

2026

CC.1.5.1.- dcu

The Swiss Legation has the honor to inform the Imperial Ministry of Foreign Affairs that according to a communication from the Federal Political Department, the British Government is greatly concerned about the food supply of POW and it believes in effect that the prisoners, being accustomed to a different diet, suffer from certain under-nourishment. The Government of the United Kingdom proposes that additional food in the form of soya products, such as soya milk, soya flour and soya butter, be distributed to POW and thus augment the nutritive value of their food. It believes in effect that Japan has a large quantity of these products.

The Legation would be obliged to the Imperial Ministry if it would take up with the competent authorities the matter of this request of the British Government.

In thanking the Ministry in advance for its kind response, the Legation takes this occasion to renew the assurances of its high esteem.

Tokyo, 16 June 1943

To the Imperial Ministry
of Foreign Affairs
Tokyo

Protect ex Swiss Leg re. Double file

Yes

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A "*

*Yamaguchi, Shigemasa
Jun 1942
Jun 1943*

Ch.

THE GAIMUSHO
TOKYO

No. 187/C.R.

N O T E V E R B A L E

The Imperial Ministry of Foreign Affairs has the honor to acknowledge receipt from the Swiss Legation of a note, No. CC.1.5.1.-dcu., dated 16 June, informing the Imperial Government of the request made by the British Government for soya bean products to be supplied to British prisoners of war.

As regards this matter, the British Government had previously made the same proposal through the International Red Cross Committee, to which the Imperial Government had given a reply as per attached copy.

The Ministry requests the Legation to be advised of the particulars from the said copy.

23 June 1943

Attachment

- c o p y -

FOREIGN OFFICE

10th June 1943

Dear Dr. Paravicini,

With reference to your Memorandum of the 21st May addressed to this Ministry concerning an increase in the quantity of soya bean products supplied to British prisoners of war, I beg to inform you that the authorities concerned, who have been and are paying the best possible attention to the quantity and the nutritive value of the food given to prisoners of war, do not see the necessity of increasing the supply of any particular foodstuff.

Yours sincerely,

/s/ F. SUZUKI

Dr. F. Paravicini,
Representative in Japan of the International
Red Cross Committee,
No. 254, Yamasita-cho,
Naka-ku,
Yokohama.

C E R T I F I C A T E

I.P.S. No. 2781-A

Statement of Source and Authenticity

I, Walter Bossi, hereby certify that I am officially connected with the Government of Switzerland in the following capacity: Swiss Diplomatic Representative, and as such official I have custody of the documents described as follows: No. 2781-A-1 - True copy of letter dated 16 June 1943 from the Swiss Minister to the Imperial Ministry of Foreign Affairs (CC.1.5.1.-dou); and No. 2781-A-2 - Note Verbale dated 23 June 1943 from the Japanese Foreign Ministry to the Swiss Legation (No. 187/C.R.), enclosing copy of Note dated 10 June 1943 from the Japanese Ministry of Foreign Affairs to the International Red Cross Committee.

I further certify that the attached letters and notes are official records of the Swiss Legation in Japan and that they are a part of the official archives and files thereof.

Signed at Tokyo on this
5th day of December, 1946.

/s/ W. Bossi
Signature of Official

Witness: /s/ Max R. Joss

Swiss Diplomatic Representative
Official Capacity

Statement of Official Procurement

I, 2nd Lt. Eric W. Fleisher, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Swiss Government in the conduct of my official business.

Signed at Tokyo on this
5th day of December, 1946.

/s/ Eric W. Fleisher, 2nd Lt. AUSMI
NAME

Witness: /s/ J. A. Curtis

Investigator, IPS
Official Capacity

2027
No. 4501

UNITED STATES OF AMERICA

DEPARTMENT OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I CERTIFY THAT the document hereunto annexed is under the Seal of the District of Columbia, and that such Seal is entitled to full faith and credit.

SEAL

IN TESTIMONY WHEREOF, I, DEAN ACHESON, Acting Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this first day of July, 1946.

/s/ Dean Acheson
Acting Secretary of State

By /s/ M. T. Pompei
Authentication Officer
Department of State

Serial No. 820

DISTRICT OF COLUMBIA

SEAL

Washington D. C., July 1, 1946.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I CERTIFY that DAVID H. SCULL

whose name is signed to the accompanying paper, is now,
and was at the time of signing the same, a Notary Public
in and for the District of Columbia duly commissioned and
qualified.

IN WITNESS WHEREOF, I, G. M. Thornett

Secretary to the Board of Commissioners
the District of Columbia, have here-
unto caused the Seal of the District
of Columbia to be affixed on the
day and year first above written.

SEAL

/s/ G. M. Thornett
Secretary, Board of Commissioners

- - INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST - -

THE UNITED STATES OF AMERICA, THE REPUBLIC OF CHINA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE COMMONWEALTH OF AUSTRALIA, CANADA, THE REPUBLIC OF FRANCE, THE KINGDOM OF THE NETHERLANDS, NEW ZEALAND, INDIA, AND THE COMMONWEALTH OF THE PHILIPPINES.

- AGAINST -

ARAKI, Sadao; DOHIHARA, Kenji; HASHIMOTO, Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro; HIROTA, Koki; HOSHINO, Naoki; ITAGAKI, Seishuro KAYA, Okinori; KIDO, Loichi; KIMURA, Heitaro; KOISO, Kuniaki; MATSUI, Iwane; MATSUOKA, Yosuke; MINAMI, Jiro; MUTO, Akira; NAGANO, Osani; OKA, Takasumi; OKAWA, Shunsei; OSHIMA, Hiroshi; SATO, Kenryo; SHIGEMITSU, Manoru; SHIMADA, Shigetaro; SHIRATORI, Toshio; SUZUKI, Teiichi; TOGO, Shigenori; TOJO, Hideki; UMEZU, Yoshijiro. Defendants.

 City of Washington,)
 District of Columbia,) ss.
 United States of America.)

I, E. TOMLIN BAILEY, being duly sworn, on oath depose and say:

I am Assistant Chief of the Special Projects Division of the Department of State of the United States, in charge of Prisoners of War Branch of that Division, in which branch I have served since November, 1942. Since its organization in 1942 and up to the present time, the Prisoners of War Branch has been charged with the duty of initiating and coordinating State Department policy and action in all matters pertaining to civilian internees and prisoners of war and international conventions relating to their status.

The statements hereinafter made are based upon official records of the Department of State, and in particular of the aforesaid Prisoners of War Branch, and relate to matters coming

under my cognizance or to my attention in connection with the carrying out of the functions of the Prisoners of War Branch.

Immediately after the Japanese attack on Pearl Harbor, the Department of State took up with Japan the matter of according proper treatment for American nationals in Japanese hands. Although Japan was not a party to the Geneva Prisoners of War Convention, the Department of State obtained from the Japanese Government a commitment to apply the provisions of that convention to American prisoners of war, and, so far as adaptable, to civilian internees held by Japan.

This commitment was made in a communication by the Japanese Government to the Swiss Minister at Tokyo in Charge of American Interests in Japan. The message was received through the American Legation at Bern in a telegram dated February 4, 1942, and stated that the Japanese Government informed the Swiss Minister that, "although not bound by the Convention relative to prisoners of war, Japan will apply mutatis mutandis provisions of that Convention to American prisoners of war in its power." In a telegram dated February 24, 1942, it was reported that the Ministry of Foreign Affairs declared to the Swiss Minister in Tokyo that Japan would "apply on condition of reciprocity Geneva Convention for treatment of prisoners of war and civilian internees in so far as convention shall be applicable."

