

17 Dec 46

Minutes of the Court

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1 Tuesday, 17 December, 1946

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with
14 the exception of: HONORABLE JUSTICE D. JARANILLA,
15 Member from the Republic of the Philippines, not
16 sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

19 The Accused:

20 All present except OKAWA, Shumei, who is
21 represented by his counsel.

22 - - -

23 (English to Japanese and Japanese
24 to English interpretation was made by the
25 Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Major Moore.

4 LANGUAGE ARBITER (Major Moore): Mr. Presi-
5 dent, with the Tribunal's permission, we present the
6 following language corrections:

7 Exhibit 1075, record page 9,918, line 20,
8 delete the sentence beginning "Although" and sub-
9 stitute "With your intention in mind, I have meant
10 to proceed without interference in this matter.
11 However, I cannot help but be deeply concerned when
12 I consider the development of this matter and its
13 effect upon the future of Japan as well as the
14 Tripartite Pact."

15 Page 9,919, line 3, after "now" insert
16 "in addition."

17 Line 6, delete "Italian" and read "ambassadors
18 in Germany and Italy."

19 Line 14, read "belong to you." (period).

20 Page 9,920, line 5, after "telegram" insert
21 "from Ott on that day."

22 Line 7, delete "Italian."

23 Line 8, read "Ambassador in Italy."

24 Page 9,921, line 3, for "and" substitute
25 "but."

1 Line 4, delete from "is supposed" to line 6,
2 "considerable extent" and read "it could be considered
3 that Japan has already held extensive discussions with
4 America on this matter."

5 Line 8, after "sources" insert "to date."

6 Line 19, delete "you" to the end of the
7 sentence, and read "he has changed his opinion."

8 Line 23, delete "you" to "obliged" and
9 read "If, persuaded by such a person, it should become
10 necessary to conclude."

11 Page 9,922, line 1, delete from "meaningless"
12 to the end of the sentence and substitute "ineffective
13 even though any kind of pretext may be found from the
14 legal standpoint."

15 Line 12, delete quotation marks.

16 Line 21, delete "to Germany."

17 Page 9,923, line 12, delete "repeated the
18 same thing in" and substitute "cited the content of."

19 Page 9,924, line 10, delete from "wished" to
20 the end of the sentence and substitute "would draft
21 a telegraphic instruction to Ott and would consult
22 Italy accordingly."

23 Page 9,926, line 12, after "him" insert
24 "repeatedly."

25 Page 9,929, line 23, before "in a few" insert

1 "And at this time when."

2 Line 24, delete "and if" to "Japan should"
3 and substitute "it is a question whether it is really
4 reasonable for Japan to."

5 Page 9,930, line 1, delete "it is" to the
6 end of the sentence.

7 Line 2, delete from "Needless to "astranging"
8 and substitute "Particularly so when it is not clear
9 whether or not the American proposal is merely a
10 temporary scheme to estrange."

11 Line 10, delete "leave" to "should Japan"
12 and substitute "thus leave a root of evil in the
13 future should she."

14 Line 13, for "random" substitute "will."

15 Line 14, delete "those."

16 Line 17, after "arec" insert "and by
17 avoiding nominal participation in the war."

18 Line 19, delete "although" to the end of the
19 sentence."

20 Line 23, after "regions" insert "which
21 would be included in the Greater East Asia."

22 Page 9,931, line 11, for "embody" substitute
23 "at least materialize."

24 THE PRESIDENT: Thank you, Major.

25 Mr. Justice Mansfield. I would like for you

to read a little slower, Mr. Justice Mansfield.

1 MR. JUSTICE MANSFIELD: Yes, sir.

2 Prosecution document numbered 5365, the
3 sworn statement of R. B. Wilson, is now offered for
4 identification.

5 CLERK OF THE COURT: Prosecution document
6 No. 5365 will be given exhibit No. 1555 for identi-
7 fication only.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1555 for identification only.)

11 MR. JUSTICE MANSFIELD: And the excerpts
12 marked, tendered in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: And the excerpt there-
15 from, bearing the same document number, will receive
16 exhibit No. 1555-A.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1555-A and received in evidence.)

20 MR. JUSTICE MANSFIELD: This document relates
21 the maltreatment of prisoners of war and internees at
22 Rangoon Central Gaol. Men were beaten savagely and
23 others were frequent deaths from malnutrition and
24 lack of medical facilities.
25

1 At Tavoy Internment Camp men and women were
2 beaten, tortured, put in solitary confinement and
3 starved, and the internees were forced to eat dogs,
4 rats and snakes to keep alive.

5 Prosecution document numbered 5367, the
6 sworn statement of Tan Hain Eng, being produced for
7 identification, --

8 CLERK OF THE COURT: Prosecution's document
9 No. 5367 will be given exhibit No. 1556 for identi-
10 fication only.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1556 for identification only.)

14 MR. JUSTICE MANSFIELD: -- and the marked
15 excerpts offered in evidence, --

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: And the marked excerpts
18 therefrom, bearing the same document number, will re-
19 ceive exhibit No. 1556-A.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 1556-A and received in evidence.)

23 MR. JUSTICE MANSFIELD: -- describes the
24 execution of five Chinese near Prome.

25 The witness went to the place of execution

1 as an interpreter and saw a number of Japanese offi-
2 cers there present. There was a table covered with
3 a white cloth, on which were flowers, one or two
4 bottles of sake and some glasses.

5 The five prisoners were made to sit with
6 their legs in the graves which were already dug.
7 They were then shot by Japanese soldiers.

8 Prosecution document numbered 5368, the
9 sworn statement of J. H. Williams, produced for
10 identification, --

11 CLERK OF THE COURT: Prosecution's document
12 No. 5368 will be given exhibit No. 1557 for identi-
13 fication only.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 1557 for identification only.)

17 MR. JUSTICE MANSFIELD: -- and the excerpts
18 marked therein are now offered in evidence.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: And the marked excerpts
21 therefrom, bearing the same document number, will
22 receive exhibit No. 1557-A.

23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit
25 No. 1557-A and received in evidence.)

1 MR. JUSTICE MANSFIELD: This document
2 describes the beating of Prisoners of War at Maymyo
3 and the inhumanity of a Japanese medical officer who
4 kicked a man to death who, suffering from a stomach
5 complaint, was unable to control his motion.

6 Prosecution document numbered 5369, the sworn
7 statement of Mrs. M. M. Williams, is now offered for
8 identification.

9 CLERK OF THE COURT: Prosecution's document
10 No. 5369 will receive exhibit No. 1558 for identifica-
11 tion only.

12 (Whereupon, the document above re-
13 ferred to was marked prosecution's exhibit
14 No. 1558 for identification only.)

15 MR. JUSTICE MANSFIELD: And the marked
16 excerpts produced in evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: And the marked excerpts
19 therefrom, bearing the same document number, will
20 receive exhibit No. 1558-A.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1558-A and received in evidence.)

24 MR. JUSTICE MANSFIELD: The document confirms
25 the conditions in Maymyo as set out in the proceeding

1 statement numbered 5368.

2 In Tavoy women were ordered to stand in the
3 sun for seven, eight and ten hours. In April, 1945,
4 a lady internee returned to the house in which she
5 lived at 0330 hours with her clothes in shreds and
6 said that a Japanese had attempted to rape her.
7 Another woman informed the witness that on several
8 occasions the same Japanese had raped her.

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WILLIAMS

DIRECT

1 JOHN MUNSLOW WILLIAMS, called as a
2 witness on behalf of the prosecution, having been
3 duly sworn, testified as follows;

DIRECT EXAMINATION

BY MR. JUSTICE MANSFIELD:

Q What is your full name?

A John Munslow Williams.

Q And your rank?

A I am a lieutenant colonel.

Q And on the 9th of March 1942 where were you?

A I was in Java.

Q And what position did you hold there?

A I was commanding the 2/2 Australian Pioneer
14 Battalion.

Q On that date were you captured by the Japanese?

A Yes.

Q And in what camp were you confined there?

A In Bicycle Camp.

Q Between what dates?

A Between April and October, 1942.

Q Would you describe the conditions at this
22 camp while you were there.A The conditions were reasonable. The huts
24 were good but overcrowded. The food was not very good;
25 it was not sufficient for working men. The Japanese

WILLIAMS

DIRECT

1 were very cruel in that particular camp and used every
2 chance they could to beat us with all sorts of imple-
3 ments. We had to salute every Japanese guard irres-
4 pective of rank, and at one period I witnessed Lieuten-
5 ant Colonel Black being beaten up because he did not
6 salute a Japanese promptly.

7 THE PRESIDENT: What did the beating consist of?

8 THE WITNESS: Sometimes with rifle butts; some-
9 times with bamboo rods, or with anything that was handy
10 at the time.

11 THE PRESIDENT: What was done to Black?

12 THE WITNESS: He was sitting on his bed at
13 the time the Japanese came around the corner, and be-
14 cause he did not stand up quickly he was beaten with
15 fists and rifle butts and kicked.

16 Q On the 25th of May 1942 what happened to you?

17 A I was taken away from Bicycle Camp to a jail
18 in Batavia where I was kept for about thirty days.
19 During that time I was taken to a Kempeitai headquarters
20 where I was questioned. They questioned and tortured
21 me for about thirty days. The first five days they
22 did not give me any food but placed food in front of
23 me while they were questioning me, and said if I spoke
24 they would give me that food. They tied me to a chair
25 and threw the chair around the room. They beat me daily.

WILLIAMS

DIRECT

1 with their hands and with bamboo rods.

2 Q What other tortures did they inflict upon you?

3 A They burned my feet with cigarette butts, and
4 at the end of the period took me outside, blindfolded
5 me, and said if I did not speak they would shoot me.

6 Q What was the size of the cell in which you
7 were confined?

8 A The cell in which I spent the nights while
9 kept there was 12 feet by 5, with a concrete slab,
10 and seven natives and myself lived in there most of
11 the period.

12 Q Did you see any other officer being tortured
13 there?

14 A Captain Handasyde of my own battalion was
15 badly knocked about. He had his fingers burned to the
16 bone by having a pencil placed between each finger
17 and moved up and down until the friction burned through
18 to the bone. His lungs were also filled with water.

19 Q Well, in October 1942 did you leave Java?

20 A Yes. With 1500 prisoners we were taken from
21 Batavia to Singapore by a ship of about four thousand
22 tons.

23 Q How long did that voyage last?

24 A About five days.

25 Q What were the conditions of the accommodation

WILLIAMS

DIRECT

1 on that ship?

2 A We were placed in the hold of the ship, and
3 in our own hold about four tanks were in the same hold.
4 We could not lie down together in the hold, and we were
5 only allowed up a few minutes each day. We were given
6 three small bowls of rice a day, and no water whatever.
7 The hygiene was very bad as most of our men were suf-
8 fering from dysentery, and only a few small latrines
9 were provided on the decks. One man died on the voy-
10 age.

11 Q Were the sick given any medical attention on
12 that voyage?

13 A None whatever.

14 Q Well, from Singapore where did you go?

15 A From Singapore we boarded a smaller ship still
16 and were taken to Rangoon.

17 Q What were the conditions of that voyage?

18 A The conditions were even worse than the
19 previous ship. The space allotted was smaller and the
20 food worse. We were ten days on the ship altogether,
21 and the biggest majority of the men suffered from
22 dysentery before we landed.

23 Q What about food? Were you able to supplement
24 your rations on that ship?

25 A Yes. We received some Red Cross issues from

WILLIAMS

DIRECT

1 Singapore, and that supplemented our rations consid-
2 erably.

3 Q From Rangoon where did you go?

4 A From Rangoon we took a smaller ship still to
5 Moulmein, and from there to Thanbuyazat, a base camp
6 on the Burma-Thailand Railway Line. From the base
7 camp we moved in thirty-five kilometers into the jungle,
8 and that became our working camp.

9 Q Were you the senior officer at that working
10 camp?

11 A I was the senior officer, and it was known
12 from then on as "Williams' Force."

13 Q How many men were in that force when it
14 started?

15 A Eight hundred and eighty-four.

16 Q From October 1942 onward where were you mostly
17 located?

18 A From October 1942 until April 1943 we were
19 in the same camp, thirty-five kilometer camp. From
20 April 1943 we became the mobile camp and worked laying
21 the lines right through to the border.
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WILLIAMS

DIRECT

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1 Q And were you at many working camps on the
2 railway during that period?

