in the Tan Toey Barracks, about two miles from Ambon. The Dutch were confined in a separate compound within the main prison compound. They could be seen because there was only a barbed wire fence between them. On October 26, 1942, 267 Australians and 230 Dutch were transferred to Hainan Island, leaving 528 Australians and 14 Americans and 6 Dutch, a total of 548 at Tan Toey. From February 3 to October 26, 1942, * one Australian POW died and 13 escaped. They remained on Ambon Island until September 10, 1945.

13,945

For the first three or four months food was reasonably good and sufficient; during the next 20 months food was reasonably sufficient but not to permit hard work. The ration was 17 ounces of rice per day and occasional small issues of fish or meat with vegetables. After July 1943 the ration became worse, first dropping to 10 ounces of rice, then to 8, then to six and during the last six or eight months it dropped to four ounces per day. During that period there was no fish or meat. There were fairly regular issues of very poor quality of sweet potatoes of four ounces and issues of sweet potato * tops and tips of Kasava potato. On many occasions he was able to see the Japanese ration issued, prepared or eaten. It was always sufficient, although in the latter period their rice ration was decreased to 15 or 17 ounces per man, but they always had a liberal ration of fish and any amount of vegetables.

13,946

The witness was told by the Japanese quartermaster that there was one to one and a half years' rice ration on the island, sufficient for three to ten thousand Japanese. He learned this in 1945 after the capitulation. * During the months of November in the

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latter eight month period there was no rice ration whatsoever. The substitute was nine ounces of tapioca flour. In December the ration was $1\frac{1}{2}$ ounces of rice and $7\frac{1}{2}$ of tapioca flour. This diet caused obvious malnutrition, great loss of weight and was responsible for the shocking death roll in the last three months. In May 1945, 42 men died, in June 72 and in July 94.

At the time of the surrender the Japanese were in a good state of health with no signs of malnutrition and no more outward signs of beri-beri than normally.

13,948

* In the early stages accommodations were good. The men were confined to their former barracks. About July 1942 the Japanese took over six or eight of the huts and used them as storehouses. About November 1942 they created a bomb dump of 200,000 pounds of high explosive and armor-piercing bombs within the camp area. * This was within 200 feet of the camp hospital, within 15 feet of the officers' quarters and 75 feet of the compound where there were about 250 Dutch women and children.

13,949

13,950

These Dutch were brought in after the Dutch army personnel had been moved to Hainan and they occupied * the same compound formerly occupied by the Dutch army. Protests were made on several occasions to the camp interpreter and manager. They were told to remember their status as POW's and they had no rights and the International Law and Red Cross were dead. They also made requests to have the camp marked as a camp and get the hospital marked with a Red Cross. These were all denied. In the first instance these requests were made * to the manager. He was asked to pass them on. In most cases he refused but sometimes said he would ask headquarters. He never gave an actual reply to a request but on many occasions stated it was headquarters' orders.

13,951

On February 15, 1943 the bomb dump was bombed by Allied aircraft. The dump did not explode immediately, although set on fire. It was obvious, however, that it would explode. Efforts were made to clear the hospital and some of the injured. There were fifty patients in the hospital, some on stretchers, who had to

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13,952 be moved away. Two minutes later the bomb dump blew up. As a result 10 * Australians were killed and 27 Dutch women and children. Twenty Australians suffered serious injuries and another 70 minor ones. A large number of Dutch were injured. Some of the injured died subsequently, including one Australian and two Dutch.

13,953 * The camp, which had had 50 huts was flattened except for three huts which were left in bad condition. Fire completed the devastation. Immediately strong representations were made to have the hospital marked with a red cross. Permission was granted. A few hours later a red cross was erected over the hospital building and a Japanese plane flew low over and appeared to be taking photographs. They were then ordered to tear down the red cross and the order was enforced.

13,954 * The camp was devastated. The huts were scattered over an area of five or six acres and in the center there were badly battered buildings displaying this red cross. After being given first aid the Dutch were transferred to Ambon and quartered in the Bethany Church. They were later shipped to Macassar. In Bethany Church they were quartered in a building which was not capable of holding them with no facilities except a temporary trench system * and no protection against aerial bombings, although the church was in the center of a continual target.

13,955

On February 15 the witness was appointed camp adjutant responsible for all official Japanese contact.

The men had to rebuild the camp without any assistance except for the providing of a small quantity of atap. The accommodation was sufficient providing 52 men crowded into a hut 100 feet long and 50 feet wide.

On August 28, 1944 Ambon was heavily bombed by 24 Liberators and the camp area was bombed. The camp was still used for storing Japanese arms and food * and had a number of gun positions within the camp area and there were small anti-aircraft guns. The greater portion of the camp was completely destroyed. Thirteen Australians were killed and 15 injured. There were no

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13,957 markings on the camp. The camp was rebuilt from timber scraps salvaged from the wreck with atap and the only labor left to do this was the sick. They managed to rebuild eight huts, which provided accommodation on the same standard as before. * All the sick lived in the same hut.

Over the whole period the Japanese issued a quantity of lap-laps which was insufficient for one per man and three bolts of shirting. Footwear was always short. They had had a large stock of Australian army boots prior to the invasion and after they had taken the smaller sizes for themselves the Japanese sometimes issued the remaining pairs, but never in sufficient quantities.

13,958 Of the 123 men who were alive at the time of the surrender, one-third had footwear other than sandals and clogs and that was in unserviceable condition. Each man had at least * one pair of shorts. It was not sufficient to keep the men decently clad.

Medical supplies at all times were inadequate. The hospital was run by a senior medical officer until February 15, 1943 when he was killed. Written requisitions were made monthly and sometimes special requisitions were made to the Japanese. However, they never received the requisition in full but sometimes received the more unnecessary items.

13,959 * In 1943 a large number had beri-beri and malnutrition but got nothing to combat it. From 1943 on tropical ulcers were prevalent and in later 1944 to the end the greater number had very bad ulcers. On a few occasions to treat this they received a few grains of idoform and a limited number of bandages. At one time they had 200 men suffering from this and the supply of bandages was one for the whole camp for a month.

13,960 * No operative instruments were provided for use. On one occasion a request was made for the instruments to amputate. They were promised but not supplied for three days and the patient subsequently died. The few instruments on hand were inadequate. Some operations were performed with a butcher knife and saw. On several occasions they got small quantities of

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anesthetics, but no local ones, and the greater part was chloroform and not ether.

13,961

Death certificates had to be supplied to Japanese headquarters for each man who died. This showed his name, rank, next of kin * and the cause of death. The doctor's diagnosis was rarely taken. If the diagnosis showed death from starvation, it was immediately altered. They had to say he died of beri-beri or some other disease. Of course, this was due to lack of Vitamin B-1.

13,962

In April 1945 the men were divided into nine groups of ten men, each consisting of men of similar physical condition. A Japanese medical officer took a blood test of each man and then gave a course of injections which were supposed to be vitamin B-1 and caseine. Two or three days later * a further injection was given of T.A.B. This course continued over a month. During the period some of the groups received a slightly increased ration of 150 grams of sweet potato and 200 of sago. If a man was still alive at the end of a month a further test was taken. Of the group which was in the classification of being very sick very few survived. During the experiment 50 died.

For the first two or three months the POW's did very little work. After that the work consisted of roadmaking and repairing, digging trenches and loading and unloading ships. In the last they handled all sorts of cargoes of bombs, ammunition, gasoline, coal, etc.

13,963

* The men also disposed of unexploded bombs, cleared mine fields and transported ammunition. From the end of 1943 the physical condition became gradually worse so that from the middle of 1944 the men were required to work in an indescribably low condition. They were all thin and emaciated and many could not work without support. A man of a normal weight of 160 pounds was working while weighing 80 or 90. One man, a member of his working party which on December 8, 1943 was required to work at the shipyard, * was swimming to a small boat and floating timber to shore, a distance of 200--250 yards, drowned.

13,964

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13,965

* One party of five men was ordered to do black smith work. The task was cracking open 500 pound high explosive bombs and taking out the explosive compound. This was done with the use of a metal hammer and a metal gad. This continued despite protests. One bomb exploded, killing one outright and injuring three others who died in the next two days.

13,966

The 'long-carry' was what the prisoners called carrying cement and bombs between two villages on the northeast coast of Ambon. The trip was about eight miles * over a tortuous track. The prisoners were required each to carry 190 pound bag of cement. After this was completed, after three weeks, each two had to carry 150 pound bombs. The track was of such a nature that the men had to go on all fours on many occasions. The work party would begin at 0630 and continue until 1930. Men would be driven by guards. At the end of a week the men, in most cases, would be exhausted and not capable of carrying on. They were, however, ordered to carry out the work and they became worse. On many occasions they had to be carried back, sometimes unconscious. Each day the Japanese would ask for ten to fifteen more men than could be supplied. Each morning they would call out the sick and select those * most capable. Many could work only with the aid of a stick and were forced to carry these loads.

13,967

The ration at that time was no rice and nine ounces of tapioca flour. Since both villages were on the sea coast and there were a large number of landing barges available for the job they could have been used but never were. The guards who covered the trip were armed with pistols and each carried a pick handle to drive the men over the course.

13,968

* On many occasions when the number was not supplied the Japanese went through the hospital to select more men. He had seen the camp manager and guards order men out of bed and beat them until they went out if they said they were incapable. One man was forced to go to work daily. One morning the Japanese went through the camp and any man found lying on his bed was beaten until he came out. A guard saw this man * on his bed covered with a blanket and he

13,969

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beat him for some time before it was realized he was dead from malnutrition, beri-beri and exhaustion. On many occasions the medical officer tried to prevent the men from being taken, but while he was allowed to run his own sick parades and treat his own patients, his advice was rarely taken. He was often threatened with punishment but was actually struck on one occasion.

13,970

The sick were taken from the hospital and lined up with the work party. If they protested they were struck. If they could not stand in line and collapsed * they were kicked while on the ground. On one day a certain private was not detailed for a party, being too sick to work. However, some of the others had collapsed and he was ordered to replace them. He was standing in the work party leaning on a stick in obvious pain. He was very thin and weak and he told the camp manager that he could not work because of his ulcer. He was struck and kicked on his ulcer. This continued until he got on his feet again. The work party was scheduled to garden about two miles out of the area and they had to walk. This private collapsed about 200 yards and was again kicked and punished and then permitted to go back to the camp but was forced to continue working.

13,971

* Only one died on the 'long-carry' but many were left in such condition that they died during the next two or three months. At least 60% of the men engaged on this job died in a period immediately following or prior to the surrender.

13,972

In December 1943 one batch of 800 letters addressed to the men who were prisoners at Ambon or had been transferred to Hainan arrived. There were about 400 men still at the camp. * About 20 or 30 of the letters were given out within a week to various individuals. Later if a man was dying he would be given a letter. The main bulk of these letters was delivered about a fortnight prior to the end of the war.

The men could not forward requests to their own government or to any protecting power. They had no communication with anyone. Discipline was enforced by summary punishment consisting of beatings, punching, kicking and minor forms of torture.

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13,973

* As torture a POW would be forced to stand before a guard holding a heavy boulder over his head for a period from one to two to three hours or forced to stand at attention or to stand with knees bent for long periods, or were forced to assume the body press position and hold it for long periods until collapse. In the last twelve months these punishments were a daily occurrence.

13,974

13,975

In July 1942 some Dutch were caught trying to pass letters to their wives interned in Ambon. About 30 of them were taken to headquarters and 40 Japanese were instructed to beat them. This was carried out with pick handles, chains, sticks, wire or anything * handy. The beating lasted from two to three hours and as a result three died and 18 became stretcher cases. There were quite a few broken limbs. * These men were beaten on the order of the commander of the garrison, a navy captain.

13,976

In November 1942, four Australians were caught outside the prison at night. They were taken to headquarters and beaten and questioned for the remainder of the night. When they would not implicate other members, a message was sent to the POW's ordering all who had been out of camp to come forward and they were told that if they admitted their guilt, they would receive a light punishment. Some came forward but since it was thought there were more, some natives were called in to identify. As a result of the identification of the parade 25 men were taken. * They were beaten and questioned from two days until eleven days. Some returned to the camp. Eleven were taken away and the men learned that they had been executed by decapitation on November 26, 1942. While these men were questioned guards would thrust cigarette butts into the mouth, nose and ears and stab them out on their backs. One man was suspended with wire by his wrists from a tree so that his toes could not touch the ground. Of the remaining fourteen one man went to a hospital for three weeks with internal kidney injuries.

13,977

* One private tried to keep a pair of binoculars. When he was caught he was summary punished on the spot and the matter was reported to the camp commander. He was ordered to be punished and the witness

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watched the punishment which was 100 strokes with a pick handle. When he fell he was beaten while on the ground. Then he lost consciousness he was doused with water to bring him back. There was no success in having his punishment reduced. The last time he lost consciousness the witness got permission to have him admitted to the hospital where he recovered consciousness. Then the witness intervened he was struck. The following morning this private was beaten while in the hospital and ordered to lie on the concrete floor. As a result his beri-beri condition became worse and he died six months later.

In April 1945 two privates escaped, were away for about two weeks. One was recaptured and forced to divulge his method of escape. He was again taken away and the witness learned that he was decapitated. A week later the other was captured and according to the Japanese he suffered from dysentery and died the day after.

About April 18, about 15 men were engaged in digging a tunnel near the ration store. Some members had been able to get to the rations and they consumed some on the spot and smuggled others back. The Japanese found out the loss and searched the camp and called a parade of those working in the area. Four men admitted that they had taken the stuff after they had been promised that if they accepted the responsibility * they would not be severely punished. They were given hard labor for ten days and then taken away. A few days later the witness was informed by the camp manager and later by the commander that they had been decapitated and he was shown their burial place. The manager stated he was in charge of the execution of the one private but he had no records as to who officiated at the execution of the other 11.

13,979

13,981

* Another private was caught with rations which he secured while on a work party. He was punished summarily and taken to police headquarters. He was later returned to camp where he was put in solitary confinement where he was kept for 10 days on one meal a day. He broke out to try to get more food. He was tied to a pole. The next morning he was taken away on a truck with armed guards and a pick and shovel party. * He had been executed by a firing squad they learned a week later.

13,982

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13984

* The witness stated that the camp manager sent a message by a soldier to the witness, requiring him to report to him. This message was passed on to an American second lieutenant, who was to give it to the witness. The message was a half hour late, and as a result of his tardiness he was beaten. The American

13985

lieutenant was beaten * on the head and rendered unconscious. He was then made to stand in the sun for two or three hours without headress. From the beginning until the middle of 1943, inspections were made regularly by the commander. The later commander did not make so many inspections, as he could not. On several occasions up to the middle of 1943 the camp was inspected by high naval officers. On one occasion the officer was said to be the Emperor's brother, and on another the Emperor's personal aide.

13986

All inspections were cursory; * sick POWs were lined up and kept indoors, out of sight. Compared with the latter two years in the camp, conditions were not bad, living quarters being good and the camp clean, but there were a large number of sick in the hospital. On numerous occasions the witness handed in written requests and complaints to the commander for forwarding to higher authorities. They were usually torn up in his presence with the statement being made that they had no use for complaints.

13988

On many occasions he saw the sentries and camp commander ill treat natives. * This ill treatment consisted of slapping, kicking, punching, and beatings. The beatings were for no apparent reason, and thereafter the natives would be forced to assume torturous positions. On one occasion a native woman was punched, while pregnant, and knocked to the ground and viciously kicked. Other guards watched. After she lost consciousness she was given back to the natives with instructions to take her back home. Another family was very badly treated, the head of the family being the Chief Rajah of Ambon.

13989

* One son was executed with 11 Australians, and another son was permanently crippled. From February 1943 until July, 1945, Allied airmen were brought into the camp area and kept under strict supervision and not permitted to contact the others. All had been taken away by the time of the surrender. Shortly after they joined the camp they disappeared. They were taken away with an armed guard and a Japanese working party with picks and shovels. They were never seen again. The bodies of seven had been recovered in a cemetery near Ambon.

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13990 * On one occasion he saw a large ship, armed as a cruiser, bearing Red Cross signs and carrying members of the fighting forces and patients. This was the Rio de Janeiro Maru.

13991 One work party of Australians was given wharf work in 1943-1944, loading and unloading small ships alongside a hospital ship. One officer saw bombs and munition being unloaded from the hospital ship. On September 10, 1945, 123 Australians were alive, five having died between the date of surrender and the date of recovery. * Two died shortly after the date of recovery. Of the 14 Americans who entered on October 26, 1942, five died.

13992 * The witness identified the photograph of Staff Sgt. Storer, and also that of Pvt. Cook, Pvt. Wright, and Pvt. Ellis. * The pictures accurately describe the conditions of the men on their arrival at Morotai.

CROSS-EXAMINATION by Mr. Brooks.

13994 The witness stated that he knew the photographs were taken, but was not present when they were. They were taken during the first two or three days in Morotai, after recovery. He spoke to the Japanese quartermaster, * who told him about supplies on two occasions. One was at the end of 1944, and the other was after the surrender, when quite a large amount of foodstuffs were delivered to the camps. This foodstuff was large quantities of tinned foods, as well as rice, and the rice was the only thing he referred to as being on the island during the period. The tinned foods must have been a portion of the reserve supply, but the quartermaster referred to the rice only. This quartermaster

13995 * stated that since the war was completed there was no need to keep the rice in reserve, but while it was on he had to keep a year to a year and a half supply. The witness gathered that there was that amount of reserve on hand at the end of the war. He did not know whether that reserve was there for the last twelve or eighteen months, but did know that in that period only small shipments of rice had arrived on the island. It is correct that in November and December, 1944, the Japanese ration was cut to seventeen ounces of rice per day.

NARRATIVE SUMMARY OF THE RECORD
(December 31, 1946)
(Van Nooten - Cross)

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- 13996 * After the war had finished, within a few days they requisitioned medical supplies and received them. When he had said unnecessary medical items, he meant less essential ones or ones that they had plenty of. They did have plenty of demand for these less essential items. * He did know that the demand in the camp for the items not supplied was great, but did not know what the Japanese demanded or their supply.
- 13997

- 13998 The hospital was not marked so it could be seen from the air, but had a small Red Cross sign on the door indicating that it was not a sleeping hut. About five miles from the camp the Japanese had a hospital of their own, and an Indonesian hospital. Both were well marked with Red Crosses on the roof. There were very few of the buildings on the island that were never hit. * These crosses appeared as a protection. The camp hospital was run and staffed by Allied personnel, and the Japanese only entered on rare occasions for inspections. The camp manager entered to check on the doctor, and on rare occasions the medical officer made a quick inspection. The doctor rarely entered when there were Allied airplanes in the vicinity.

- 13999 There were six guard posts around the perimeter and one guard at the guardhouse. * Local administration headquarters were about twenty yards outside the prison compound. The witness stated that on February 16, 1943, the day following the bombing of the bomb dump, two men were taken to the Japanese hospital with fractured femurs.

- 14000 * On February 15, 1943, several Japanese doctors came, and he saw them perform one amputation. The man died. The Japanese did not come for emergency operations, although they attended the five men injured when a bomb exploded. He gained the impression that when they came they had adequate instruments. On several occasions, however, when they asked for instruments to be made available this was not done. * The instruments the Japanese doctors used were carried in a medical field box, and he presumed that they were army type instruments. When the experiments were made there were from 60 to 75 in the hospital. The men were not taken away from the hospital, but there were at least ten groups, each consisting of ten men. All patients except these ten were subject to these experiments, as were many men who were not in the hospital.
- 14001

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14002 * There were at least thirty or forty who were not in the hospital and were on the experiment list. The majority of them worked during the period, the weaker doing gardening, and the so-called fit digging tunnels, making defensive positions and preparing the roads. The allegedly fit men were the stronger men. There may have been some men who were
14003 weaker who were not subject to the experiments. * He had lists showing the men that were treated, and those who died.

 The witness was never given a course of injections, although on two occasions he asked that he be given one that was supposed to be vitamin B-1
14004 so that he could see what the reaction was. * The Japanese had liquid and powdered vitamin B, but he
14005 never saw concentrated tablets. * The effect of the injection on him was not noticeable, except that he noted there was no smell of vitamin B, which has a small of fresh bread or yeast. He could not, however, attribute any deaths solely to the treatment. He was not a medical officer, but he was closely working with the medical officer who made frequent reports to him.

 The camp hospital was never marked with a red cross during the war except the emergency hospital,
14006 * except for a few hours during the bombing. The camp hospital was the only one they could use, and no patients were ever transferred to another except the two injured in the bomb blast, and they never were in the camp hospital.

 The work of blacksmithing bombs was not transporting bombs. These bombs were at a particular area to be opened, and they were 500 pound bombs, distinct from the 150 pound ones carried on the long journey.
14007 The work party worked on that job for about fifteen or twenty separate days, * and normally consisted of five men who handled two or three bombs a day. The Japanese non-com supervising was also injured in the explosion.

 The cement was carried from one village to another. The village of Batoegon was eight or ten miles from their camp. The only way to go was by long
14008 carry, or by sea. * According to reports received, on three or four different places over the sides of steep hills the men had to go on all fours, having to climb over the spurs of ranges converging on the seacoast.

Page

14009

* For short distances the course was actually beach sands, and then would go over spurs. The men were on all fours when they were climbing or descending, and they were carrying 90 pound bags on their shoulders, in the same manner as a man lumps a bag of wheat.

When the bomb was carried by two, it was slung on a pole. The work party was Australians with Japanese supervisors. The work continued over a period of six weeks with a few days' break, when normal heavy work was continued. To the best of his knowledge the whole pile of bombs was moved.

14011 The senior non-com reported to the witness that there were no stores in the village when they arrived there. The first work party was 120 men, but by the end of six weeks it had been reduced to 80. The original parties were divided into four gangs of 30, with two guards to each gang. * There were eight to ten guards for the first party. The work party started at 6.30 a. m. and they could make one trip a day and return by 7.30 p.m. Most men had to do this work four days in succession, with one day's change of work, and then back for three or four more days. * The men were taken to their work by motor truck in the morning, leaving at 6.30. Each gang of thirty was divided into 26 who were carrying and four who took care of rations and water.

14012

14013 One man died on the long carry after he returned to camp, having been carried to camp by some of his comrades. * The diagnosis of the death certificate was beriberi, but the actual cause was malnutrition and exhaustion. The man's name was Williams, not Wilkinson.