Thereafter, the State Department by repeated protests and representations, through the Swiss Government, again and again called to the Japanese Government's attention failures on the

part of Japanese authorities to live up to their Government's undertakings, and warned the Japanese Government in unequivocal terms that the American Government would hold personally and officially responsible for their acts of depravity and barbarity all officers of the Japanese Government who had participated in their commitment and, with the conclusion of the war, would visit upon such Japanese officers the punishment they deserved for their uncivilized and inhumane acts against American prisoners of war.

These protests, representations and warnings originated in the Prisoners of War Branch, and I personally prepared many of them. They were based upon information obtained from representatives of the Swiss Government in charge of American interests in Japan and in Japanese controlled territory, from the International Red Cross Committee, from repatriates and from recovered military personnel.

On January 27, 1944, the State Department despatched to the Japanese Government, via the Swiss Government, two telegrams which were personally drafted by me, summarizing the protests and representations which had theretofore been submitted to the Japanese Government and demanding amelioration of the treatment being accorded American nationals in Japanese custody. The first of these telegrams listed the principal categories of deprivations of rights, cruelties, wanton neglect and mistreatment and referred to the specific Article of the Geneva Prisoners of War Convention, or other undertaking, violated; the second

recited specific instances coming under each category. These communications included the following charges:

"I. Representatives of the Swiss Government entrusted with the protection of American interests in Japan and Japanese-occupied territory have not been permitted to go to every place without exception where prisoners of war and civilian internees are interned, have not been permitted to interview without witnesses the persons held, and have not had access to all places occupied by the prisoners (Article 86 of the Geneva Prisoners of War Convention).

"II. Representatives of the International Red Cross Committee have been refused permission to visit most of the places where American nationals are held by the Japanese authorities (Articles 79 and 88).

"III. American nationals have not been permitted to forward complaints to the Japanese holding authorities or to representatives of the protecting power (Article 42).

"IV. The Japanese authorities have punished and have threatened to punish American nationals for complaining concerning the conditions of captivity (Article 42).

"V. The Japanese Government has failed to furnish needed clothing to American nationals (Article 12).

"VI. The Japanese authorities have confiscated personal effects from American civilian internees and prisoners of war (Article 6).

"VII. American prisoners of war and civilian internees have been subjected to insults and public curiosity (Article 2).

"VIII. Civilians and prisoners of war interned by Japan are suffering from malnutrition and deficiency diseases because of the failure and refusal of the detaining authorities to provide health sustaining food for their charges, or to permit the United States to make regular shipments on a continuing basis under appropriate neutral guarantees of supplemental food and medical supplies. (Article 11 and the specific reciprocal undertaking of Japan to take into account national differences in diet).

"IX. The Japanese authorities have devoted to improper and forbidden uses the profits of the sale of good in camp canteens instead of devoting them to the welfare of the persons held in the camps (Article 12).

"X. Contrary to the specific undertaking of the Japanese Government, the detaining authorities have compelled civilians to perform labor other than that connected with the administration, maintenance and management of internment camps. Officer prisoners of war have been forced to labor and noncommissioned officers to do other than supervisory labor (Article 27).

"XI. Prisoners of war have been required to perform labor that has a direct relation with war operations (Article 31).

"XII. Medical care has in many instances been denied to prisoners of war and civilian internees and when given has been generally so poor as to cause unnecessary suffering and unnecessary deaths (Article 14).

"XIII. The Japanese Government has reported the names of only a part of the American prisoners of war and civilian internees in its hands (Article 77) and of American combatants found dead by Japanese forces (Article 4 of the Convention for the Amelioration of the Condition of the Sick and Wounded of Armies in the Field, to which Japan is a contracting party).

"XIV. The Japanese Government has not permitted internees and prisoners of war freely to exercise their religion (Article 16).

"XV. The Japanese Government has not posted the Convention in camps in English translation, thus depriving American prisoners of war and civilian internees of knowledge of their rights thereunder (Article 84).

"XVI. The Japanese Government has failed to provide adequate equipment and accommodations in prisoner of war and civilian internment camps and transports, but on the contrary forced them to subsist in inhumane conditions (Article 10).

"XVII. The Japanese Government has completely failed to apply the provisions of the Geneva Prisoners of War Convention (Title III, Section V, Chapter 3) with regard to trial and punishment of prisoners of war despite the fact that violations of its undertaking in this respect have repeatedly been called to its attention, but on the contrary has imposed cruel and inhuman punishments without trial.

"XVIII. The Japanese authorities have inflicted corporal punishment and torture upon American nationals (Article 46)."

In support of the above charges the following specific instances were recited:

"Charges I and II. Prisoner of war and civilian internment camps in the Philippines, French Indo-China, Thailand, Manchuria, Burma, Malaya, and the Dutch East Indies, and prisoner of war camp No. 1 in Formosa have never been visited by Swiss representatives although they have repeatedly requested permission to make such visits. None of these camps except the one at Mukden are known to have been visited by International Red Cross representatives. In recent months visits have not been allowed to the prisoner of war camps near Tokyo and Yokohama, and the prisoner of war camps in and near Hong Kong, although the Swiss representatives have requested permission to make such visits.

"The value of such few visits as have been permitted to some camps has been minimized by restrictions. Swiss representatives at Shanghai have been closely escorted by several representatives of the Japanese Consulate General at Shanghai during their visits to camps and have not been allowed to see all parts of camps or to have free discussion with the internees. Similar situations prevail with respect to the civilian internment camps and prisoner of war camps in metropolitan Japan and Formosa.

"By contrast, all of the camps, stations, and centers where Japanese nationals are held by the United States have been repeatedly visited and fully inspected by representatives of Spain and Sweden who have spoken at length without witnesses with the inmates, and International Red Cross representatives have been and are being allowed freely to visit the camps in the United States and Hawaii where Japanese nationals are held.

"Charge III. Communications addressed by the persons held to the protecting Power concerning conditions of captivity in several of the civilian camps near Shanghai, among them Ash Camp and Chapei, remain undelivered. The same situation exists with respect to the civilian internment camp in Baguio, and in most if not all the camps where American prisoners of war are held. Persons held at Baguio, Chefoo, Saigon, and at times in the Philippine prisoner of war camps were denied permission to address the camp commander.

"Charge IV. On one occasion during the summer of 1943 all of the persons held at the Columbia Country Club, Shanghai, were punished by cancellation of dental appointments because complaints were made to representatives of the Swiss Consulate General. During the same period, at Camp B. Yangchow, the entire camp was deprived of a meal by the Camp Commandant because complaints had been made concerning the delivery of spoiled food.

"There are cited under Section XVIII below, cases of prisoners of war being struck because they asked for food or water.

"Charge V. Civilian internees at Hong Kong have gone without footwear and civilian internees at Kobe have suffered from lack of warm clothing. In 1942 and 1943, American and Filipino prisoners of war in the Philippines and civilian internees at Baguio were forced to labor without shoes and clad only in loin cloths.

"Charge VI. This is reported to have been the case at the following camps: prisoner of war camps in the Philippine Islands, prisoner of war enclosures at Mariveles Bay, Philippine Islands, civilian internment camps at Baguio, Canton, Chefoo, Peking, Manila, Tsingtao, Weihsien, and Yangchow, and at the Ash Camp, Chapoi Camp, Lungkwa Camp, and Pootung Camp, in or near Shanghai. The articles most needed by the prisoners and internees have been taken. For example, Japanese soldiers took the shoes from an American officer prisoner of war who was forced to walk unshod from Bataan to San Fernando during the march which began about April 10, 1942. Although the prisoners constantly suffered from lack of drinking water canteens were taken from prisoners during this march; one of these victims was Lieutenant Colonel William E. Dyess.