3 A Yes. As we laid the line so we moved from
4 camp to camp throughout Burma.

5 Q Would you describe, generally, the conditions
6 of the working camps during that period?

7 A For the first five months we worked on the
8 embankment of the line, and for this period the
9 work was reasonable and the food not very good. As
10 we went on, the meals became worse and the conditions
11 worse. The food consisted mostly of rice, supplemented
12 with a little meat at times, and mostly jungle
13 leaves and any green grass we could cut. I have seen
14 men eating dogs, cats and rats and even the entrails
15 of pigs thrown out by the Japanese.

16 Q Was the food at any time adequate?

17 A No.

18 Q Were any beasts killed and distributed?

19 A Sometimes we had to eat diseased cows and
20 when a good cow came to the camp we usually halved it,
21 the Japanese taking the rear half, we taking the front
22 half. Our strength was 884; theirs were approximately
23 thirty.

24 Q Did you observe at any time the food that
25 the Japanese were able to supply for themselves?

WILLIAMS

DIRECT

1 A Yes. The food came to the camp in boxes.
2 They took what they wanted and we got what was left.

3 Q What have you to say about the accommodation
4 during that period?

5 A In moving from camp to camp, our camps were
6 constructed for us, previously occupied usually by
7 natives; sometimes by errant people. The huts were
8 made of bamboo and atap, and the camps normally cons-
9 tructed in low-lying areas. During the wet season it
10 was normally to have over six inches of mud over the
11 whole camp, inside and outside the huts. In one camp
12 we spent five months in a very crowded area.
13 Twenty-five officers and twenty-three other rank
14 occupied an area approximately 13 by 9. For the first
15 three weeks there was no roof to the building at all.
16 I complained to the Japanese commander about the
17 accommodation, and he said they were crowded at the
18 same time. They had three Japanese soldiers to the same
19 area.

20 Q What was the hygiene in most of the camps?

21 A The hygiene was very bad. The areas were
22 roped in. We could only dig latrines inside the camp
23 area. As the camp were covered with water normally,
24 it was very hard to dig latrines.
25

 Q What were the conditions like between May and

WILLIAMS

DIRECT

1 October 1943?

2 A From May to October we went through our worst
3 period. It was raining most of the time and we were
4 moving from camp to camp at frequent intervals.

5 Q Were the men able to keep dry?

6 A The men had very little clothing and were
7 continually wet. The working hours were very long,
8 the men leaving sometimes five and six in the morning,
9 returning approximately midnight or later. In many
10 cases the men were kept out for thirty-six hours
11 without a break or rest.

12 Q And how many meals would be served during
13 that thirty-six hours?

14 A We could normally only get them three meals out.

15 Q What was the condition of the men during this
16 time?

17 A From May till October they had to work the
18 whole period without a rest day. Due to several
19 numerous diseases, their condition became such that
20 they could hardly work even in the periods allotted
21 to them. I have seen some men taken out to work in
22 stretchers, and quite a number assisted to work.

23 Q Were the deaths frequent during that time?

24 A In that period, April till October, 200 men
25 in my own force died.

WILLIAMS

DIRECT

1 Q Do you know of any cases where men -- where
2 the deaths were caused by exhaustion as well as disease?

3 A Yes. On many an occasion the men were too
4 tired to work. Each morning would find several men,
5 sometimes five men, dead in their huts.

6 Q What was the method of speeding up the work
7 used by the Japanese?

8 A They taught us to lay the lines and the
9 sleepers with iron rods and bamboos on our backs.
10 They belted the men hourly with bamboos, rifle butts,
11 or kicked them. I have seen them use five-pound hammer
12 and anything they could pick up. One man had his jaw
13 broken with a rifle butt because he bent a spike whilst
14 driving it in the rail.

15 Q Well, did you ever have any issue of blankets?

16 A Yes, we had one issue of blankets, approxi-
17 mately 260 odd, to our force. The majority of the men
18 were without blankets. And at one occasion we were
19 issued with rice sacks to keep the men warm. The issue
20 was only temporary. They wanted the rice sacks later
21 on to hold rice.
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25

WILLIAMS

DIRECT

1 Q In May 1943 where were you sent?

2 A In May 1943 we were sent to a camp called
3 60 Kilometer camp. In this particular camp I,
4 with several others, reached the camp a little
5 earlier than the remainder, and I noticed a number
6 of natives being carried away from the camp. We
7 discovered later that they had died from cholera,
8 but we did not know at the time. It had previously
9 been a native camp and was covered in filth. The
10 whole of the area were covered with rice -- all
11 rice and food thrown over the ground. The camp
12 was that dirty that I ordered the men to burn the
13 bamboo sleeping slats, to tear down the sides of
14 the huts and burn those, and also to cut about half
15 an inch of soil off the top of the camp.

16 Q Did you make any protest about being put in
17 this camp?

18 A Yes, I protested as soon as I seen the camp
19 and protested again when the main force marched
20 into the camp.

21 Q To whom did you protest?

22 A To the camp commander at the time, Sergeant
23 SHIMOJO.
24

25 Q What happened later on, in May, after the
force got into this camp?

WILLIAMS

DIRECT

1 A We found, in the first instance, one man
2 came from work about twelve o'clock and were dead
3 in the afternoon. Several other men died just as
4 quickly and our doctors came to the conclusion that
5 it was cholera that was killing the men.

6 Q About how many had died by December '43?

7 A From cholera and other diseases about -- over
8 two hundred.

9 Q Did you at any time have any medical sup-
10 plies?

11 A Each month we would indent for medical sup-
12 plies and normally some medical supplies would
13 arrive each month. They would consist of a few
14 bandages and a few tablets, sometimes marked with
15 Japanese that we did not know what the tablets were
16 for.

17 Our method of dressing an ulcer would be
18 to scrape the wound around with the sharp edge of
19 a spoon, or put blowflies in to eat away the dead
20 flesh. As each man had his ulcer dressed he had to
21 be held down on the bed by four or five other men.

22 Q Was there at any time a sufficient amount
23 of drugs and medicine for the prisoners?

24 A No.

25 Q What happened to most of the drugs that

WILLIAMS

DIRECT

1 came to the camp?

2 A The Japanese would normally fill up their
3 own supply of drugs, replenish their supply, and we
4 got what was left.

5 Q What was the health of your men when they
6 were first captured?

7 A I commanded a pioneer battalion and in
8 Syria our work was to construct roads mostly on
9 frozen ground, very hard work. They were in good
10 physical condition and that was their normal work.
11 They were especially selected for hard manual work.

12 Q And to what do you attribute the losses of
13 your force?

14 THE PRESIDENT: Mr. Levin.

15 MR. LEVIN: We object to that as asking
16 for a conclusion of the witness. He has already
17 described what has occurred.

18 MR. JUSTICE MANSFIELD: I won't press the
19 question.

20 Q Now, at 80 Kilometer camp, would you just
21 describe shortly what you saw there?

22 A We reached the 80 Kilo camp in the course
23 of our job in constructing the line and heard that
24 there were prisoners in another portion of the
25 camp. We visited this camp and found it to be a

WILLIAMS

DIRECT

1 makeshift hospital from Number Five Group Prisoner
2 of War Thailand Administration.

3 The men were left in this hospital because
4 they were sick and could not work for the Japanese.
5 They were told that as they were sick and could
6 not help the Japanese they would not be given food.
7 When we arrived there they only had sufficient for
8 one meal of rice. Up till then they had been living
9 on approximately one small meal a day. They had
10 one doctor, no orderlies and no fit men to administer
11 the camp. When we arrived there about five men were
12 dying each day.

13 Q How many were in this camp, approximately?

14 A Approximately two hundred.

15 Q Well, did the party of prisoners do any-
16 thing to alleviate the food position there?

17 A Yes, during the night we carried down
18 some of our rice and gave it to them. Some of our
19 men at night time killed one or two cows belonging
20 to the Japanese local staff, and whilst it was
21 still dark that meat and food was distributed to
22 the men and cooked in their own kitchen.

23 Q Were you at any time inspected by any
24 senior Japanese officers?

25 A Senior Japanese officers came to the camp,

WILLIAMS

DIRECT

1 but on no occasion did I see one go through the
2 huts or question any of the prisoners.

3 Q Do you know the names of any of these senior
4 Japanese officers?

5 A No.

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1 Q Do you know their ranks?

2 A I think one was a full colonel and, if I
3 remember correctly, two generals. It was very dif-
4 ficult to see them and each time we questioned as to
5 who a man was the Japanese camp commander said he was
6 a very high official.

7 Q At what camps did you see these high Jap-
8 anese officers?

9 A Once at 35 kilo camp, once at 40 kilo camp
10 and once at 135 kilo camp.

11 Q Did you at any time make any protests to the
12 Japanese officers about the conditions under which
13 your men were working?

14 A Yes. I complained at very regular intervals
15 about the conditions, but they said they had their
16 orders to build the railway line and couldn't assist
17 us in any way.

18 Q To whom did you make your protests?

19 A To the camp commanders and on some occasions
20 to the commander of the No. 3 group, Thai Prisoner of
21 War Camp.

22 Q Who was the commander of No. 3 group?

23 A Lieutenant Colonel Y. NAGATOMO.

24 Q When did you leave the area where the railway
25 was being built?

WILLIAMS

DIRECT

1 A Will you repeat that, please?

2 Q When did you leave the area where the
3 railway was being built?

4 A My force left -- the bulk of my force left in
5 the end of January. At least, the end of December
6 and early January.

7 Q '43 or '44?

8 A 1943. I returned with thirty-four left of
9 my own force to 105 kilo camp to work on the main-
10 tenance of the line until May, '44.

11 Q Were the conditions during that time any
12 improvement on the previous conditions?

13 A No. The food in that particular camp was
14 worse. It was just plain rice and paddy melons.

15 Q And was the railway line at that time being
16 used by the Japanese?

17 A Yes. In that camp we were cutting wood to
18 fuel the engines to bring the troops up past our camp.

19 Q When did you finally leave the railway area?

20 A In May, 1944, we left the jungle area to a
21 place called Kamburi in Thailand.

22 Q And after Kamburi where did you go after
23 that?

24 A We remained in Kamburi until early August,
25 '45 and then we were being transferred from the

WILLIAMS

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1 Kamburi Camp to a main camp about three hundred
2 miles away in Thailand.

3 MR. LEVIN: There will be no cross-
4 examination, Mr. President.

5 MR. JUSTICE MANSFIELD: May the witness
6 be excused, if the Tribunal please?

7 THE PRESIDENT: Yes. You are at liberty
8 on the usual terms.

9 (Whereupon, the witness was
10 excused.)

11 MR. JUSTICE MANSFIELD: We call, if the
12 Tribunal please, Major John Kevin Lloyd.

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1 J O H N K E V I N L L O Y D, Major, A.I.F.,
2 called as a witness on behalf of the pro-
3 secution, being first duly sworn, testified
4 as follows:

DIRECT EXAMINATION

BY MR. JUSTICE MANSFIELD:

Q What is your full name and rank?

A My full name is John Kevin Lloyd, a major
9 in the Australian military forces.

Q Your residence?

A I live in Melbourne, Australia.

Q When were you captured by the Japanese?

A I was captured at the fall of Singapore in
14 February, 1942.

Q What was your rank at that time?

A I was a major then.

Q In May, 1942, were you sent anywhere?

A In May, 1942, I went with a party of three
19 thousand Australians by ship to Burma. I traveled on
20 a ship with a thousand other Australians under ap-
21 palling conditions.

Q What was the name of the ship?

A The Celebes Maru.

Q And how were you accomodated in that ship?

A In the rear hold where I was there were six

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DIRECT

1 hundred and forty of us. We had no ventilation ex-
2 cepting the opening in the deck high up above us.
3 The men were not allowed up on the deck excepting
4 for short intervals, and as a result the heat down
5 below for the ten days we were on the ship was ter-
6 rific. The men could hardly move and the floors were
7 wet for hours every day with the sweat that fell off
8 the bodies of every man in the hold.

9 Q Food -- what about food?

10 A A small quantity of food was given to us
11 three times a day.

12 Q Was there any sickness during that voyage?

13 A Towards the end of the voyage the skin
14 diseases began to spread and dysentery also.

15 Q Were you allowed on deck?

16 A No. The only time the men were allowed on
17 deck was to go to the latrine and to wash their
18 dixies after a meal.