14014 The witness received two letters, and his family received no news or notification from the period of captivity until two days after recovery. The Australian Army authorities advised his family that he was missing and believed to be a POW. * The Red Cross advised that if they wrote letters to his old unit they might be delivered to him. They were not permitted to write any letters or cards away from camp. On several occasions he requested leave to contact his government, and at least twice they were written. The contacts were never made.

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14015 The witness was never punished by having to hold a rock over his head. * The four Australians who were outside the camp in November 1942 were looking for additional food. The four men were executed. The pick handles used in beatings were of normal size, about three feet six and two inches at the widest end. Not all guards carried pick handles--some carried a wooden sword, but pick handles were always available. He was struck for trying to intervene for others on several occasions. In his position of camp adjutant the Japanese held him responsible for every misdemeanor, and he was punished with the men. He frequently received the same punishment as the men, and often it was a direct result of trying to have the punishment reduced.

14017 * The witness could be present during punishment, but had no authority to stop the punishment. His commanding officer had given him permission to punish any man to prevent offenses. This was purely an internal arrangement, but no man was punished for a breach of Japanese regulations. They were punished for breaches of their own regulations. This punishment consisted of detaching a man to go on a work party which was monotonous and not changing it. No one was ever reported to the Japanese for disciplinary action or confinement. * They never sought Japanese permission to punish a man.

14018 Tait died of malnutrition, beriberi and a tropical ulcer. Between the time one man was punished at ten days hard labor and then beheaded he had done no other act that would call for a more severe punishment. They were under the impression that their punishment was to be ten days hard labor and that it would soon be completed. * He knew that in the ten days they definitely committed no act which would have jeopardized their chances. The Japanese had stated that after they had been taken from the camp these men admitted further thefts. The four men were not captured as escapees; they were members of a party who were lined up in the camp area and asked if they had stolen, and they confessed.

14020 Complaints could be made only through the camp manager, and no POW had the right of direct approach. Outside the camp * they were under the guards. The witness spoke no Japanese.

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No prisoner was ever mistreated in the presence of the high ranking inspecting officers, but the commander of the garrison ordered beatings and carried some out personally. The camp commander was a naval captain, in command of two thousand men.

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14022 * On no occasion while the senior officer was inspecting, additional food was issued. The POWs were all ordered to be regimentally dressed or as near that
14023 as possible. * The regimental dress consisted of shirts, shorts, boots, long stockings, putties, and head dress. The men dressed as close to that as possible, and stood the inspection with the rest in the back.

14024 With respect to the Rio de Janeiro Maru, it carried quite a large number of patients, but he did not know how many. * The Japanese fighters on board were marines. He never saw any ship marked as a POW ship.

Cross-Examination by Mr. Blewett.

14025 The witness thought the island of Ambon was about 32 miles long and 16 wide, with the center broken by the inland sea. The terms of surrender were to lay down arms and hand over the force to the Japanese. His particular force surrendered to the army. * No question was later raised as to the expediency of the surrender. Allied personnel were 1194 Australians and 2,000 Dutch, mostly natives. The Japanese landing force on the Ambon side was one division, and on the Laha side was carried out by a special marine landing force. He knew nothing about the Laha side until about six months later, when two Australians surrendered. They could give no information on the ultimate fate of the force there, because they had gone to the hills prior to the capitulation.

14026 When asked whether he knew of any effort by the Allied troops to revolt, * he said that the only information that he had of the Laha force was what he had stated. About February 27, 1942, the force was handed in bulk to Major HATAKEYAMA, and they were then kept by marines and remained navy prisoners. He had no direct contact with the Japanese at Tan Toey Camp, and he did not know the names of any excepting those with local administration offices.

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14027 * He had mentioned a Navy Captain ANDO, who took over a few months later. The camp manager was at first only an interpreter, but assumed greater power and gave himself the title Camp Manager. He was a civilian attached to the navy, wearing a uniform and carrying a sword.

14028 About February 18, 1942, he saw two Allied planes. There were no desertions in the few months subsequent to February. One does not desert from a POW camp, there being three official escape parties. * The Japanese tried to convey the impression that no parties had been successful in getting away from the island, and that all escapees had been caught.

14029 It is not correct to say that after the surrender there were more Allied personnel on the island than Japanese. There were thousands of Japanese there, and there were a few less than the number of the original landing party. * To his knowledge there was no guerrilla fighting after the surrender.

He was in the hands of the army from February 4 until February 27, when handed over to the navy. Treatment in the early stages, whether by army or navy, was good. While living in their own barracks they were allowed personal equipment and clothing, but steel helmets and gas masks were withdrawn.

14030 The bomb dump was built in November, 1942. Until February 15, 1943, quite regularly Allied planes * appeared. The POW camp looked like any army barracks, and there were barbed wire entanglements. It could be recognized as having this barbed wire around it, but on October 26, 1942, a portion of the camp personnel had been moved, and had been seen moving by Allied intelligence. There had been fairly consistent raids of plane groups up to squadron strength before February 15 of that year.

14031 * Japanese land planes were based at Laha, nine or ten miles away. There were others within 15 miles. Seaplanes were at the seaplane base, four miles to the northeast. With respect to the bombing of February 15, six or seven fighters were sent up to intercept but were unsuccessful. This was not in the vicinity of the camp, and after the bombs had been dropped. * The lone Japanese plane that took photographs was based on the seaplane base. This base could be reached quite easily

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14033 by telephone. * The plane was a four-engine flying boat, called Kawanishi. It could be either reconnaissance or bomber. The witness had no experience as a flier, but was an infantry officer. It was most uncommon to see a Japanese plane fly backwards and forward over the camp, because the planes that flew over the camp used to come and go over a constant route. This plane flew at a constant height on a constant course, and repeated this operation four times.

14034 * There had been other raids up to then, but the island was so small that you could see from the land what happened in the air raid without having to take photographs. The photographs that were taken were for propaganda purposes. Before this lone plane came, the last raid had been four hours before, but the camp was still smoking and burning. He did not know that any photographs had been taken. There was a lot of lumber and nails on the island which they were using on construction work for the Japanese.

14035 * When they asked for the materials they were told that materials were short and to use what they had. Most of the inhabited part of the island was laid bare by Allied raids.

14036 About a week after the war had ended the men were flooded with Japanese clothing and footwear, which had been on the island for at least two years. After the surrender, the witness was engaged in internment administration and camp duties. * He spoke to Colonel KATSUDA in connection with official duties.

It is right to say that he did not go on the long carry. He knew Pvt. John Searant.

14037 * Document 5301 was one private soldier's personal experiences and was probably very accurate from his point of view. However, the witness' reports came from the non-coms, who were expressly detailed to bring back accurate information.

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CROSS-EXAMINATION by Mr. Levin.

- 14038 * Over the last eighteen months, kickings, punchings, and bashings were daily occurrences, with at least one or two each day and sometimes more. There was no reason why the pregnant woman should be punished, since she had bowed correctly and was carrying out all regulations. * This was an act of the NCO on duty. The woman was kicked in the stomach and it was reported to the camp manager, but nothing was done. Some other native women had been slapped and beaten, but this was the first time that a pregnant woman had been brutally assaulted.
- 14039
- 14040 He saw the American airmen being taken away * during the day. He knew Private Ball. The witness stated that on both of the mass beatings, marines who were expert bashers were taken to carry them out.
- 14041 * From his observation he would say that Ambon was a resting place for the frontline troops and garrison forces. * During the last two years it was difficult to obtain supplies from outside the island of Ambon. He had been in a position to observe the health of the Japanese, and according to his observation their health was good.
- 14042
- 14043 When he referred to a headquarter's order, it was most likely Naval Island Headquarters, * but it is also possible that it was from the Macassar Headquarters, but he did not know exactly. The statement was made by the camp manager that he would do as he was told. The witness stated he was 28 years old.

CROSS-EXAMINATION by Mr. Shimanouchi.

- 14044 The witness stated that the food ration of the prisoners was 17 ounces per day per man until July, 1943. * He knew Major Westley, the senior Australian officer in his camp. Even if Major Westley said that until August, 1944, the ration was 17 ounces a day, he would say that it was decreased July, 1943, first to ten ounces, then to eight, and in August, 1944, it was reduced to four ounces per man. The Japanese ration was reduced to about fifteen ounces about the end of 1944.

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- 14045 * The witness stated he was not in Bethany Church. Dutch women and children were quartered there. However, he had personally gone past the church and seen it, and he had contact with the women who were there.
- 14046 * In the air raid on Ambon in August 1944, the city of Ambon was practically completely destroyed. The people built temporary living quarters, and the camp as rebuilt was made with materials on hand. The citizens of Ambon had a greater area to pick from. Ambon originally had ten thousand people. There was a great shortage of building materials, but it was not necessary to give greater quantities to the natives, because the majority had two homes, one in the town and one in the hills, and the greater number were living in the hills.
- 14047
- 14048 When the POW camp was destroyed in February, 1943, the hospital building was destroyed. Except for the instruments salvaged and those not completely destroyed, they lost a great number of medical instruments. * As a result of the air raids, the civilian hospital, the Japanese hospital, and the Indonesian hospital were completely undamaged. The hospitals had a large number of patients in each. After the air raid of August 28, 1944, no Japanese supply ship reached Ambon, only small two hundred ton wooden boats. He believed Japanese shipping found it very difficult to break the blockade.
- 14049 * The Australians who went out of the camp in October, 1942, had gone to get additional rations without permission from the Japanese. He had seen Japanese soldiers kicking and beating other Japanese soldiers. He had seen it and heard it. This was done for army offenses, and they were hit as a form of summary punishment.
- REDIRECT EXAMINATION by Lt. Col. Mornane.
- 14050 * On every occasion that rations were delivered to the camp he personally received them, and he saw the daily ration. Major Westley did not have this opportunity. The medical officer told him frequently that he did not believe that the substance of the injections was genuine, and on many occasions stated he would have to make more strenuous efforts to get them stopped, as they hastened the death of the men.

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14052 Exhibit No. 1821, the affidavit of Major Macrae, * substantiated the story of the witness.

14053 Exhibit No. 1822, the affidavit of Pvt. Clive Ball, described * the beatings and torture of 23 Australians because they were outside camp limits, as a result of which the deponent lost the use of his legs for three or four months.

Exhibit No. 1823, the affidavit of Pvt. Searant, corroborated the Ambon Camp situation.

14055 Exhibit No. 1824, an official report of the Netherlands Forces Intelligence Service, * stated that while they were at Ambon and while the deponent was working in the labor corps in July, 1943, he saw five Australians, POWs, 15 Ambonese male and 4 women, all with hands tied, escorted by a number of Japanese carrying shovels and swords. They were taken behind the barracks. He did not see what had happened to them, but before long the Japanese came back with the shovels and swords only. He believed all had been beheaded because they had given food and other things to the Australian POWs.

14056 Exhibit No. 1825, the affidavit of Flying Officer Mason, * stated that he and 2050 POWs landed at Haroekoe Island on May 5, 1943. The camp was only partly built and inadequate. POWs were starved and beaten. Although most were sick they had to work ten hours a day on construction of an aerodrome. Clothing and boots were not supplied. Large numbers suffered from beriberi, malaria and dysentery. Patients were starved and had to supplement their diet with rats, mice, dogs, cats and snails. There were no medical supplies, and the only latrines were open trenches, resulting in the spread of dysentery. In 15 months 386 died from sickness and starvation.

14057 Exhibit No. 1826, the affidavit of Flying Officer Mason, stated * that when he arrived at Hahat Camp on August 18, 1944, there were no accommodations since the camp was overcrowded. They were taken to some huts which had been formerly occupied by the remainder of their battalion, mainly rotting corpses. The POWs had to dispose of them and make room * for the incoming party. This new part of the camp was now joined to the previous one.

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14059 Accommodations were overcrowded; each POW had about 12 sq. ft., and they had to lie on the earth floor. Water was reasonable, food poor, and sickness and death continued at an alarming rate. Working parties loaded ships, with no clothing or boots being issued. There were no recreation or church services. There were no letters or Red Cross parcels; medical supplies were almost unobtainable, except for those scrounged from the Japanese stores. * Even the British OC camp and the PW officers had to work constructing air raid trenches for the Japanese. One man took special delight in maltreating British officers. Two men were almost killed by him.

14060 Exhibit No. 1827, the affidavit of Henry Kitteringham, * stated that 1,000 POWs went to Liang in May 1943. Accommodations were in leaky tents and food was inadequate. The POWs were building an airdrome; the work was heavy and the guards brutal. Medical supplies were insufficient. One man was murdered. In October, 1944, 600 were sent back to Java. During the trip only a third of a pint of drinking water was provided each man daily. 28 died.

14061 Exhibit No. 1828, the War Diary of 2/5 Aust. Gen. Hosp. of September 12, 1945, showed * that at Morotai, 64 Australian and Dutch recovered POWs were received from Amboina, including 38 stretcher cases. The patients were sick and emaciated and all suffered from malnutrition. One patient died early in the morning.

14062 Exhibit No. 1829, the report of recovered POWs, stated * after 48 hours observation he noticed that 15 men were extremely emaciated, hollow-eyed, had swollen abdomens and ankles, and extensive ulceration in their feet. They reminded him of Belsen and one, shockingly wasted, died without regaining full consciousness. Four others were not out of danger.

14063 * About 45 showed various stages of malnutrition, beriberi, tropical ulcers and anemia. About 6 to 8 were in quite good condition despite loss of weight.

14064 Exhibit No. 1830, the affidavit of Lt. Stansbury, stated that he was a bombardier on a B24 which crashed over Kai Islands on * September 21, 1943. The crew had sustained serious injuries. A Japanese boat came out, and all the airmen except the navigator were taken prisoner. The navigator was left to die. The

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rest were taken to Ambon, placed in mosquito infested cells without protection. There was no sunlight in the cells and no ventilation. The men were starved on weevily rice, and no medical attention was given. They were interrogated for 68 days, and beaten. The deponent and the co-pilot remained paralyzed for nine and 20 months respectively.

14065 Exhibit No. 1831, the interrogation of Warrant Officer YOSHIZAKI, stated * that on August 29, 1944, he took part in beheading three American airmen at Sarara POW Camp, on orders of superior officers. The district had been bombed by American planes on the previous day.

14066 Exhibit No. 1832, the synopsis of New Guinea, * was offered and received in evidence.

14068 Exhibit No. 1833, the affidavit of Major Bicks, * stated that he was at Milne Bay on August 25, 1942, when the Japanese landed, and took part in the fighting until August 31, 1942. On August 30 he took a patrol of five men into Japanese territory. He saw a native lying in the middle of the road with his hands tied with signal wire. He had been shot and bayoneted after he had been tied up. He also found a body of a native woman who had been tied down with signal wire by the wrists and legs to stakes. She was naked and on her back, and had been killed by a bayonet. * He also found the bodies of six Australians, their hands tied behind their backs and bayoneted through the stomach. The identity discs had been removed.

14070 Exhibit No. 1834, the affidavit of Captain Kendall, stated * about September 1, 1942, at Waga Waga, they captured the headquarters of a Japanese marine regiment. In clearing the jungle they saw the bodies of two Australian soldiers. One was lying with his hands tied and his trousers pulled around his knees and tied down to his boots by his belt. The tops of his ears were cut off, and he had twenty wounds in his body. His buttocks and genitals had been mutilated. About six feet away there was another body tied to a tree. There were six small wounds on the arm, and the body appeared to have been tied there for some days. Both bodies were not more than fifty yards from the Japanese headquarters which had been captured.

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- 14071 * On the track leading to Lillihhi he saw the body of another Australian tied with string. The top of his head was cut off as though it had been cut with a heavy knife or sword, and had been chopped from the rear. He also had lacerations on both back and shoulders, apparently knife or sword wounds.
- Near the Japanese wireless station he saw the body of a native woman pegged to the ground. Both breasts had been cut off. She was naked and did not appear to have been dead for very long. The breasts had been severed with a knife.
- 14072 In a couple of days he spoke with a captured Japanese soldier, who showed him the bodies of the two Australian soldiers. He stated that he was * attached to the landing party, and that the ill-treatment and torture was done on the orders of the officers so that the soldiers would fight and not surrender, and they were told the same things would be done to them if captured.
- 14073 Exhibit No. 1835, the affidavit of Captain Palmer, stated * that in August, 1942, he was on patrol duty in Milne Bay and passed through a native village, where he saw eight native men and women lying dead, all shot or bayoneted and having been dead from two to five days.
- In the village he saw an Australian soldier whose arms had been tied around a tree, the wire cut deeply into his wrists. He was naked, wearing only shorts. He saw a number of natives tied to trees who had been killed by swords or bayonet thrusts.
- 14074 Exhibit No. 1836, an ATIS Bulletin, * showed that seven to nine Australians, of whom three or four were women, were captured in the middle of August and executed.
- 14075 Exhibit No. 1836-B, the diary and statement of a Japanese prisoner, stated * that four Japanese assembled in front of the headquarters. One of the airmen who had been examined for some days, was to be killed. The unit commander told them personally that in accordance with the sentiments of Bushido, he would
- 14076 * kill the prisoner himself with his favorite sword. They gathered to watch this. The prisoner was brought with his arms bound and his long hair cropped.

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14076- * The execution is described by the witness.
14078 The body was mutilated.

14081 Exhibit No. 1837, the statement of Sepoy Bachan Singh, stated * that on May 5, 1943, he left Singapore for New Guinea as a POW in a Japanese ship with about 595 others. The trip was one of hardship. They used sea water for bathing and washing, food was very little and there was a space only 10 feet by 10 feet for all in which to sleep. They could not sleep nor lie down. The trip lasted ten days. On May 15, 1943, they got off at Wewak. For two days they had no shelter, food, or clothing. Several became ill. When protests were made by the officers the Japanese beat them. They were then taken to a place three miles away, and an order was given that every man would build his own hut out of jungle plants. Nobody could make smoke nor light a fire at night because of American aircraft. Anything contrary to this was punished by death.

14082 After a week men began dying. The party was sent away from Wewak. 350 were sent to But. The * remainder were sick, without arrangement for rations and medicine. The witness was with the 350, and during the next three months fit POWs got rations, but no food was given to the sick. The well shared with them. There was no rest during day or night, and for eight days they worked continuously without any relief. Every day five or six died, and were cremated or buried. Ill were only relieved of duty when they could not walk, and then only one or two days before he died. Officers who complained were beaten.

14083 On December 14, 1943, American aircraft began to bomb and then came regularly. The officers told the Japanese that a flag should be put over the camp to indicate that it was a POW camp, but a lieutenant colonel stated that no permission had been received from the home government. * During raids the men had to work on the airfields. The officers complained, but the complaint was rejected. When aircraft approached the Japanese used to run into the jungle, but no POW could move. Any who did were severely beaten.

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On December 15, 1943, at But, there was a heavy attack in which five men were killed and ten wounded. The latter got no treatment or food. They were taken to a Japanese hospital, where several were killed by poison. At But he worked for about ten months, where he got four biscuits and five ounces of boiled rice per day. They they returned to Wewak. At But 160 died out of 350. Only 190 reached Wewak. When he got there he learned that all the sick who had been left there had died. After two days they were sent to Boiken, half way between But and Wewak.

14084

On April 25, 1944, the Japanese ordered all who could walk to accompany them to Ranja * to carry Japanese stores and a month's rations, a distance of about 300 miles. They were told they would go on foot, and to make their own ration arrangements. Anyone who fell out would get no attention except to be shot. They were given about 12 lbs. rice and 1/2 lb. salt as a month's ration.

The officers beat a great number of men, and left several to die on the march. The officer in charge was a very good officer, and he never beat anyone himself. When they set out they were stopped at But and ordered to return to their original camps. He learned that the Americans had landed at Hollandia and they were then sent back. They stayed there for 18 days and rejoined the original party of sick men which had been left there.

14085

* On May 5, 1944, all fit were ordered to go into the jungle, the sick to remain behind. The fit men set out. The witness was in the hospital. Since he was with the sick he knew nothing about the fit men. The doctor ordered the most seriously ill to be sent to the big Japanese hospital a mile away. The witness did not go with them. He did not know where these 30 were taken, but that night two seriously wounded men crawled back into the camp, who stated that the Japanese had killed the other 28 and that these two had escaped. When the officers asked the Japanese why the 28 had been killed, the Japanese stated that the two men were lying, all were alive, and they would be taken to see them.

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- 14086 * On May 10, 1944, the Japanese doctor ordered thirty of the worst cases to be sent to the Japanese hospital. These, too, were destroyed, one man returning to tell the story. He said they had been bayoneted and buried in a trench. The men decided it would be better to escape from there than to be killed. The witness and twenty others went to the jungle. They never heard anything of the rest. The witness lived on plants in the jungle for one year, until May 22, 1945. Then he was rescued by the Australian Army. Of the twenty men who were with him in the jungle, five recovered and reached Australia. The Japanese killed the others.
- 14088 Exhibit No. 1838, the declaration of Jemadar LATIF, stated * that in April, 1944, he, with 26 Indians, went from Wewak to Hollandia. On the way one of the men complained that he was too weak to carry his load and asked that it be lightened. The
- 14089 lieutenant ordered him * to be bound and put into the sea. He was tied up and put into four feet of water and drowned.
- 14090 Exhibit No. 1839, the declaration of Corporal Nath, showed that he was a member of an 18 man Indian working party. * In May, 1944, they went to Rabang, leaving behind 100 sick Indians at But. About a month later a Japanese corporal who had been with the sick prisoners said they had been killed by machine guns and hand grenades because some Gurkhas had signalled to Allied planes.
- 14091 Exhibit No. 1840, the declaration of Private Singh, stated * that in August, 1944, two Indian POWs were beaten with shovels and sticks and taken away, and never seen again.
- Exhibit No. 1841, the statement of Private YASUSAKA, admitted that he and another Japanese shot and killed the two Indian POWs previously mentioned.
- 14092 Exhibit No. 1842, the statement of Private YASUSAKA, stated * that in Ranimboa, in December, 1944, an Indian officer and NCO complained that another Japanese had taken things from them. These Indians had their hands tied, were taken into the bush and shot.