"At Corregidor a Japanese soldier was seen by Lieutenant Commander Melvyn H. McCoy with one arm covered from elbow to wrist and the other arm half covered with wrist watches taken from American and Filipino prisoners of war.

"Charge VII. American prisoners of war in Manila were forced by Japanese soldiers to allow themselves to be photographed operating captured American military equipment in connection with the production of the Japanese propaganda film "Rip down the Stars and Stripes."

"Prisoners of war from Corregidor being taken to Manila were not landed at the port of Manila but were unloaded outside the city and were forced to march through the entire city to Bilibid Prison about May 23, 1942.

"Japanese school children, soldiers, and civilians have been admitted to internment camps and encouraged to satisfy curiosity regarding the persons held. Such tours were conducted at Baguio, Hong Kong, and Tsingtao.

"Charge VIII. Deficiency diseases such as beriberi, pellagra, scurvy, sprue, et cetera, are common throughout Japanese internment camps. These diseases are least common in the civilian internment camps (called assembly centers) at Shanghai and in some other camps where the persons held have but recently been taken into custody or where trade by the internees themselves with outside private suppliers is allowed. It appears, therefore, that the great prevalence of deficiency diseases in prisoner of war camps where internees have been solely dependent upon the Japanese authorities for their food supply over an extended period is directly due to the callous failure of these authorities to utilize the possibilities for a health sustaining diet afforded by available local products. The responsibility for much of the suffering and many of the deaths from these diseases of American and Filipino prisoners of war rests directly upon the Japanese authorities. As a specific example, prisoners of war at Davao Penal Colony suffering from grave vitamin deficiencies could see from their camp trees bearing citrus fruit that they were not allowed to pluck. They were not even allowed to retrieve lemons seen floating by on a stream that runs through the camp.

"Charge IX. For example, in the prisoner of war camps at Hong Kong, the profits of the canteens have not been used by the holding authorities for the benefit of the prisoners.

"Charge X. At Baguio civilian internees have been forced to repair sawmill machinery without remuneration.

Officer prisoners of war have been compelled by Major Mida, the Camp Commandant at Davao Penal Colony, to perform all kinds of labor including menial tasks such as scrubbing floors, cleaning latrines used by Japanese troops and working in the kitchens of Japanese officers.

"Charge XI. Ten American engineers were required to go to Corregidor in July 1942 to assist in rebuilding the military installations on that island, and prisoners of war have been worked in a machine tool shop in the arsenal at Mukden.

"Charge XII. The condition of health of prisoners of war in the Philippine Islands is deplorable. At San Fernando in April 1942, American and Filipino prisoners were held in a barbed-wire enclosure so overcrowded that sleep and rest were impossible. So many of them were sick and so little care was given to the sick that human excrement covered the whole area. The enclosure at San Fernando was more than 100 kilometers from Bataan and the abominable treatment given to the prisoners there cannot be explained by battle conditions. The prisoners were forced to walk this distance in seven days under merciless driving. Many who were unable to keep up with the march were shot or bayoneted by the guards. During this journey, as well as at other times when prisoners of war were moved in the Philippine Islands, they were assembled in the open sun even when the detaining authorities could have allowed them to assemble in the shade. American and Filipino prisoners are known to have been buried alive along the roadside and persistent reports have been received of men who tried to rise from their graves but were beaten down with shovels and buried alive.

"At Camp O'Donnell conditions were so bad that 2,200 Americans and more than 20,000 Filipinos are reliably reported to have died in the first few months of their detention. There is no doubt that a large number of these deaths could have been prevented had the Japanese authorities provided minimum medical care for the prisoners. The so-called hospital there was absolutely inadequate to meet the situation. Prisoners of war lay sick and naked on the floor, receiving no attention and too sick to move from their own excrement. The hospital was so overcrowded that Americans were laid on the ground outside in the heat of the blazing sun. The American doctors in the camp were given no medicine, and even had no water to wash the human waste from the bodies of the patients. Eventually, when quinine was issued, there was only enough properly to take care of ten cases of malaria, while thousands of prisoners were suffering from the disease. Over two hundred out of the three hundred prisoners from Camp O'Donnell died while they were on a work detail at Batangas.

"At Cabanatuan there was no medicine for the treatment of malaria until after the prisoners had been in the camp for five months. The first shipment of medicines from the Philippine Red Cross was held up by the camp authorities on the pretext that they must make an inventory of the shipment. This they were so dilatory in doing that many deaths occurred before the medicine was released. Because of lack

of medicines and food, scurvy broke out in the camp in the Fall of 1942. Since the prisoners had been at the camp for some months before this disease became prevalent the responsibility for it rests upon the detaining authorities.

"It is reported that in the autumn of 1943 fifty percent of the American prisoners of war at Davao had a poor chance to live and that the detaining authorities had again cut the prisoners' food ration and had withdrawn all medical attention.

"Though the medical care provided for civilian internees by the Japanese camp authorities appears to have been better than that provided for prisoners of war, it still does not meet the obligations placed on the holding authorities by their Government's own free undertaking and by the laws of humanity. At the civilian internment camp, Camp John Hay, childbirth took place on the floor of a small storeroom. At the same camp a female internee who was insane and whose presence was a danger to the other internees was not removed from the camp. A dentist who was interned at the camp was not permitted to bring in his own equipment. The Los Baneos Camp was established at a recognized endemic center of Malaria, yet quinine was not provided, and the internees were not allowed to go outside of the fence to take antimalaria measures.

"The Japanese authorities have not provided sufficient medical care for the American civilians held in camps in and near Shanghai and the internees have themselves had to pay for hospitalization and medical treatment. Deaths directly traceable to inadequate care have occurred.

"Even in metropolitan Japan, the Japanese authorities have failed to provide medical treatment for civilian internees, and it has been necessary for Americans held at Myeshi, Yamakita, and Sumiro to pay for their own medical and dental care.

"Charge XIV. For example the internees at Camp John Hay were not allowed to hold religious services during the first several months of the camp's operation, and priests have not been allowed to minister to prisoners held by the Japanese in French Indo-China.

"Charge XV. No copy of an English translation of the text of the Geneva Prisoners of War Convention has been available to civilian internees or prisoners of war nor have the Japanese authorities taken other steps to inform the persons held of their rights under the terms of the Convention. Reports have been received of the Japanese authorities informing prisoners of war that they were captives, having no rights under international law or treaty.

"Charge XVI. At Camp O'Donnell many of the men had to live without shelter during 1942. In one case twenty-three officers were assigned to a shack, fourteen by twenty feet in size. Drinking water was extremely scarce, it being necessary to stand in line six to ten hours to get a drink. Officers had no bath for the first thirty-five days in the camp and had but one gallon of water each in which to have their first baths after that delay. The kitchen equipment consisted of cauldrons and a fifty-five gallon drum. Canotes were cooked in the cauldrons, mashed with a piece of timber, and each man was served one spoonful as his ration.

"In late October 1942, approximately 970 prisoners of war transferred from the Manila area to the Davao Penal Colony on a transport vessel providing only twenty inches per man of sleeping space. Conditions on the vessel were so bad that two deaths occurred, and subsequently because of weakness some fifty percent of the prisoners fell by the roadside on the march from the water front at Lasang, Davao, to the Penal Colony.