19 Q And you arrived in Mergui when?

20 A The 24th of May, 1942, fifteen hundred of
21 us disembarked at Mergui.

22 Q And for how long did you remain there?

23 A Three months.

24 Q Under what conditions?

25 A For the first month a hundred and fifty of

LLOYD

DIRECT

1 us were housed in a school which had been built for
2 six or seven hundred school children. Each man was
3 allowed a maximum of about four and a half square
4 feet in which to sleep and to keep all his baggage.

5 THE PRESIDENT: We will recess now for
6 fifteen minutes.

7 (Whereupon, at 1045, a recess
8 was taken until 1100, after which the pro-
9 ceedings were resumed as follows):

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Justice Mansfield.

4 BY MR. JUSTICE MANSFIELD (Continued):

5 Q Will you describe the food at Mergui Camp?

6 A The food consisted of about four hundred
7 grams of rice per man per day with a very small
8 quantity of vegetable. After a while, a little
9 meat was brought into the camp. It would usually
10 consist of about fifteen pounds of meat and bone
11 brought in for one day for fifteen hundred men.
12 The men were always very hungry. They worked on
13 a military aerodrome amongst a lot of Asiatic laborers.
14 The natives had been forbidden to sell or give us
15 food of any description; and I was often called upon
16 to intervene on behalf of hungry prisoners who had
17 accepted food from natives alongside of whom they were
18 working.

19 Q What were the methods used to urge the men
20 on to work?

21 A The usual methods which we came to know so
22 well: beatings, corporal punishment of all descriptions.

23 Q Was there sickness in that camp?

24 A Yes. Our worse sickness was dysentery which
25 spread very rapidly. We were given several wooden

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1 bamboo huts within which to house our sick alongside
2 the Civil Hospital. The huts were just empty huts
3 and men lay on the bare boards, or on rice bags, or
4 on ground sheets if they happened to possess one.
5 Most men had one -- only one set of clothing, and
6 as that became soiled, so they would have to lie
7 naked on the bed or mat. We had no medicines what-
8 soever to treat dysentery and very few medicines to
9 treat any other form of sickness. As a result, within
10 two months or so there were dozens of men who were
11 just living skeletons and about twenty died.

12 Q Were there any executions there?

13 A Yes. A few days after we arrived, two of
14 my men attempted to escape: Privates Bell and Daveys.
15 They were caught, tried and executed a few days later.
16 Another man, Private Shuberth, was found outside the
17 token fence and he was executed without notification
18 to us in any way of any trial.

19 Q On the twelfth of August did you leave Mergui?

20 A We went from Mergui on the twelfth of August
21 further north up the coast in a small ship known as
22 the Tatu Maru, six hundred in my party. This was
23 even more crowded than before. Only a few men could
24 sit down at a time; but, fortunately, it took only
25 two days.

LLOYD

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1 Q Was the heat bad?

2 A Yes. The heat in the bottom of the hold of
3 the ship, where there was no ventilation, in the
4 tropics, I estimate the heat in the vicinity of
5 one hundred and twenty, one hundred and thirty degrees
6 for about seven hours a day.

7 Q When you reached Tavoy, would you describe
8 the conditions there?

9 A The men were put to work on a military
10 aerodrome working six days a week for about ten
11 hours each day whether it rained or not. On one
12 occasion I remember the men worked for eleven days,
13 eleven consecutive days in the rain with no more
14 than one hour's break in the weather. The officers
15 and men were often beaten by Japanese to be made to
16 work harder or for some imagined or minor offense.
17 It was not uncommon for a man to be knocked over and
18 kicked or to be hit with a shovel or pick handle.

19 Q Were any of your men tortured at any time?

20 A Yes. Several men were taken away by the
21 Kempeitai over a period of three or four days and
22 tortured in various ways in the belief that these
23 men had stolen coffee and soap from a store. The
24 most painful method used was to make a man kneel and
25 put a piece of wood in behind his knees; and then he

LLOYD

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1 was hit by the interrogator with a stick or pushed
2 back on his haunches. At the same time some hundreds
3 of us were made to stand for hours in the sun in an
4 attempt to make us confess to the thefts.

5 Q With what were these men beaten at the time
6 they were being tortured?

7 A Bamboo sticks mostly.

8 Q Well, then, in December 1942, did you move
9 from Tavoy?

10 A Yes, I left Tavoy in December; but before
11 leaving I was told by Brigadier Varley of the execution
12 of eight Australians at Tavoy. Before I arrived
13 there, these eight men had attempted to escape, were
14 caught and shot dead in the presence of Brigadier
15 Varley and a chaplain. Brigadier Varley, the senior
16 prisoner of war officer there who is now dead, he
17 described the thing in detail to me and showed me
18 their graves. We moved overland from Tavoy to
19 Thanbuyzayat, the base camp of the railway line, and
20 en route for two days all men had to carry their
21 baggage along a railway line about fifty kilometers.
22 By then a lot of men had malaria and few men had any
23 footwear left. As a result, sick men and men with
24 blistered and sore feet straggling along at the rear
25 of the column were urged on by blows from -- fist blows --

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1 and striking with rifle butts to encourage them to
2 keep up with the rest. We arrived at Thanbuyzayat
3 towards the end of December 1942.

4 Q From then on where were you?

5 A From then until January 1942 I worked in
6 the 26, 75 and 105-kilo camps with a short break
7 back at the base camp at Thanbuyzayat.

8 Q Did you go out with the working parties at
9 any time?

10 A Yes. I went out frequently with working
11 parties throughout the year.

12 Q And what was the condition of the work and
13 the living?

14 A The main work done were the making of the
15 excavations of the cuttings and the building of em-
16 bankments. The tools provided were picks and shovels,
17 small baskets and a few wheelbarrows; and with these,
18 enormous cuttings and -- or deep cuttings and enormous
19 embankments were built by prisoners of war and Asiatic
20 laborers. At first each man was expected to excavate
21 one cubic meter of earth per day. This was gradually
22 increased to 2.4 cubic meters, and sometimes for a
23 few weeks on end, there was no limit to the amount
24 of soil which the men were expected to excavate. One
25 period I remember of about three weeks the men worked

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1 from daylight to midnight or afterwards aided by
2 the light of bamboo fires; and would have to go out
3 to work again in daylight next morning.

4 Another type of work was the manning of
5 ropes for the pulling of pile drivers. This would
6 often necessitate fifty or sixty men standing in
7 very awkward positions such as on steep slopes or
8 in water, in and out all day, water up to their knees.
9 At other times men broke stones with sledge hammers.
10 This was dangerous work, made so by flying pieces of
11 rock which often cut men about the legs or body and
12 nearly always resulting in the commencement of the
13 terrible jungle ulcers. At other times, with few
14 blunt tools, men had to fell large trees, or smaller
15 type of tree, for the corduroying of the road which
16 ran alongside the railway line. Carrying these light
17 trees for long distances through the jungle and
18 placing them into position on the road often led to
19 accidents from slipping and from standing on sharp
20 pieces of rock or bamboo stakes. The safety of the
21 prisoners was rarely considered.

22 I have seen several men buried or injured
23 by falling earth when making -- when working in the
24 cuttings. On another occasion in the wet season,
25 and for a period of about two weeks, parties of five

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1 or six hundred men would have to carry food from an
2 adjacent dump. This meant a walk of ten kilometers
3 and carrying back a load of about thirty pounds
4 of rice on the return journey without footwear,
5 without clothing, and in the rain.

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1 Q Did you go on any of those parties yourself?

2 A Yes, I went out in command of the food carry-
3 ing parties for the first week each day and I was
4 completely exhausted at the end of that first week.

5 Q What was the physical condition of these
6 men who were required to do all this work you have
7 described?

8 A Every man was suffering from malnutrition
9 diseases in some shape or form, pellagra, beri-beri,
10 general debility, blindness. I myself had a 'sore'
11 mouth and tongue for a whole year and found it --
12 About 98 percent of the men had malaria. About 40
13 percent in the camp I am describing suffered from these
14 terrible jungle ulcers. There were dozens of our
15 men in the camp at the one time with their legs --
16 the flesh of the legs -- eaten away from the knee
17 down to the foot by these ulcers.

18 Q Were the very sick men ever forced to work?

19 A From the beginning of the year the Japanese
20 brought pressure to bear to send out sick men to work.
21 In March 1943, they began to parade all sick men
22 in the camps in the morning. A batch of guards would
23 move along the lines of sick men and select those
24 whom they thought should go out to work. As a result
25 men whose complaints were not very noticeable on the

LLOYD

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1 surface, such as malaria, dysentery, blindness -- they
2 were frequently sent to work.

3 Q What was the fate of these men when they went
4 to work?

5 A Well, they moved out in the early morning
6 and returned about darkness at nighttime, sometimes
7 later. If they became ill on the job very often
8 they were not allowed to return to the camp until
9 they were helped back that night by their friends.
10 Corporal punishments by both the railway engineers
11 and the guards were very frequent and again we had the
12 usual bashings with pick-handles, shovels, kickings and
13 so on.

14 Q What was the general condition with regard
15 to food supplies?

16 A The rice ration generally was about 5 to 6
17 hundred grams per man per day for those who did rail-
18 way work. Sick men were given just half of that.
19 Towards the end of the year when the heavy work on
20 the railway was finished the ration was considerably
21 reduced because they said we no longer required so much
22 food. In addition to the rice we had small quantities
23 of vegetables at times. There were months on end
24 in our worst camp when we had with the rice chili or
25 pepper water with, perhaps, some boiled radish roots

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1 or some boiled watermelon. At times some cattle
2 were brought into the camps and killed for meat,
3 but sometimes we would go for a week or more without
4 any meat at all.

5 Q How did the Japanese guards fare in the
6 general camps?

7 A The Japanese invariably picked over the best
8 of the rations for themselves. They always had more
9 than they could eat and usually quite a good variety
10 of food. If one beast was killed, for instance,
11 they, for their fifty guards, would take half and
12 we, the prisoners numbering 2500, would take the other
13 half. I never saw any Japanese guards suffering from any
14 malnutrition diseases. Rather was it noticeable that
15 they seemed to thrive on their diet as we starved.

16 Q The accommodation in these camps, what did
17 that consist of?

18 A Accommodation always greatly overcrowded. In
19 the same space as they themselves would put three of
20 their men we would have 12 or even 16. The huts
21 invariably leaked and it was impossible to find dry
22 spaces for many of the men. The overcrowding was so
23 great in some places that I have seen at nighttime the
24 hut commence to fall over. The hut would have to be
25 vacated instantly and propped up with tree trunks.

LLOYD

DIRECT

1 Q Were there any epidemics caused by being
2 housed in filthy huts?

3 A Several times we were forced to take over
4 huts which had been occupied by Asiatic laborers. At
5 other times we lived alongside them in adjacent huts
6 and many of them did not seem to understand elementary
7 principles of hygiene. I think the consequent myriads
8 of flies that carried diseases such as dysentery and
9 cholera were --

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1 Q Now, in April, 1943, did the camp commandant
2 parade the men at the camp?

3 A Yes, the Japanese made it quite clear to
4 us that we were of no consequence, that the railway
5 line had to be built irrespective of any suffering
6 or deaths. I remember the camp commander calling us
7 together in April and later and telling us so through
8 an interpreter.

9 Q Were any protests made about the conditions
10 under which the prisoners were working?

11 A Protests were frequently made almost daily
12 both to our own camp commander and to Colonel
13 NAGATOMO, the Chief of the Prisoner of War Bureau
14 in Burma. It was exceptional, indeed, to get our
15 complaints rectified in any shape or form.

16 Q Were requests at any time made to provide
17 ambulances?

18 A At first our sick men were sent to the
19 Thanbuzayat base camp and ambulances were asked for
20 to carry them there. No truck fitted up as an am-
21 bulance was ever provided and as a result men,
22 dying men traveling on the floor of a motor truck,
23 would often die en route or soon after reaching the
24 base camp. In June, 1943, another hospital --
25 so-called hospital camp -- was established at the

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1 55 kilo peg. We were allowed to evacuate 800 of
2 our heaviest sick men to that camp, a distance of
3 fifty kilos. More than fifty percent of the men
4 would be on stretchers or walking with the aid of
5 crutches. These men would spend -- these men took
6 two days to reach the camp traveling sixteen or
7 twenty in the back of a motor truck. The members
8 of F Force who were working a little further into
9 the jungle than we were also sent their men on
10 trucks and they were in an even worse condition
11 than our men. It was not uncommon to see a few naked
12 bodies bouncing around in trucks as they went by
13 our camp.