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- 14093 * Exhibit No. 1843, the declaration of Private Ram, confirmed the previous exhibit.
- 14094 Exhibit No. 1844, the declaration of Jemadar Singh, * related the story of an Indian POW being beaten into unconsciousness in February, 1945, at Furringee.
- 14095 Exhibit No. 1845, the declaration of Sergeant Singh, * tells of the shooting and killing of four Indian officer POWs at Yawa, in February, 1945.
- 14096 Exhibit No. 1846, the interrogation of Captain ONO, stated * that he applied to the YOSHINO unit commander for an American POW to kill. He was given two, and he beheaded one with a shovel, after bayonetting the two. He did it because of his hostile feeling from Americans' bombing his battery.
- 14097 Exhibit No. 1847, the interrogation of Captain KATO, stated * that on orders of Chief of Staff, Divisional Headquarters, he executed an Australian soldier captured at Otakwa on November 12, 1944.
- 14098 Exhibit No. 1848, Netherlands Forces Intelligence Service report, contained * a statement by a Japanese POW admitting the execution of an Australian sergeant and two Ambonese natives at Aitape on 24 October, 1943. The natives were beheaded. * Pictures were taken. The reason for the execution allegedly, was that the men were guilty of reconnoitering the area and giving secret information through wireless.
- 14100 Exhibit No. 1849, Netherlands Forces Intelligence report, contained a statement that in July, 1944, on Noemfoor Island, 17 Indonesians were tied and bayoneted by the Japanese. Two escaped, and at least 14 of the remainder were killed.
- 14102 Exhibit No. 1850, an ATIS Bulletin, contained a record * of investigation of prisoners from March 8 to May 14, 1942, and showed that on April 28, one person was handed over to the Chief Medical Officer for medical experiments, and five were stabbed to death.
- 14103 Another statement * stated that an Australian lieutenant was captured at Buna and examined on Allied treatment of POWs. He was beheaded by the

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medical officer. Two American soldiers were captured. They were blindfolded and both beheaded by the same medical officer.

Exhibit No. 1851, synopsis of New Britain, was offered and received in evidence.

- 14105 Exhibit No. 1852, record of evidence given by Private William Cook, stated * that on February 4, 1942, the Japanese captured 24 Australians and one civilian at Tol, in New Britain. The soldiers were medical corps men and wore Red Cross arm bands, which the Japanese ripped off. * Another man was added to the party. At Tol the Japanese ransacked the packs of men and took their valuables. They took their pay books, and then tied their hands behind their backs with fishing cord, and tied two or three together. They marched them to a plantation about a half mile from Tol, and they were made to sit down on the track. When they protested against this treatment the officer in charge ripped off their arm bands and asked them whether they would rather be bayoneted or shot. They asked to be shot. When they reached the bottom of the track, three Japanese with fixed bayonets intercepted them and walked behind them. The first blow knocked the three of them to the ground. Their thumbs were tied behind their backs and they were connected by the arms, and the Japanese stood above them and stabbed them several more times. The witness pretended to be dead, and the Japanese walked away. The soldier next to him groaned and a Japanese came back and stabbed him again. * He heard the witness breathe and stabbed him two or three times, the last one through the head. He heard the last two men being shot.
- 14106
- 14108

After an hour he decided to escape. He untied the cloth connecting him with the others and walked towards the sea, collapsing after a few steps. He could not get the bonds from his thumbs, but finally managed to chew at the knot and get it undone. He made his way along the beach, walking in the water to avoid leaving tracks. He saw a camp fire in the jungle and made towards it.

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- 14109 Exhibit No. 1853, the evidence of Driver Collins, showed that he was one of a party of 123 Australian soldiers captured at Tol. They were broken into parties of ten or twelve and marched into the bush, where they were bayoneted or shot, but he was able to escape on feigning death.
- 14110 Exhibit No. 1854, the evidence of Private Webster, showed * that on February 4, 1942, twelve Australians were captured at Waitavillo in New Britain. Ten were killed and two were wounded.
- 14112 Exhibit No. 1855, the affidavit of Lt. Wong Yo Sin, showed * that ten Chinese were shot and killed at Rabaul on January 29, 1943, because they were too sick to work.
- 14113 Exhibit No. 1856, the affidavit of Major Lee Wai Sin, showed * that ten Chinese were killed by the Japanese at Rabaul on January 29, 1943, because they had no strength to work.
- 14114 Exhibit No. 1857, stated * that on February 4, 1943, at Rabaul, six Chinese soldiers were shot and killed because they were too ill.
- Exhibit No. 1858, evidence of Captain Liu Wei Pao, showed that on March 3, 1943, 24 sick Chinese were taken from quarters, forced into a grave and shot. On March 10 a further batch of sick Chinese soldiers were killed in the same way.
- 14116 Exhibit No. 1859, the affidavit of Captain Yung Pang Fae, showed * that on April 3, 1943, eleven sick Chinese soldiers were executed with swords.
- 14117 Exhibit No. 1860, evidence of Corporal Shieh Tschen Tse, * referred to the same killing as the previous exhibit, and fixed Kokopo as the place of execution.
- 14118 Exhibit No. 1861, the affidavit of Captain Cheung Yee Yu, showed * that one of his men was shot by a Japanese because he was too ill to work at Kerevat on October 9, 1943. The men had been treated as slaves, lived in filthy places, bitten by mosquitos and became ill. No medicine was given to them, and food was insufficient. He was taken into the bush and shot through the skull.

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- 14119 Exhibit No. 1862, the affidavit of Lt. Tan Bai Ming, showed * that on November 2, 1943, at Kakawat Aerodrome, the Japanese killed a Chinese soldier too ill to work by shooting.
- 14120 Exhibit No. 1863, the affidavit of Corporal Pang Nam Ting, showed * that on July 26, 1944, at Rabaul, a Chinese soldier was clubbed to death because he was too ill to work.
- Exhibit No. 1864, the evidence of Mrs. Lee Yitsai Kunyang, showed that in April, 1943, because she had a radio set, she was beaten and her six sons beaten and one was beheaded.
- 14121 Exhibit No. 1865, the affidavit of Lt. James A. McMurria, Lt. Holquin, and Lt. Quinones, stated * that at Rabaul they were quartered in a small wood building, where they slept on the floor. It was over-crowded and impossible for all to lie down. They received about three-fourths full of a cup of rice and half a cup of soup three times a day. Beatings were common, with or without reason.
- 14122 * Beatings were sometimes rather severe, and they often used bamboo clubs, bayonet cases, belts, and rifle ramrods. They also used rifle butts and often kicked prisoners in the testicles. There was no American medical attention. There was 64 Allied prisoners at the camp, 40 of whom were reported as having been killed by bombing while being transported to another camp. Twelve American POWs and five other American POWs died in camp from starvation, diseases, and lack of medical care. On September 7, 1945, only six Allies were alive.
- 14123 Exhibit No. 1866, the affidavit of Captain Murphy, * stated that a New Zealand airman was a POW in Rabaul. He had been bound with ropes with fish hooks attached, so that when he moved his head the fish hooks would pierce his face. In July, 1944, this man died as a result of malnutrition and dysentery.
- 14124 Exhibit No. 1867, the affidavit of Mauta Leonard, showed * that at Tobera Airfield a native punched a Japanese for hitting him. The native and four others were tied up and struck on the head with a mallet. All five, including the two alive, were buried.

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Exhibit No. 1868, the trial in an Australian Military Court of KIKAWA, Haruo, confirmed the previous exhibit as happening in August, 1943.

14126 Exhibit No. 1869, the affidavits of Sweeper Gianí and Pioneer Lungi Kobe, showed * that in May, 1944, an Indian was beaten and then hung.

14127 Exhibit No. 1870, the record of evidence of Jem Qutubuddin, showed * that an Indian work party of 35 was at Nishizakiyama in November 1944 as POWs. They were starved. Two, for allegedly stealing rice, were taken away and executed by the Japanese without trial.

14128 Exhibit No. 1871, the declaration of Numa, * showed that between December, 1944, and March, 1945, at Nangagua, the Japanese beheaded three POWs for objecting to the Japanese taking articles from them.

Exhibit No. 1872, the affidavit of Parasuram, showed that on February 12, 1945, an Indian asked for permission to rest from work. He was beaten unconscious and died two days later.

14130 Exhibit No. 1873, the affidavit of Havildar Chandgi Ram, showed that on November 12, 1944, he was digging a trench in Totabil Area. A U. S. fighter plane made a forced landing about 100 yards from him. The Japanese got hold of the pilot, * who had gotten out of the machine. General INAMORA lived in the Headquarters. About a half hour later the Kempeitai beheaded the pilot. He saw the Japanese cut his flesh from his body and followed them, and saw them frying the flesh. At six o'clock a Major-General addressed 150 officers, and at the conclusion of his speech a piece of the fried flesh was given to all present, who ate it.

Exhibit No. 1874, the Synopsis of the Solomon Islands, Gilbert and Ellice Islands, Naru and Ocean Island sector, was offered and received in evidence.

14131 Exhibit No. 1875, the interrogation of Captain WATANABE and Major ITO, showed * that two American airmen who had come down in the sea near Bougainville were beheaded in December, 1943, on orders of the 17th Army.

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14132 Exhibit No. 1876, Netherlands Forces Intelligence Service report, showed * that nine Ambonese of the Netherlands East Indies Forces were executed at Bougainville in 1944 for stealing food.

14133 Exhibit No. 1877, the affidavit of Cher Chee, stated that he was captured at Hong Kong * in December 1941, and taken to Saigon, then to Batavia and then to Rabaul, then to Tulagi. In November, 1942, he was brought to Buin and remained there until the end of the war. In April or May, 1943, he engaged in road making. One man became sick. He was tied with his thumbs tied behind his back and pulled up with a block and tackle attached to his thumbs until he was off the ground. He died in twenty minutes.

14134 * Soon after this another Chinese, sick with fever, made a noise when Allied planes came over. Several Japanese ordered some Chinese to dig a hole. The sick man was buried alive.

14135 In 1944 he worked felling trees making a bridge over a stream at Muguai. They told the guard that the tree was too heavy for two men to carry. The guard wrote an order in Chinese and they replied verbally. * Three guards struck him in the face and knocked twelve teeth out.

14136 * In April or May, 1943, near Kahili, A Chinese had been sick for four or five days and could not work. The Japanese tried to force him to work. The Japanese put a quantity of water down his throat. They then put a board across his stomach and one guard sat on each end. A quantity of water came out of his mouth, and he died in a few minutes.

14137 In May, 1943, near Buin, he saw a white man dressed in overalls like a pilot would wear. He had his hands tied behind his back and sat on the ground. A drum of boiling water was put beside him. * Each Japanese emptied a tin of boiling water over him.

Other Chinese can give evidence of about 300 white men who were killed by the Japanese or died while they were POWs on Shortlands Islands.

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14138 Exhibit No. 1878, the interrogation of Kane-shiro Fukukan, stated * that in December, 1942, or the next month, 600 white POWs landed on Ballah Island. One was beheaded when they landed. On the night of June 30, 1943, Ballah Island was shelled, and the Japanese killed with bayonet or sword the survivors.

14139 Exhibit No. 1879, the affidavit of Lieut. Commander TOSHIZIKO, stated that towards the end of 1942, 527 white POWs were brought * Ballah Island, to be used as labor for the construction of an aerodrome. He noticed that some were extremely peppy, but the majority were so weak that they could not walk by themselves. One is alleged to have tried to escape. Upon recapture he was executed on instructions of the deponent. Prisoners died rapidly owing to disease, with three deaths daily. Large numbers were killed by Allied bombing. Under the defense plan of the island, POWs were to be killed if an allied landing was made on the island. In April, 1943, when news was received of the approach of allied ships, the 90 surviving prisoners were bayoneted to death by the Japanese in accordance with this plan.

14140 From Exhibit No. 1850, it was shown * that an unwounded African POW was tied to a tree. A Japanese doctor and four Japanese medical students stood around him. They removed his finger nails, then cut open his chest and removed his heart while the doctor gave a demonstration.

It was also shown that vivisection took place on Guadacanal, with their livers being taken out.

14141 Exhibit No. 1880, an inquest held at Tarawa, * showed that the coroner found that 22 prisoners were killed by the Japanese at Belio about October 15, 1942. American planes had bombed shipping in the island. The Japanese had beheaded the prisoners, 18 of whom were coast watchers of the New Zealand Government. * The bodies were burned in a pit.
14144
14145 * Another witness saw the sword covered with blood.

14148 Exhibit No. 1881, the affidavit of Mr. Taua, stated * that on the night of the first Allied bombing Nauru, five white prisoners were beheaded.

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- 14149 Exhibit No. 1882, the statement of Lee Wong, house boy to Colonel Chalmers, stated * that on March 25, 1943, there was an American air raid. He never saw Colonel Chalmers or other European prisoners after this, but did see blood in the house where the Europeans had lived.
- 14150 Exhibit No. 1883, the interrogation of David Murdock, stated * that he was on Ocean Island to July, 1943. There were six Europeans on the island. They were beaten and starved. Two died in July, 1943. The Japanese beheaded three natives for stealing in 1943. Later they erected an electric wire around Ooma Point. Three natives were told to race to the wire, and as they touched it they were killed.
- 14151 Exhibit No. 1884, the interrogation of KABUNARA, stated * that all Europeans on Ocean Island were killed or died. When the war was over there were only 100 natives on the island. The Japanese marched them away in two sections. They were lined up on the edge of a cliff and the Japanese opened fire. The deponent recovered consciousness in the sea. The Japanese towed the dead bodies out to sea.
- 14152 Exhibit No. 1885, the interrogation of Lt. SAKATA, showed * that in October, 1944, the natives on Ocean Island were rounded up and killed.
- 14153 Exhibit No. 1886, the statement of Chief Petty Officer ARAI, confirms * the killing of eight natives on Ocean Island on August 20.

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14,156

* Exhibit 1887, synopsis from China was offered and received in evidence.

14,158

Exhibit 1888, affidavit of Ernest P. Higgs, told how in August 1943 in Shanghai, Inspector Hutton was taken from Haiphong Road Camp * for questioning and returned in an unconscious condition with the marks on his body showing that he had been tortured by innumerable small cuts by a razor blade. He died several days later.

14,161

Exhibit 1889, affidavit of Ernest Solomon and Exhibit 1890 affidavit of Private James H. Cole, told * of the shooting of an American civilian at Shanghai POW Camp in 1942. He had been standing by the fence and a guard, without provocation, shot him. The deponent had to work polishing anti-aircraft shells. If the prisoners did not complete 16 cases per day they were beaten. For minor offenses such as failure to salute * the prisoners were stripped and forced to stand at attention for three to four hours in below freezing temperature. Some men developed pneumonia.

14,162

14,163

Exhibit 1881, report of the Central Investigation Committee of November 4, 1945 stated * that three American airmen were killed at Hankow in December 1944. The men with their hands tied behind their backs were marched through the streets, severely beaten, covered with gasoline and burned to death. According to Major General KABURAGI the * Hankow Youth Organization forced the fliers to march through the city as a reprisal. However, application for permission to do this was made to the 34th Army Headquarters. At first General SANO did not give permission since it would be a violation of international law. Upon repeated requests permission was granted.

14,164

14,166

Exhibit 1893, affidavit of Captain Edward E. Williamson and Exhibit 1894, affidavit of William S. Bungey, describe * methods of torture used in interrogation of civilians by the Japanese Gendarmerie and Bridge House in Shanghai.

Exhibit 1893 stated that the Gendarmerie arrested prominent allied nationals, the heads of firms and members of national societies, and they were taken to Bridge House, which had been Gendarmerie Headquarters since 1937.

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- 14,167 * When taken there they were thrown into a filthy cell which was already overcrowded with both sexes, numbering between 15 and 20. The only toilet facility was a bucket. The food was mainly porridge rice with weak tea in insufficient quantities. The POW's had only one blanket which was verminous. On the day previous to questioning prisoners were placed into a cell next door to the torture chamber where they could hear the yells and cries of those being questioned. This was an organized, premeditated and inhuman way of breaking down resistance and morale. * The main torture used was the water torture, with a prisoner lying flat on a bench with his head hanging over one end. Water was forced into his abdomen and lungs through a funnel and the torturer then jumped on the stomach of the victim. The electric treatment was done by tying the victim to a crucifix shaped painters' ladder and applying to the private parts or nose a hand manipulated shocking coil. The body was first sprayed with cold water. There were also beatings such as beatings across the back with stock or hose, slapping and kicking shins and private parts. In one case they removed both big toe nails without anaesthetic. * They also used the rack torture. At all civil internment camps food and living conditions were bad and beatings frequent. Most camps were located in military areas, exposed to air raids.
- 14,168
- 14,169
- 14,170 Exhibit 1895, testimony of Private James S. Browning, * described the torture of 50 American POW's in Shanghai POW Camp in February 1944 for trading their personal effects to the Chinese. They were stripped, taken out into the snow and given the water cure. When they became unconscious they were tied to a post and ice water poured over them. They were beaten with a leaded riding crop.
- 14,171 Exhibit 1896, deposition of Sgt. R. M. Brown, * stated that at Shanghai Camp the men were first severely beaten, each prisoner was then held on the floor and forced to open his mouth and water was poured
- 14,172 * in until he became unconscious. The Japanese then slapped him and threw cold water on his body. This took place in January 1944. The cold water imposed a severe shock on the nervous system. That treatment lasted 12 days until it was decided this might kill them and it was stopped. The men were then sent to the hospital

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and later returned to duty.

14,173 Exhibit 1897, testimony of John F. Ryan, stated * that he was one of 100 POW's at Woosung in September 1942, which was mass punished for the escape of four Marines. The prisoners were confined for six days in a small room without heat or clothing when the temperature was cold.

14,174 Exhibit 1898, affidavit of Private Stegmaier, stated * that Kiang Wan Camp in January 1945, five POW's were bayoneted during an air raid by U.S. planes because some of the POW's had cheered during the raid.

14,175 Exhibit 1899, affidavit of Cpl. Littman, stated that three American POW's recaptured after escaping from Mukden Camp in April 1943 were brutally beaten * and beheaded. Each of the men was from a separate barracks and they were away from camp for three
14,176 * days before caught. When they returned they were unable to walk by themselves. All three had their clothing on their backs ripped up which was very bloody and their ankles were chained together with the chain extending to their backs and hands. They were brought out to camp and the Japanese tried to have them pick out the ones who had helped them escape. They refused to give any information. Two days later the woodchop had to make three crosses with the names of these men.
14,177 * They took a detail of three or more men to a cemetery where there were three fresh graves and the detail set up the crosses. The guard said the men had been beheaded. The day following the day on which the men were caught the other men were not allowed to work. They had to sit in a required position during the day at attention and this lasted for two weeks. The men were not allowed to speak and could move their hands only when they ate. Three barracks had to do this.

14,179 Exhibit 1900, testimony of Navy Captain W. S. Cunningham, stated * that he had escaped from Woosung in March 1942 and after being recaptured and kept in Bridge House for a month he was tried by court martial under Japanese laws of desertion in the Japanese Army. The maximum punishment for escape under international law is 30 days solitary confinement. The court stated
14,178 they were not bound by the Geneva Convention * and sentenced him to ten years. He escaped from Ward Road

Page

jail in October 1944 and then was sentenced to life imprisonment. POW's were deliberately underfed to keep them in a low physical state.

14,180

Exhibit 1901, affidavit of Commander C. D. Smith, stated that he also escaped from Woosung and on recapture, after spending 30 days at Bridge House was taken to Kiang Wan Camp and after 53 days' confinement * was given a general court martial on the charge of desertion. He was sentenced to ten years' imprisonment in a criminal jail.

14,181

At Bridge House the conditions were appalling. One man had leprosy. The food consisted of congee in the morning and four ounces of bread per day with two small cups of tea twice a day. Moral degradation was worse than the actual physical discomfort. It was very cold in March and they had only one blanket each, which was completely insufficient. During the day they had to sit in formation, cross legged without any support. * At times they were forced to kneel and would be kept in that position from six to eight hours.

14,182

There were a number of tortures to a minor degree which he saw. Men were given the water treatment, burned with cigarettes, shocked with electricity and there were innumerable kickings and beatings. Kicking was so common it was unnoticed. The water used in the water treatment was generally mixed with the worst of human refuse and other filth, such as kerosene.

14,183

* In the water treatment after consciousness has left the man was usually suspended by his heels by a tackle and the water allowed to drain out. The men who were tortured seldom had any idea what was required of them. The Japanese regularly picked on men who knew nothing. The principal question was whether they were mixed in underground activities. * Harshness of treatment depended on the particular sergeant who was given a completely free hand. The impression was that the officers did not give explicit directions for questioning. It was understood that punishment could be inflicted as and when required. The officers, however, knew all details.

14,184

Exhibit 1902, affidavit of Sgt. H. J. Hogue, * told of the mistreatment of captured airmen at Yochow.

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The deponent for refusing to give information was beaten with a large bamboo bat and given the water treatment. He was also paraded through the village for public ridicule.

14,185

Exhibit 1903, affidavit of Lt. H. J. Klotz, stated * that he bailed out of his plane and was captured, having injured his right leg. This was amputated several inches above the ankle by a civilian using a crude knife and without anesthesia. For not answering questions he was beaten into unconsciousness and on three occasions was beaten with an encased saber.

14,186

Exhibit 1904, testimony of John R. de Lara, * stated that at Pootung Internment Camp during the winter of 1944 and 1945 there was no heat, although the temperature was 20°F and the Japanese had heat. Internees had no clothes and the food ration was gradually reduced until the end and they were getting one-fourth of the meat originally issued. Internees were exposed to air attacks and could not mark their buildings until the end of the war.

14,188

Exhibit 1905, affidavit of Sgt. E. A. Morse, and Exhibit 1906, affidavit of Cpl. H. E. Fayal, * described conditions at Hoten Camp where over 200 prisoners died from malnutrition, lack of medical care and fuel. There was no heat, although plenty of coal was available. During the first month and a half the prisoners received maize, cabbage soup and two sour buns a day. It was frequently too contaminated to eat. All requests for additional supplies were refused.

14,189

Exhibit 1907, affidavit of John Anderson, * stated that at Kiang Wan Camp the food was poor and the work hard. The deponent lost 40 pounds. The POW's had to build a rifle range for the Army, polish shells and repair tanks and trucks. At Feng Tai Camp they slept on the floor and received a cup of rice or flour and a cup of weak soup three times a day.