"The places used by the Japanese authorities for the internment of American civilians in the Philippine Islands were inadequate for the number of persons interned. At the Brent School at Baguio, twenty to thirty civilians were assigned sleeping accommodations in a room which had been intended for the use of one person.

"At the Columbia Country Club at Shanghai the internees were obliged to spend CRB \$10,000 of their own funds to have a building deloused so that they might use it for a needed dormitory. At Weihsien no (repeat no) refrigeration equipment was furnished by the Japanese authorities and some of the few household refrigerators of the internees were taken from them and were used by the Japanese guards, with the result that food spoiled during the summer of 1943. The lack of sanitary facilities is reported from all of these camps.

"Charge XVII. American personnel have suffered death and imprisonment for participation in military operations. Death and long-term imprisonment have been imposed for attempts to escape for which the maximum penalty under the Geneva Convention is thirty days arrest. Neither the American Government nor its protecting Power has been informed in the manner provided by the Convention of these cases or of many other instances when Americans were subjected to illegal punishment. Specific instances are cited under the next charge.

"Charge XVIII. Prisoners of war who were marched from Bataan to San Fernando in April 1942 were brutally treated by Japanese guards. The guards clubbed prisoners who tried to get water, and one prisoner was hit on the head with a club for helping a fellow prisoner who had been knocked down by a Japanese army truck. A colonel who pointed to a can of salmon by the side of the road and asked for food for the prisoners was struck on the side of his head with the can by a Japanese officer. The colonel's face was cut open. Another colonel who had found a sympathetic Filipino with a cart was horsewhipped in the face for trying to give transportation to persons unable to walk. At Lubao a Filipino who had been run through and gutted by the Japanese was hung over a barbed-wire fence. An American Lieutenant Colonel was killed by a Japanese as he broke ranks to get a drink at a stream.

"Japanese sentries used rifle butts and bayonets indiscriminately in forcing exhausted prisoners of war to keep moving on the march from the Cabanatuan railroad station to Camp No. 2 in late May 1942.

"At Cabanatuan Lieutenant Colonels Lloyd Biggs and Howard Breitung and Lieutenant R. D. Gilbert, attempting to escape during September 1942 were severely beaten about the legs and feet and then taken out to the camp and tied to posts, were stripped and were kept tied up for two days. Their hands were tied behind their backs to the posts so that they could not sit down. Passing Filipinos were forced to beat them in the face with clubs. No food or water was given to them. After two days of torture they were taken away and, according to the statements of Japanese guards, they were killed, one of them by decapitation. Other Americans were similarly tortured and shot without trial at Cabanatuan in June or July 1942 because they endeavored to bring food into the camp. After being tied to a fence post inside the camp for two days they were shot.

"At Cabanatuan during the summer of 1942 the following incidents occurred: A Japanese sentry beat a private as brutally with a shovel across the back and the thigh that it was necessary to send him to the hospital. Another American was crippled for months after his ankle was struck by a stone thrown by a Japanese. One Japanese sentry used the shaft of a golf club to beat American prisoners, and two Americans caught while obtaining food from Filipinos, were beaten unmercifully on the face and body. An officer was

struck behind the ear with a riding crop by a Japanese interpreter. The same officer was again beaten at Davao Penal Colony and is now suffering from partial paralysis of the left side as the result of these beatings. Enlisted men who attempted to escape were beaten and put to hard labor in chains.

"At the Davao Penal Colony, about April 1, 1943, Sergeant McFee was shot and killed by a Japanese guard after catching a canteen full of water which had been thrown to him by another prisoner on the opposite side of the fence. The Japanese authorities attempted to explain this shooting as an effort to prevent escape. However, the guard shot the sergeant several times and, in addition, shot into the barrack on the opposite side of the fence toward the prisoner who had thrown the canteen. At about the same time and place an officer returning from a work detail tried to bring back some sugar-cane for the men in the hospital. For this he was tied to a stake for twenty-four hours and severely beaten.

"In the internment camp at Baguio a boy of sixteen was knocked down by a Japanese guard for talking to an internee girl, and an elderly internee was struck with a whip when he failed to rise rapidly from his chair at the approach of a Japanese officer. Mr. R. Gray died at Baguio on March 15, 1942 after being beaten and given the water cure by police authorities.

"At Sante Tomas, Mr. Krogstadt died in a military prison after being corporally punished for his attempted escape."

From January 27, 1944 until the end of hostilities the State Department made to the Japanese Government numerous additional protests and representations concerning instances similar to these hereinabove set forth. A few of these instances were:

On June 14, 1944 further representations were made regarding visits to prisoner of war camps.

On July 7, 1944 a protest was made against the inadequate housing facilities and medical care given to the aged, ill and helpless American civilian internees at Shanghai.

On August 25, 1944 a further protest was made regarding the inadequacy of food, clothing and medical supplies accorded American civilian internees in China.

On August 31, 1944 a protest was made against the torture and decapitation of an American airman by the Japanese in New Guinea.

On September 11, 1944 a protest was made against the removal of certain civilians from the internment camp at Los Banos, Philippine Islands, to Fort McKinley near Manila, where the Japanese maintained an ammunition dump.

On September 15, 1944 a protest was made against the Japanese order issued to their armed forces in Sian that enemy air personnel were not to be treated as prisoners of war.

On September 26, 1944 a protest was made concerning the torture and execution of an American soldier near Arayat, Pampanga, Philippines, on September 21, 1943.

On November 1, 1944 a protest was made against the failure of the Japanese Government to report promptly information necessary to enable the United States Government to keep up to date individual records for each prisoner of war. This protest cited the case of an American who was shot by the Japanese and the incident reported one and a half years later.

On January 23, 1945 a protest was made against the treatment and conditions of internment of American prisoners of war at Camp Kawasaki No. 2.

On February 20, 1945 messages were despatched to the effect that the United States Government did not consider that the reply made by the Japanese Government to early protests were satisfactory and that the American Government would continue to hold the Japanese Government responsible.

On March 9, 1945 another protest was made against the continued action of the Japanese Government in locating prisoner of war camps in close proximity to military objectives.

On March 10, 1945 a protest was made regarding the conditions of captivity of American prisoners of war being held at the Lasang Air Field, Philippine Islands, and the inhumane treatment characterizing the administration of prisoner of war camps in the Philippines. On the same day, another protest was made, this time relating to the cruel treatment of American prisoners of war who were aboard a Japanese freighter sunk off Mindanao, Philippine Islands, on September 7, 1944, and the savage behavior of the Japanese after the vessel was torpedoed.

On April 6, 1945 a protest was made concerning the murder of Messrs. Calkins, Grinnell, Duggleby, and Johnson, who had been held at the Santo Tomas Internment Camp.

On May 12, 1945 a protest was made against the orders issued by the Japanese 14th Army Headquarters and Kaki Forces Headquarters attached to the Ishibashi Unit, to the effect that persons captured by or surrendering to Japanese armed forces in the Philippines would be murdered in cold blood.

On May 19, 1945 a protest was made against the brutal massacre on December 14, 1944 of 150 prisoners of war at Puerto Princesa, Palawan, Philippine Islands.

On May 29, 1945 the Swiss Government was requested to make a strong protest to the Japanese Government against the forced labor of prisoners of war in the fortification of Shinagawa and on the naval docks at Tokyo Bay, and the brutal treatment of these prisoners.