14 Q In December did some prisoners arrive at
15 your camp by train?

16 A I remember in December a party of a little
17 over 200 very sick men arrived by train and were
18 taken into our camp. These men had come to us
19 from the hospital camp of another branch and were
20 in an even worse condition than our own men. Most
21 of them were on stretchers and about thirty died,
22 thirty of them died within five days of their
23 arrival.

24 Q From what diseases were they suffering?

25 A The usual diseases of malaria, ulcers,

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1 dysentery, malnutrition.

2 Q In December, 1943, were any of your sick
3 evacuated to Siam?

4 A At the end of 1943 and in early January,
5 1944, most of the camp was evacuated to Siam. I was
6 adjutant of our camp at the time and evacuated 300
7 men each day for six days.

8 Q How did you evacuate them?

9 A They went by train, twelve trucks being
10 allotted each day for all prisoners and for the
11 guards and their baggage.

12 Q What was the size of these trucks?

13 A I remember measuring the trucks so that
14 we could fit our stretcher cases into them. They
15 were sixteen feet, three, by six feet, to the best
16 of my recollection. It must be remembered that
17 all these men were sick and many of them could only
18 walk by the aid of crutches.

19 Q On the first of January, what happened?

20 A The trip on the first of January was the
21 worst because only seven trucks turned up on the
22 train that day. The Japanese took one truck for
23 themselves and their baggage and left us with the
24 other six. Despite my protests the men were pushed
25 into the six remaining trucks, averaging about fifty

LLOYD

DIRECT

1 men to a truck. The men could scarcely fit in and
2 they had the prospect of a trip of thirty hours in
3 the heat of the tropics under these conditions.

4 Q Do you know how many of those men reached
5 their destination alive?

6 A To the best of my knowledge all of those
7 men reached the camp at the other end but the next
8 day two men whom we were forced to put on against --
9 the Japanese forced us to put them on against the
10 advice of our doctor -- they died, one en route and
11 the other just after arriving there.

12 THE PRESIDENT: Are you about to break new
13 ground, Mr. Justice Mansfield?

14 MR. JUSTICE MANSFIELD: Yes.

15 THE PRESIDENT: We will adjourn until half-
16 past one.

17 (Whereupon, at 1200, a recess
18 was taken.)
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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. Justice Mansfield.

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J O H N K E V I N L L O Y D, Major, A.I.F., called as a witness on behalf of the prosecution, resumed the stand and testified as follows:

DIRECT EXAMINATION

BY MR. JUSTICE MANSFIELD (Continued):

Q Will you tell the Tribunal of the treatment that the men received at camp as opposed to on working parties?

A When the men returned to camp at nighttime, weary and sick, they were not allowed to rest as they should have been. Every Japanese soldier had to be saluted at all times whenever he was seen. This meant standing up and bowing a dozen, two dozen times every night. Failure to do this resulted in frequent punishments, both individually and en masse. Night watchmen had to be provided -- As a result of their failure to salute correctly, men were frequently

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1 punished individually or en masse. Every night
2 two or three hundred men had to be pulled out and
3 stand at attention for an hour or two just for the
4 whim of the guard. Night watchmen had to be provided
5 at every entrance to every hut, and as a result
6 dozens of men had broken sleep each night. There
7 was never any attempt to consider the feelings of
8 the prisoners if they ran counter to the incon-
9 venience of even one Japanese. For instance, because
10 one Japanese did not like the appearance and smell
11 of one of the hospital huts close to his guard-
12 house he ordered that hut to be evacuated immediately
13 of all sick personnel to some other part of the camp.
14 For some two to three weeks a party of fifty sick
15 men were forced to clear away the jungle from the
16 front of the commander's house so that he could have
17 a better view of the valley. On another occasion
18 sick men were made to clear back stones out of the
19 river which flowed through our camp to improve its
20 appearance for an inspection by some senior officer.

21 Q How much inspection by senior officers did
22 you have while you were at Changi Camp?

23 A In the railway camps I recollect three or
24 possibly four inspections by senior officers, two
25 of whom I remember were generals. They walked

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DIRECT

1 quickly through the camps without making any in-
2 spection, and never to my knowledge did they speak
3 to one prisoner of war to ask the conditions under
4 which we lived.

5 Q At about what time were those inspections
6 held?

7 A At regular intervals throughout 1943.

8 Q Were there any executions of prisoners
9 during the time that you were in Burma and Siam?

10 A There were many executions of prisoners
11 at the Burma end of the Burma-Siam Railway in
12 1942 and 1943. When I first arrived at the base
13 camp of the railway I again met Brigadier Varley
14 and his staff, and they told me of the execution
15 of two parties of Netherlands East Indies officers.
16 These two parties had attempted to escape, were
17 caught, and were shot in the small cemetery of the
18 prisoner of war camp. A few months later three
19 Australians made an attempt to escape, an officer
20 and two sergeants. By arrangement among themselves,
21 one of the sergeants returned to the camp a few days
22 later, heavy with malaria; he couldn't go on. He was
23 executed about a week later. The other two were
24 surprised in a rice field by some Burmese police.
25 In the fight the officer was killed, and the sergeant

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DIRECT

1 wounded. The wounded sergeant was returned to our
2 base camp and a few days later executed. There
3 was one other Australian execution, a driver by
4 the name of Whitfield.

5 Q Do you know whether these men had any
6 formal trial before execution?

7 A I couldn't answer that question.
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1 Q Now, you have not mentioned what medical
2 supplies were furnished to you by the Japanese while
3 you were in these jungle camps.

4 A Medical supplies received were almost negli-
5 gible excepting for, perhaps, quinine. We nearly
6 always had some quinine; never enough. Sometimes for
7 weeks on end none at all. Nothing was provided to
8 combat dysentery. No vitamin tablets were available
9 to combat malnutrition diseases. For jungle ulcers
10 all we had was hot water, old rags that we used for
11 month after month, and the patient was held down by
12 some medical orderlies whilst the doctor cut out the
13 rotting flesh with a knife. The supplies received
14 for one month would not be sufficient for our require-
15 ments for a quarter of a day.

16 Q Do you know if the Japanese themselves had
17 sufficient quantities of drugs?

18 A I have no knowledge of what they had in that
19 direction.

20 Q After you left Burma, to what camp did you go?

21 A I moved down into Siam to a camp at a place
22 known as Tamaken where I stayed for about twelve months.

23 Q In that camp were you at any time exposed to
24 bombing by Allied planes?

25 A Yes, frequently towards the end of the year.

LLOYD

DIRECT

1 Our camp was surrounded on two sides by a railway
2 line, important railway bridges, anti-aircraft guns,
3 and small river walls. The camp was not marked as a
4 prisoner of war camp despite our repeated requests
5 to have some marking placed out there. The two bridges
6 were frequently bombed; sometimes two or three times
7 in a day, and we nearly always had men killed or
8 wounded in the process. On the 29th of November, for
9 instance, several bombs fell in the camp and killed
10 14 men and injured 38. After that bombing we were
11 visited by the Japanese chief of the prisoners of war
12 in Siam, Colonel SUGASAWA. He was asked by our senior
13 representative to move us, and his reply was that he
14 was doing everything he could for us: Hadn't he already
15 placed several anti-aircraft guns around our camp to
16 protect us from the bombers? At a camp a little bit
17 farther down from us, in one bombing raid 96 men were
18 killed and over 230 injured in a few moments.

19 Q Did you have any form of air raid shelter?

20 A Yes. We had drains and slit trenches. But a
21 lot of these were within the danger zone of the bridge
22 and were, therefore, dangerous in themselves. That is
23 where some of our men were killed. Sometimes we were
24 allowed to disburse from camp, but that was later
25 stopped, and slit trenches were dug at the further

LLOYD

DIRECT

1 end of the camp.

2 Q Were the sick ever forced to work in this
3 camp?

4 A For two or three months they were not forced
5 to do so. Then all the fittest men were taken away
6 from our camp and sent enroute to Japan. After that
7 parties had frequently to be found to go back to the
8 railway camps in the jungle for maintenance work and
9 for improvements of the railway line. Others went
10 off for the making of roadways, and quite a lot were
11 employed locally, especially in the anti-aircraft
12 gun position. To get men to do this, the Japanese
13 frequently insisted on sick men being made to work.
14 At times there would not be more than a hundred fit
15 men in the camp, and to obtain the labor, the Japanese
16 would insist that several hundred men be marked up
17 on the books from heavy sick to light sick so that they
18 could be made to work. Frequently there would be no
19 inspection; sometimes a very cursory glance by a
20 Japanese medical officer at the hundred or thousand
21 sick men who were presented to him.

22 Q Did you receive any Red Cross supplies at any
23 time while you were in Burma or Thailand?

24 A During the whole of my imprisonment I shared
25 one Red Cross parcel with six other men.

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There were a few distributions of foodstuffs obtained from some local Red Cross society operating from Bangkok. This would consist of tins of salted pork, a few peanuts, a few beans. But the quantities received would be sufficient to flavor the meals for one day for the whole camp.

Q Were any brutalities inflicted upon the prisoners while you were at Tamakan?

A Yes. There were the constant beatings in the camp and in working parties, particularly so in the party that had to go every day to the anti-aircraft gun position. Men were very reluctant to go on that particular working party because of the frequent punishments meted out by Japanese soldiers at the gun positions. Complaints were made to their officers, but the position became worse instead of better.

Q On the 9th of February 1945, did you move to another camp?

A On the 9th of February I left Tamakan and went into an officers' camp at Kanburi, a few kilometers farther away.

Q How many officers were in that camp?

A Just under 3,000 officers of several different nationalities.

Q Were any restrictions, undue restrictions,

LLOYD

DIRECT

1 imposed upon you in that camp?

2 A Yes, we were inflicted with every possible
3 restriction, so much so that we thought we were being
4 treated as criminals of the worst class. Before six
5 in the evening excepting for one hour at lunch time,
6 we were not allowed to lie down or recline. We were
7 not allowed to read. We were not allowed to have pencil
8 or paper. No sport was permitted. No singing or
9 music of any description. No gatherings. We were
10 not allowed to bathe before a certain hour. We were
11 not allowed to keep water in our huts. Our mail was
12 kept for months, sometimes several months, before
13 being handed to us. We were not allowed to smoke
14 outside the huts. Lights in huts a hundred meters
15 long were restricted to three candles or slush lamps.
16 On one occasion we were all kept in our huts for
17 fourteen days. And there were dozens of other
18 restrictions which I could recount if required.

19 Q Were many punishments inflicted upon the
20 inmates of that camp?

21 A Yes, the punishments of officers were quite
22 frequent. The usual form would be standing outside
23 the guardhouse all day in the sun and at attention.
24 But sometimes these punishments would be far more
25 severe. One English officer was very badly beaten up

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1 in May of last year. He was kept in solitary confine-
2 ment, most of the time underground, and was only
3 released by the end of the war. He suffered from
4 malaria, he was starved, he went off his mind, and he
5 was unrecognizable by his friends when he was eventually
6 recovered.

7 We were forbidden to pick up the pamphlets
8 which were dropped throughout the area by our own
9 aircraft. A Dutch officer picked one up one day. He
10 was badly beaten, his arm was broken, he was stood up
11 outside the guardhouse for twenty-four hours. He was
12 then put into a cell for eight days, and only when he
13 was released was he able to get any attention for his
14 broken arm.

15 On another occasion an Australian officer was
16 ordered to stand for four days outside the guardhouse
17 without food or water. He collapsed after two days
18 and was released. As he was a barrister in civil
19 life he became known, after that, as the judge of
20 long standing.

21 Q Were any of these men given any form of trial
22 before being punished?

23 A No form of trial was ever given to them.

24 Q You were finally released when the war ended,
25 is that so?

LLOYD

CROSS

1 A Yes.

2 THE PRESIDENT: Mr. Levin.

3 MR. LEVIN: Mr. President.

4 CROSS-EXAMINATION

5 BY MR. LEVIN:

6 Q Major, when you were captured, the conditions
7 at Singapore were very chaotic, were they not?

8 A Yes, up to the time we surrendered it, and
9 about that time, conditions were chaotic.

10 Q After you were captured, where were you
11 confined in Singapore until you left?

12 A With all the other Australians at Changi on
13 Singapore Island.

14 Q And what was the character of your treatment
15 there?

16 A The worst features were hunger and overcrowding.
17 The ration of rice was twelve ounces per man per day.

18 Q Do you know of your own knowledge whether there
19 was additional food available?

20 A I personally saw quite a lot of our own food
21 dumps that would no doubt have fallen into the hands
22 of the Japanese at or before the surrender.