14,190

Exhibit 1908, affidavit of John F. Bronner, * stated that at Pootung Camp the food ration was cut 35 percent during 1944.

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14,191 Exhibits 1909 and 1911, affidavits of Sgt. R. P. Bamford, tell * of conditions at Kiang Wan and Woosung Camps. At both camps the POW's received a small teacup full of rice * three times daily and a small amount of watery soup twice a day. Prisoners slept on the floor in barns with no stoves or fuel. No medical care was provided except from the prisoner medical officer. Four or 5 at Kiang Wan Camp and 30 or 40 at Woosung Camp died of malnutrition and similar diseases.

14,193 Exhibit 1912, testimony of Private James A. Gilbert, stated that for the first few months he was at Mukden Camp and during that time * 250 POW's died from starvation or dysentery. No medical supplies were given. Food was maize and soy beans. The POW's worked in factories making steel helmets, airplane parts and gears for guns. Some worked 16 hours a day. The deponent lost over 60 pounds.

14,194 Exhibit 1913, testimony of Cpl. H. Hall, showed that * Camp Hoten was 600 yards from a large ammunition factory. There was no designation on the camp and during an air raid 19 POW's were killed and 30 injured.

Exhibit 1914, testimony of Cpl. F. H. Comfort, showed that at Woosung and Kiang Wan Camps prisoners worked at a repair depot for all kinds of military vehicles and also in polishing artillery shell cases.

14,195 Exhibit 1915, affidavit of Private S. M. Zivko * confirmed the previous affidavit on work and also stated that work parties at Kiang Wan were not permitted to take cover during air raids until planes were overhead. There were no sleeping facilities other than straw mats on a brick floor.

Exhibit 1916, synopsis of evidence of atrocities in Japan was offered and received in evidence.

14,198 Exhibit 1917, affidavit of Major T. H. Hewlett, described * the treatment of POW's at Camp No. 17, Fukuoka. One corporal was confined in December 1943 on a charge of theft without food for 35 days and died of starvation. His weight decreased from 170 to 55 pounds. Another private was executed in May 1944 by bayonetting for repeated thefts of food. A corporal was confined in April 1945 for talking to a Japanese civilian. He was

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14,199 given no food and subjected to severe beatings and died. In May 1945 a private was confined to the guard house for stealing a bun. He was beaten and tortured and died in 15 days. The man died of starvation and pneumonia. Another private was placed in the guard house * in the spring of 1945 for having a small piece of zinc. After death it was shown that death was the result of beatings. Beatings were done by 2 x 4's the length of a baseball bat. In March 1944 two POW's were forced to kneel for long periods of time on bamboo and developed gangreen, making it necessary to amputate both feet of one prisoner and two toes of another. The deponent was confined for six days in October 1944 for filing a written complaint on the working of sick men. During two years they were issued only enough Red Cross medicine to care for 500 men for three months, while the camp population was 1,780. The deponent performed 135 major operations without gloves and bad instruments.

14,200 Exhibit 1918, affidavit of Lt. John H. Allen, * testified to the execution of Private Heard, which took place without trial. The guards formed a semi-circle around the prisoner and bayoneted him while he sat on the ground.

14,202 Exhibit 1919, affidavit of Fusilier Johnson, * described the brutal treatment of POW's at Sendai Camp No. 1B, on February 4, 1945. The prisoner was in a weak condition from malnutrition and asked to see the medical doctor. He was knocked down and kicked in the stomach and died that evening.

14,203 Exhibit 1920, affidavit of Ian D. Newlands, described * conditions in camps at Moji and Hakodate No. 1. At Moji Hospital there were 180 prisoners and 50 died in two months from lack of medical attention. At Hakodate a Dutch prisoner was killed for theft. He was kept confined without food and every few hours he was beaten. He died in a few days. The deponent was beaten for refusing to order prisoners * to perform work for which they were unfit. Prisoners were employed in the Muroran Steel Works which made gun barrels. Collective punishments were imposed for minor offenses.

14,204

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14,205

Exhibit 1921, report of the Japanese Central Investigation Committee, told of the treatment of captured allied airmen in the Eastern Military District. It stated that airmen were divided * into two categories. If they were suspected of violating military regulations, they were disposed of by court martial. If acquitted they were interned in POW camps. Before this, however, they were first detained in the guardhouse of the Eastern Military Police Unit Headquarters as suspects. During the period of detention there were 17 deaths. On the night of May 25, 1945, 62 allied airmen detained in Tokyo Army Prison were burned to death in an air raid. One pilot who fell in Chiba Prefecture was beheaded on May 26, 1946 and his body bayoneted after death.

14,206

* In the Eastern Sea Military District from February 11, 1945 there were 44 allied airmen captured. Six were interned from the beginning as POW's since they had attacked military objects. The 11 men who descended on May 14 were sent to courts martial because they had conducted indiscriminate bombings. Twenty-seven men were disposed of by military regulations without formal procedures of the courts martial, it being decided that they were guilty of inhuman and indiscriminate bombings.

14,207

* Around May it was figured that the allied forces would land around August and the whole army was preparing for the operation. The headquarters received 11 airmen who had bombed Nagoya on May 14 and a court martial was discussed. However, the raids were getting more violent and the number of airmen increased. In the latter part of May * the bombing seemed to have shifted to inhuman and indiscriminate bombings of cities. Operational work became even busier. Situations had to be taken care of speedily and the hostile feelings were reaching the limit. Administration of the airmen became very difficult and it was decided that sending them to court martial was complicated and delaying. Eleven men were executed in Miyazu on June 28 and 16 at Headquarters on July 14.

14,208

14,209

Exhibit 1922, report of the Japanese Investigation Committee, Part 24, stated * in the Central Military District 49 allied airmen were captured. Three were sent to Tokyo, six died from injuries and weakness

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two were put to death after court martial and 38 without court martial. The 38 executed without trial were so executed because Japanese army personnel was too busy in defense operations against an invasion and the Judicial Department was too busy with cases of violation of military discipline. There had been great indignation * aroused because of the great bombings. Under the * circumstances the Central District received no instructions from Headquarters regarding measures to be taken against flight personnel. They contacted Tokyo M.P. Headquarters and proceeded. These personnel were executed in Osaka from the beginning of July to the middle of August.

14,212

Exhibit 1923, the report of the Japanese Investigation Committee, Part 27, * confirmed the previous report and showed that the number executed was actually 41 instead of 38. The report stated that Lt. General OKIDA, the M.P. Commandant, in June 1945, issued a message that if captured airmen could not be disposed of immediately by court martial, other methods might unavoidably be used. * The situation in public feeling had come to the point that where Japanese airmen parachuted down they were in danger of harm, because the people did not take time to make distinctions.

14,213

14,214

At that time * for various reasons the units were unable to speedily bring the men to court martial and there were difficulties in interning them. General OKIDA, after considering the general state of affairs, issued a personal message to each military police headquarters which stated that courtmartial for captured airmen were generally at a stand still and interned personnel had increased * and the units were having difficulty in handling the men. They all hoped for an acceleration in courts martial. There were probably some who had carried out inhuman and indiscriminate bombings. These men should be punished immediately according to the military regulations. Since it was impossible to make immediate disposal by courts martial, other methods might unavoidably be used. It was up to the Military District Headquarters to decide which of the two methods should be adopted.

14,215

Major General NAGATOMO, Commandant of the Military Police Unit Headquarters of the Central District was trying to find a solution to the difficulties

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of internment. * He interpreted this personal message to mean immediate punishment of the captured airmen and he ordered preparations. Around the end of June, NAGATOMO paid a visit to Lt. General KUNITAKE, Chief of Staff of the Central Military District and told him that the statements of airmen are all alike and that they would not transmit every bit of information and wanted to take appropriate measures. KUNITAKE did not think that this had anything to do with the punishment of airmen, but it was just a simple intelligence * report. He never felt that NAGATOMO's visit was based on the message from the M.P. Headquarters.

14,217

In the early part of June a Major from the M.P. Unit of the Central District visited Colonel OBA, Staff Officer of the Central Military District, and stated that they would punish the captured airmen who were presently interned in the M.P. Unit. The Major told the Colonel that all captured airmen actually carried out indiscriminate bombings. OBA thought that the punishments concerning captured airmen were under the administration * of the Military Police Unit based on plans of the higher unit. He, therefore, answered that it was inevitable if they were punished. He thought they were being punished in light of military regulations.

14,218

Exhibit 1924, report of the Japanese Investigation Committee, Part 25, showed that in the Western District eight allied airmen were put to death on June 20, 1945, another eight on the 12th of August, and in the same month another 15 by Military District personnel.

14,222

Exhibit 1925, affidavit of OGIYA, told of the execution of two U.S. airmen at Osaka on July 18, 1945. * The deponent acted as Public Procurator at the court martial and asked for the death penalty. During the trial the men were asked the units they belonged to, their duties and their personal history and the places they bombed, which were Tokyo, Osaka and Kobe. One man was asked to explain the American radar system but he refused. Two the men were found guilty and sentenced to die by a firing squad.

14,223

Exhibit 1926, affidavit of Sgt. M. S. Shellhart, * stated that at Camp 5D, Kawasaki, the Japanese guards would beat prisoners with all kinds of weapons until

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they were unconscious and then reviving them with water and beating them again. In many cases the prisoners were burned with small pieces of burning punk under the guise of medical care. The prisoners had to hold buckets of water or a sack filled with beans with their arms outstretched until they dropped unconscious from fatigue.

14,224 Exhibit 1927, affidavit of Cpl. J. B. Lippard, told * of conditions at Kamioka Camp and confirmed the fact that a common form of punishment was placing pieces of smoldering punk upon the wrist, stomach, or neck of the prisoners. A guard would beat a prisoner if he flinched or collapsed.

14,225 Exhibit 1928, affidavit of Gunner John B Mullins, stated that * at Yamani Camp in Shikoku, about March 1945 two men were accused of stealing sugar. They were taken away for questioning and told the story that they had obtained it from guards in exchange for cigarettes. This story was not believed and in an effort to extract a confession their hands were spiked to tables with office spikes. The spike was driven through the hand several times near the knuckle joints.

At the camp working conditions were very bad and prisoners had to live on a small quantity of rice and barley and use their few cents a day to buy food. They ate the entrails of dogs and horse flesh. They worked in the copper mine twelve hours a day with one day off each month.

14,227 * General OTAHARA made an investigation and sent his opinion to General UCHIYAMA for approval of the death sentence after obtaining approval of UCHIYAMA, he sought the opinion of General HATA in command of the Second General Army. They then got the opinion of the War Ministry and the death penalty was approved. On July 18, 1945 the deponent presented the opinion with the approvals to the Military Discipline Conference and demanded the death sentence.

14,228 At * the trial one man stated he was only obeying the orders of his higher officers. The others said nothing.

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- 14,229 Exhibit 1929, affidavit of Private Owen R. Kobert, stated * that at Camp No. 17, Omuta, the deponent had to kneel on bamboo poles for five hours and was beaten with a club. One Australian had his feet amputated because of the treatment. Prisoners were beaten with steel rods one-fourth inch thick. Some were made to stand in water and were shocked unconscious with electricity. Some caught pneumonia from having cold water thrown on them.
- 14,230 Exhibit 1930, affidavit of Cpl. A. L. Owens, stated * that at Camp No. 8, Hitashi, in June 1945 about 10 guards beat a Marine with sticks, fists and clubs for five hours. He was revived with water and beaten again.
- 14,231 Exhibit 1931, affidavit of W/O James Gatley, * stated that in December 1944 at Kobe a prisoner was accused of selling a raincoat and was beaten and thereafter left in a guardroom with no clothes and only one blanket and the temperature was 20 below zero. He was beaten for half an hour every day for nineteen days and eventually went mad and died.
- 14,232 Exhibit 1932, affidavit of Lt. C. E. Bucke, stated * that at the mining camp at Miyata officers and enlisted men had to work 13 hours a day unloading rice and coal and emptying latrines. Officers got 360 grams of rice and 190 grams of flour per day and lost in two weeks an average of six pounds in weight. All Japanese could administer corporal punishment for any offense. All Japanese had to be saluted. Medical arrangements were bad. Things could have been made much better if the Japanese wanted to. Japanese non-coms without medical knowledge could overrule the Dutch medical officers. On August 7, 1945, some 90 to 100 British officers were beaten because the senior officer had tried to complain about a reduction in rations.
- 14,234 Exhibit 1933, affidavit of Captain A. L. Maher, stated * that at Ofuna the men were compelled to line up and be beaten with clubs which were regularly used. Many beatings were due to sadism of the guards and others were meted out by the commander. This was done under guise of physical reconditioning. Men were forced to run for a long time and anyone

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lagging was beaten. The men had to do push-ups and other exercises for long periods and failure to complete resulted in beatings.

14,235 Exhibit 1934, affidavit of W. R. Leibold,
* confirmed the mistreatment of POW's at Ofuna Camp.

14,236 Exhibit 1935, affidavit of George McRae,
stated * that at Headquarters Camp, Osaka, after a B-29 air raid in April, 1945, evening roll call was called and every man answering to the number 29 was taken out and beaten severely and forced to kneel on rock piles for about 1½ hours.

14,237 Exhibit 1936, affidavit of Chief Boatswain's Mate Philip E. Sanders, described conditions at Osaka Main Camp and confirmed the previous affidavit. * The prisoners had to work in various steel plants, making parts for tanks, trucks and ships and also as stevedores loading and unloading ammunition and weapons. The camp was within a few blocks of piers where men of war were tied up. The camp was not marked and was wiped out in an air raid. Beatings were common, the deponent being beaten at least 25 times. Over 95 percent of the prisoners received a severe beating of some kind and about 30 had their ear drums broken.

14,238 * As a form of punishment the Japanese restricted the amount of food, including cutting it off for a day or two, cutting out the food of the whole barracks for the offense of one man. They forced men to stand holding a bucket of sand over their heads, to kneel on cobblestones, or put a man in a water tank which served the camp with fire water for the night. The average number of men in camp was 650 and 700. About 120 men died in the 2½ years at Hencho. Most of the deaths occurred from pneumonia, beri-beri or dysentery. About 15 deaths were due to forcing the men to work while sick. There was practically no
14,239 * medicine or facilities. In March 1943 they received 40 cases of medical supplies from the Red Cross, supposed to serve all 22 camps in the area. Only a small trickle was allowed to be delivered. Ninety percent were still on hand when the camp was wiped out, although they could have been used to save the lives of the men.

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- 14,240 Exhibit 1937, affidavit of Private H. H. Pawley, * stated that at Kobe Camp No. 3 the first winter there were 60 deaths due to lack of medical care and malnutrition.
- 14,241 Exhibit 1938, affidavit of Sgt. W. R. Linderfelt, described the excessive and illegal punishment inflicted for minor infractions at Yok-Kaichi Camp. * Five men were strung upon ladders so their feet could not touch the ground, remaining that way for three or four hours at a time. Sometimes weights were placed on their feet. When in that position they were beaten with sticks, belts, and fists and salt was thrown on their wounds. They were given no food because three were punished for having stolen food and the others for trying to get out during air raids.
- 14,242 Exhibit 1939, affidavit of Sgt. Frank E. Pick, stated * as a result of a theft of food at Hirohata Camp in May 1945, all POW's had to kneel for six hours. At the end of the time nine confessed and were beaten for 4½ hours. A prisoner who failed to salute was given the water cure for an hour and beaten.
- 14,244 Exhibit 1940, affidavit of Sgt. Mahoney, stated that at Camp No. 3, Fukuoka, because one prisoner stole three fish all POW's * were denied food for two meals. All men on the man's detail were beaten. When another prisoner stole a shirt all POW's were required to stand up all night and were denied breakfast. Collective punishments were sanctioned by the commanding officer who was always present. Protests were made but nothing was done.
- 14,245 Exhibit 1941, affidavit of Sgt. M. D. Monk, * stated at Norima Camp a prisoner stole some food. After the second theft when he could not avoid discovery he tried to escape punishment by attempting suicide. While in a weakened condition he was kicked in the head. He was tied for a period of 72 hours and given no food or water and beaten. He was then placed in a guardhouse, being given a spoonful of rice and one half cup of tea three times a day for thirty days. It was then announced * that he was dead. They were not
- 14,246

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allowed to examine his body, but it is believed he was alive and put in his casket.

Exhibit 1942, the affidavit of Cpl. A. J. Mott, stated that at Camp D1, Yokohama, prisoners had to work in the shipyard on cruisers, aircraft carriers and tenders. No bomb shelters other than open ditches were provided for the prisoners.

14,247 Exhibit 1943, affidavit of Lt. Col. R. R. Petrie stated * that at Motoyama Camp the prisoners had to work in a coal mine twelve hours a day under inadequate safety conditions. The floor of the mine was covered with a foot of water. In the spring of 1943 the deponent complained to the Red Cross about the working conditions. Shortly after this * he was beaten on the pretext that he was responsible for a breach of some minor camp regulation. At the next Red Cross inspection the deponent was put in solitary confinement for five days so that he could not repeat his complaint.

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14,249 Exhibit 1944, affidavit of O. E. G. Roberts, stated that at Orio * prisoners worked in a coal mine where conditions were bad with lots of water in the mine and the roof dangerous. The roof once fell in and caused two or three deaths. The men were forced to work ten hours a day and one time went for 21 days without rest. The cold was intense and the men were given thin blankets and five or six Australians died from pneumonia. Contents of Red Cross parcels were stolen. Medical supplies were very short and a number of deaths took place. One Japanese forced the men to pick lice off the men's clothes and eat them.

14,250 Exhibit 1945, affidavit of Captain J. F. Lawrence, * described working conditions at Hosakura Camp where prisoners had to work in tropical clothing while Japanese laborers wore warm clothing. The work was hard manual labor and the rations were so inadequate that all suffered from malnutrition. In February 1945 two POW's died each week of pneumonia. All 60 died as a result of starvation and inhuman treatment.

14,251 Exhibit 1946, statement of John H. Marshall, * related that the Umeda Bunsho Camp, Osaka men were beaten at work stations and this together with lack of

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medical supplies started the deaths of the men. Four months after arrival 25 percent had died due to starvation, exposure, disease and beatings.

Exhibit 1947, affidavit of Cpl. C. E. Maurer, stated * that at Umeda there were originally 458 men and in the first four months 120 died. Food was 570 grams of rice per day and this was reduced if the men did not work to 300. There was very little clothing.

14,254 Exhibit 1948, affidavit of Alexander Meredith, stated that in January 1943 at Camp D1, Yokohama more than 50 percent were ill with dysentery and malaria. They worked at the Mitsubishi yards as maintenance fitters, leaving for work at 6:30 A.M. and getting back about 5:00 P.M. Sick men had to work and in the first three months 45 men died from pneumonia * and malnutrition. These men would not have died with proper treatment. Food was always inadequate and in the summer of 1943 rations were reduced by half.

14,255 Exhibit 1949, affidavit of Sgt. A. F. Caddy, stated that at Sendeyu * the Japanese medical officer refused to allow the allied doctor to give medical attention to sick men, resulting in the death of at least one POW. It was Japanese policy to keep POW's in a low state of health and morale.

14,256 Exhibit 1950, affidavit of Major F. J. Murray, * stated that he was medical officer at Branch Camp No. 1 at Hakodate. In December 1943 one of the prisoners had acute osteomyelitis, requiring an immediate operation. The deponent asked for permission to take the man to a local hospital. He was also refused the necessary surgical instruments to perform the operation himself. The patient died. Prisoners were compelled to sign chits for medicines which had not been issued and which were sold and given away.

14,257 Exhibit 1951, affidavit of Capt. Allan Berkeley, stated * at Camp No. 4, Fukuoka he was medical officer and there were plenty of medical supplies in the camp but the prisoners were not allowed sufficient for their needs. At least one death resulted.

14,258 Exhibit 1952, affidavit of John W. Viney, stated * that at Kawasaki there were ample Red Cross

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supplies in the store but the sergeant refused to supply any although repeatedly requested. This applied to surgical instruments and the doctor had to use one that he got from the blacksmith. Thirteen deaths occurred in three years and if the POW's had not been able to steal fruit and other food, many would have died from beri-beri.

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Exhibit 1953, affidavit of S/Sgt. M. J. Robertson, stated * that he bailed out of a B-29 over Tokyo and after being beaten by the mob he was taken to the Kempeitai for interrogation and was beaten. He was given no medical attention for a broken leg and shrapnel wounds.

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Exhibit 1954, affidavit of Sgt. Harry Slater, * confirmed the previous statement.

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Exhibit 1955, affidavit of Philip E. Sanders, * stated in April or May 1945 there were persistent rumors that in the event the U.S. won the war, POW's would all be killed. He was told this by an interpreter and POW's were given rougher treatment every time there was an air raid.

Page DIRECT EXAMINATION OF JAMES STRICKLAND
CHISHOLM by Mr. Woolworth

14,270 The witness stated that he was a Captain in the AIF and had
14,271 been a POW in Singapore from February 15, 1942 until November 1942 and
from then in Japan * until the end of the war. From December 1942 to
August 22, 1944 he was in Naoetsu Camp. At first there were 300
Australian POW's confined there. The food was insufficient and con-
sisted of an average of 15% rice, 60% barley, and the remainder corn
or mullet. The weight was mainly about 500 grams for light workers
14,272 and slightly more for men on longer shifts. *About half of the men
were employed in the steel mill and the other half in a chemical
factory making carbon for electric furnaces. In the summer there
were parties unloading ships and other parties loading coal on the
railway. In the steel mill they were rolling steel plate and making
ingots.

14,273 Sixty POW's died while he was at Naoetsu because of lack of
food, ill treatment, and long hours. The men were not furnished with
ample clothing. There were several visits from Generals while he was
in the camp. * General DOHIHARA came sometime in September or Octo-
ber of 1943. He did not recall that DOHIHARA talked to any prisoners.
The conditions then were very bad. The witness then was about 40
pounds lighter and the men were in a pitiable condition. At periods
14,274 they did not have a bath for two months * and the place was smothered
14,275 with vermin. * Men were dying of malnutrition when the General
visited the camp.