On June 23, 1945 a protest was made against the location of prisoner of war camps in Siam in close proximity to piers, railroad yards, and other military objectives and the employment of prisoners of war labor on projects having a direct relation with war operations.

Virtually all of the protests filed with the American Government by the Japanese Government during the period herein covered related to alleged mistreatment of Japanese nationals who had been evacuated from the West Coast areas of the United States. In none of the instances covered by the Japanese Government's representations was the alleged mistreatment of Japanese nationals comparable even in a remote degree to the mistreatment of American nationals which formed the basis for the American Government's protests. In the State Department's telegram of January 27, 1944 the Japanese Government was advised as follows:

"The Government of the United States also desires to state most emphatically that, as the Japanese Government can assure itself from an objective examination of the reports submitted to it by the Spanish,

Swedish, and International Red Cross representatives who have repeatedly visited all places where Japanese are held by the United States, the United States has consistently and fully applied the provisions of the Geneva Prisoners of War Convention in the treatment of all Japanese nationals held by it as prisoners of war or (so far as they are adaptable) as civilian internees, detainees or evacuees in relocation centers. Japanese nationals have enjoyed high standards of housing, food, clothing, and medical care. The American authorities have furthermore freely and willingly accepted from the representatives of the protecting Powers and the International Red Cross Committee suggestions for the improvement of conditions under which Japanese nationals live in American camps and centers and have given effect to many of these suggestions, most of which, in view of the high standards normally maintained, are directed toward the obtaining of extraordinary benefits and privileges of a recreational educational or spiritual nature."

/s/ E. Tomlin Bailey
E. TOMLIN BAILEY

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28th DAY OF JUNE, A.D. 1946

/s/ David H. Scull
Notary Public in and for the
District of Columbia

SEAL

My commission expires July 14,
1946.

SERVICE	Known Prisoners of War	Returned to Military Control	Died whilst Prisoners of War
Royal Australian Navy	338	237	101
Australian Military Forces	21044	13851	7193(a)
Royal Australian Air Force	344(b)	226	118(c)
TOTALS	21,726	14,314	7,412

(a) This figure does not include 63 recorded as PW but still unaccounted for (now believed deceased)

(b) This figure represents 251 notified by Japanese through official channels before conclusion of hostilities
93 not so notified

344

(c) " " "
 37 executed by the Japanese
 18 reported by Japanese after cessation of hostilities to have died of injuries, illness, or as result of Allied bombing.

47 reported by Japanese through official channels before cessation of hostilities to have died of illness, or as result of Allied bombing of camps.

16 believed to have died in captivity, particulars unknown as at 1st May 1946.

118

I certify that this is a true copy of the official record held on file at Army HQ, Melbourne.

30 Aug 46.

/s/ E. A. Griffin Col
 Director of Prisoners of War and Internees,
 Army HQ,
MELBOURNE.

207

5 Nov Service Jan 23 - 1942 aneta man
by description -

"reason we adopted kind of job ~~of~~ Dec - 1941
resulted in failure - further crime again but job very
you men must lose your lives"

"I heard that 3 of my buddies had not be reported for work
shop - on my return to job met Lt Soette
on aneta man and discussed exec of these men.
Soette was inv for Leg Sect of Jap - as I was
Head of exec - though sworn statement of Jap
eyewitness - about 16 eyewitness - some at Meiji
Bldg other at Sugamo Prison -

360

Civ.

262 - ~~remains~~ left

100 remain. - 97 with Fire + Water in Fire (43)

1 down - July (43)

13 - dec - (43)

(SEA)
CANADA

3074

QUOTE No. H.Q. 54-27-22-3 (DR 4)

DEPARTMENT OF NATIONAL DEFENCE
ARMY

OTTAWA, CANADA,

Certified that the following figures with regard to Japanese held Canadian Prisoners of War (Canadian Army) are taken from official Records:

Service Personnel

Canadian Army

Known Prisoners of War	1691
Returned to Military Control	1418
Died While Prisoners of War	273

/s/ C. L. Laurin

(C.L. Laurin) Colonel,
Director of Records (Army).

11 Mar 46

Top. Police - also read all women's quarters
spitars - " juvenile Sect

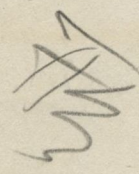
C.I.D. Pol. officers?

Kei Ji, BU
Sei Shonen

Ad by met Police

(Kei nu ba)

Jesse L Stewart - of Green River Wyo.
Capt. 12/23/41
most. Tech Sgt.



info at capture date
get order from

"arm"

Sergeant J. L. Stewart of - (2)
main

captain Wake Island 12/23/41

we told by Jap Commandant of Wake that quote through the kindness
of his Jap ~~officer~~ - may - the Emp of Japan you have been granted
the right to land ~~islands~~ - after Japanese had denied medical
~~aid~~ ~~to~~ ~~us~~ ~~and~~ ~~we~~ ~~had~~ ~~to~~ ~~be~~ ~~operated~~
by ~~us~~ ~~and~~ ~~we~~ ~~had~~ ~~to~~ ~~be~~ ~~operated~~
later the am ~~was~~ ~~for~~ ~~operated~~
on it with a prof bandage sessions at a pt of tweezers
which held down ~~the~~ ~~two~~ ~~am~~ ~~to~~ ~~stop~~.

Stewart leg later healed and in May 42 he was moved
to POW camp in Japan. He was told quote you will be released
until you become a loyal subject of the GEA Empire - unquote

In ~~the~~ POW camp freq ~~quoting~~ ~~stated~~ w/ death
became he refused to give informant on Boden
and other ocean radio crypt.

~~Stewart also told~~ In 1945 we told all POW women
be killed if US ~~captured~~ ~~to~~ ~~be~~ ~~released~~ ~~rather~~
landed on Japan shores (~~Wake~~)

Wake

Exec. J. Stewart of adm Sibillan Island that we lost
off the am POWs - on Wake" - Adm. Sibillan was Island
Commander -

W/ 1-13 Oct were the POW executed?

Reason told by captain (~~captain~~) was that they expected the
am - to land on Wake Is.

"never tried" -
"Wab" - did he tell you they slat because they am forces were
expected to make a landing" - ? "Yes sir".

STRENGTH AND CASUALTIES
OF THE
ARMED FORCES AND AUXILIARY SERVICES
OF THE UNITED KINGDOM
1939 to 1945

Presented by the Prime Minister and the Minister of Defence
to Parliament by Command of His Majesty
June 1946

London
His Majesty's Stationery Office
Twopence Net

Cmd. 6832

* * * * *

Total Number of Prisoners of War of the Armed Forces of the United Kingdom
Captured by the Enemy as Reported to 28th February 1946

Table 9

	Total	Royal Navy	Army	Number Royal Air Force
<u>Captured by Germany and Italy</u>				
Total reported captured	142,319	5,629	126,811	9,879
Killed or died in captivity....	7,310	111	7,047	152
<u>Captured by Japan</u>				
Total reported captured	50,016	2,304	42,610	5,102
Killed or died in captivity....	12,433	421	10,298	1,714

2448

2031

(SEAL) UNITED KINGDOM AND COLONIAL PRISONERS OF WAR IN THE FAR EAST REPORTED TO 31st DECEMBER, 1945.