23 Q Now, at the first camp that you were confined
24 at, who was the highest-ranking officer in charge -- who
25 was the highest-ranking Japanese officer in charge?

LLOYD

CROSS

1 A Do you mean in Singapore, or in--

2 Q Yes, in Singapore.

3 A I do not know his name; never saw him.

4 Q Did you know his rank? Did you know the
5 rank of the officer?

6 A No.

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1 Q Now when you boarded the ship which you
2 described were there other ships available for the
3 prisoners?

4 A There were a thousand on the Celebes Maru,
5 two thousand on the other ship, and other ships
6 laden with prisoners of war met us en route and we
7 all proceeded to Burma together; four ships in all.

8 Q And how many prisoners of war were on the
9 ship on which you were?

10 A One thousand.

11 Q Now did the fact that the men were not
12 allowed to go on deck -- was that because of any
13 security measure?

14 A I should think not, because many of the --
15 there was space up on the deck for quite a number
16 of the men and that would have relieved the heat
17 and conditions down below in the hold. The Japanese
18 had machine guns on higher decks and could have
19 adequately covered us from there, irrespective of
20 the number of men on the lower decks -- on the
21 lower deck.

22 Q Now, after you got to your destination at --
23 what was that? Merguri?

24 A Mergui.

25 Q Mergui -- and you were housed in the school

LLOYD

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1 house, did they subsequently provide additional
2 space for you for housing?

3 A Yes, after one month we were moved to a
4 newly constructed camp and remained there for two
5 months. The accommodation there was not so bad and
6 was far better than anything ever we experienced in
7 later years.

8 Q You testified as to one of the prisoners
9 who was -- ran away and was caught and executed and
10 was tried.

11 A The first two who ran away together were
12 given a trial by a Japanese court martial.

13 Q And as a result of that trial the verdict
14 was execution, I presume?

15 A Yes.

16 Q Now was Shuberth caught by the same group
17 of Japanese officers?

18 A Yes, we were still under the same adminis-
19 tration and the same officers.

20 Q Can you explain why the same group had
21 tried the first two and not tried Shuberth?
22

23 A At the first trial an Australian colonel
24 was allowed to attend. We have no knowledge of any
25 trial at which Shuberth may have been tried.

Q Then, as I understand it, you don't know

LLOYD

CROSS

1 whether or not Shuberth was tried?

2 A All I know is that after he was taken away
3 from us I, myself, found his grave accidentally
4 several days later, and we asked the Japanese and
5 they admitted that they had shot him.

6 Q Did you ask them whether he had been tried?

7 A No.

8 Q Now you mentioned an incident of the torture
9 of a number of men at Tavoy. That fact you don't
10 know of your own knowledge, do you?

11 A Some of them were men of my own unit. They
12 were taken away and when they returned they showed
13 me the marks of their torture and described the
14 various tortures to me. They also described the
15 screams of the others who were being interrogated by
16 the Japanese, which they could hear from the place
17 of confinement.

18 Q In one place you speak of the epidemics
19 caused by the housing, which were -- the housing in
20 filthy huts. Were the epidemics indigenous to this
21 territory?

22 A The worst epidemics were dysentery and
23 cholera, and without having a proper knowledge of
24 these things, I think they are both indigenous to
25 those parts.

LLOYD

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1 Q As compared to your protests, how often
2 were the complaints acted upon?

3 A I can't understand that question.

4 Q Well, you would protest rather frequently,
5 would you not?

6 A At first, yes, but as time went on we pro-
7 tested less and less, because we discovered that
8 our protests were wasted.

9 Q You protested, but it was rare to have the
10 complaints acted upon? By that I mean that the
11 complaints were infrequently successfully acted
12 upon?

13 A I mean to say that very, very rarely were
14 any of the things which we complained about
15 rectified subsequently.

16 Q When you requested that they carry the men
17 in ambulances -- did they have sufficient ambu-
18 lances for the use of the men?

19 A They had no ambulance. The suggestion was
20 that some truck or trucks be fitted up as an
21 ambulance for our benefit.

22 Q And did they grant your request in any
23 instance?
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25 A No.

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1 Q Now, you speak of the conditions at Camp
2 Tamakan, is that correct?

3 A Tamakan.

4 Q Were the Japanese also exposed to the bomb-
5 ing?

6 A Yes, with this difference, that they could
7 disperse and they had many, many deep dugouts built
8 by the prisoners for them.

9 Q With the exception of the two generals whose
10 names you don't know and Colonel SUGASAWA, were those
11 the highest ranking Japanese officers that you came
12 in contact with at any of the camps where you were a
13 prisoner of war?

14 A Yes.

15 MR. LEVIN: Thank you.

16 THE PRESIDENT: Mr. Howard.

17 CROSS-EXAMINATION (Continued)

18 BY MR. HOWARD:

19 Q Major, did the Japanese -- I mean, did the
20 Burmese police cooperate with the Japanese Army?

21 A I wasn't in a position to know. All control
22 of us was by Japanese.

23 Q Maybe I misunderstood you, but I thought that
24 you testified that one of the Australians who escaped
25 was returned by Burmese policemen.

LLOYD

CROSS

1 A No. I said they were surprised in a rice
2 field by Burmese police. One was shot.

3 Q Well, you don't know then whether the Burmese
4 police were friendly toward the Japanese or toward
5 the Australian escaped prisoners either, is that
6 correct?

7 A The only knowledge I have of the Burmese police
8 in relations to prisoners of war is the incident I have
9 just recounted.

10 Q Do you know whether or not the Burmese police
11 recognized the Australians as Australians?

12 A To my knowledge on the railway line I don't
13 think any Australian ever saw a Burmese policeman.

14 THE PRESIDENT: They had to escape before
15 they met them.

16 THE WITNESS: The whole area was controled by
17 Japanese and Japanese alone to the best of my knowledge.

18 THE PRESIDENT: What point are you making,
19 Mr. Howard?

20 MR. HOWARD: Well, I am trying to bring out
21 that the Burmese police assisted in returning escaped
22 prisoners to the Japanese instead of assisting them
23 to escape to their homeland.

24 THE PRESIDENT: Well, we are not trying the
25 Burmese police. The Burmese police didn't execute

LLOYD

CROSS

1 these people or starve them, or kick them about, or
2 maltreat them.

3 MR. HOWARD: If the Court doesn't care to
4 hear how the Burmese people and police felt about
5 the Japanese Army, I have no further questions. Thank
6 you.

7 MR. LEVIN: Mr. President, there will be no
8 further cross-examination of Major Lloyd.

9 MR. JUSTICE MANSFIELD: I ask that the witness
10 be excused, if the Tribunal please.

11 THE PRESIDENT: The witness may go on the
12 usual terms.

13 (Whereupon, the witness was excused.)
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1 MR. JUSTICE MANSFIELD: If the Tribunal
2 please, I will now proceed to tender some further
3 documents.

4 Burma and Siam prisoners of war sent to the
5 Burma Sector of the Burma-Siam Railway.

6 Prosecution document numbered 5206A, the
7 affidavit of Chaplain F. H. Bashford, is offered for
8 identification, and the marked excerpts produced in
9 evidence.

10 CLERK OF THE COURT: Prosecution's document
11 No. 5206A will receive exhibit No. --

12 MR. JUSTICE MANSFIELD: I meant to intro-
13 duce the synopsis, if the Tribunal please. I tender
14 that next exhibit, which is 5443.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 5443 will receive exhibit No. 1559.

18 (Whereupon, the document above re-
19 ferred to was marked prosecution's exhibit
20 No. 1559 and received in evidence.)

21 MR. JUSTICE MANSFIELD: I now tender pro-
22 secution document No. 5206A for identification.

23 CLERK OF THE COURT: Prosecution's docu-
24 ment No. 5206A will receive exhibit No. 1560 for
25 identification only.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 1560 for identification.)

4 MR. JUSTICE MANSFIELD: And the marked
5 exhibit produced in evidence.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: The marked excerpt
8 therefrom, bearing the same document number will re-
9 ceive exhibit No. 1560-A.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit No.
12 1560-A and received in evidence.)

13 MR. JUSTICE MANSFIELD: Quotation (reading)

14 "On 15.3.43 at Thambyuzayat Camp, I interviewed
15 POW No. 2867, Pte. Bell, A.J., AIF. At that time he
16 was confined after being recaptured following his
17 escape on 12.2.43. At that time he had no knowledge
18 that he was under sentence of death, nor did I have
19 any such knowledge. He was, in fact, executed at
20 0815 hours on 16.3.43 - the day after I interviewed
21 him. So far as I am aware he was given no trial.

22 "About 14 days prior to 13.12.43, the under-
23 mentioned Dutch personnel escaped from Japanese
24 captivity from Wegalie Camp (approximately 8 kms.
25 from Thambyuzayat): Capt. J.H.W. De Rochemont;

1 Capt. F. A. M. Harterink; Lieut. G. A. Hermans.

2 "These officers were subsequently captured;
3 the officers were executed by a firing party under
4 Lieut. NAITO about 0815 hours on 13.12.42.

5 "On 27.12.42, the undermentioned Dutch per-
6 sonnel were executed for escaping from Wegalie Camp:
7 Sgt. Th. H. Van Haasen; Pte. A. N. J. Vredvevoogd;
8 Pte. H. H. Neilessen.

9 "On 13.12.42 NX 69005 Pte. Whitfield G.H.AIF.,
10 arrived at Thambyuzayat Camp. He had escaped some
11 weeks before from Kandaw Camp, roughly 4½ kilo-
12 meters from Thambyuzayat. Our medical officers were
13 of opinion that Whitfield was not mentally sound.
14 Brigadier Varley interviewed NAITO for the purpose
15 of discovering what would be the punishment of a
16 man who escaped and gave himself up, but not being
17 mentally sound. NAITO informed the Brigadier that
18 such a man would not be shot. Whitfield was not
19 confined but allowed to remain in the hospital hut.
20

21 "Shortly before 1100 hours on 14.12.42, a party
22 of Japanese arrived at this hut, asked which was
23 Whitfield, and upon being told that Whitfield was
24 'outside boiling a billy,' the man who was boiling
25 the billy and who was, in fact, Whitfield, was
seized and his hands tied behind his back, and his

1 eyes blindfolded and the man immediately taken to
2 the place of execution - a cemetery nearby - and
3 executed a few minutes later. There was no sem-
4 blance of a trial. I conducted the burial service
5 over his remains on that day."

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1 Prosecution document numbered 5034, the
2 affidavit of Lieutenant Colonel C. M. Black is now
3 produced for identification.

4 CLERK OF THE COURT: Prosecution document
5 No. 5034 will receive exhibit No. 1561 for identifica-
6 tion only.

7 (Whereupon, the document above referred
8 to was marked prosecution's exhibit No. 1561 for
9 identification.)

10 MR. JUSTICE MANSFIELD: The marked excerpts
11 being offered in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: The marked excerpt there-
14 from, bearing the same document number, will receive
15 exhibit No. 1561A.

16 (Whereupon, the document above referred
17 to was marked prosecution's exhibit No. 1561A
18 and received in evidence.)

19 MR. JUSTICE MANSFIELD: This document states
20 that the witness commanded a force of prisoners of
21 war which at the end of 1942 went to a camp 40 kilos
22 from Thambazyat.

23 "Conditions at this camp were shocking. There
24 was an insufficiency of water and food was very short.
25 The hospital was in a gully, and the camp had been

1 occupied previously by Burmese and was generally in very
2 bad condition. The sick rate rapidly increased and I
3 think at one stage there were about 130 men in hospital
4 and about 90 to 100 had very bad diarrhoea out of a
5 total strength of 675. Two men died from dysentery,
6 but despite my representations to the Japanese lance-
7 corporal, who was in charge of the camp, and to
8 Brigadier Varley we were unable to get anything with
9 which to treat the sick at all. Later, we were forced
10 to abandon the camp on account of its bad condition
11 and lack of water."

12 The conditions described were common to all
13 the camps the witness lived in, except that hours of
14 work were normally long and incredibly arduous.

15 Later at Thambazyat nearly 30 men were killed
16 and the witness was wounded by Allied air attack.
17 There was no distinctive signs on the camp to indicate
18 it contained prisoners of war.