He did not remember the exact quantities of clothing sup-
plied. All men had a British dress uniform which they wore through-
out the period. They also had overcoats which could not be worn
except at work. It was very cold, with snow on the ground, and at
times the men walked on bare feet. They never issued the three to
four hundred pairs of Red Cross boots on hand. There was no change
for the better after DOHIHARA's visit, which was just a routine in-
spection of the camp quarters and the sick. * Prince TOKUGAWA also
14,276 visited the camp. He believed this man was the Red Cross representa-
tive for Japan.

CROSS-EXAMINATION by Mr. Blewett

14,277 The witness stated he was in the Infantry. Naoetsu Camp
is located in Nigata Prefecture, on the Sea of Japan. * He could
not recall the exact date of DOHIHARA's visit, but he has it in his
diary. There was not several feet of snow on the ground at the time
of his visit. His testimony with regard to boots and snow was not
14,278 in connection with DOHIHARA. * On all inspection visits the camp
was cleaned thoroughly about 10 or 15 times. He did not know how
long the General stayed. He did see him personally, would recognize

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him, and pointed him out. During the inspection the men were lined up in a room, and the witness did not know how long he was actually in the camp or whether he inspected others than the officers and the sick.

CROSS-EXAMINATION by Mr. Shimanouchi

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The witness said he never actually saw Japanese soldiers beat or kick other Japanese, but he had heard about it frequently. Naoetsu, in comparison with Singapore, was very good. He did not see any cases of Japanese beating Japanese in Singapore. He presumed that the quarters of the sick were cleaned before General DOHIHARA came to the camp. There were no vermin and bugs where the Japanese soldiers were quartered to his knowledge. He knew this because * the interpreters were always telling that they were afraid of getting them.

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CROSS-EXAMINATION by Mr. Levin

The witness stated that he had testified in two atrocity cases.

DIRECT EXAMINATION OF TANAKA, Ryukichi
by Mr. W. Worth

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The witness stated that his last service in the War Ministry was Chief of the Military Service Bureau and that he was familiar with the organization and responsibilities of the various bureaus of that Ministry between 1940 and 1945. The most important bureau in the War Office is the Military Affairs Bureau since it is in charge * of the Army budget, the organization, equipment and installation of military forces, the making of domestic and foreign plans, the conduct of propaganda, and the conduct of investigations. The matter of international regulations affecting the Army was handled in the Military Affairs Section of the Military Affairs Bureau.

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In the responsibility for location and construction of POW camps, the responsibility resided with the Minister of War, but the business was handled by the military section of the Military Affairs Bureau. * Documents and other papers relating to POW's were sent by the Foreign Office to the War, Home and Navy Ministries. They first went to the Adjutant's Office in the War Ministry and then to the Military Affairs Section. Those relating to POW's were sent by the same section to the Prisoners of War Information Bureau. Replies to be made to authorities outside the War Office were prepared in the military affairs section of the Military Affairs Bureau and they went to the Foreign Office by way of the Adjutant's Office after they had been * approved by the Minister and Vice Minister.

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While he was chief of the Military Service Bureau conferences of all bureau chiefs were held twice a week. He recalled a meeting when the question of treatment of POW's arose immediately after Bataan, the end of April 1942. At this conference the question of how to treat captured POW's in the southern areas was determined.

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The people present at the conference were TOJO, KIMURA, TOMINAGA, Chief of the Personnel Bureau; SATO, Chief Military Affairs Bureau; the witness, KAN, Chief of the Ordnance Bureau; YOSHIZUMI, Procurement; KURIHASHI, Security; MIKI, Surgeon General; OYAMA, Legal Affairs; NAKAMURA, gendarmerie; HONDA, Armored Forces; MATSUMURA, Army Press.

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At the request of EUMURA, Chief of the Prisoner of War Information Bureau, TOJO gave his decision that in light of the prevailing situation in Japan, to enhance the labor efficiency of the country, and in the light of the slogan, "no work, no food", all POW's would have to engage in forced labor. EUMURA pointed out that to make POW's above warrant officer work would be in violation of the Geneva Convention. TOJO decided to utilize these officers in view of the fact that Japan had not ratified the Geneva Convention although it would respect its spirit. POW camps were to be established * not only in the southern areas but also in Japan, Formosa, Korea, China and Manchuria, and to send POW's there. *

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The witness stated he was familiar with the ordinance establishing the Imperial G.H.Q. Imperial General Headquarters consisted of the Army and Navy. * The Army department constituted the Army General Staff and the Navy Department constituted the Navy General Staff. In addition the War and Navy Ministers participated as regular members. The Vice Minister, the Chief of the Military Affairs Bureau, and other bureau chiefs, when necessary, attended as staff of the War Minister. The most important positions in headquarters were occupied by the Chiefs of Staff. Other important members were Vice Chiefs of Staff, the War Minister, and the chiefs of the Operation Division. Both the Army and Navy were represented.

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Exhibit 1956, a letter from the Foreign Office to the Swiss Minister stated * that Japan had not yet ratified the Convention on treatment of POW's and was therefore * not bound thereby. However, it would apply the provisions mutatis mutandis to English, Canadian, Australian and New Zealand POW's; in the matters of food and clothing on condition of reciprocity it would consider national and racial customs. It asked that this matter be brought to the knowledge of the various governments. The document was signed by TOGO.

14,297

Exhibit 1957, the reply of the Japanese Foreign Minister to the Argentine Charge d'Affaires, January 29, 1942, stated * that on January 3, 1942 Britain communicated that Britain, Canada, Australia and New Zealand would observe the Geneva Prisoner of War Conference

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- Page in respect of Japan and asked whether Japan would make a similar declaration. They also communicated on January 5 that they proposed to take into consideration national and racial manners and customs when applying articles 11 and 12 * on provisions and clothing. This Japan answered in accordance with the previous letter.
- 14,298
- 14,299 Exhibit 1958, record of conference in War Ministry, May 6, 1942, stated * that there was no data to confirm there was any conference in the War Ministry on May 6, 1942, but on the question of non-application of the Geneva Convention * there are certain decisions.
- 14,300 The Vice Minister of Foreign Affairs on January 13 and 16 transmitted to the War Ministry the inquiries of the American and British, and the War Ministry after several conferences reached a decision and communicated it to the Foreign Office. There are no records of the conference.
- On January 27, 1943 the Vice Minister for Foreign Affairs sent an inquiry regarding the application of the Convention to non-combatant internees. As a result, the Ministry reached a decision which was communicated to the Foreign Office on February 6. There is no record of this conference.
- Under date of December 12, 1941 the Foreign Ministry transmitted to the War Office the communication of the Red Cross Chairman concerning collection and transmission of information regarding POW's * and a decision was reached. These decisions were reached in line with the fundamental plans and policy under which the War Ministry had always directed its conduct as to POW's and no orders seem to have been issued in consequence of the decisions.
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- 14,302 The answer given on January 13 stated that since Japan had not ratified the Convention they could hardly announce their observance, but it would be safe to notify the world that they did not object to acting in accordance with the Convention * and they did not object to giving due consideration to national or racial habits. With respect to non-combatant internees they stated that they had no objection to applying the principles of the Convention to non-combatants within the limits it is applicable provided that no person be subjected to labor against his will. On information * they stated that they would not declare that they were prepared to apply in practice the provisions of the Prisoner of War Convention but that they would utilize them for the convenience of transmission of information by telegram and other means.
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CROSS-EXAMINATION OF TANAKA
by Mr. Logan

14,308

The witness stated that he was in the War Ministry from December 1938 to March 1940 as Chief of the Military Service Section of the Military Service Bureau and from December 1940 to September 1942 as Director of the Military Service Bureau. He was for some time prior to December 1942 in the office of the Military Service Bureau. * He left his office on September 21, 1942 but he did not go to the hospital on that date. From that date to the end of the war he was not familiar with the organization and responsibilities of the various bureaus of the War Ministry. However, a number of his former subordinates, including section chiefs, visited him and told him about the various reorganizations within the Ministry. He was, therefore, in general, familiar with the organization although not in such great detail as when he was Director * and had no personal knowledge.

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The handling of international regulations affecting the Army is not by the Military Affairs Bureau, is not set forth in the regulations governing the organization of the Ministry, but the matter was dealt with by the Military Affairs Section. It is set forth among the functions of the Military Affairs Section in the articles of regulations pertaining to the organization of the War Ministry. * The Military Affairs Bureau has certain functions dealing with national defense and the location and construction of POW camps is included in them. This bureau handled matters pertaining to budget and this section had to give its agreement to the use of the budget in deciding on the number and location of POW camps. As head of the Military Service Bureau he received documents from the Military Affairs Bureau on POW's. * These papers were addressed to the Prisoner of War Information Bureau and he received a copy, and it was true that copies were also sent from the Foreign Affairs to the War, Home and Navy Ministers. * The addressees were all indicated on the paper sent out. The documents were in fact * sent out and the addressees * were listed on each document. The original was addressed to the Prisoner of War Information Bureau, but some were sent in the form of copy and some were sent to various competent offices handling related matters.

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Such documents, while addressed to the Prisoner of War Information Bureau, were first received by the secretariat of the War Office and then transmitted to the Military Affairs Bureau and from there to the Prisoner of War Information Bureau. There is no * case of the documents going directly since they were channeled through the secretariat of the Ministry of War. No documents were sent direct from the Foreign Office to the Prisoner of War Information Bureau.

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He did not spend much time in the Foreign Office and he did not know anything about it. He knew about these documents because he

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had seen them transmitted from the Foreign Office. He did not spend much time in the Home Office and none in the Navy Ministry. He was tending to his own affairs in his own office. While he was ill * from March or April he looked after his work as best he could. He was not mentally sick. He did go to the hospital in October after he quit.

14,320

The documents came from the Prisoner of War Information Bureau and a communication from the Foreign Office was attached thereto as reference. * The secretariat of the War Minister had full powers with respect to incoming documents and if any document was addressed by any outside department to the Prisoner of War Information Bureau it would be in violation of regulations. All documents were therefore channeled through the secretariat. At that time the emphasis on treatment of POW's was not so much on the work of the Prisoner of War Bureau or on the question of carrying out international treaties, but was a matter of policy. * The list of addressees was written at the very end of the document itself. If it was from the Foreign Office, it would be typed in the Foreign Office. Documents on POW's would come from the Foreign Office, headquarters of the gendarmerie, and the Home Office.

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The Prisoner of War Administration Bureau * and the Military Affairs Bureau, and sometimes the Military Service Bureau, sent out replies. The actual document could not be sent out without approval and authorization of the Military Affairs Bureau. As head of the Military Service Bureau he had handled some of these matters. He had not been indicted for any of his acts. *

14,325

He had a great deal to do with the Kempei Tai and he has never been promised any immunity for giving testimony. He had never received any direct reports from Commanders in the field with respect to treatment of POW's and had never issued any instructions on this.

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He attended * War Office conferences twice a week from December 1940 to September 21, 1942 and if he was away his senior section chief attended. On the whole he remembered the names of the persons who attended every one of the meetings. On his trips he never inspected POW camps. In the meeting of April discussed on Friday he may have left out some of the names. In as much as the Chief of the Medical Affairs Bureau * and of the Legal Bureau were on tour, he presumed they were represented by their section chiefs. The responsibility lay with the Director of the bureau. With the exception * of the two names mentioned, he was sure of the others who attended because he saw them. He is stating a fact. TOJO was absent from some of the 200 meetings and KIMURA was absent on one or two occasions. He was at most meetings * including this one, he having seen him there. He was positive that TOMINAGA was

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14,330 there. * SATO was absent from some meetings but he was present at that particular one. He was not absent at any meeting while the witness was in office. In 1943 SATO was with TOJO on tour of the southern regions and he was absent from those meetings during that tour. * SATO began attending the meetings after he became Chief of the Military Affairs Bureau on April 20, 1942 and the witness was positive he had not missed any meetings up to September of that year. Up to April 20 he was not qualified to attend the conferences of bureau chiefs.

14,332 KAN hardly missed a meeting but he may have missed one or two. * He was present at the one the latter part of April 1942, sitting next to the witness. YOSHIZUMI hardly missed a conference and the witness was positive that he was present. KURIHASHI was frequently absent, but he believed he attended this meeting. *

14,334 By a special meeting was meant the occasions when TOJO would hold a meeting of two or three bureau chiefs to make decisions on certain matters. The only ones he is not positive about are the Directors of the Legal Affairs and Medical Affairs Bureaus. * He attended special meetings two or three times himself. He could not speak of the attendance at such meetings. In urgent or temporary cases the War Minister would call a conference of two or three bureau chiefs * to deal with the question in hand and then make a decision. There was no special meeting where all bureau chiefs were called. General MIKI missed about eight meetings since he was away on tour from April 17 on and was not present at the meeting in question. After reconsidering the matter he felt that the chiefs of the Legal and Medical Affairs Bureaus were away on tour and he had corrected himself. They were represented by proxy. He was positive that the others were present. NAKAJIMA was not present at the meeting * and that must be a mistake in interpretation and was probably a mistake for NAKAMURA of the Gendarmerie. * Before the outbreak of the war NAKAMURA was frequently on tour and was absent, but after the war he was in Tokyo and in attendance at the meetings. He recalls having seen these men at the meetings. Being in Tokyo and not attending meetings * was never permitted by War Minister TOJO. HANDA never missed meetings. MATSUMURA was frequently sick and therefore * permitted to be absent. He could not recall all the meetings the latter had missed. The witness stated * that he had been called various names by people and some called him the "Monster".

CROSS-EXAMINATION by Mr. Blewett

14,341 The correct title * of his office was the Military Service Bureau and its functions included discipline, mobilization, ex-service men and internal defense. His office handled matters

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14,342 pertaining to the Kempei Tai, but did not supervise or control that organization. In carrying out various measures with respect to the Kempei Tai * one of his functions was to draft plans as a staff officer. The Kempei Tai was under the control and supervision of the War Minister and Vice Minister. His office handled matters pertaining to military discipline, but supervision and control rested with the War Minister. The business of relaxation of discipline was related to his office, but not the control. His work was wholly connected with army service personnel and that kept him busy. There was frequent friction with the Military Affairs Bureau and its personnel * and he was therefore quite familiar with it.

14,343 On the surface and according to the letter of regulations all bureaus were of equal importance, but in actuality the General Affairs Bureau had the important functions. * The Personnel Bureau handled the transfer of military personnel. In the light of the internal situation at the time and the fact that the Army was the leading force and the Military Affairs Bureau handled the military budget and had a great deal to say on internal and foreign matters, he considered the Bureau the most important. The War Munitions Bureau compared to the Military Affairs Bureau was not of so great importance. *

14,344 In diplomatic documents he included documents relating to prisoners of war. Diplomatic documents as a whole are first sent to the War Ministry secretariat, then to the Military Affairs Bureau, and then to the other bureaus. * There is no bureau in the War Ministry which is under the control of the Military Affairs Bureau. All are under the jurisdiction and control of the War Minister. The Prisoner of War Information Bureau is a special one and is under the control of the Minister of War, but it was established under international law under the War Minister's control and is in the War Ministry. It was temporary.

14,346 Protests were not sent directly to the Prisoner of War Information Bureau, but through the Military Affairs Bureau. *

14,347 Reports with respect to POW's from the field, not being diplomatic documents, were sent to the secretariat of the War Ministry and then to the various departments. *

14,350

When asked about a telegram from Kanbury of September 3, 1943 from the POW Camp Commander in Thailand to the Chief of the Prisoner of War Information Bureau, he said that the system was established two months before he resigned, sometime around July. Since the Chief of the Prisoner of War Information Bureau is also Chief of the Prisoners' Administration Bureau, all reports related to POW camps in the field were addressed to him. On the handling

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14,352 of such reports, if it happened to be a document it would come to the secretariat by post office of General Headquarters. If it was a telegram it was received by General Headquarters and transmitted to the War Ministry secretariat. The matter was then transmitted to the Prisoner of War Information Bureau. * He could not state exactly what happened to the document mentioned since he was not then in office.

14,353 There are cases when the replies to the protests were drawn up by the Prisoner of War Information Bureau. However, such replies could not be sent without the approval and agreement of the Military Affairs Bureau. It was not true to say that he was not active in his office subsequent to July 1942. He did resign in September 1942. * He had naturally never seen the protests on POW's himself but twice in a conference of bureau chiefs UEMURA, Chief of the Prisoner of War Information Bureau, discussed the contents of protests.

14,354 He was present at the meeting at the end of April 1942. Meetings were held regularly every week on Tuesday and Friday at 7:00 A.M. in the drawing room of the Minister of War. A meeting took place on April 28. * Other questions were discussed. He had made a report in March on matters of discipline and morals in the Army in the district in the month of March after being advised by the War Minister to tighten regulations. This matter was taken up before the prisoner of war question. All bureau chiefs remained to the last, only leaving after the War Minister left. * The witness recorded the minutes of the meeting in his own memorandum and left it with his successor. * An official record was not kept.

14,357 The matter of treatment of prisoners of war was raised by UEMURA, who was present as one of the chiefs. He said that MATSUMURA was present. Colonel YAHAGI * was definitely present as Chief of the Press Section and MATSUMURA was present as Chief of the First Division of the Board of Information. * General KAWABE, Director General of Aviation, was present. UEMURA stated that since operations in the southern regions had been concluded the question was how to handle prisoners of war, and requested the decision of the War Minister. He had heard the War Minister's answer. The regulation on the treatment of prisoners of war had not been made at that time.

14,359 The regulations of 1904, as amended, * had been decided upon at the time of the Russo-Japanese war and the witness did not know the details. * He did not recall the regulation. He did recall that a prisoner of war was to be humanely treated and

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14,361 in no way insulted or mistreated. He also recalled the provisions on interrogations. He did not remember, however, that TOJO told UEMURA that he subscribed to these two provisions and that they should be carried out. * He had never seen the instruction of June 5, 1942 sent to the Taiwan Army concerning the working of prisoners of war and could not recall any. When the instructions were read to show that the work was supposed to be voluntary, the witness stated that TOJO's instructions were not stated in just such terms, but it was the policy that no one who does not work should eat. * It was pointed out that prisoners of war above the rank of warrant officer must be obliged to work. Nothing was said about working voluntarily.

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The War Minister actually was a member of the Imperial General Headquarters to control and coordinate military administration. He could not be concerned with questions of the High Command. * The witness stated he never expected or hoped to obtain the position of Chief of the Military Affairs Bureau and it is slander to say that he was prejudiced and biased against TOJO because of this.

CROSS-EXAMINATION by Mr. Brooks

14,364

The supreme command is divided into two departments, the power of command under the army general staff and administrative matters under the War Minister. Command is exercised exclusively by the general staff. * With respect to operations, the War Minister had to communicate through the general staff, but on other matters he could communicate directly with the troops in the field. It is impossible to make a clear cut distinction between command and administration. The organization of the army in peace time is a command matter but it is handled by the War Minister. With respect to mobilized forces the matter of command is in the general staff, but not with respect to troops not mobilized.

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As to Japanese nationals * held as prisoners of war, this is in the hands of the Foreign Office, since it is the ministry in charge of such matters. In Japan the handling of prisoners of war is quite different from other countries and the Information Bureau and Prisoners' Administration were under the supervision of the War Minister. The Foreign Office was merely a post office * handling communications. The Prisoner of War Information Bureau was created in accordance with international treaty. The business of control of the prisoners of war included the location of camps, the handling of prisoners of war, the promotion of their health, the matter of sick prisoners, and general treatment, the distribution of Red Cross messages and parcels,

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14,367 and the exchange of POW letters. Policy is carried out * by the War Ministry, specifically by the Military Affairs Bureau in Japan. Outside of Japan it was handled by the chief of the general staff after consulting the Minister of War. The Second Division of the general staff handled it.

14,368 The matter of requisitioning food was handled by the various commanders supervising the camps, in accordance with the orders and instructions of the War Minister. * If it was a question of policy it would be chiefly a matter for the Minister of War.
14,369 * On the surface the needs of the Commanders in the field would have to be made known through the general staff in Tokyo, but actually matters were carried out by the field commanders communicating directly with the Chief of the Prisoner of War Information Bureau. Particularly, in as much as matters pertaining to prisoners of war were not connected with operations, but with policy, it could be handled directly with the War Ministry through the Prisoner of War Information Bureau. This, however, was more or less out of general procedure but it was carried on * for convenience and expedience on matters that had to be settled quickly. Being purely a policy matter there was a tacit understanding that direct communications could be made. The first communication from the International Red Cross was in December 1941 and there were none previous in relation to prisoners of war. The Japanese held no prisoners of war from 1931 and 1934 to 1936.
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14,371 Japan signed the Geneva Convention but did not ratify it.
14,372 However, the Emperor intended to abide by and act in accordance with it mutatis mutandis. * His department understood that Japan and TOGO refused to be bound in any way by the Convention. However, the question of treatment of prisoners of war was more important than merely abiding by the provisions of international law and treaties and had to be considered in accordance with bushido. The most just way of handling prisoners of war is that which prevailed at the time of the Russo-Japanese war. During that war POW's were given the same treatment * that was accorded to one's own fellow national. Once a man lays down his arms he should be treated as a friend.
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14,374 UEMURA was the witness' senior. They had worked together for a long time and the treatment of POW's was decided toward the end of April 1942. * UEMURA was very disappointed. Everyone would regret the consequences, which none of the officers expected.
14,375 * The decision was one of policy, based on military necessity, and due to conditions at the time.

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CROSS-EXAMINATION by Mr. Kusano

14,376 The witness said he was familiar with the handling
of business in the War Ministry. * He stated that there were
no official documents addressed to the Chiefs of Bureaus or
sections, but there may be personal or private messages. These
personal messages are rarely official communications. Other
documents relative to the ex-service men's association duty
would come to him directly. * Chiefs of Bureaus have no
14,377 authority to make decisions on official documents sent to a
war office, and those are not addressed directly to the Chiefs
of Bureaus. There may have been some documents addressed to
the Personnel Bureau, but during his tenure of office he did
not receive any communications except personal messages in that
14,378 way. * Most official documents are not addressed to the Bureau
Chiefs, but to the Vice Minister, but the Prisoner of War Infor-
mation Bureau was a special one and documents sent there were
sent through the Military Affairs Bureau and also directly to the
Prisoner of War Information Bureau.