<u>U.K. FORCES</u>		<u>Reported Killed or died in captivity.</u>	<u>Total reported captured.</u>
<u>Navy</u>	Officers	11	273
	Other Ranks	403	2,024
<u>Army</u>	Officers	201	2,769
	Other Ranks	8,563	39,850
<u>Air Force</u>	Officers	44	373
	Other Ranks	1,553	4,671
<u>Merchant Seamen</u>		98	1,143
		<hr/>	<hr/>
		10,873	51,103
 <u>COLONIAL FORCES</u>			
Army		190	3,224
		<hr/>	<hr/>
		11,063	54,327
		====	====

I, His Britannic Majesty's Attorney-General, hereby certify that, according to information received from the Government Departments concerned, the figures given above regarding United Kingdom and Colonial Prisoners of War in the Far East reported to 31st December, 1945, are correct and authentic.

(SEAL)

/s/ Hartley Shawcross

18th April 1946

2038

SCHEDULE SHOWING THE NUMBERS OF NEW ZEALANDERS (SERVICE PERSONNEL AND CIVILIANS) WHO WERE REPORTED AS PRISONERS OF WAR IN JAPANESE HANDS, THE NUMBERS LIBERATED, THE NUMBERS DIED WHILE PRISONERS OF WAR, AND THE NUMBERS STILL UNACCOUNTED FOR.

NAME OF SERVICE	PRISONERS OF WAR	LIBERATED	DIED WHILE POW	NOT ACCOUNTED FOR
	<u>SERVICE PERSONNEL.</u>			
ROYAL NZ NAVY	55	42	11	2
2nd N.Z.E.F.	25	7	18	-
ROYAL N.Z. AIR FORCE	41	38	2	1
TOTALS	121	87	31	3
	<u>CIVILIANS, MERCHANT SEAMEN, AND VOLUNTEER FORCES PERSONNEL.</u>			
CIVILIANS	153	140	12	1
MERCHANT NAVY	35	34	1	-
VOLUNTEER FORCES (FMSVF, SSVF., ETC.)	50	41	9	-
TOTALS	238	215	22	1

NOTE: In addition to the above there are still some personnel unaccounted for, or presumed or believed to have died, in the Pacific war theatre. It is not known, however, whether they were at any time prisoners of the Japanese. The following schedule shows the position in this connection.

NAME OF SERVICE	CLASSIFIED PRESUMED OR BELIEVED DEAD	MISSING	TOTAL.
	<u>SERVICE PERSONNEL.</u>		
ROYAL N.Z. NAVY	-	16	16
2ND N.Z.E.F.	5	2	7
ROYAL NZ AIR FORCE	230	27	257
TOTALS:	235	45	280
	<u>CIVILIANS, AND VOLUNTEER FORCE PERSONNEL.</u>		
CIVILIANS	-	7	7
VOLUNTEER FORCE (FMSVF)	-	1	1
TOTALS:	-	8	8

DOMINION OF NEW ZEALAND

Department of External Affairs
Wellington, N.Z.

AIR MAIL

P.M. 106/3/22

27 March 1946

MEMORANDUM for:

Brigadier R.H. Quilliam,
C/- New Zealand Representatives
to Far East War Crimes Commission,
TOKYO, JAPAN.

STATISTICS REGARDING NEW ZEALAND PRISONERS
OF WAR AND CIVILIAN INTERNEES IN JAPANESE
HANDS.

In accordance with the request made in your telegram No. 9 I have to enclose a schedule showing numbers of New Zealand citizens (service personnel and civilians) who were reported as prisoners of war or internees in Japanese hands; the numbers liberated; the numbers died while prisoners of war; and the numbers still unaccounted for.

As your telegram was garbled in transmission it is not clear what type of certificate is required but I take it that this memorandum is sufficient warrant that the figures are authentic.

The additional information for which you have asked will be forwarded as soon as possible.

/s/ G.R. Laking

for Secretary of External Affairs.

Enclosure

Schedule of Statistics.

RESTRICTED
MASTER INDEX REPORT - POW

DETAINING POWER	GERMANY AND ITALY				JAPAN				BALKANS			GRAND TOTAL	REMARKS	
	ARMY	NAVY	MARINES	TOTAL	ARMY	NAVY	MARINES	TOTAL	ROUMANIA	BULGARIA	SLOVAKIA			TOTAL
OFFICIALLY REPORTED INTERNED	93133	20	1	93154	16036	3133	2411	21580	1097	165	8	1270	116004	
RETURNED TO MIL. CONTROL	90121	17	1	90139	10400	2201	1872	14473	1097	165	8	1270	105882	
DIED	2035	3	0	2038	5636	932	539	7107	*	*	*	*	9145	
REPATRIATED Prior to VE-Day	975	0	0	975	0	0	0	0	0	0	0	0	975	
UNRECOVERED POW	2	0	0	2	1	0	0	1	0	0	0	0	3	
REPORTED K.I.A. BY ENEMY	7579	0	0	7579	0	0	0	0	*	*	*	*		

* Included in Figures for Germany and Italy

N.B. The above figures have not been verified or checked and names have been added since this last compilation of figures; however, as of 1 June 1946 these are the figures reported to this office by the enemy detaining powers. The only deaths listed are those reported by the enemy as all other information concerning deaths are reported directly to Casualty Branch, AGO.

/s/ L. E. Griffith
L. E. GRIFFITH, Major, CMP
Chief, Prisoner of War Division

Stewart - Legal Sect Scof 15 marine
Pod-Tarman Dec 31 - capt. Wake - 9/11/45
Robinson

from Surgeon - Hanshu Japa -
C Wake till 5/12/42
Zenshugi Shijuku to Jun 17. 43
Taneyama Jun 17 - 5/21/43
Osaka camp to 5/21/45

Token letters
Special

mitsu
araki
Hakuro
absent

Wounded Wake. 12/7/41 - wounded

8 - leg stumps by stepping from plane to Dec 23
fractured by am. doctor - 12/24 moved into old Baruch Bldg - mid Jan
leg become infected - Dr. KITAHARA. came to Hosh - told Dr. Schalk. it
must be amputated - Dr. Schalk refused - Jap. Tokumi - Interpreter slipped
Dr. Schalk for being rude to Dr. Kitagami - would not allow instruction from
am. Hosp. for 2 weeks tried to get instruction Jap. - about Feb. 1
1942 - leg become swollen and swollen to knee hole - Dr. Schalk said operate
but Bandage sessions + Taneyama retreated from combat hospital -
2 civ. nurses set on shoulder + leg - Dr. Schalk performed
operation with scissor + T. needle - oper. was successful + leg
began to heal after completed.

at time of surgery 2 - underground magazines - improving as Hosp
the capt - med. supplies from there were moved to Jap. Hosp.

about mid Feb. = Jap. done - presented case of instruments
supplies - about 40 am Power - body wounded on Wake.

Dr. Schalk exec. Oct 7 - 1943 - about 1235 Pows taken from Wake
would not leave because of self power.