19 At Retpu sick men were forced to work. The
20 Japanese Camp Commandant on one occasion ordered two
21 of his subordinates to kill a prisoner of war. They
22 refused, whereupon the Commandant himself shot the
23 prisoner of war who, fortunately, was only injured.

24 THE PRESIDENT: We will recess for fifteen
25 minutes.

1 (Whereupon, at 1445, a recess was
2 taken until 1500, after which the proceed-
3 ings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Justice Mansfield.

4 MR. JUSTICE MANSFIELD: Prosecution document
5 numbered 5041, the affidavit of Dr. C. R. B. Richards
6 is offered for identification.

7 CLERK OF THE COURT: Prosecution document
8 No. 5041 will receive exhibit No. 1562 for identifi-
9 cation only.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1562 for identification.)

13 MR. JUSTICE MANSFIELD: The marked excerpts
14 thereof are produced in evidence.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: The marked excerpts
17 therefrom, bearing the same document number, will
18 receive exhibit No. 1562-A.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1562-A and received in evidence.)

22 MR. JUSTICE MANSFIELD: This document states
23 that in August 1943 the witness was in 80-kilo Camp
24 at Aperong. There were two hundred Allied prisoners
25 of war in a filthy hospital camp. The rain continually

1 excerpts thereof produced in evidence.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: The marked excerpts
4 therefrom will receive exhibit No. 1563-A.

5 (Whereupon, the document above re-
6 ferred to was marked prosecution's exhibit
7 No. 1563-A and received in evidence.)

8 MR. JUSTICE MANSFIELD: This affidavit states
9 that at 26 and 75-kilo camps on the railway, Korean
10 camp guards indiscriminately beat up prisoners.
11 Working hours were long, and in the rainy season
12 men often worked in mud up to their knees. They had
13 no change of clothing. At 105-kilo camp men suffered
14 greatly from dysentery, malaria and ulcers. Guards
15 found a favorite method of punishment in kicking an
16 ulcer. There were one hundred and fifty-eight deaths
17 in seven months at this camp out of a force of less
18 than one thousand men. At Tamarkan Camp during
19 1944 dysentery fever and malnutrition caused many
20 deaths.

21
22 The prosecution tenders prosecution document
23 numbered 5444, being a synopsis of evidence.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document
No. 5444 will receive exhibit No. 1564.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 1564 and received in evidence.)

4 MR. JUSTICE MANSFIELD: (Reading): "Prisoners
5 of War sent to Siam Sector of Burma-Siam Railway.

6 Prosecution document numbered 5059-A, the
7 affidavit of Lieutenant Colonel C. H. Kappe, is now
8 offered for identification.

9 CLERK OF THE COURT: Prosecution's document
10 No. 5059-A will receive exhibit No. 1565 for identi-
11 fication only.

12 (Whereupon, the document above re-
13 ferred to was marked prosecution's exhibit
14 No. 1565 for identification.)

15 MR. JUSTICE MANSFIELD: And the marked excerpt
16 produced in evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: And the marked excerpt
19 therefrom, bearing the same document number, will
20 receive exhibit No. 1565-A.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1565-A and received in evidence.)

24 THE PRESIDENT: Mr. Justice Mansfield, there
25 are no markings on the copies of exhibit No 1565-A

1 handed to the judges. The original may be marked.

2 MR. JUSTICE MANSFIELD: The whole affidavit
3 is in evidence, if the Court please.

4 THE PRESIDENT: Well, if the whole affidavit
5 is in evidence, it cannot be marked; but, then, it
6 is not a synopsis.

7 MR. JUSTICE MANSFIELD: Well, the whole
8 affidavit is not being read.

9 (Reading): "This document states that in
10 April, 1943, 7,000 prisoners of war were moved from
11 Singapore to Siam. The trains were overcrowded, food
12 was irregularly supplied, water was inadequate and
13 sanitary conditions either non-existent or revolting.

14 "From Bampong the force was marched about
15 185 miles by night. There was no transport to carry
16 heavy equipment. The men were beaten on the march
17 by the guards and the sick compelled to go on. The
18 staging camps en route were filthy. In May 1943
19 the men commenced work on the railway.

20 "'In all the working camps on the railway
21 into which our party moved, the accommodation had not
22 been completed and the buildings had no roofs. The
23 Monsoon rains were then falling. The food in these
24 camps was just rice and onion water or rice and bean
25 water.

1 "All the time our boots were falling to
2 pieces, and there was no replacement of clothing
3 or footwear. The work on the line was very hard
4 on boots as we were in mud and water all day long.
5 Later on we had to ballast the line with stones and
6 the men had to walk across these stones and work
7 in quarries without boots.

8 "The hours of work varied from twelve to
9 twenty per day. Twelve hours and fourteen hours
10 per day were the most common. Normally the men
11 would be out at 8 a.m. and back at 10 p.m. We had
12 no days off. The first day off we had was when the
13 Railway was through, and the line was joined near our
14 camp about 19th or 20th September. We had started
15 about 14th or 15th May, and we worked night after
16 night right through to September, without a break.
17 For months and months the men did not see their camp
18 in daylight. Day after day and many times a day, I
19 made protests in an endeavour to get the numbers of
20 men working reduced. Nothing would stop the Japanese.
21 They said they would drive the men to work and if
22 they wanted a thousand men for work, they would get
23 a thousand men, irrespective of their physical con-
24 dition.

25 "Rice with a few piece of fish in it, was

1 the food ration. In the early stages rice was
2 fairly plentiful; but as soon as a man went sick,
3 the ration was cut down to one-third of the amount
4 given to a working man. Sick were then starved,
5 and it was impossible to build them up again.....

6 "During the course of the building of
7 the line I was told by the Japanese that it was
8 a Military Railway, and as soon as the line was
9 through, I saw the trains loaded with horses, guns,
10 trucks, ammunition, etc,

11 "The Force I was with was called "F"
12 Force..... Until July I was with Pond's Battalion...
13 and then with a special party.....at a general camp
14 just south of NIEKE.

15 "In June Pond's Battallion arrived at
16 RONCOITA where the party halted for two days. The
17 troops were billeted in huts which had been evacuated
18 the previous day on account of cholera deaths. The
19 huts were indescribably filthy and protests which
20 were made to the Japanese only caused the force to
21 realize that they were officially placed on the same
22 level as Burmese Coolies. An application for tools
23 with which to clean up the filth brought the reply
24 that none was available, despite the fact that hundreds
25 of shovels and chunkels had been brought from UPPER

1 KONCOITA. Coolies walked through the huts, spat,
2 defecated and vomited everywhere. Yak carts and
3 yelling droves congregated at the entrance. Yaks
4 were taken through the huts and they dropped their
5 excreta where rice bags had to be stored.....

6 "At UPPER SONKURAI Camp in August the
7 latrines were flooded by incessant rain. One of
8 them had broken its banks and a filthy stream oozed
9 through the camp area and passed under the floors of
10 the huts occupied by the hospital. Outside and
11 even inside the huts was a quagmire. There was no
12 reason for the hospital to be in the position in
13 which it was as there was high ground where it could
14 have been placed.

15 "No provision for hospitalization of the
16 force had been made except a small hospital camp at
17 LOWER NIEKE, which was soon abandoned. Requests
18 to allow fit men to remain in camp to improve the
19 situation were refused and all fit men were made to
20 work on railway construction. Any attempts to get
21 tools with which officers could do this work met
22 with very little success. We even found it difficult
23 to obtain a pick or shovel to dig graves for the dead.

24 "In the same camp on the 10th August cholera
25 broke out. The area selected by the Japanese for the

1 isolation hospital was a small cleared space of
2 low-lying ground on the river bank, where the mud
3 was ankle deep and the only fixed accommodation was
4 a small hut capable of holding no more than thirty
5 patients. The remainder of the personnel placed
6 in isolation had to be quartered in tents and under
7 tent flys which invariably leaked. No fit men were
8 freed from engineer work to assist the sick in pro-
9 viding stagings to keep them from muddy ground,
10 and all duties except nursing had to be performed
11 by the personnel in isolation. Requests for more
12 serviceable tents and the release of men from work
13 to improve the area and even for a few additional
14 tools all met with the same result. The Japanese
15 did not occupy this hospital.

16 "The instances I have given above indi-
17 cate generally the type of accommodation in these
18 camps, except that I have not stressed the terrific
19 overcrowding which existed everywhere.

20 "The men had nothing to wear except the
21 clothing in which they were captured, and most of
22 that had rotted or perished during the months of
23 the monsoon. Many of the men were going to work with
24 only a scanty piece of cloth around their loins.

25 "Force Headquarters were constantly asking

1 for medical supplies to be brought forward, but
2 the answer always given was that the road to the
3 south was impassable. However, war equipment and
4 merchandise for the NIEKE shopkeepers were being
5 brought forward in quantities by river boats. The
6 result was that medical supplies were practically
7 non-existent.

8 "I have seen all the bones of a man's
9 feet exposed by an ulcer of the foot. I have seen
10 the bones of a man's leg exposed from the knee to
11 the ankle and I have seen a man's ribs exposed by
12 an ulcer under his arm. The only treatment which
13 could be given was scraping with sharp instruments....

14 "On the 7th July a protest against the
15 maltreatment of the men was forwarded to GENERAL BANNO.
16 This pointed out that on the 3rd July, the men marched
17 out of camp at 0900 hours and after ploughing through
18 mud for five kilometres they commenced work at 1030
19 hours. The task for the day for 135 men was 160 metres
20 of corduroying. This involved the removal of the mud
21 for a width of 6', laying the logs, and draining and
22 reinforcing the track with earth and stones. Parties
23 of ten to twelve men were forced to carry in the day
24 seven logs 15 foot long and 10 to 12 inches in diameter
25 a distance of one kilometre through the mud and slush.

1 Four men collapsed. In one instance only six men
2 were detailed to a log, these were driven along
3 by an engineer who struck the men every ten yards
4 or so with a bamboo stick. After a break of thirty
5 minutes for lunch they had to work on until 2100
6 hours with one rest of fifteen minutes, returning
7 to camp at 2230 hours. The working hours the next
8 day were the same, except that there was no break
9 during the afternoon. Instead of ten to twelve
10 men being allotted to each log carrying party,
11 there were only seven.

12 "The majority of men who went to work
13 would normally have been in hospital or on light
14 duties.

15 "On one occasion we were able after some
16 difficulty to raise the required number of men for
17 work for the engineers when the Japanese demanded
18 another fifty for work inside the camp.... I refused
19 on the ground that I had no more men who were capable
20 of standing on their feet.....one of them.....entered
21 one of the hospital wards and commenced slashing at
22 the men with a stick with the object of driving them
23 out to work... After the Japanese had stated that,
24 if the men were not forthcoming the whole camp ration
25 would be cut in half, we decided that it would be in

1 the interest of the men if we selected fifty, rather
2 than have the camp literally starved. At this stage
3 conditions in No. 3 camp were well nigh desperate.
4 The number of sick was above one thousand, out of
5 a strength of 1680....'

6 "In July 1943, when the witness had sent
7 out less than the required number of men owing to
8 sickness, one of the Japanese officers summoned him
9 and stated that:

10 "'The construction of the railway had to
11 go on without delay as it was required for oper-
12 ational purposes, and had to be finished within a
13 certain time at all costs, irrespective of the
14 loss of lives of British and Australian prisoners.
15 He said it was no use our quoting the articles
16 of the Geneva Convention, as our own people had
17 offended against it by the sinking of hospital ships
18 and by running down civilian internees with steam
19 rollers. If necessary, he stated, the men would be
20 required to work three to four days on end without
21 rest.....

22 "'I gained the impression that everything
23 was to be subordinated to the completion of the line
24 by the end of August, and when this was not fulfilled
25 (The Japanese) became insane with rage. In the

1 last days of its construction our men had to work
2 from 0530 hours until 0200 hours the following day.

3 "On the 13th September I was informed by
4 Lieutenant FUKUDA that the men must be prepared to
5 work all through the night as the railway was only
6 a few kilometres to the north, and it was necessary
7 that the line should reach SOKURAI, three kilometres
8 to the south by the 16th. Owing to the heavy rain,
9 however, the work ceased at 2230 hours, the men having
10 been out since 0530 hours that morning. On the 14th
11 September reveille was at 0530 hours and despite
12 heavy rain all day and throughout the evening the
13 men were forced to remain out until 0230 hours on
14 the 15th. Again they were roused at 0530 hours and
15 were worked until midnight of the 15-16th September.
16 On the 16th reveille was at 0530 hours and work
17 finished at 2200 hours. By this time the men were
18 completely exhausted. Conditions were approximately
19 the same on the 17th. All the foregoing facts are
20 set out in my diary which I kept at the time....