14,379 At the time of the April meeting regulations prevail-
ing from the time of the Russo-Japanese war existed, but not new
ones for the Pacific war. * These old regulations were effective
until new ones were created. However, in fact, the old regula-
tions were not applied. He did not know whether the meeting was
on April 26 or 28, but this could be checked on whether it was
Tuesday or Friday. In the absence of a calendar he could not
14,380 answer exactly. *

At that meeting he gave report about the gendarmerie
in Peking concerning allied residents in Peking considered to
be suspicious at the time of outbreak of war. He did nothing
further on this because the Chief of the Military Service Bureau
could not give directions on business matters on gendarmerie
units in areas outside Japan.

14,381 UEMURA's question may have been general and abstract
but it was not so vague in as much as he spoke of the Geneva
Convention and the Russo-Japanese war regulations. * After
that the decision of the War Minister would be received in
writing under seal. The official decision was made on May 2.
The matter did not come up incidentally at the meeting because
14,382 the time had come when he needed the Minister's decision.*
When asked whether the Minister of War did not mean voluntary
work, the witness stated that with respect to obligations not
stipulated by treaty this could only be carried out by compul-
sion.

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14,383

The matter of reporting directly * to the Prisoner of War Information Bureau was clearly a question of convenience, although there might be regulations providing for it since the War Minister did not have power of command over forces in the field. This was in accordance with a policy of expedience. He stated again that the matter of POW's was handled by the Military Affairs Bureau because it was a policy matter. The Prisoner of War Information Bureau and the Prisoner of War Administration Bureau * handled routine business. The Control Bureau was in charge of treatment, whereas the Information Bureau dealt with the exchange and collection of information.

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CROSS-EXAMINATION BY Mr. Howard

14,386

Witness stated at the meeting of April 1942 KIMURA did not say anything and took no positive part in the conference. The regulations were distributed in the form of a Vice Minister's notification, by order of the War Minister. This is an order of the War Minister. With the exception of certain matters the War Minister, as does all other Ministers, issues all orders in accordance with certain stipulations. * They are usually in the form: By Order of the War Minister. The procedure is for the Ministers to countersign instructions, laws and departmental regulations, and military matters. Otherwise he sends no communications and all daily routine business is in the form of notification by order of the Vice Minister. The responsibility of the Vice Minister is merely to transmit the note in connection with POW's. He had no authority to decide how POW's were to be treated. In TOJO's absence KIMURA was War Minister and upon TOJO's return he would report on all matters and receive the approval of the Minister.

With respect to the flyers who raided Japan in April 1942, who were captured in China and sent to Japan, the matter was decided by Imperial Headquarters. Both TOJO and KIMURA were strongly opposed to being too severe, but the decision was carried over their opposition.

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When TOJO was absent he turned over * certain small matters relative to business routine, but he would turn nothing over with respect to state affairs, such as policy making, economics, and diplomacy. TOJO was War Minister as well as Premier, and KIMURA never made any important decisions.

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14,396

* The witness stated KIMURA was Vice Minister of War and as such had no command authority over the chiefs of the bureaus. He merely obeyed and carried out the will and order of the minister without giving positive suggestion or opinion. The witness noticed that in the War Ministry there was too much positive action taken by the heads of various bureaus and he, therefore, entertained grave doubts as to the outcome of this section. He suggested to KIMURA that something be done to control the bureau heads, but KIMURA did not agree, saying that the War Minister was capable and should be left to decide such matters. The witness was afraid that this policy would lead to a general malfunction in the War Ministry, * but he was overruled. KIMURA was, for this reason, called the robot vice minister.

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With respect to enactment of laws the various heads of sections would get in touch with the various bureau heads and cabinet heads and the matter would be taken up at cabinet meetings and while the vice minister could make suggestions he was in no position to make decisions. KIMURA was known as a robot or puppet. The vice minister had merely a supervisory capacity over the bureau heads. Consequently, bureau heads frequently had direct contact with the minister and decisions were sometimes made * without consultation with the vice minister.

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With respect to the appointment of KIMURA the witness did not know exactly since he was not then Chief of Personnel but he was told by the chief of personnel that since KIMURA had been Chief of the Munitions Bureau and was well acquainted with material within the War Ministry it was felt that a servile * and honest man would be best for this position. War production was then waning and it was considered best to appoint KIMURA to boost war production since he was well acquainted with ordnance matters.

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* At the end of April the bureau chiefs' meeting was held and the POW Information Bureau Chief and Military Affairs Chief consulted and asked the decision of the War Minister. Upon receiving it they decided to send the information to the General Staff and the vice minister sent a memorandum. This memorandum did not

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14,401

touch upon the question of laborers but was to the effect that POW's captured in the southern regions should be sent to Formosa, China and Manchuria and Japan * and were to be placed in POW camps there. The witness said he did not remember the exact date of the Doolittle flyers. When General SATO reported that these POW's were to be executed the War Ministry strongly opposed, as did KIMURA, on the ground that residents in British and American territories might be treated in such a way. As a result * the decision could not be reached in time and the execution was delayed. * General KIMURA could have objected to the decisions. The War Minister objected and the vice minister could have agreed and he could have objected to any decisions.

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After TOJO's appointment as Minister of War more administrative work was assigned to the vice minister. * However, the Information Bureau was established in March 1941 and at that time it was established as an outside bureau attached to the Ministry. The vice minister had no assigned responsibility or duty concerning this bureau. The vice minister had no authority to be present at liaison or imperial conferences. As assistant to the War Minister he had authority to attend meetings at Imperial Headquarters, but no authority in forming important decisions.

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* Since the General Staff decided to use POW's in building the Siam-Burma railway it was highly improbable that KIMURA had any voice in the matter. However, it is highly probable that the technical procedures in assigning POW's and other technical matters might have been done on instructions from the vice minister, representing the minister.

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The vice minister had no authority to hire or fire employees. He had * no authority to punish, such authority being only in the minister. The various bureau chiefs are directly responsible to the War Minister for management of business in each department. KIMURA let each bureau chief handle his own affairs without interference. External * negotiations were to be handled by the War Ministry and it was not in the province of KIMURA. They were to be handled by the Chief of the Military Affairs Bureau.

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CROSS-EXAMINATION BY MR. LEVIN

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14,409

* After the decision of April 1942 it was purely an administrative matter for other departments to carry out the policy. Other ministries could not utilize POW's of their own will. The policy to use POW labor was decided in April 1942.

CROSS-EXAMINATION BY MR. SHIMANOUCI

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* The witness stated that at the time of making the decision with respect to POW labor the free sale of staple food in Japan was prohibited. The standard ration except for laborers was 2.3 go or 330 grams.

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* The decision of putting the people of Japan to work was not decided at a conference of bureau chiefs. It became the policy, however, that laborers who were not employed in important industries were compulsorily allotted to important work. * The witness said that the officers were not to be forced to work as a punitive measure. The law or regulations would be established and all POW officers would be put to work. Those who didn't want to work * would be ordered to work. Unless they obeyed they would be in contravention of rules and regulations and would be punished. The basic principle was decided on May 2. On June 3 the detailed regulations were drawn up. * The witness said that he remembered that it was stipulated that POW's were to be put to work in accordance with their individual brain and physical or manual conditions.

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Also, by the end of June or beginning of July the commanders of POW camps were assembled and given further details. The basic principles for treating POW's were decided at the two conferences * convened by order of the War Minister. The witness's office was a post office for receiving complaints since both the POW Information Bureau and the POW Administration Bureau in Japan were both under the jurisdiction of the War Minister. For this reason there was no organization, no authority for investigating about POW's in the Foreign Office. The Foreign Office merely acted as a post office transmitting the messages or replies * made by the army.

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The flyers who bombed Tokyo on April 18, 1942 bombed Tokyo and Nagoya. They were incendiary bombs and a few demolitions. One plane machinegunned school children gathered in a Tokyo school. The plane took the child for a soldier. The children were being conducted to an air raid shelter under the leadership of a teacher.

14,424

Exhibit 1960, TOJO's instructions to the Zentsuji Division, May 30, 1942, stated * that the Division had a POW camp. POW's were to be placed under strict discipline so far as it would not contravene the laws of humanity, but the men must not be obsessed with the mistaken idea of humanitarianism or swayed by personal feelings of attachment to the POW's.

The present situation in Japan does not permit anyone to be idle and eating. He hoped that the POW's would be usefully employed.

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Exhibit 1961, notification from the director of the POW Custody Division of the War Ministry to army units concerned,* stated that although labor by POW officers and non-coms is prohibited by POW labor regulations of 1904, it is the central policy in view of the present condition that no one be allowed to lie idle and eat freely. In addition in order to maintain the health of POW's and make them volunteer in accordance with their status, intelligence and physical strength proper steps were to be taken in fit lines of labor for such purposes. Various kinds of work in which one's skill, learning, etc, may be employed to * advantage are agricultural work, raising of domestic animals and fowls, directing of POW's in labor, assistance in collection and compilation of war history materials and miscellaneous.

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Exhibit 1962, TOJO's address to the new chiefs of the POW camps, June 25, 1942, stated * that in Japan they had their own ideology about POW's which would make their treatment differ from that in Europe and America. In dealing with them the various regulations should be observed so as to follow a fair and just attitude of the Empire. However, the POW's must be put under strict discipline and not allowed to lie idle and eat freely for even a single day. Their labor and technical skill should be fully utilized for replenishing production and contributing toward prosecuting the war.

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14,428 It is desired that these commanders take into consideration the characteristic nature of the place of appointment and make the local people realize Japan's superiority through correct treatment of POW's. * They should tighten their control of subordinates and make every effort to fulfill their duty to perfection.

14,429 Exhibit 1963, instructions of TOJO to newly appointed POW commanders, July 7, 1942, * stated that in treating POW's they must abide by the laws and rules and apply them fairly and properly. However, they must supervise them rigidly but not too inhumanly and not let the POW's remain idle even for a single day so as to utilize their manpower and technical ability for expanding industries and contributing to the war.

Exhibit 1964 showed that on June 25 and 26 directives on POW matters were given to chiefs and staff personnel of Korea and Taiwan POW camps and that on July 7 and 8 group instruction on the treatment of POW's was given to chiefs of the Thailand, Malaya, Philippine, Java and Borneo POW camps. The documents were on various matters dealing with POWs and were distributed.

14,440 Exhibit 1965, the rules and regulations pertaining to POW's was offered and received in evidence. * It showed that by the Imperial Ordinance of December 27, 1941, the POW Information Bureau under the control of the Minister of War was established. This bureau was to investigate internments, removals, paroles, exchanges, escapes, admissions to hospitals, deaths and to keep records for each POW. It was to handle the correspondence and custody and transmission to families of objects, articles and wills of the POW's who died or were exchanged or released. It also forwarded gifts to POW's. It also handled information from the army and navy * and was to investigate POW's in enemy countries and to facilitate communications between the POW's and their families. It was to be situated in Tokyo and to have one director and four secretaries which could be increased. The director was to be a general and the secretaries to be field or company grade or high civilians. Other secretaries could be appointed from officials in the ministry concerned upon recommendation of the Minister of War.

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14,442

* The director was to administer the bureau under the direction and supervision of the Minister of War. It could demand information from any military or naval unit. The ordinance was to be effective immediately.

14,444

The regulations for treating POW's was established March 31, 1942. It provided that the treatment of POW's was to be handled according to the regulations. The POW Administration Division was to be established in the War Ministry to conduct all affairs on the treatment of POW's and civilian internees. There was a division head, staff members, noncoms and civil officials selected from persons * who held other official positions. The division head was to work under the orders of the Minister of War.

14,446

The ordinance on POW camps promulgated on December 23, 1941 stated that a POW camp is any place for internment POW's under the jurisdiction of the War Ministry and are to be established wherever necessary and located, opened and closed by the War Minister. They are to be administered by an army or garrison commander.

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* Each one is to have a commandant, staff members, noncoms and civil officers. The commandant is to be responsible to the commander of an army or garrison and is to manage all camp affairs. * An army or garrison commander might, when necessary, delegate subordinates to assist in managing under the supervision and command of the commandant.

14,448

The regulation for treatment of POW's of 1904 as finally amended in 1943 defined POW's as any enemy combatant who had been captured or any other person who is to be given the treatment of a POW because of international treaties or custom. * He is to be humanly treated and in no way insulted or maltreated. He is to be given treatment appropriate to status or rank, but this is not to be applied to people who lie to interrogation about name and rank. He is to be controlled according to the regulations of the army and not otherwise be arbitrarily restrained. He is to have freedom of religion and can participate in religious ceremonies so far as military discipline and public morals are not prejudiced thereby. * If he is guilty of an act of insubordination, he shall be subject to imprisonment or arrest and any

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measures deemed necessary for discipline. Troops can be used to halt an attempted escape and may inflict injury or death in case of necessity.

A POW not on parole, who is captured before he succeeds to escape is to be subjected to disciplinary punishment. If he succeeds and is again captured shall not be liable to any punishment for his previous escape. Criminal offenses of POW's are to be tried by army court martial according to the Army Disciplinary Punishment Ordinance.

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* As soon as a person is taken into custody as a POW there is to be an immediate inspection of his personal belongings and arms, ammunition and other military objects are to be confiscated, while all other articles are to be left or received for deposit. Commissioned officers may be allowed to retain their swords, but in that event the name of the officer, together with the reasons for the action shall be reported to Imperial Headquarters to notify the Minister of War. These swords will be received for deposit when the POW's are taken * into a POW camp. At the close of a military engagement the commander of an army or the commander of a division may, by agreement with the enemy, repatriate or exchange the wounded or sick prisoners, or free any POW provided the latter takes an oath to refrain from further participation in the military war. This information should also be reported to Imperial Headquarters and they in turn to the Minister of War.

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The unit shall interrogate each POW regarding his name, age, rank, place of origin, the unit attached to at home and the date and place at which he was sounded and shall prepare a roster, * a journal and a register for articles confiscated or received. When a POW has been repatriated or exchanged, etc, this shall be entered in the roster. Officers and enlisted men shall be segregated and evacuated to a transportation and communication authority and their objects received for deposit and other papers should be sent along.

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* The commander of an army or independent division will report the number of POW's to be evacuated to headquarters to notify the Minister of War. * When the Minister of War has received the notice he will report to Imperial Headquarters the port to which delivery is

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14,455 to be made and headquarters will notify him as to the time and date of the arrival of the POW's. These POW's are to be evacuated under guard to the places mentioned and delivered to the person authorized to receive them. If no Imperial Headquarters has been established, * the General Staff will replace it.

Army buildings, temples and other buildings which are not detrimental to the honor and health of the POW's and which are adequate to prevent their escape shall be assigned as POW camps. The commander of an army or garrison shall establish the standing orders of the POW camps and report them to the Minister of War and Information Bureau.

14,456 Since postal matter by international law are * exempt from charges, the chief administrator of the POW camp shall provide for adequate postal procedures through arrangements with the post offices in the locality.

The regulations for administering each camp are to be established by the chief administrator of the camp which shall be reported to the Minister of War and the POW Information Bureau.

14,457 * As soon as a POW has been imprisoned an oath should be administered forbidding them from making escape. Those who refuse to take the oath shall be deemed to intend to escape and shall be placed under strict surveillance. When an interview has been authorized, necessary restrictions regarding the place, time and the range within which the conversation may be conducted may be imposed for the purpose of control and a guard shall also be present.

14,458 At the end of each month the head of the camp * shall collect all data with respect to the POW's on all matters and prepare a monthly report which will include a roll and report it to the Minister of War and the Director of the POW Information Bureau. In a matter of urgency it is to be submitted whenever necessary. The Minister of War is to determine when facilities for handling postage, postal money orders and telegrams to be sent by POW's shall be opened. The commander of a camp shall describe rules and regulations of postal matters

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sent by and received by POW's. He shall make report thereof to the Minister of War and the Director of the POW Information Bureau.

- 14,459 In a war theater the supreme commander there is to determine allowances * to be granted to POW's. The commander of an army or garrison may order POW's to be employed on work at any military organization outside a POW camp, however, an authorization of the Minister of War must previously be obtained as to number, place and description of work, hours of work and period, but no authorization is necessary * outside the Empire proper. When the chief administration of a POW camp intends to order POW's to be used on work outside the Empire he shall submit the data to the Minister of War. When permission has been granted it shall determine the various items and limitations. The chief administrator is to report to the Minister of War when such work is being done.
- 14,460
- 14,461 * Where the employer of POW's has violated any provisions of the work permit as approved, the Minister of War or the chief administrator of the camp may cancel the authority of employment. The Minister of War can cancel it whenever he deems it necessary. The employer of POW's may not demand compensation for damages caused by the revoking of such authorization. A form of application for permission to employ is included.
- 14,463 * Facilities for accommodating POW's is for the employer to use existing buildings or construct new ones. The application must state a definite plan and facilities must be completed immediately after release is given. The pay of POW's is generally one yen but for persons having special skills it may be increased to thirty-five sen over that amount. * The employer of dispatched POW's shall report to the commandant the conditions of the POW's three times a month and the employer shall not perform any acts affecting POW's not provided for in the order unless special permission is given.
- 14,465
- 14,466--14,470 * States further the manner in which petitions for employing POW's from the various camp areas are to be set forth.

Page

The disciplinary laws for POW's of March 9, 1943 applied to POW's who had committed criminal offenses. It provides that a leader of a group guilty of mob violence shall be subject either to the death penalty or to hard labor or imprisonment for life. The other persons involved shall be subject to hard labor or confinement for life or for a minimum of one year.

14,472 POW's who kill a supervisor, guard or escort are subject to the death penalty; or persons who prepared or conspired to commit this crime are to be subjected to hard labor or confinement for not less than two years. * POW's who inflict injury or commit acts of violence against supervisors, guards or escorts shall be subject to either the death penalty or hard labor or imprisonment for life or a minimum of two years. The leader of a group committing this crime shall be subject to death or to hard labor for life and others shall be subject to death, hard labor, life or a minimum of three years. Prisoners who have caused death in committing these offenses shall be subject to the death penalty.

14,473 POW's who defy or disobey the orders of supervisors, guards or escorts shall be subject to death, labor, life or a minimum of one year. The leader of a group committing this offense is to be subject * to death, labor or life. Other persons involved are to be subject to death, labor, life or a minimum of two years. POW's who insult supervisors, guards or escorts in their presence or publicly shall be subject to hard labor or imprisonment for no more than five years. The leader of a group which has acted in effecting an escape shall be subject to death and labor, life or the minimum of ten years. Other involved persons are to be subject to death, hard labor, life or no less than one year. Any attempts to commit any of the offenses shall be punishable.

14,474 Persons who break parole shall be subject to death, hard labor, life * or a minimum of seven years. If they offer armed resistance, they are to be subject to death. Those who take an oath not to escape and violate it shall be subject to hard labor or imprisonment not less than one year. Those violating any other oaths shall be subject to a maximum of ten years. One who incites other persons shall be a leader and shall be subject to hard labor or confinement for not less than one year or not more than ten years. Other persons

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involved shall be subject to hard labor, confinement for not less than six months and not more than five years. The laws are to effective * from promulgation.

POW's who are white persons are to be imprisoned in Formosa, Korea, Manchuria and China to be used in expanding production and military work. If this cannot be attained at present, they are to be imprisoned immediately in camps to be established in present localities.

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Non-white POW's not needing imprisonment are to be released on parole and made to work. A part of the POW's who are white and now residing in Shonan * are to be imprisoned in Korea, Formosa by the end of August. POW's to be imprisoned in Formosa are to include highly skilled technicians and high ranking officers. Special units arranged beforehand of Koreans and Formosans shall be assigned to guard and administer POW's. POW camps are to be organized under one command for each army to be divided as each army deems proper.

The rations served as of June 19, 1944 were for officers and equivalent, 390 grams and warrant officers, non-coms and enlisted men, 470 grams.

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- 14,477 Exhibit 1966, the Diet Proceedings of February 17, 1943
14,478 on the draft of revision of a part of Military Service Law, as explained by KIMURA, stated * that the reason for revising the law concerning POW Punishment Act was that when a POW committed a crime against Japanese laws in Japan or in occupied areas the Japanese law may be applied to him, and the POW Punishment Act can be said to be complete for maintaining peace and order and preserving security in military forces. However, the act leaves much to be desired from the point of view of special standing and special necessity of control and supervision.
- 14,479 In 1905 the War Prisoners Punishment Act was enacted under the old penal system * and its terms of punishment and imprisonment and other rules are inadequate. Since the outbreak of the present war Japan has taken 300,000 POW's of different nationalities and customs. A large number frequently escape and show disobedience. It is urgently needed to control them so as to be able to intern a large number of them with a small number of guards. This can be done by adding necessary rules to the Act.
- 14,480 The first article makes clear that the object of application of the law is a Prisoner of War. Article II is the regulation of punishment of riotous action. This must be avoided from the standpoint of supervision and control and it is quite necessary to punish the perpetrators and to nip in the bud the provisional conspiracy. Articles III and IV control severely killing, wounding, violence and threats against the supervisors of POW's. It is necessary to warn all POW's by punishing severely those who do such things, especially when they conspire together. The provisional plot in case of murder * should also be punished. The draft projects to enlarge the scope of the penalty and leaves room for proper steps, either leniently or severely.
- 14,481 Article V rearranges the regulations in force controlling those who obey or disobey the orders. Article VI controls the conduct of insult for the supervisors. This not only impairs the dignity of the sufferer but is the expression of a spirit of insubordination. Article VII punishes those who escape by conspiring together and rearranges a previous article.
- 14,482 Article VIII regulates the punishment of unconsummated crimes of violence to the supervisors of POW's and attempted escapes through conspiracy. * Articles IX and X are punishments for violation of word of honor and only rearranges the regulations already in force. A heavy penalty is to be imposed. Second to the word of honor is the oath not to escape.
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Article XI punishes the action of conspiring together with the aim of disobedience. This may be quite essential for preventing riotous action as well as for maintaining discipline.

Article XII is the regulation not to apply the penalty for escape by conspiring to those POW's who had escaped and reached their own troops or were seized as POW's again after having left the area. * This is a rearrangement. In Article VII of the law in force there is a regulation concerning the trial of POW crimes, but due to the matter being covered in army and navy courts-martial law subsequently enacted, it is now omitted.

