

CASE ANALYSIS
IN RE: SATORU ISHIDA

1. SATORU ISHIDA , also known as ASHIDA, a sergeant in the Sanitary Corps of the Japanese Army, acted in the capacity of Medical Sergeant at this Camp from 22 January 1943 to the month of December 1943. This accused is not yet in custody.

2. Identification will be by a live witness.

3. (same as Kaneko etc.)

4. This NCO was in the Sanitary Corps of the Japanese Army and in charge of the Medical Inspection Room at this Camp from the date of its organization till he was transferred in Dec 1943. He was accordingly in charge of the medical services in the Camp except for the weekly visits of a Japanese Medical Officer. He was from day to day responsible for advising the Commander and the Guard Commanders as to what prisoners should be kept from work for medical reasons, for routine medical attention and the use of such medical attention and the use of such medical supplies as were provided. There is evidence that he sent sick prisoners to work, even contrary to the instructions of the Japanese MO, that he refused Prisoners of War medical treatment and was guilty of severe beatings.

5. Summary of Evidence:

Proof as to Specification 1 -

Oral: H.B. Shepherd. The accused though apparently without any medical qualifications was in charge of the Medical Inspection Room and made the day to day decisions as to who should be kept off work. During this period the only regular sick parades were held on the weekly visits of the Japanese MO. The accused sent Murray to work even after the doctor had excused him and even when he did not send him out to the mine would assign him to fatigues in the Camp. He administered regular beatings of which the victim told this witness showing him the marks.

Documentary: (1) L. Stickles says that the Medical Sergeant withheld medical aid and made Murray work while seriously ill. He died one day on the job.

(2) J.F. Burns states that the Japanese Medical Sergeant was in charge when Murray was forced to go to work while sick and beat him.

(3) H.R. Galbraith states that the Japanese Medical Sergeant and the Jap MO were responsible for sending Murray to work.

(4) W.E. McTeer states that the Japanese Medical Sergeant forced Murray to go to work every day though he was sleeping in the Camp hospital.

(5) E.G. Mossman states that the Jap Medical Sergeant turned Murray away and that he received little or no medical attention.

Proof as to Specification 2 -

Same evidence as in Specification No. 16B against Kaneko.

Proof as to Specification 3 -

Oral: H.B. Shepherd. He states that in practice the accused made the decisions as to which prisoners were fit to work though Kobayashi Uchida and others might at times participate in the decision. He was inclined to beat Prisoners whom he considered were attempting to avoid work and would refuse medical treatment in a most arbitrary manner.

Documentary: (1) H.R. Galbraith states that the Japanese MO and Medical Sergeant were responsible for sending sick men to work.

D R A F T

- (a) Kiyomitsu TAKAMIA
- (b) Operations Leader
- (c) Civilian employee of the Furakawa Mining Company.
- (d) Employee of company employing Prisoners of War from 23 January 1943 to 15 August 1945 over entire period.
- (e) Omine, Kawasaki-machi, Kyushu.
- (f) (1) Beating and otherwise abusing G.W. Murray, C Windsor and other Prisoners of War.
(2) Forcing sick and unfit prisoners to work and responsibility for dangerous working conditions.
- (g) (1) Oral evidence of HB Shepherd who testifies on the beatings administered by this accused and the working of sick prisoners and his connection with the dangerous condition of the mine.
(2) Affidavits of J.F. Burns, J.R. Jessop, L. Stickles and C. Windsor eye witness to or the victims of beatings by the accused and the affidavits of numerous prisoners of war, respecting the working of sick men dangerous conditions in the mine causing serious accidents.
- (h) Yokohama
- (i)
- (j) This Division etc

SPECIFICATIONS

1. That between 23 January 1943 and 4 May 1943, the accused, Kiyomitsu Takamia, did willfully and unlawfully mistreat and abuse G.W. Murray, a Canadian Prisoner of War, by beating him and by forcing him to perform arduous manual labour while sick, ill, diseased and physically unfit to perform such labour, thereby contributing to his death on 4 May 1943.

where
2. That at divers times between 23 January 1943 and 15 August 1945, the accused, Kiyomitsu Takamia, did willfully and unlawfully mistreat C. Windsor, a Canadian Prisoner of War, by beating and abusing him.

where
3. That at divers times between 23 January 1943 and 15 August 1945, the accused, Kiyomitsu Takamia, did willfully and unlawfully mistreat numerous Allied Prisoners of War, by beating and abusing them, and by forcing them to perform arduous manual labour while sick, ill, diseased and physically unfit to perform such labour, thereby contributing to the serious illness, disability and deaths of numerous Allied Prisoners of War.