21 "Of the original 3,662 men who left SINGAPORE
22 as members of 'F' Force, 1060 failed to return, repre-
23 senting approximately 29% of the A.I.F. component.
24 The losses in the whole Force was 44%. The British
25 lost 50%.....'

1 Prosecution document numbered 5064A, the
2 affidavit of Major B.L.W. CLARKE, a doctor, is now
3 produced for identification.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5064-A will receive exhibit No. 1566 for identi-
6 fication only.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 1566 for identification.)

10 MR. JUSTICE MANSFIELD: And the marked
11 excerpts therein offered in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: And the marked excerpts
14 therefrom, bearing the same document number, will
15 receive exhibit No. 1566-A.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1566-A and received in evidence.)

19 MR. JUSTICE MANSFIELD: This document described
20 the condition of some of the men of F Force who returned
21 from the railway camps in December, 1943:

22 "These men were in a shocking condition,
23 suffering from gross attacks of beri-beri, and its
24 various types, malaria, tropical ulcers and gross
25 debility. The loss of weight was simply appalling.

1 The average loss of weight would appear to be in.
2 the neighbourhood of 70-80 lbs. per individual.
3 Approximately 80 per cent of these men had to
4 be admitted immediately to hospital."

5 Prosecution document numbered 5013, the
6 a fidavit of R. G. WILLIAMS, is offered for identi-
7 fication.

8 CLERK OF THE COURT: Prosecution document
9 No. 5013 will receive exhibit No. 1567 for identi-
10 fication only.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1567 for identification.)

14 MR. JUSTICE MANSFIELD: And the excerpts
15 marked therein now produced in evidence.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: The marked excerpts
18 therefrom, bearing the same document number, will
19 receive exhibit No. 1567-A.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 1567-A and received in evidence.)

23 MR. JUSTICE MANSFIELD: This document describes
24 the nightmare journey of prisoners of war by cattle
25 truck from Singapore to Siam. Men were overworked,

1 underfed, lived in appalling filth, were beaten and
2 forced to work when sick at camps in and near
3 KINSIOK. Dysentery, malaria and cholera took their
4 toll. Clothing hardly existed and after a day's work,
5 some men actually were only able to crawl back to
6 camp. Towards the end of the construction of the
7 railway, men were forced to work impossible hours,
8 and the Japanese recklessly disregarded the danger
9 of landslides so that on one occasion six men were
10 needlessly killed.

11 Prosecution document numbered 5067, the
12 affidavit of Lieutenant Colonel E. J. BARRETT,
13 R.A.M.C., is tendered for identification.

14 CLERK OF THE COURT: Prosecution's document
15 No. 5067 will receive exhibit No. 1568 for identi-
16 fication only.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1568 for identification.)

20 MR. JUSTICE MANSFIELD: And the marked
21 excerpts offered in evidence.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: And the marked excerpts
24 therefrom, bearing the same document number, will
25 receive exhibit No. 1568-A.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 1568-A and received in evidence.)

4 MR. JUSTICE MANSFIELD: This document treats
5 of the conditions in CHUNGKAI Sick Camp between May
6 1943 and January 1944. The average number of prisoners
7 of war in the camp was 8,000. They consisted of
8 men sent from the railway camps suffering from various
9 injuries and diseases. In seven months 1400 prisoners
10 died, many from tropical ulcers which had been caused
11 by injury at work or from the guards, and from
12 deficiency diseases.

13 There were no anaesthetics, no instruments
14 and a meagre supply of drugs. The witness states:

15 "One day 5 Japanese doctors came to see
16 the camp. I asked them to watch an amputation which
17 was being carried out on a tropical ulcer case.
18 During the course of the operation one of the Japanese
19 doctors fainted and another was sick. Thinking this
20 was a good opportunity to request proper instruments
21 and supplies of drugs, I made a request to them and
22 their answer was that I must realize that these were
23 prisoners of war and no supply could be made."
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1 Prosecution document numbered 5072, the
2 affidavit of Sgt. C. Berry, is now offered for identifi-
3 cation.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5072 will receive exhibit No. 1569 for identification
6 only.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 1569 for identification.)

10 MR. JUSTICE MANSFIELD: And the marked
11 excerpts are offered in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: The marked excerpts
14 therefrom, bearing the same document number, will
15 receive exhibit No. 1569-A.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1569-A and received in evidence.)

19 MR. JUSTICE MANSFIELD: This document states
20 that the witness was at Sungkrai from May, 1943 until
21 September, 1943:

22 "When at Sungkrai I was at No. 2 Camp (Death
23 Valley) and was forced to work on the road during my
24 first nine days. At Sungkrai there were bamboo buildings
25 without roofs or sides. There was mud on the floors

1 which had no foundations whatever. Above the floor
2 there was bamboo matting. The first night 1680
3 prisoners of war were put into two huts about 200
4 metres long and about 24 feet broad. It was raining
5 when we arrived and it continued all night. There
6 was no cover whatsoever and the monsoon rain came
7 down and no one had groundsheets or other protection.
8 It soon became absolutely impossible to lie there.
9 The only alternative was to light fires and keep warm
10 by standing around them. We stayed there all night
11 until 0500 hours the following morning when everybody
12 paraded prior to going on to the railroad the first
13 day. We were given no opportunity of cleaning up or
14 making the camp inhabitable. We were divided into
15 groups of fifty and positions were allotted four miles
16 on each side of the camp. My particular party was
17 marched about three miles from the camp. It was rain-
18 ing very hard and we were very cold, only getting
19 half a pint of rice for breakfast, which was served
20 at 0530 hours. Each man was issued with a spade, a
21 basket and a pick. We started work immediately digging
22 the road and we stopped for ten minutes every five
23 hours. Half a pint of rice was issued at a quarter to
24 one and then we continued. We marched back to the camp
25 at 1830 hours. This was the daily routine.

1 "After two days of rain the camp was nothing
2 but a sea. No protection was afforded against the
3 rain. Every man in the camp had to line up in the
4 dark for a further quarter of a pint of rice and
5 vegetable stew at about 1915 hours. During the day's
6 work nobody was permitted by the Japanese to leave
7 the party if they were ill or hurt in any way. After
8 eight days, during which period it rained steadily,
9 palm branches were placed on the roof as a protection
10 and also on the sides of the huts. Nothing was done
11 about the floor and below the bamboo mats the water
12 rushed through. The men had to lie down on the bamboo,
13 in the damp.

14 "On my second day there, cholera broke out.
15 No preparation had been made for an isolation hospital
16 and the cases could not be segregated. After approxi-
17 mately a week from the time of my arrival, the Japanese
18 provided a hut for cholera cases and the following
19 day I was sent as a medical orderly for duty at the
20 hut. This hut was only partly roofed against the rain
21 and the centre of the hut coincided with the course
22 of the water escaping down the hillside. There were
23 bamboo mats on the sides of the wall of the hut but
24 there was nothing in the centre where the major part
25 of the water came through. There were so many casualties

1 that there was insufficient room by the walls and some
2 had to lie in the water. The holes in the roof were
3 so large that the rain came through on to the men who
4 were lying beneath. We had no water other than water
5 from the roof, which we had to boil. There was no
6 accommodation for the orderlies, who had to sleep
7 among the patients. No cholera inoculation was possible.

8 "The casualties were carried to the hospital
9 by the fit prisoners of war on groundsheets. Cholera
10 being highly contagious, these men were frequently
11 infected and died. There was no lighting whatever
12 and when I was on night duty it was impossible to
13 remove the dead, who in consequence had to remain
14 among the living until daybreak. On the first day
15 thirty-eight men died and were left outside the hut,
16 no provision being made for them to be removed. There
17 was a cremation party of prisoners of war but these
18 could do nothing because the Japanese refused to
19 give them shovels or other implements with which to
20 bury the bodies. There were any number of tools be-
21 cause they had to be used for digging the road. These
22 thirty-eight men were left outside the hut for two
23 days, only some of them being covered. Eventually
24 after two days the Japanese gave facilities for burying
25 them.

1 "Another hut was made available for dysentery
2 cases. The Japanese used to test all prisoners of
3 war for dysentery by putting either a piece of bamboo
4 or a piece of wire or a glass tube up the rectum.
5 This was a painful operation for those who were fit.
6 They would take out persons who were extremely ill
7 or dying of dysentery and would carry out this test,
8 and this in bad cases definitely precipitated death
9 by reason of the pain and the fact of their being
10 moved. Convalescents were forced to carry bamboos
11 long distances in the rain with bare feet, with the
12 result that their feet were torn and resulting in
13 ulcers, for which there were no facilities for treat-
14 ment, and many of them died....."

15 Prosecution document numbered 5031-A, the
16 affidavit of Major R.J. Campbell, is offered for
17 identification.

18 CLERK OF THE COURT: Prosecution's document
19 No. 5031-A will receive exhibit No. 1570 for identifi-
20 cation only.

21
22 (Whereupon, the document above re-
23 ferred to was marked prosecution's exhibit
24 No. 1570 for identification.)

25 MR. JUSTICE MANSFIELD: And the marked
excerpts thereof produced in evidence.

1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: The marked excerpts
3 therefrom, bearing the same document number, will
4 receive exhibit No. 1570-A.

5 (Whereupon, the document above re-
6 ferred to was marked prosecution's exhibit
7 No. 1570-A and received in evidence.)

8 MR. JUSTICE MANSFIELD: This affidavit states
9 that the camp at Tamarkan was close to bridges which
10 spanned a river and these were repeatedly bombed.
11 Permission to mark the camp as containing P/W was
12 refused, and in one raid 18 men were killed and huts
13 set on fire.

14 At Kanburi Camp in June, 1945, a British
15 officer, the Camp interpreter, was beaten into
16 insensibility by Japanese officers. He was then put
17 into a covered slit trench, 5 ft. by 2 ft. 6 ins.
18 by 4 ft., which had six inches of water and mud in it
19 and was infested with mosquitoes. The officer had
20 only a pair of shorts. He was given water and one
21 ball of rice per day. Later he was taken back to the
22 guard room where he was threatened with torture as a
23 result of which he endeavoured to commit suicide.

24 Two months later he was recovered by P/W
25 doctors who said he would have been dead in a few more

1 days. He was insane, suffered from blackwater fever
2 and was terribly emaciated. He had not washed or
3 shaved during the period and had not defecated for
4 two months during the eighty days he spent in the
5 trench.

6 Prosecution document numbered 5074, the
7 affidavit of C.M.S. G. Knowles, is now offered for
8 identification.

9 CLERK OF THE COURT: Prosecution's document
10 No. 5074 will receive exhibit No. 1571 for identific-
11 ation only.

12 (Whereupon, the document above re-
13 ferred to was marked prosecution's exhibit
14 No. 1571 for identification.)

15 MR. JUSTICE MANSFIELD: And the marked
16 exhibits therein produced in evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: The marked excerpts
19 therefrom, bearing the same document number, will
20 receive exhibit No. 1571-A.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1571-A and received in evidence.)

24 MR. JUSTICE MANSFIELD: This affidavit relates
25 to the savage beating of prisoners of war at Kanburi.

1 Men were beaten with teak poles on all parts of the
2 body until in some cases the men were broken and
3 unrecognizable and two officers were murdered.

4 Prosecution document numbered 5075, the
5 affidavit of Sub-Lieutenant J.O. Caun, is tendered
6 for identification.

7 CLERK OF THE COURT: Prosecution's document
8 No. 5075 will receive exhibit No. 1572 for identific-
9 ation only.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1572 for identification.)

13 MR. JUSTICE MANSFIELD: And the marked
14 excerpts thereof now offered in evidence.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: And the excerpts there-
17 from, bearing the same document number, will receive
18 exhibit No. 1572-A.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1572-A and received in evidence.)

22 MR. JUSTICE MANSFIELD: This affidavit states
23 that in July 1943, at Kanburi the witness on being
24 told that some sick men had arrived there found them
25 crawling about the 3 kilometre stretch separating the

1 railway station from the camp. One orderly had been
2 sent with 170 men suffering from beri beri, dysentery,
3 tropical ulcers and cholera to this camp. It took
4 five hours to find all these men.