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Exhibit 1967, correspondence from the Chief of General Staff of the Eastern District Army to the Minister of War, October 2, 1942, * requested permission for employing POW's interned in Tokyo POW Camp for loading and unloading cargo at harbours, and industrial labor for the expansion of productive power, as long-shoremen at Shibaura, in the lower stretches of the Sumida River, and in Yokohama harbour * and in various places. Other work in numerous factories for expanding production and loading and unloading railroad cargo. The work day is to be seven hours, but may be extended if necessity requires. Sunday, or any other day considered necessary, will be a day of rest. The wage will be a yen per day * but this may be increased or decreased according to abilities or diligence. The period of work is to be from October 1, 1942 to March 31, 1943. This application was approved October 22, 1942 and bears the seal of the Military Affairs Section * and shows that the approving authority is the Vice Minister of War.

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Exhibit 1968, a telegram to the Minister of War from the Commander of the Taiwan Army, September 1, 1942, stated * that 399 POW's, including General Percival, 6 Major Generals, or Rear Admirals, 27 Brigadiers or Commodores, had been transferred from Tomi to the Taiwan POW Camp. At first General Percival and the others refused to make an oath but finally all but three signed their names. This document shows it was received by the War Ministry, the Ministerial Secretariat * the War Affairs Section and the Prisoner of War Control Department.

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Exhibit 1969, a report from Headquarters Eastern Area Army to the Home and Welfare Ministers on POW labor conditions in October 1942 stated * that the Governor of Kanagawa Prefecture had made necessary arrangements in accordance with instructions of the Minister of Welfare and the Army, and after consultation

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with the commander of POW camps they have started using POW labor at Kawasaki and Yokahama * from September 23 on in transportation work. At Kawasaki there are 293 and at Yokahama 226 engaged in working for several companies unloading coal, loading and unloading cargo, and as lathe men. From September 23 to October 6 at Kawasaki there were a total of 1010 laborers, and at Yokahama 607 laborers. Compared with Japanese labor the efficiency of the POW's is approximately 60 to 70% in special labor such as coal unloading, but nearly the same in handling cargo at railroads and warehouses. As for skilled laborers, every day 10 are being engaged * but they will need considerable time to display efficiency equal to that of the average skilled Japanese because of the height of machines and other conditions. They are generally men who have not labored for a long time and their efficiency will increase.

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There had been before a shortage of labor and wages had soared, with bad effects on laborers and transportation. The use of POW labor has made systematic operation of transportation possible and produced a great influence in the business circle and will contribute greatly to expanding production, including munitions. * Japanese laborers who have formerly worked diligently are making better working records, since they are stimulated by their pride as Japanese not to be out done. Workmen engaged in transporting at harbours had been particular about their work, and approximately 10% used not to get to work. Since the situation has been alleviated by POW labor, Japanese workmen have been obliged to get to work earlier in the morning or they have been unable to get jobs. There are lots getting to work earlier and on their own accord. The intermediaries who used to follow up getting men have improved and show a tendency to get laborers to work.

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In view of the necessity for secrecy the treatment of POW's is doubly insured by having the guards take a certain oath. Though the public has not been informed of this labor, those who have guessed it realize with gratitude the glory of the Throne on seeing the English and American POW's at labor. This has had a considerable influence on the people, who had been considerably pro-English-American. They see what might happen to them if they should be defeated in the war and the effect is great on their determination not to be defeated whatever happens.

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Exhibit 1970, inquiry dated August 2, 1942, concerned the question of making available a company for a rapid increase in aircraft production, to the Chief of Staff of the Kwantung Army from the Vice Minister of War *. It stated that to realize the aircraft production they wished to improve the present capacity of the Manchurian Machine Tool Company and to allot a part of its

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approved capacity to producing machine tools for air ordnances and aircraft.

14,499 The War Ministry is trying to obtain high precision
14,500 machine tools from Japan to be used in Manchuria. * The plan
14,501 stated that at present the company was extremely lacking in the *
 number of workers for its capacity and it is necessary to supply
 workers immediately. A prompt supply of Manchurian workers can
 not be expected and the company is planning to use on a large
 scale many POW's, and the War Ministry will render every help
 for realizing this plan so long as the Kwantung Army and Manchukuo
 have no objection to it. The number of POW's wanted is 1500.

14,502 On September 9, 1942 * the Chief of Staff of the
 Kwantung Army notified the Vice Minister of War that it was
 essential to use 1500 POW's in the plan for improving the Man-
 churian Machine Tool Company. They therefore intended to open
 an internment camp and requested that they be advised of the
 time of transfer of POW's to Manchuria and asked that it be as
 soon as possible.

14,503 On September 29, 1942 * the Chief of Staff of the
 Kwantung Army notified the Chief of the Bureau of Military
 Affairs that he was ready to intern 1500 POW's from the South
 Seas in the empty barracks at Mukden and intended to make neces-
 sary preparations for a permanent camp to be completed in the
 spring and asked that the POW's be transferred as soon as possible.
 He asked for the intention of the Central Department on the treat-
 ment of prisoners. He further stated that due to the incident
 at Lisbon they were expecting 500 POW's from the Philippines
 and 100 from Korea.

14,505 Exhibit 1971, Foreign Affairs Monthly Report for
 September 1942, as published by the Foreign Section of the
 Police Bureau of the Home Ministry, stated * that the labor
 shortage in Japan had become quite acute and to meet this
 situation many are of the opinion that they should employ, when
 necessary, the POW's interned at Zentsuji or in places in the
14,506 south. As a result, the Cabinet Planning Board * held a con-
 ference on August 15 regarding the transfer of war prisoners
 to Japan and their employment. They decided to carry out the
 following principles in order to transfer POW's to Japan and
 employ them to mitigate the labor shortage.

 POW's are to be employed in mining, stevedoring,
 engineering and national defense construction. For the time
 being they are to be employed in stevedoring at important points.

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- 14,507 Some 3500 POW's are to be sent to Japan and the number will be increased according to results. Formalities for employment are to be arranged by the Prefectural Governors through the Welfare Ministry. The Prefectural Governor, with the consent of the Army, will make plans and take charge of supervising POW's. * POW camps for stevedores to be brought to Japan will be set up at Tokyo, Yokahama, Osaka, Kobe, Hirohata, Moji, Tobata and Muroran. Before this plan was set up part of the POW's at Zentsuji were already employed. About 150 Americans had been sent to Osaka on June 9 where they worked 8 hours per day in simple stevedoring work. In handling light loads they do not show much difference compared to the Japanese, but in handling heavy loads or skilled work their efficiency is low. The Osaka District Control Office * collects 2 yen per person a day from the employers. The money is handed to the Army for expenses of recreation or national defense and general expenses. This comparatively cheap wage has called the attention of men in the trade to the advantage of using POW's and has increased the demand for them. This has resulted in controlling the rise of black market wages, improvement in efficiency, and prevention of scattering of regularly employed men. Twenty POW's have been employed at Takamatsu in stevedoring with satisfactory results.
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- 14,509 Exhibit 1972, monthly report of the Secret Service Police of August 1942 stated * that owing to the good results of the men from Zentsuji working in Osaka, those who were suffering from a labor shortage in several districts have applied to the military authorities * for permission to use POW's in the stevedore business and in loading and unloading coal and for unloading freight. * Although the direct guarding and direction for POW's engaged in work is taken care of by the military, the responsibility for directing and controlling anti-espionage and other matters are to be taken care of by the Police.
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- 14,512 Exhibit 1973, telegram to the Minister of War from the Chief of Staff Korean Army, March 1, 1942, stated * that since it would be very effective in stamping out respect and admiration of the Koreans for Britain and the United States and for establishing in them * a strong faith in victory, he asked that they intern 1000 British and 1000 American POW's in Korea. They are to be housed in three theological schools.
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- 14,514 On March 5, 1942 the Vice Minister replied that about 1000 white men were scheduled to be sent to Fusan and that * were not the buildings scheduled for accommodation of

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14,515 POW's too good for POW's. On March 23, 1942 Commander in Chief ITAGAKI replied to Minister TOJO that it is the purpose by interning these POW's to make the Koreans realize positively the true might of Japan and to contribute to psychological propaganda work to stamp out the ideas * of worshiping Europe and America.

14,516 At Seoul 500 are to be interned in a silk reeling warehouse, and at Jinsen-fu 500 are to be interned in a military barracks. These camps are to be supervised by the Commander in Chief. The POW's are to be kept from the time of their arrival until the end of the war. With the exception of warrant officers and above, POW's will be used in various sorts of work in the principal cities of Korea, especially where psychological conditions are not good. * Equipment of the camps will be cut to a minimum necessary for insuring that daily life may be led without inconvenience. Rations will be the same as that of the Japanese Army, but at times they may get food which they are used to. Internment, supervision and guarding will be well carried out. This was received in the War Ministry on April 23, 1942.

14,517 On April 22 ITAGAKI sent a telegram to the Vice Minister of War * stating that he had received the telegram of April 21, that 1000 white POW's were to be sent to Korea in the middle of June, and therefore asked permission for that part of the plan for interning the POW's as submitted on March 23.

14,518 Exhibit 1974, draft of notice to the Commander in Chief of the Southern Area Army * March 16, 1942, stated that between May and August about 2400 white POW's at Singapore should be handed over to the Formosan Army, including high ranking officers who can not be kept locally, skilled technicians who are not needed locally, and ordinary troops and low ranking officers. About 1100 were to be handed over at Fusan to the Korean Army * including ordinary troops and low ranking officers to supervise them. On May 16, 1942 the Commanders in Chief of the Formosan and Korean armies were notified that between May and August they would receive the white POW's interned at Singapore and that separate instructions would be given on their internment.

14,522 Exhibit 1975, report of the Chief of Staff, Korean Army, dated August 13, 1942, to the Vice Minister of War stated * that the arrival of 998 POW's had a great effect on the Koreans so that about 120,000 Koreans and 50,000 Japanese lined the roads to see the POW's being transported. Many sneered at the disgraceful behaviour and utter indifference that the British displayed and thought it natural that an army so lacking in

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14,523 patriotism should be defeated. They also expressed the feeling that any idea of admiration must be thoroughly swept away, and many expressed happiness on being subjects of Japan and their resolve to carry through the war. The Koreans clearly recognized the fact * that they were participating in the war when they saw Korean guards. The whole idea was very successful.

14,524 Much greater results may be expected toward ruling Korea when the POW's are put to labor. * Even the Christians felt pride in being Japanese and were strongly moved to establish a Japanese christianity. The Japanese were impressed with the fact that the spiritual state of the POW's was pitiful and disgraceful. Some still saw some arrogance in their attitude and suggested that they be treated with firmness. Others felt *
14,527 that Japan could never afford to be defeated and must fight to the last. Some Chinese stated that their confidence in Japan had become greater and that the miserable figures of the POW's symbolized the fall of Britain, and China must place further confidence in Japan.

14,528 The White Russians noted that the POW's did not feel it to be a disgrace. The reports stated that the POW's seem to have all resigned themselves to their fate and are wholly submissive, observing rules and regulations, and are grateful for fair treatment. The French said that they were ashamed of the POW's and that Japan's might was truly astonishing. The Germans hoped * that the Japanese would be cruel to the POW's. Immediately after arrival they succeeded in making them all take an oath, but arrogance can still be seen and some state victory remains with Britain. Some state being a prisoner is an honor.
14,529 All believe * that the United States will help gain final victory.

14,531 Exhibit 1976, report from ITAGAKI, Korean Army Commander, to War Minister TOJO, September 9, 1942, set forth the labor provisions * of the POW's in Korea. It provided that the labor of POW's was to be in accordance not only with the labor regulations, the treatment regulations, and the supply regulations for POW's, but was according to the present provisions. No POW is to be allowed idleness, but must be given appropriate labor according to skill, age, physique in industrial development and military labor. All POW's, including officers, should work, but those above warrant officers are to be guided to work voluntarily on engineering * agriculture, livestock and poultry breeding, supervision, war history narration, and propaganda.
14,532 * The type of labor to be allotted to POW's is to be decided according to the situation, but the following are recognized as suitable: agriculture, engineering, mining, the collection
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of materials, and hauling and guarding.

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It will be important to guard against destruction by the POW's by having them give an oath and establish severe penalties. People desiring to use the labor of POW's shall make application to the Army Commander. The enforcement of POW labor * is to be according to the plan of the Commander. Within the camp labor is to be enforced according to the discretion of the Camp Commander. When labor must be stationed for a long time outside the camp, a temporary labor branch station will be established and transportation of labor will be according to military transportation. When they work outside the internment camp area, the Camp Commander will notify the Kempei-Tai and confer on matters of control. The Camp Commander will decide the direct control and guarding of POW's. When they have to use personnel other than members and guards of the camp, he will report to the Army Commander for instructions. Guarding during transportation and at labor branch stations * will be given as circumstances require.

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Employers shall provide tools and materials. The Camp Commander will provide guarding and controlling and other necessary details after conferring with employers and according to the plan. Operation units are to be organized and an instructor appointed to try to elevate efficiency. The work must not become a formality and therefore they will need necessary tools and work clothes. A detailed investigation of POW skill is to be conducted. No wages need be paid for labor in regard to the control, keeping in order, and preserving of the camp. In labor for outside the camp * the employer shall be supervised by the Army Commander only in regard to POW's. The employer is to make working regulations and receive approval, even for revisions. The Army Commander may order the employer to revise the working regulations. The employer shall work the POW's according to working regulations, and inspection and instruction of work shall be done by the employer.

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According to POW supply regulations the employer shall set up wage regulations and regulations for raises and submit them for approval to the Army Commander and the War Minister. The Army Commander may order the employer to change the wage regulations. * He may order the employer on all matters of wages and payment in kind.

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14,538 Strict measures will be taken from the espionage standpoint by mutual consent of employer and commander and shall be approved by the Army Commander. Receipts, disbursements and safekeeping of wages shall be according to the POW Labor Regulations and the Korean POW Internment Camp Control Regulations under the accounting official. The cost of treating injured or ill POW's is to be borne by the employer. When labor of a POW is terminated or lengthy, the Camp Commander will make a monthly report to the Army Commander, setting forth the outline of the labor, * the extent of diligence of the POW and various other matters. Treatment, food and housing are to be appropriate for cultivating labor power. While clothing and quarters are to be prepared by the Army, the employer may have to take suitable measures, but work clothes are to be furnished by the employer.

14,540 Exhibit 1977, Revision and Adjustment of Cautions on Censorship, December 20, 1943, from the Chief of the Information Bureau, War Ministry, stated * that domestic reports on POW's should be made mainly to contribute to raising the fighting spirit of the people and to increase production. Care should be taken to avoid twisted reports on Japanese fair attitude which would give the enemy material for bad propaganda. It is prohibited to say anything that gives the impression that POW's are too well treated or too cruelly treated. * Also they are not to publish any concrete information concerning facilities, supplies, sanitary conditions or other matters. They are not to give any information giving the names of any location of POW's other than certain specified ones. They are also not to give any report which tells about POW's not yet duly processed. There are to be no reports indicating the capture of Orientals and their use for labor.

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14,542 There is to be no report * indicating the use of POW's for purposes other than common labor and there are to be no statements or impressions from high ranking POW's except those specifically authorized by the War Ministry.

14,543 Exhibit 1978, the Outline for the Disposal of POW's according to the Change of Situation, issued on March 17 by the Vice War Minister, stated that since the war situation * had become very critical he had been ordered to notify the POW Commander not to make any blunders in treating POW's. * This outline stated that POW's must be prevented by several means from falling into enemy hands, and the location of camps should be changed. In the event

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of enemy attack, leaving no alternative, POW's are to be set free. The administrative officers should do their best to strengthen the guarding and they should not depend only on external facilities * but should stimulate the morale of the POW's and at the same time acquire a profound grasp of their psychology.

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Consideration should be given to the overall location of POW camps, which should be transferred or concentrated at the proper moment. Transfers and the details with respect thereto are to be planned by the central authorities, considering the opinions of the District Commanders. The time for transference will be notified by the central authorities, but the District Commanders have discretion in case of sudden change. * Great care is to be taken in regard to time and method of transfer. The pace of transfer is to be decided only after due consideration for the need of labor. POW's may be used for maintaining communication lines. Even where air raids are heaviest, POW camps will be left to the last if POW labor is absolutely necessary to maintain fighting power. Such areas will be noted by the central authorities, but even in those areas the camps will be changed as much as possible * and prisoners will not be allowed to fall into enemy hands until the Japanese have gotten some results from them.

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POW's who were dispersed for working purposes must be brought together to avoid unexpected disaster. If the situation is urgent and it is unavoidable, POW's may be set free, but even in this extremity measures should be taken to transfer all officers and all strong enough to work. Emergency measures will be taken without delay against those of antagonistic attitude. Care should be taken that no harm is inflicted upon the general public by freeing POW's. In case emergency measures to suppress plots and riots by POW's have to be taken, care should be taken * that they can not be used for enemy propaganda and give the enemy an excuse for retaliation. Nothing shall be left to be desired in procuring and supplying food for disposal of POW's. Every effort should be made to maintain the minimum amount of food necessary to sustain POW life even when transportation is cut off.

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14553 Exhibit No. 1979, the interrogation of TOJO, March 14, 1946, stated that Imperial Headquarters drew its membership from the Army and Navy General Staffs and Ministries. From the Army General Staff there was the Chief, the Assistant Chief, all Bureau
14554 Heads, nearly all Section Heads, and some other members. From the War Ministry there was the Minister, Vice Minister, majority of the Bureau Heads, and a few other members. The Navy side was similar, although he was not sure. As War Minister, TOJO attended as a participant, although not properly a member. As a participant he was assisted by the Vice Minister and the head of personnel. This body was created to meet the needs of war, and since personnel was one of these needs he attended because he had charge.

14555 There were three things wrong with Imperial Headquarters. One, while it was intended to be a joint set-up, in practice it was divided into two sections, an army and a navy, with staff being interchanged; two, there were no government people; * three, there was no one who could hold it together. It was set up on November 20, 1937, during the first year of the China Incident, and had a great deal of influence on the government at the time preceding the outbreak of the Greater East Asia War. Since its utterances were based as coming from Imperial Headquarters, the government had to give them a great deal of importance. The Emperor was at the head. The Army part of the Headquarters met at the Army General Staff, and the Navy part met at the Navy General Staff. The people in the general staff were there in a capacity not only of Bureau Chief, etc., but as a member of the Army Section of Imperial
14556 Headquarters. Actually, * the General Staff and the Army Section were very much the same in fact, except that members of the War Ministry came under the Chief of Staff when acting in the capacity of members of Imperial Headquarters.

After 1937 the Chief of Staff had more power than before, because he had control over members of the War Department as well as over members of the General Staff. Imperial Headquarters met once or twice a week. The Emperor was present only on special occasions. When a meeting of both sections was held it was held in the Palace.

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- 14557 * Joint meetings were held once or twice a week, and when there was more business there were more meetings. The Imperial Headquarters and the Supreme War Council were completely different. Headquarters was concerned with operations and tactics in which secrecy was necessary, and did not consult the Supreme War Council. The Supreme War Council was concerned with matters of research, inspections, education, training, and in general, with advice on military matters.
- 14558 Exhibit No. 1980-A, interrogation of TOJO, March 25, 1946, stated * that as Minister of War from December 7, 1941, he was responsible for the treatment of POWs.
- 14559 Exhibit No. 1980-B, the interrogation of TOJO, March 25, 1946, stated * that the POW Bureau was organized immediately after the outbreak of the Greater East Asia War. It was necessary to do so according to international law. It was not necessary to have this during the China Incident, and no organization was set up to deal with Chinese prisoners. The order for forming this bureau was issued by TOJO.
- 14560 * At the time TOJO was familiar with the provisions of the Hague and Geneva Conventions, and he believed that they should be applied and followed by Japan. As a civilized nation Japan would follow the principles of humanely treating prisoners. In general, as Prime and War Minister after December 7, 1941, he felt that Japan was bound by the two conventions, and also bound by the rules and customs of civilized nations with respect to treating POWs humanely.
- 14562 Exhibit No. 1980-C, the interrogation of TOJO, March 25, 1946, * stated that the only complaints that ever came to his notice about treatment of POWs was in connection with food. Atrocities were not brought to his notice, and he is astounded at the truth about atrocities now being shown in the newspapers. If they had followed the Emperor's instructions these atrocities would never have happened. However, as Minister of War during the period when these atrocities were committed, he is the responsible party for their commission. His reason for the fact that he did not learn of their widespread character was that he was under the impression that commanders in the field who were responsible for the treatment of POWs understood what was required of them.