4. That between 23 January 1943 and 15 August 1945, the accused, Kiyomitsu Takamia, did willfully and unlawfully mistreat numerous Allied Prisoners of War, by forcing them to work in and about a coal mine under dangerous, hazardous and unhealthy conditions and for long and unreasonable hours and wherein the said Allied Prisoners of War were subjected to cruel beatings, tortures and other abuses and mistreatments by Japanese civilians employed by the said mines, thereby contributing to the serious illness, disability and deaths of numerous Allied Prisoners of War.

CASE ANALYSIS
IN RE: KIYOMITSU TAKAMIA

1. Kiyomitsu Takamia is a civilian employed as an Operations Leader at the Omine Mine No. 2 of the Furakawa Mining Company. The accused is not yet in custody.

2. Identification will be by a live witness.

3. Same as para 3 of Kawahara summary.

4. Statement of Facts. The accused as a civilian employee of the mining company was Operations Leader in charge of all work being carried out in and about the company's property on the surface and underground. While not responsible for the sending of sick prisoners to work he was in direct charge of all the Prisoners who were sent out from the Camp each day to work. He is alleged to have administered many beatings of sick prisoners to force them to work and is particularly named as one who beat G.W. Murray prior to his death. He is also alleged to have administered severe beatings as punishment for incidents taking place in the mine. He was responsible for the supply of timbers underground and made on the spot decisions as to safety policy and precautions, and accordingly has a primary responsibility for dangerous working conditions and resultant accidents.

5. Summary of Evidence:

Proof as to Specification 1

Oral: H.B. Shepherd. He states that he did not witness any beatings of Murray by the accused but was told of these incidents by the victim and others. These beatings were to force him to work.

Documentary: (1) J.F. Burns describes repeated beatings by the accused.

(2) J.R. Jessop states that Murray died after beatings by the accused.

(3) L. Stickles says that "Puss-in-Boots" was one who beat Murray.

Proof as to Specification 2 -

Oral: H.B. Shepherd. The victim told Shepherd of this incident but he did not witness it.

Documentary: (1) C. Windsor, the victim, states that in November 1944 the accused kicked him in the stomach and then hit him in the face six or seven times. Again in August 1943 he was beaten as part of a group beating administered by the accused.

Proof as to Specification 3 -

Oral. H.B. Shepherd states that the accused was very exacting in his supervision of the prisoners and very quick to punish on the spot or at the end of the shift on which he had detected some irregularity. He was insistent that all the Prisoners went out for work do their share and seldom made any allowance for the actual physical condition of many of the Prisoners.

Documentary: J. Michalkow states that the 2i/c of all the guards in the mine used to beat and kick many prisoners.

(2) C Windsor states that "Puss-in-Boots" was very fond of group beatings which he inflicted on numerous occasions.

(3) L. Ross states that many men were forced to work although seriously sick.

(4) T.W. Smith states that sick Prisoners were sent to work in the mine.

Proof as to Specification 3 (cont'd) -

- (5) Lt-col H.G.G. Robertson states that physically unfit men were sent to work.
- (6) L.D.R.B. Abbott saw the accused administer beatings and was himself kicked.
- (7) C.J. Ewing saw Takamia flog prisoners with a cane or butt of a rifle.

Proof as to Specification 4 -

Oral: H.B. Shepherd states that the accused was in charge of the supply of timbers and pit props and made decisions as to the extent of timbering which would be carried out. Many of the accidents resulted from lack of timbering and other faults in the equipment of the mine which he could have rectified. The accused on occasion showed complete indifference to the welfare and safety of the Prisoners. He was one of the overseers both underground and on the surface and many beatings were administered by the mine bosses under him. His own beatings were carried out in front of his subordinates.

Documentary: (1) C. Windsor states that in August 1943 on reporting for work a dangerous concentration of gas was reported in one shaft but "Puss-in-Boots" ordered them to enter saying that there were lots of men to work. His superior finally prevented the Prisoners being sent down that shaft.

(2) Capt J.S. Smith states that there were ten deaths in the mine which could have been prevented by proper precautions.

(3) M. D'Avignon states that conditions were intolerable there being no protection for the men. Materials for safety measures were available but were not used.

(4) D.L. Evans states that working conditions in the mine were very unsafe. Japanese foremen punched and slapped many Prisoners.

(5) W.R. Parkes states that the deaths of Fitzpatrick and Campbell and the injury to Kaine and Forsberg were due to unsafe conditions.