5 The Japanese adjutant of the camp said he
6 would open a new hospital for them. He ordered some
7 P/W to break down the fence which separated the camp
8 from that of a Japanese cavalry regiment which had
9 left the day before. There were 20 empty huts in
10 most of which there was animal dung and filth. The
11 adjutant ordered the sick men to be moved here within
12 an hour.

13 It was two weeks before medical staff was
14 gathered to look after the hospital. By this time
15 there were over 1,500 patients and the daily death
16 rate was between seven and twelve.

17 A month later, despite all efforts, dysentery
18 patients were still lying on the ground in a hut with-
19 out platforms.

20 The hospital came under the direct control
21 of Japanese H.Q. An officer of the Japanese General
22 Staff, P/W Command visited the hospital three days
23 after its grisly opening, and saw the disgraceful
24 conditions in which the sick were living.

25

1 The prosecution now tenders document
2 No. 5450, being a synopsis of evidence.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5450 will receive exhibit No. 1573.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1573 and received in evidence.)

9 MR. JUSTICE MANSFIELD: Prosecution document
10 numbered 5128, the affidavit of Major R. Crawford,
11 is now offered for identification.

12 CLERK OF THE COURT: Prosecution's document
13 No. 5128 will receive exhibit No. 1574 for identifi-
14 cation only.

15 (Whereupon, the document above
16 referred to was marked prosecution's exhibit
17 No. 1574 for identification only.)

18 MR. JUSTICE MANSFIELD: The marked excerpts
19 thereof being produced in evidence.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: The marked excerpts
22 therefrom bearing the same document number will receive
23 exhibit No. 1574-A.

24 (Whereupon, the document above
25 referred to was marked prosecution's exhibit

No. 1574-A and received in evidence.)

1
2 MR. JUSTICE MANSFIELD: This document
3 states that in June 1943, the witness was appointed
4 officer commanding "K" Force, a unit of 230
5 prisoner of war medical personnel designed to
6 give medical assistance to coolies and prisoners
7 of war employed on the construction of the Burma-
8 Siam Railway.

9 The witness states that the journey to
10 the working sites involved for many gangs of
11 coolies, marches of indescribable hardship. Con-
12 ditions in coolie working and hospital camps were
13 disgraceful and a grave danger to the lives of
14 those living therein.

15 The witness further states that:

16 "In these camps, at some periods, there
17 were no or quite inadequate sanitary arrangements,
18 the entire camp area being, consequently, heavily
19 contaminated with feces. In practically no camp
20 was a satisfactory water supply provided, the gen-
21 eral source being raw river water even with cholera
22 prevalent. Sleeping accommodation was in many
23 cases quite inadequate or of the most primitive kind.
24 Tents were generally and huts frequently not weather
25 proof; coolies often had to sleep on the ground.

1 Blankets were not provided, an occasional sack
2 being issued as a substitute, and the clothing
3 issue for coolies was at most a flimsy sarong.
4 The food supplies to laborers was frequently 'poor'
5 or 'bad' and quite below the level necessary for
6 the maintenance of good health in individuals doing
7 heavy manual labor.

8 "The unsatisfactory conditions here de-
9 scribed were conducive to widespread disease of
10 many kinds, the principal of which were dysentery,
11 cholera, pneumonia, ulcers and deficiency diseases.
12 Conditions hereinbefore described apply not only
13 to male coolies but also to women and children
14 who were brought by the Japanese to work on the
15 railway.

16 "Arising from these gravely unsatisfactory
17 living, feeding and working conditions sickness
18 among laborers was over considerable periods enormous,
19 and the indifference of the Japanese, their failure
20 to take steps to combat sickness, their failure to
21 supply suitable and adequate medical supplies con-
22 stitute criminal neglect. The Japanese were in the
23 vast majority of cases entirely insensible to sick-
24 ness and hardships suffered by the laborers and their
25 attitude indicated only a determination to complete

1 the railway at all costs with complete indifference
2 to the number of deaths that might and were caused
3 thereby.

4 "Any efforts that 'K' Medical Force might
5 have made to help the laborers were virtually
6 nullified in advance by the conditions under which
7 they had to work and for which the Japanese medical
8 administration at all levels is directly responsible.

9 "(a) The medical officer and his staff
10 worked under the orders of an ignorant and ill-
11 trained Japanese medical NCO or private.

12 "(b) The medical staff of 'K' Force
13 were, at the whim of the Japanese medical orderly,
14 so restricted in their access to sick coolies that
15 coordinated policy and continuous treatment were
16 impossible. The medical force (including medical
17 officers) was largely employed on manual labor,
18 and medical officers were generally submitted to
19 degrading and insulting treatment such as the per-
20 formance of manual labor, working in Japanese
21 kitchens and as servants to Japanese.

22 "(c) There was extreme inadequacy of
23 medical equipment and supplies."

24 Examples of the incredible conditions in
25 individual camps are given indicating the similarity

1 in the neglect of the basic humanities and in the
2 evil treatment accorded to the men in all the
3 camps mentioned.

4 Prosecution document numbered 5136, the
5 affidavit of Captain F. H. Wallace, I.M.S., is
6 offered for identification.

7 CLERK OF THE COURT: Prosecution's document
8 No. 5136 will receive exhibit No. 1575 for identifi-
9 cation only.

10 (Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1575 for identification only.)

13 MR. JUSTICE MANSFIELD: The marked excerpts
14 thereof being produced in evidence.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: The marked excerpts
17 therefrom bearing the same document number will
18 receive exhibit No. 1575-A.

19 (Whereupon, the document above
20 referred to was marked prosecution's exhibit
21 No. 1575-A and received in evidence.)

22 MR. JUSTICE MANSFIELD: This affidavit
23 confirms the conditions of coolie camps and the
24 treatment of coolies set out in the preceding docu-
25 ment No. 5128. The present witness states that when

1 coolies suffering from cholera at Kinsayok were
2 thought by the Japanese medical NCO to be too ill
3 to recover, they were pushed into a small lean-to
4 shelter of attap and left to die. They were given
5 no food or water.

6 Coolies who were suffering seriously from
7 cholera were often forced into common pit graves
8 and buried alive. Protest from the coolies meant
9 they were beaten down by Japanese orderlies.

10 In July, 1943, while giving anti-cholera
11 inoculations to coolies, the witness saw them beaten
12 and humiliated. Women were insulted, disinfectant
13 was deliberately sprayed into the eyes of some
14 coolies and the Japanese doctor himself beat them
15 as they were being examined. The doctor explained
16 to the witness that coolies were sub-human and not
17 worthy of consideration.

18 Prosecution document numbered 5256, being
19 the affidavit of R. E. Peterson, is tendered for
20 identification.

21 CLERK OF THE COURT: Prosecution's document
22 No. 5256 will receive exhibit No. 1576 for identi-
23 fication only.

24 (Whereupon, the document above
25 referred to was marked prosecution's exhibit

1 No. 1576 for identification only.)

2 MR. JUSTICE MANSFIELD: And the marked
3 excerpts therein offered in evidence.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: The marked excerpts
6 therefrom bearing the same document number will
7 receive exhibit No. 1576-A.

8 (Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 1576-A and received in evidence.)

11 MR. JUSTICE MANSFIELD: This document
12 states that:

13 "In February 1944 I was in a coolie camp
14 known as Chaymonga. On the 14th February 1944, I
15 contacted a Japanese known to me as Arai (Storm
16 Trooper) Hayashi KARNEATSU. We were in a coolie
17 camp which was also a hospital.

18 "KARNEATSU proceeded to a coolie camp to
19 interview coolies in the hospital. He had a hypo-
20 dermic syringe filled with a red unknown fluid. He
21 ordered the coolies down from their beds and asked
22 them if there were any who could not walk, he told
23 them they were going to be moved to a base hospital
24 and those who could not walk would be carried.

25 "Several staggered forward and were given

1 an injection of the fluid in the big vein in the
2 elbow. All who were inoculated died within a few
3 minutes. When the remainder saw what was happening
4 they said they could walk. When he had finished he
5 proceeded to the dysentery hut.

6 "He looked through this hut and walked
7 away. Later he returned with a large tin of brown
8 sugar in which was mixed a deadly poison. He gave
9 the coolies this to eat, telling them it was good
10 for them.

11 "All who ate this poison died during the
12 day."

13 Prosecution document numbered 5370, the
14 solemn affirmation of THAKIN SA, is now offered
15 for identification.

16 CLERK OF THE COURT: Prosecution's document
17 No. 5370 will receive exhibit No. 1577 for identifi-
18 cation only.

19 (Whereupon, the document above
20 referred to was marked prosecution's exhibit
21 No. 1577 for identification only.)

22 MR. JUSTICE MANSFIELD: And the excerpts
23 marked therein, offered in evidence.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: The marked excerpts

1 therefrom bearing the same document number will
2 receive exhibit No. 1577-A.

3 (Whereupon, the document above
4 referred to was marked prosecution's exhibit
5 No. 1577-A and received in evidence.)

6 MR. JUSTICE MANSFIELD: The document
7 states that in order to enable the Japanese author-
8 ities in Burma to obtain sufficient labor for the
9 construction of the Burma-Siam Railway, they re-
10 cruited coolies.

11 When the promises made by the Japanese
12 to the laborers failed to materialize, they press-
13 ganged every available person into the labor force,
14 since willing recruits were no longer to be found.

15 The witness was appointed a superintendent
16 of labor at Thanbyuzayat in December, 1942, to look
17 after the interests of the coolies as far as pos-
18 sible. He found that men were only released from
19 the force when they were used up physically and no
20 longer employable.

21 "Living accommodation provided for
22 laborers at the camps was insufficient and insanitary.
23 The area where the work had to be done was very
24 damp and laborers had to live in barracks which
25 could not keep out the wet. Barracks intended for

1 150 persons had to house as many as 300. Clothing
2 shortage was acute; when the clothes which the
3 laborers brought from home began to fall into rags,
4 gunny bags were supplied to them to do duty both
5 as wearing apparel and as blankets. No change of
6 clothing was available to most of the laborers and
7 none was provided by the Army. The result was
8 that the clothing of almost all laborers was
9 crawling with vermin and most of them were suffering
10 from a virulent type of skin disease. Food supply
11 was not sufficient; and the rice supplied was
12 weevilly.

13 "Water supply in this area was a carrier
14 of malaria; but steps were not taken to sterilize
15 the water supply, except for a pretence at boiling
16 the water for potable purposes. Medical supply
17 consisted only of quinine and even this was not in
18 sufficient quantities. Cholera broke out soon in
19 the camps and the Japanese sought to combat the
20 spread of this epidemic by cremating the dead and
21 very often persons whom they considered incurable.
22 There were many authentic cases of live cremations.

24 "Laborers were treated as slaves; whips
25 and sticks were freely used on the laborers; and
sickness ordinarily was no excuse.

1 statement of Maung Aye Ko is tendered for identi-
2 fication.

3 CLERK OF THE COURT: Prosecution's document
4 No. 5371 will receive exhibit No. 1578 for identi-
5 fication only.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1578 for identification only.)

9 MR. JUSTICE MANSFIELD: And the excerpts
10 therein offered in evidence.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: The excerpt there-
13 from bearing the same document number will receive
14 exhibit No. 1578-A.

15 (Whereupon, the document above
16 referred to was marked prosecution's exhibit
17 No. 1578-A and received in evidence.)

18 MR. JUSTICE MANSFIELD: This document confirms
19 the evidence of the last witness in prosecution
20 document No. 5370. The present witness became a
21 labor officer in 1943. He found the ill-clad
22 laborers, fevered and hungry, living in disgusting
23 conditions. A large number of men were malarial;
24 many suffered from jungle sores exposing the bones
25 and the vermin infesting them. Deaths at Kyontaw

1 Camp averaged about ten a day.

2 Cholera was rife at Kyonkaya. The dead
3 and dying were piled together and, soaked in petrol,
4 burned. Men were beaten savagely and on one occa-
5 sion the witness found the decomposing bodies of
6 two men who had been left to rot as a warning to
7 prisoners of war and laborers.

8 In or about October, 1943, six prisoners
9 of war escaped from Kilo 126 Camp. On recapture
10 they were beheaded.

11 The witness states that he saw so many
12 floggings, beatings and deaths, that it finally
13 left no impression on him.

14 THE PRESIDENT: We will adjourn now until
15 half-past nine tomorrow morning.

16 (Whereupon at 1600, an adjournment
17 was taken until Wednesday, December 18, 1946,
18 at 0930.)

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