Real Imp. Present (slight the kind of his imp. mg. the Emp of Japa
you have been granted the right to live - (you will entertain?)
until you become loyal subject of the IJA Empire

at Zentsuji. Corp comm. made speech to me - "now to be interned above
5/28/42" - "will be notified about 12/15/43" = Rec. made Oct 42
only at Zentsuji.

not till the time US. military came - He was POW - 382 on Wake that
"Haramura slept" (Feb. 24 - 1942) Killed by US Sniper

Mr. Katsumi - ordered 25-30 - to go out from air raid shelter to work - repair
air field - (Had Receiver picked up from Jap - K&E1)
threatened. KHRO - Hawaii news
ukli POW

Told about once a month that we would be killed if
any landed on Ishuku

about Aug 1-45 - told killed if any more super bombs dropped on Japa
usually made by interpreter who stated they came from camp
command - Asubiki @ Zen - Umeda Soho ?
Zenshu. Bunko Imura - @ Honoyu - T. Aoyu
question about 9 items de radio + Radio location
re. Radio "4 least of 12 dead if did not answer"

KERNAL

Jobe Jobe report 2034
Sloman (Mr. Ant)

Document No. 8431

No. 144/T3

April 20, 1942

To the Minister Extraordinary and Plenipotentiary of Switzerland

I acknowledge receipt of your letter dated March 11 in which you asked for information concerning some Americans on Wake Island.

As a result of investigation by the authorities concerned, of the American prisoners of war still on this island, there are quite a number who cannot be transferred at present because of wounds and illnesses and also those who of their own wish are engaged in peaceful labour. The sick and wounded are receiving kind medical treatment at our hands and as for the labourers, they are engaged in pleasant labour under an agreement of work with the Japanese authorities. The number and names of these people are now being investigated. I shall be grateful if you will communicate this to the Government of the United States.

I take this opportunity of expressing my highest respects to you.

Adm. Subbaroi has been brought to Wash.

"only that he said it was an Imperial Receipt"
Minister for Foreign Affairs
(abt NOV. 1 - 1946 - at Nagasaki same Katsuni)
(who has been arrested but not arrested yet.)
Shigenori Togo

Held on an Wake "Yes"
How many weeks + Ill -
" " Air. on few personnel - permit on Wake of their own free will - "none at that time"
any peaceful labor conducted on Wake or was it war?
W/ "What were the people on Wake doing "yes see (air part extent entyphite clearly ammun.)
why were not working Voluntary"
Do you know what report given to Togo by his own
X no - ~~was~~
knew of no investigation being conducted -

"3 men work in laundry - all the rest were doing mil work without anecdote about 4 in all removed spirit - Cause infection"

R E S T R I C T E D

2036

Classification changed from
 "CONFIDENTIAL" to "RESTRICTED"
 by order of the Secretary of War
 By /s/ T.R.C. King, Lt. Col. Inf.

<u>IN THE MATTER OF The Beheading</u>)	DEPOSITION OF Robert Hugh
<u>of an American Citizen by</u>)	LANCASTER, Box 331, Mountain
<u>Japanese Officer at Wake Island</u>)	Home, Idaho,
<u>About May 1942.</u>)	Formerly Employed as a Foreman
)	at Wake Island by Pacific Naval
)	Air Base Contractors.

Taken at Naval Hospital, Mare Island, Vallejo, California.

Presence: Lieutenant S.A. CRANE, USNR

Date: 10 October 1945

1. Please state your name, permanent home address, and date and place of birth.
 - A. Robert Hugh LANCASTER, Box 331, Mountain Home, Idaho, born 3 February 1908, at Miami, Oklahoma.
2. What is your occupation, by whom have you been employed, and where?
 - A. I am an excavating foreman by occupation, and on 4 June 1941 I was employed by Pacific Naval Air Base Contractors to work at Wake Island. I arrived at Wake Island on 2 August 1941.
3. Were you ever held as a prisoner of war by the Imperial Japanese Government?
 - A. Yes. I was held in custody as a prisoner of war by the Imperial Japanese Government from 23 December 1941 to 14 September 1945. I was taken prisoner when the Japanese Marines invaded Wake Island.
4. What were your major places of imprisonment while you were a prisoner of war?
 - A. I was held at Wake Island from 23 December 1941 to September 1942; at that time 257 civilian prisoners of war were moved from Wake Island to Camp 18, Saeco, Kyushu, Japan, where we were held until about May 1943, when Camp 18 was dissolved, and we were moved to Camp One, Fukuoka, Kyushu, Japan, where we were held until liberated on 14 September 1945.
5. Name or identify, if you can, any of the enemy officers or persons in authority at your places of imprisonment.

A. The only name I can remember at the moment is that of an interpreter at Camp One named KATSUOR (?). In my personal effects, which I do not have possession of at this time but which were returned to the United States by plane, I have the names and date of other officers and persons in authority at the aforementioned places of imprisonment.

6. Do you have direct personal knowledge of any incident that occurred while you were held as a prisoner of war which improperly subjected any American national to injury or death?

A. Yes.

7. Describe this incident in detail, with particular reference to the circumstances under which it occurred, the manner in which it happened, and the identity and nationality of the persons involved.

A. At Wake Island, in about April or May 1942, an American civilian employee of Pacific Naval Air Base Contractors was beheaded by a Japanese Officer using a two-handed sword. I do not know the victim's full name, but I can locate it when I got my personal effects, which were shipped back with me by plane. I recall his first name was "Babe", that he was employed as a roofer, and his home was in San Francisco, California. "Babe" had been apprehended stealing cigarettes and other commodities from the warehouses at Wake Island and, aside from this, had been very belligerent and uncooperative with the Japanese guards, who seemed to have a particular dislike for him. I do not know what he had any sort of a trial. He was held a prisoner in the contractor's main office for about a week, where the guards made him walk back and forth continuously until he was totally exhausted. When exhausted, they would beat him and make him continue walking. After he had been held for about a week, we understood that the Commanding Officer received orders or permission from Tokyo to execute him. A grave was dug and a board placed across it. "Babe" was led out blindfolded and tied and made to assume a kneeling position on the board over the grave. The Japanese Commanding Officer, his entire staff, and a great number of Japanese Marines and soldiers were present to witness the execution. Several other prisoners who had also been supervisors and foremen were required to witness the execution. I was standing in the front row about eight or nine feet from "Babe" when he was executed. I recall that just before the execution, the Japanese officer in charge read a long indictment in Japanese, and the interpreter repeated the substance of most of it. I do not recall exactly what was said, but in substance it was to the effect that the Japanese are honorable people, that they do not believe it is necessary to keep locks on warehouses, and that "Babe" had been found guilty of breaking into an unlocked warehouse and stealing material.

8. Name or identify, if you can, any other persons who witnessed this execution.
- A. "Chuck" DAVIS, a foreman from Boise, Idaho, and Ike WORTLI, foreman, also from Boise, Idaho. I can furnish the names of additional witnesses when I obtain my personal effects, which includes a notebook and papers relating to this incident and others.
9. Does the testimony you have given cover all the pertinent details of this execution which you are now able to remember?
- A. Yes.
10. What type of work were you required to do while you were held as a prisoner at Wake Island?
- A. There were 350 civilian American citizens held for nine months at Wake Island, and they were required to finish the runway at the airport, digging a ditch wide enough to drive an automobile through completely around the island, where machine guns were mounted, and also to build pillboxes.
11. Do you recall that any other American citizens were tortured or beaten at Wake Island?
- A. Yes. All of the prisoners were slapped or beaten practically every day. I recall that "Swede" HOLSON, a rigger superintendent, was beaten severely with a crowbar until the ligaments in his legs were torn, and he has been unable to walk without a cane or crutches since that time. I understand he is enroute back to the United States at this time. I also recall that Gaiholm Inu, from Boise, Idaho, was so severely beaten with clubs that he was unable to walk for four or five days.

/s/ Robert Hugh Lancaster

STATE OF CALIFORNIA :
:
County of Solano :

I, Robert Hugh Lancaster, of lawful age, being duly sworn, state that I have read the foregoing transcription of my interrogation, consisting of _____ pages, and that all answers contained therein are true to the best of my knowledge and belief.