(6) D.G. Innes states that proper timbering could have prevented the accidents in which Kaine ~~and~~ was crippled and Fitzpatrick and Campbell were killed.

(7) J. Michalkow states that there were frequent cave-ins and beatings by civilian guards in the mine.

(8) L.D.R.B. Abbott states Puss was often present when Japs administered beatings.

D R A F T

- (a) Isamu KAWAHARA
- (b) Operations Leader
- (c) Civilian employee of the Furakawa Mining Company.
- (d) Employee Co emplying Prisoners of War from 23 January 1943 to 15 August 1945 over entire period.
- (e) Omine, Kawasaki-Machi, Kyushu.
- (f) (1) Beating and forcing G.W. Murray to work, thereby contributing to his death.
(2) Beating and forcing numerous prisoners of war to work while sick.
- (g) (1) Oral evidence of H.B. Shepherd who heard of the beatings administered to Murray by the accused and knows the physical condition of Murray and many others who worked under this accused.
(2) Affidavits of J.R. Jessop, J.F. Burns, E.A. Mossman, who give evidence as to the beatings administered to Murray by the accused.
- (h) Yokohama
- (i)
- (j) This Divison etc.

SPECIFICATIONS

1. That between 23 January 1943 and 4 May 1943, ^{where} the accused, Isamu Kawahara, did willfully and unlawfully mistreat G.W. Murray, a Canadian Prisoner of War, by beating and abusing him and by forcing him to perform arduous manual labour while sick, ill, diseased and physically unfit to perform such labour, thereby ~~causing~~ contributing to his death on 4 May 1943.

^{where} 2. That at divers times between 23 January 1943 and 15 August 1945, the accused, Isamu Kawahara, did willfully and unlawfully mistreat numerous Allied Prisoners of War, by beating and abusing them and by forcing them to perform arduous manual labour while sick, ill, diseased and physically unfit to perform such labour, thereby contributing to the serious illness disability and deaths of Allied Prisoners of War.

CASE ANALYSIS
IN RE: ISAMU KAWAHARA

1. Isamu Kawahara is a civilian employed as an Operations Leader at the Omine Mine No. 2 of the Furakawa Mining Co. The accused is not yet in custody.

2. Identification will be by a live witness.

3. The Allied Prisoners of War imprisoned in the Omine Branch Camp No. 5 also known as Dispatch Camp No. 8 were employed by the Furakawa Mining Co. in their Omine Mine No. 2, from the opening of the Camp on 23 January 1943 till the surrender of Japan on 15 August 1945. The mine and Prisoner of War Camp were located at Omine, Fukuoka-ken, Tagawa-gun, Kawasaki-machi. The accused was an employee of this Co. prior to the opening of the Camp and still is in their employ.

4. Statement of Facts The accused as a civilian employee of the mining company was Operations Leader in charge of work being carried out in and about the company's property on the surface. The Prisoners came under his direct supervision when engaged in work which did not involve going down in the mine. In particular he was in charge of the Prisoners making up the "Blue Party" who were considered not physically fit to work underground. In this way the accused came into daily contact with the most seriously unfit Prisoners. He is alleged to have administered many beatings intended to secure more effort from Prisoners who by reason of their physical condition, ~~and other causes~~ lack of food and other causes were unable to meet the standard of work demanded of them. He is particularly accused of repeated beatings of G.W. Murray who worked as a member of the "Blue Party" as long as he lived after arrival at this Camp and died on 4 May 1943 while at work under the accused.

5. Summary of Evidence.

Proof as to Specification 1 -

Oral: H.B. Shepherd. He states that Murray was beaten many times at the mine and that the accused was in charge of the group he was working with. He heard that Kawahara beat Murray, but did not see any beatings.

Documentary: (1) J.R. Jessop states that Murray died after beatings by "Puss-in-Boots" and Kawahara.

(2) J.F. Burns states that the accused beat Murray on several occasions.

(3) E.G. Mossman states that as a consequence of not being able to work he was frequently beaten by "Ears". He says that he saw "Ears" beat Murray on the day he died.

to
Proof as to Specification 2 -

Oral: H.B. Shepherd. The accused was in direct charge of the "Blue Party" and as such was in charge of the sickest prisoners. All the prisoners who died of illness worked under him prior to their deaths. He heard that he was given to beating prisoners to force them to work harder in spite of their physical condition.

Documentary: (1) M. Nicholson states that "Kawa San" was in charge of the Blues with Puss-in-Boots as superintendant.