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- 14563 * TOJO said that he was aware of the fact that the U. S. and Britain had warned Japan that it would be held responsible for violations of the conventions and rules of war, and felt that if the atrocity stories are true the treaties had been violated. He did not remember specific details of the protests, but believed they came through the POW Information Bureau. The complaints would first come to the Foreign Office, and were then re-routed to the War Ministry.
- 14564 * He did not know how many complaints had been received. Those which were received were passed on to the various Army Commanders through the Information Bureau. No replies or reports were sent back from the field. Matters were called to the attention of the people in the field.
- 14565 Exhibit No. 1980-D, interrogation of TOJO, March 25, 1946, * stated that matters of the protests of the U. S. and Britain on mistreatment of POWs were taken up at the bi-weekly meetings of the War Prisoner Bureau.
- 14566 Exhibit No. 1980-E, the interrogation of TOJO, March 25, 1946, stated that there were many instances where he or his assistants had made investigations, * in connection with the mistreatment of POWs on the Burma-Thai Railway, and he had ordered a court martial. TOJO had heard rumors of mistreatment of POWs at Bataan, and when he was in the Philippines he inquired of the Chief of Staff, Lt. General WACHI, who advised him that the march was due to a lack of transportation and that there were no cases of atrocities. He made this inquiry on May 5, 1943, which was more than a year after Bataan.
- 14567 * He first heard these rumors about Bataan in late 1942 or early in 1943. He did not remember from what source he heard these rumors, but he heard them in Tokyo. He did not know how many times he had heard them. The rumors were to the effect that POWs from Corregidor and Bataan had been mistreated, that they had been made to walk long distances in the heat, and that deaths due to mistreatment were deaths usually referred to as by sickness. * The rumors did not mention that the troops who were forced to march were in no physical condition to march at all.
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- 14569 All deaths were ascribed to sickness, but details of the illness did not come to his notice. However, it did come to his notice that deaths had occurred as a result of the march. The number of deaths was not mentioned, and the rumors only told that the prisoners were marched long distances in the heat. * He had heard these rumors about two or three months before his visit in the Philippines. These matters were not the main subject of his meeting with the Chief of Staff. This was only one matter involved. He did not know how long he spent talking about this matter with the Chief of Staff.
- 14570 * Prior to this * a complaint had been received from the American Government. If it had been received it would have been discussed at the meeting of Bureau Chiefs. The taking of the matter up with the Chief of Staff was the first time that TOJO personally took it up with him, but if a complaint was received it must have been sent to him through the POW information bureau. As Prime and War
- 14571 Minister, * TOJO was not able to attend to details of this sort, but left them to the discretion of the Chiefs of Departments. He had no recollection of the matter having been taken up with the Chief of Staff. The Chief of Staff did not indicate whether it had been taken up before TOJO's discussion. He could not state definitely whether anyone else in the
- 14572 Army had taken it up with WACHI or not. * He could not speak for WACHI. In the conversation with WACHI he mentioned that there were these rumors and wanted an explanation. The explanation was that there was a lack of transport facilities and the prisoners had to march long distances in the heat, and that there were sufferings and deaths. WACHI did not give any details--he was not there at the time of the march and was not responsible for it. General HOMMA would naturally be responsible.
- 14573 He did not see HOMMA in the Philippines because HOMMA had returned to Japan, * and TOJO had not met him when he returned to Japan. He did not remember exactly when HOMMA had returned, but he knew when he was in Japan. Perhaps HOMMA reported to the War Department, but TOJO did not meet him. At the time HOMMA returned, TOJO did not know of the rumors and
- 14574 did not discuss the matter with him * and did not know if anyone else had discussed it with him. When he returned it was said that he had returned after a very successful campaign. He did not know if the matter had ever been discussed with HOMMA.

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Exhibit No. 1891, the interrogation of TOJO, March 26, 1946, stated that since the end of the war he had read about the inhumane acts committed by the Japanese Army and Navy. This was not the intention of those in authority or of himself. They did not ever suspect * that such things had happened. The Emperor had a contrary feeling, and such acts are not permissible in Japan. It would be too bad if the people of the world believed that these inhumane acts were the result of Japanese character.

The treatment of POWs was the responsibility of the various army commanders, and TOJO relied on them to have regard for humane considerations and to follow treaties and rules. However, since he was supervisor of military administration, he was completely responsible. However, Japanese manners and customs and living standards are different from those of Europe and America, and this affected the treatment of POWs.

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In regard to inhumane acts, these are not permitted under Japan's manners and customs. *With respect to the standard of living, the treaties provide that POWs were to be given the same rations as troops of the detaining nation, and this was directed in the orders issued. Because of this difference in standard of living, the POWs thought when given the same rations as Japanese that the rations were very unappetizing. This feeling was particularly strong in the battlefields. The barracks at Omori, which are field barracks, would not be thought bad by Japanese troops, but Europeans and Americans thought them very bad.

The Japanese idea about being taken prisoner also differs. In Japan it is regarded as a disgrace. Anyone who becomes a prisoner while still able to resist has committed a criminal offense, subject to the death penalty. In Europe and America the POW is honored because he has discharged his duty.

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With respect to slapping on the face, * in Japanese families where the educational standard is low, slapping is used as a means of training. Although it is forbidden in the Army and Navy, it continues in fact because of these customs. This should be corrected and stopped, but it is not a crime.

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The witness stated that he had met HOMMA at Omori Prison, after the war was over. When an Army Commander came back to Japan after the war, he would make a report to the Emperor and would be accompanied by the Chief of Staff and War Minister. It may well be that he met HOMMA on such an occasion, but he did not remember.

14579 Exhibit No. 1981-B, interrogation of TOJO, March 26, 1946, stated * that while he did not recall, it was very likely that on or about January 30, 1942, Japan informed the U. S. that she would follow in the war the various international conventions, international law, and the rules and customs of law as to the POWs and civilians. It was the government's and TOJO's intentions to follow these conventions. It is regretted * that the things that happened did happen, and the responsibility is his.

14580 Responsibility for humane consideration and following out treaties was that of the various Army Commanders. He believed that they were following. When a protest would come in he would forward it to the responsible army commander involved for action, which he thought was taken. He could not tell whether the protest was appropriate or not, and he presumed that investigations were made, followed by court martials.

14581 * With respect to Bataan, he thought that the commanding officer had taken legal measures, because the facts had gone to the commanding officer who had responsibility for taking action. This was only speculation on his part, but he believed it was taken because it was his responsibility.

14582 Exhibit No. 1981-C, the interrogation of TOJO, March 26, 1946, stated * that the Emperor was not informed of any complaints. These were handled on TOJO's own responsibility. TOJO thought it was all right to handle this on his own responsibility, and sent these protests to the responsible field commanders for investigation as to the facts. The Emperor was busy and had a great deal of work, and he therefore had no responsibility in connection with this matter.

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14583 * Exhibit No. 1982-A, the interrogation of TOJO, March 27, 1946, stated * that TOJO went to the Philippines in connection with its independence and conditions in the islands. He wanted to talk to important Filipinos in connection with independence matters. He stayed there for three days. * He was in the Philippines twice during the war. He arrived in Thai July 4, 1943, and stayed for three days. On the way back he spent two or three days in Malaya, one night in Java, one night in Manila, and then returned to Japan. This is the only time he went to Thai. He was in Formosa twice, once on the trip to the Philippines in May, 1943, and twice on the trip to Thai in July, 1943.

14585 There were various matters in connection with the independence of the Philippines. * He spoke to the Chief of Staff about the POW treatment, but it was not a principal matter of discussion. He discussed it with him because of the rumors, and he wished to find out the facts. The Chief of Staff told him that it was a fact that the men had walked the long distance. He did not remember to what
14586 * degrees of detail the conversation extended, and he did not know how far it was from Bataan to San Fernando, and he did not know how many men had fallen out of the march, but he had the impression that HOMMA did what he could under the circumstances prevailing. As Supreme Commander of the Philippines, HOMMA had great responsibility to the Emperor. He had to conduct the fighting and also to establish peace and order. As the responsible commander, he did what he could for the prisoners. It is Japanese custom for a commander of the army in the field to be given a mission without being subject to specific orders from Tokyo, with considerable autonomy.

14587 * He did not talk to the Chief of Staff about whether the prisoners were beaten and bayoneted. He felt that if the responsible army commander knew about these things he would take proper action, and he didn't inquire to find out whether proper action had been taken. He relied upon the responsible commander. He only asked about main points, and everyone believed Japanese character would not permit such atrocious acts. There is a little booklet issued on January 8, 1941, in connection with the China Incident, called "Teachings for the Battlefield".

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- 14588 * This had been issued by TOJO. It is properly a book on fighting. TOJO asked that this section be translated.
- 14589 During his two visits in the Philippines he had not visited or inspected Camp O'Donnell or any other camp. He had no time for it. The only one he visited was Omori in Japan. He had not visited any civilian camps in the Philippines. He believed he had visited one in Malaya, but was not sure. * He visited in the Philippines one hospital where there were wounded Japanese, but he did not know whether there were wounded Filipinos or Americans in it. The main thing that he went to the hospital for was to visit Japanese wounded. In neither Thai nor Formosa did he visit any POW camps at which British and American prisoners were interned.
- 14590 * The booklet which TOJO had given to the interrogator stated that it was the soldier's duty to be humane as well as brave. Bravery must be stern and charity far-reaching. A resisting enemy must be destroyed, but soldiers cannot be called perfect if they lack the grace of refraining from attacking those who have laid down their arms and treating kindly those who obey them. Care must be taken in protecting the property and materials owned by the enemy.
- 14591 * Innocent inhabitants must be treated with kindness.
- 14592 Exhibit No. 1983-A, interrogation of TOJO, March 28, 1946, stated that the POW Information Bureau was set up a month after the war started, on the basis of treaties. * All work dealing with military prisoners was handled by the Information Bureau. There was a separate body under the Home Ministry to deal with civilians. He did not know the name of it. Besides the Information Bureau, there were a number of Prisoner Reception Centers. Their number and locations were fixed by the Minister of War, and the number of the centers increased as the prisoners increased. * Regulations and orders with respect to POWs were made and approved by the War Minister. Actual handling of prisoners in the field was performed by the head of the centers under regulations and orders from the War Department. The War Minister issued orders, but the army commanders could issue further orders on the basis of the previous ones. This latter had to be consistent in principle with the orders issued by the War Minister.
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14594 The clerical work was done by the Military Affairs Bureau. The rules were the result of conferences * between the Chief of the Military Affairs Bureau and the General Staff. The Chief of the Military Affairs Bureau, depending on the nature of the problem, would confer with one of the four General Staff Sections, Operations, Intelligence, Transport, or General Affairs.

14595 The Head of the Military Affairs Bureau at the time was MUTO, and he remained in that position until August or October, 1942. The Head of the POW Information Bureau at the beginning of the war was * General UEMURA. TOJO said that he permitted the use of POWs in factories, and this was based on treaties. TOJO said that in early 1942 he had not said that to show the might of Japan it would be necessary to establish POW camps in Korea, Formosa, Manchuria and China, with the prisoners doing forced labor. Location of camps was determined by transport and labor considerations. There was no forced labor. The labor was based on international law, which enables POWs of the rank of petty officer and below to be employed as workers. * Commissioned officers can be employed at their own request. This was specified in the rules which he had issued. SATO succeeded MUTO as head of the Military Affairs Bureau.

14597 Exhibit No. 1983-B, the interrogation of TOJO, March 28, 1946, stated * he had supposed that the treatment being given to POWs was the same as that given to Japanese troops. However, the conditions under which Japanese troops lived were bad, and to that extent the treatment of POWs was bad. In regard to Thailand, he had heard that POWs had been mistreated in the building of the railroad and made to work when sick, * and on the basis of this he had ordered a court martial. Aside from these railroad cases he had not heard much of cases of mistreatment. In China two or three cases came to his attention. The authorities on the spot conducted court martials, and the results were sent to him as War Minister. On two or three occasions where cases had been dropped he was dissatisfied with the results and sent them back for reconsideration. The matters of mistreatment of prisoners was usually brought up at meetings of the Bureau Chiefs, * held twice a week. Either the Chief of the POW Information Bureau or the Military Affairs Bureau would bring them up.

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They were then referred by the bureau chiefs to the commander in the field, who had the authority to act. If he felt that there was inhumane treatment he would take measures accordingly, and the report would come back to the War Minister.

14600 Exhibit No. 1984-A, the interrogation of TOJO, March 29, 1946, stated * that he was responsible for army orders and regulations. He, however, did not remember any regulations directed against fliers before October 18, 1942, when Japan was raided by American fliers. There may have been some before, but he did not remember them. There were some after that. The October raid was contrary to international law. It was not against troops, but against non-combatants. It was therefore homicide, and he ordered courts martial.

14601 * Japanese feeling was very high at the time. This was the first time Japan had been bombed and it was a great shock. This first raid was very small compared to later raids, but it was a great shock to the people at the time. The extreme punishment meted out to these first fliers was mainly as a deterrent to prevent future raids. There was a demand from Imperial Headquarters. General SIGIYAMA demanded severe punishment for the fliers. As a result TOJO issued the order. It was an order for military administration. He did not recall whether it was issued over his name or that of Imperial Headquarters, 14602 * but he was responsible for it. The Chief of Staff came to TOJO on this on his own responsibility, and he remembered this because the Chief of Staff did not often come to him directly about things. The Emperor was not related to this problem.

14603 When the report of the court martial came from China to the Chief of Staff and TOJO, the verdict was that all eight were to be executed. The Chief of Staff demanded that the findings be carried out. TOJO knew of the Emperor's benevolence and wished to have only a minimum executed. It was decided that only the three who had killed primary school students would receive the death penalty. * This was discussed with the Emperor, since the Emperor is the only one who can commute a sentence, and it was decided that way.

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The Emperor did not review the cases. In Japan court martials have only one hearing. Ordinary trials have three. The Emperor took this action on TOJO's proposal, and on his responsibility as adviser to the throne.

14604 * The order was an ex post facto law. The order was as follows: the raid, the capture, the order which was issued, the trial, and the executions. The order provided for the trial and punishment, but was based on the fact of the raid. The order was that trials could be held based on the raid. The order was promulgated and made retroactive to the date of the raid.

14605 Exhibit No. 1984-B, the interrogation of TOJO, March 29, 1946, stated * that he believed that on the basis of regulations the various prison camps made a monthly report to the Military Bureau with respect to POWs. The War Minister received a stack of papers about a foot and a half high each day, and he thought these were probably among them. The extracts from them were reported at the meetings of the bureau chiefs which took place twice a week.

14606 The matter of the death rate from malnutrition and other causes was discussed, and TOJO paid particular attention to it. * The responsibility for these matters belongs to the commanders in the field. When they couldn't fulfill their responsibilities they made requests of the War Ministry, through the Military Affairs Bureau. After consultation, the War Ministry would take action, either by sending food or some other means.

Exhibit No. 1985, KIDO Diary, March 19, 1942, stated that he had heard about Eden's address on atrocities at Hong Kong.

14607 Exhibit No. 1986, KIDO Diary, May 21, 1942, stated * that he was informed by the Chief aide-de-camp about the manner in which American POWs taken in the Doolittle raid were dealt with.

14608 Exhibit No. 1987, KIDO Diary, October 3, 1942, stated * that at 11.30 TOJO requested him to inform the Emperor regarding the details of treatment of the Doolittle fliers, and he did so report. The Chief of Staff is also to report.

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14609 Exhibit No. 1988, monthly report from the POW Camps Commandant in Thailand, September 3, 1943, showed that there were * 40,314 POWs, of which 15,064 are ill with malaria, malnutrition, gaihi, and beri-beri. It showed that 37 had died from various diseases.

14610 The number of prisoners engaged in indoor work was 12,361; * on work collaborating with the railroad, 1,395; and on work collaborating with the unit, 4,772. That 90,470 pieces of mail had been received with no dispatch; but no relief money or goods for POWs were received. Strict precautions were being made to intensify collaboration with the railroad unit.

On September 7, 1943, a correction in the ratio of sick to total POWs was sent.

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DIRECT EXAMINATION OF OGIYA, YORIO
by Mr. Justice Mansfield

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* The witness stated that he was presently confined at Sugamo and that he was the deponent in the affidavit introduced several days ago into evidence.

CROSS-EXAMINATION BY MR. KUSANO

14,614

The witness stated that what he had written in his affidavit was true and correct. He stated that in * March 1941 he graduated from the Law Department of Chuo University and graduated from the University Division of the Law College in March 1943. He was then assigned to the headquarters of the Eastern District Army based in Osaka. He was assigned to the Legal Affairs Section and handled general business matters. * His duties were those of prosecutor and his work was that of an attending procurator. * The use of the words 'obtaining approval of the death penalty' may be a mistake in translation. In the light of his office a procurator could not receive an approval of the death penalty. However, he could obtain the approval of a method of execution and he can obtain an approval for a demand of a death penalty.

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* In the case of whether an indictment should be made or not the procurator prepares an opinion and this opinion was then approved by General UCHIYAMA and an indictment made. It was an important international problem which required that with respect to the question of demanding the death penalty that there be the utmost caution and most careful consideration. The approval of the request for the death penalty was submitted in advance. OTAHARA submitted his opinion to request the approval of UCHIYAMA and the witness had heard that UCHIYAMA had requested the approval of General HATA and likewise the approval of the War Minister in Tokyo was requested. * He believed that there was the request of approval for the request of the death penalty. A military tribunal has judicial independence. There was no interference by anyone in the trial itself, either in the proceedings or the delivery of sentence.

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CROSS-EXAMINATION BY MR. LAZARUS

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* The witness stated that the matters which he has testified about did not come to his knowledge directly, but were based on what he heard from his chief, OTAHARA. However, there was no mistake about the fact that he had heard that General HATA approved. He had heard from General OTAHARA that there was no mistake that Field Marshal HATA had given his approval for the request of the death penalty. His information is solely based on what OTAHARA told him.

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* The trial was held under the jurisdiction of the Fifteenth Area Army under General OCHIYAMA. The witness was not familiar with whether the Second General Army had anything to do administratively with the Fifteenth Area Army. He had heard that the Second General Army had been created to prepare solely for the defense of Japan.

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After the sentence was given, approval was not asked of General HATA for execution. Approval was asked of General OCHIYAMA because OCHIYAMA was Commanding General of the 15th Area Army solely in charge of the trial. * He had not seen any papers signed by General HATA personally with respect to the trial. General HATA's only connection is the fact that OTAHARA had gotten HATA's approval for requesting the death sentence.

CROSS-EXAMINATION BY MR. SHIMANOUCHI

14,624

The witness stated that the men tried and executed bombed Tokyo on March 10, 1945, Osaka on March 14, and Kobe on March 17. On the point of where they bombed was not given much importance in the trial. * They did bomb the central part of Tokyo, including residential quarters of civilians. He didn't know whether they knew that they were bombing residential quarters. * In Osaka both targets of military and non-military importance were bombed.

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* The witness stated that he did not recall having stated that he requested approval from senior officers for the request for the death penalty. General OTAHARA did ask OCHIYAMA for approval to request the death penalty.

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DIRECT EXAMINATION OF WAKAMATSU, TADAKAZU
by Mr. Woolworth

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* The witness stated that he lived in Tokyo. The witness identified the signatures * on both the Japanese and English copies of Document 2744. The witness stated that he had not fully explained the full meaning in the Japanese text. The document was received * as Exhibit 1989 and stated that on December 8, 1941 he was head of the General Affairs Section of the General Staff and continued as such until December 1942 when he went to the Transportation and Communications Division, serving until October 1943. During the summer of 1942 the decision to build the Burma-Siam Railway was made by Imperial Headquarters for three reasons: To have overland communication between Siam and Burma; to provide a supply line to the armies operating in Burma; and the exploitation of tungsten deposits needed in munitions. Water communication was very difficult * and there was no other means of communication between Siam and Burma. The decision to use POW's on the railway was made by SUGIYAMA, TOJO and KIMURA, although the last one named was not basically responsible.

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The witness made an inspection of the Burma-Siam area in July and August 1943, visiting Rangoon, Bangkok and a portion of the Siam part of the railway. It was during the rainy season and the work was not satisfactory. He made this inspection because of the unfavorable reports received. The reports also contained information that the physical condition of the POW's was poor and the death rate high. He saw the laborers at work and saw many cases of dysentery and beri-beri. He also found that the feeding of POW's was below the required standard of quality and quantity. He reported orally to the Chief of Staff, General SUGIYAMA * and the Vice Chief of Staff, General HATA in Tokyo and recommended a two months' extension for completion. The road was originally to be completed in December 1943, but in March orders had been given to allow completion by August. The witness had recommended an extension to October. He also recommended that General ISHIDA be placed in charge since he knew railway construction and the function of supply. Many deaths resulted from the road from epidemics and unfavorable weather. The outfit did not have a proper commissary service and had insufficient trucks and those they did have could not be used

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14,636 during the rainy season. * Because there were not enough trucks it was thought necessary to use more personnel and because more personnel were employed the food situation became more difficult.

14,637 * The witness said in explanation that when he said that SUGIYAMA, TCJO and others had made the decision to build the road he had personally taken no part in the meeting and could not actually say that they had made the decision and his only point was that in accordance with army system they would be responsible for the decision.

CROSS-EXAMINATION BY DR. KIYOSE

14,638 The witness stated that he participated * in preparing the report on POW conditions on the Siam-Burma Railway in its early stages. He had seen the report,
14,639 * but the words 'communication line' in his affidavit meant a route for peaceful trade and traffic to be used both in war and peace. The exploitation of tungsten as a purpose for the line was not as important as the
14,640 two preceding items. * He was not sure that tungsten was actually exploited.

The witness thought that the railway being constructed after an understanding had been obtained between the two countries would be beneficial to both Japan and Siam even in peacetime. Japan paid for the line.

14,641 The witness stated that the third section of the General Staff was in charge of the transportation and communications. * The reasons for the decision to use POW's in building the railway were: in the first place the railway was in territory outside Japan Proper; second, it was not a purely military installation; and third, since it was construed that it was not an operational function for operational purposes POW's could be used. The area was not a dangerous one. However, air
14,642 raids were launched on the area just about the time the railway was being completed. * In case of threatened danger the responsibility of moving the prisoners to safer areas lay with those directly in command, in this case with the headquarters of the Southern Army.

In June or July the construction work was stopped to prevent the spread of cholera. He had heard

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14,643 that there were court martials with respect to mis-treatments. * While the road was being built the commanders of construction changed three times before ISHIDA took charge. The first commander died as a result of an air accident. The second was General TAKASAKI, who became ill of malaria, was transferred and died. Both SHIMODA and TAKASAKI were experts in railway construction but were not qualified to handle a large personnel * or to carry out a difficult job of rear echelon supply. It was more important to have a man with staff experience rather than a technician. ISHIDA who was commander of railway units in Malaya and a staff officer to TERAUCHI was held in high confidence and was recommended to be put in charge. He felt that it was necessary to have a man well versed in rear echelon supply communication and this feeling deepened with his inspection.

14,646 His reasons for recommending a two months' extension were: one, health conditions made it difficult to complete the road in August; and second, the August date was based on a misforecast of the rainy season * and it was not expected that the weather would be so bad. The completion of the railway had been advanced to the early date because of the counter-offensive of the British Indian Army in Burma and the construction of the road would be extremely difficult if the counter-offensive should extend itself. However, it was then felt that the counter-offensive would not be dangerous until October and that it was possible to extend the deadline. The authorities intended to improve the lot of the POW personnel by extending the time. * As a result the POW's took a stronger personal interest in constructing the railway. There was a voluntary agreement between Japan and Siam in connection with building the railway.

CROSS-EXAMINATION BY MR. SOMIYA

14,648 * There are four departments in Imperial General Headquarters. There are the General Affairs Section and the First, Second and Third Sections in the Army Section of Imperial General Headquarters. There is also the Navy Section.

14,649 * The decision to build the railway was made by the Army Section. The Army Section was made up of the