/s/ Robert Hugh Lancaster

Subscribed and sworn to before me this 18 day of October, 1945, at San Francisco, California.

/s/ W.O. Johnson
(Rank) Lt. U.S.N...

STATE OF CALIFORNIA :
:
County of Solano :

I, Lieutenant S.A. CRANE, USNR, certify that (Name) Robert Hugh LANCASTER, (Rank) Civilian, personally appeared before me on the tenth day of October, 1945, and testified concerning war crimes; and that the foregoing is an accurate transcription of the answers given by him to the several questions set forth.

Place: Naval Hospital, Mare Island, California

Date: 12 October 1945

/s/ S. A. Crane
LIEUTENANT S.A. CRANE, USNR

A CERTIFIED TRUE COPY:

/s/ Edwin F. Svare

EDWIN F. SVARE
1st. Lt., Inf.

C E R T I F I C A T E

7 January 1947

I HEREBY CERTIFY that the attached document is a true copy of an affidavit sworn and subscribed to by

ROBERT HUGH LANCASTER

at San Francisco, California, on the 18 day of October, 1945.

I FURTHER CERTIFY that it was copied from an original in my custody as Chief, Criminal Registry Division, Legal Section, GHQ, SCAP, Tokyo, Japan. The original of this document can not be made available immediately as it is required for the trial of minor war criminals.

s/ Charles A. Reinhard
CHARLES A. REINHARD
Major., F.A.
Chief of Criminal Registry
Division, Legal Section

Jap. Confession

20367

(1) October 7, 1943.

I gave the following order to Lt. (SG) Tachibana (at present a Lieutenant Commander) who was the Commanding Officer of the headquarters company as well as my acting Executive officer: "Using the men of the headquarters company appropriately and at a place which will not interfere with our positions, execute by firing squad all prisoners of war." I remember it was about one hour after sunset (not definite). Although my recollection of the hour of execution is not definite, I remember that there was a report made by Ensign Nakamura, command platoon leader under Lt. (SG) Ito, more than an hour and a half after my issuance of the order. Ninety-six (96) prisoners were executed and one escaped.

(2) (a) Around July 1943 an unknown person frequently broke into the headquarters company's food stores and this person was captured in the food stores. His name is Jack. Previously a warning was given that since the food meant life and death on the island any person stealing food will be severely punished. In order to maintain military discipline it was necessary that the man be executed, so Lt. (jg) Nonaka (transferred to Japan in October, 1943, at present a Lt. (SG) executed the said person on Hajima (Peale Island) by decapitation. Before the execution was carried out, I wrote a statement giving the reason for the execution and had this translated, and it was read to the person to be executed by Lt. (SG) Nomoto (injured on October 7 and later sent back to Japan).

(b) I believe it was about October 15, 1943.

The prisoner who escaped on October 7 when the executions were held was discovered and captured near the vicinity of the food stores, located near the shrine, where he obtained his food. At that time, we frequently received situation reports and orders from the fleet (6th based). One of them being that, "A new and powerful task force was organized and has departed from Hawaii, therefore the Marshalls Area will go into their 1st defensive positions. Wake Island will prepare for an attack force." Thus we were in the midst of an alerted condition. In order to suppress any danger arising from him, I was forced to execute the said person on Hajima (Peale Island) about thirty minutes after sunset on the same day. (Execution by decapitation). The officer in charge of prisoners, Ensign Nakamura, and several other enlisted men were also present at the scene.

(3) According to the news broadcast from San Francisco regarding the war criminal trials of Germans by the Allied nations, it was said that the issuer of the orders as well as the executors of the orders will be persecuted. In case the various actions which were carried out to my orders because the source of any trouble, it will mean that my subordinates too will be involved. There is no greater grief for the commanding officer whose subordinates had to suffer because they had to carry out his absolute orders. Therefore in all cases I would like to shoulder the responsibility for my subordinates.

(4) I voluntarily and without consulting any other officer called all company commanders involved and department heads to a meeting in the conference room, and ordered that a false story be made, saying, "I have an idea so just do as I say". I had made up this false story beforehand and then I issued the order. Note: at the second meeting I cannot recollect if Petty Officer Miyaki and the others were present.

(5) After the end of the war, it was impossible for me to obtain the contents of the Potsdam proclamation, and thereafter I began to realize that Japan was about to surrender unconditionally. I then realized that we had to obey United States orders. And in considering that in the Imperial rescript it said, "Not to lose faith in the allied nations", I reconsidered and decided to confess the truth without hesitation.

(6) I appreciate the good treatment I am receiving.

The above statement is true to the best of my knowledge and recollection. I have given it freely and voluntarily and without being threatened and forced to do so.

Sakibara, Shigematsu

Witnessed.

CERTIFIED TO BE A TRUE COPY

/s/ W. P. Mahoney

"Exhibit 5-B (2)"

J0368

A Statement by Lieutenant Commander Tachibana, Shoichi,
Imperial Japanese Navy.

All my statements hitherto are false. I have no other reason for giving the false statements outside of the order. The Commanding Officer said, "I have thought up a good story concerning the American prisoners of war." To us Japanese military men an order from a superior officer is absolute.

The reason why I canceled the former statements and how will tell the truth.

Several days ago while we were talking things over, the Commanding Officer said, "I don't think we can get away by giving false statements concerning the prisoners of war any more. If we still stick to the false statements my subordinates will have more trouble and furthermore many of my subordinates will be charged with perjury. For me, the Commanding Officer it is unbearable. I am planning to tell the whole truth on my own free will the next time we have an investigation. Now that you know that I am going to confess think it over and tell all that you know." Yesterday when I was called out I had an intuition that the Commanding Officer had already confessed so I followed the Commanding Officer and told the truth.

I was assigned as Headquarters company leader and head of communication in the latter part of September 1943. During that time there wasn't an executive officer so I was assigned as acting Executive Officer. October 6 and 7 continuously we were bombarded by gunfire and divebombers from a task force. There were a great many casualties. On the 7th at about 1200 a dispatch came from the Air Corps saying that a great convoy had been discovered 100 miles northwest of Wake Island. A message was received from the Commander of the 4th Fleet saying to keep a sharp lookout for a landing invasion. That night a landing invasion was imminent so everyone resolved to fight to the last man. Immediately there were orders to prepare for the counter-offensive. Every unit was busy preparing for the invasion. On the 7th, just after sundown, (I don't know the time), the Commanding Officer and I were at the command post. Then, all of a sudden, he ordered, "The headquarters company leader is to use his men and shoot to death the prisoners of war on the northern shore." It was so sudden that I was startled but I knew that the Commanding Officer was a careful man and I knew he wouldn't come to a conclusion unless he gave it plenty of consideration. (When I was a cadet at the Naval Academy he was my instructor). I didn't have a bit of doubt and thought it was justifiable to execute the prisoners of war according to the situation that night.

I did not know the Commanding Officer's plans, disposition, the lay of the island, etc., because I was just assigned as Executive Officer. In case the Commanding Officer fell in battle, I had to take over so I had to study his plans, etc. I was too busy so I transmitted the orders to the leader of the Command Platoon and told him to prepare for the execution and to use the men in the Headquarters company.

A little later Lt. ITO (then a Lt. (jg)) arrived and was assigned as Headquarters Company leader, relieving me, so I passed it on to him. After that I listened to the Commander's plans for awhile. Then I went down below the command post and studied disposition, etc. About an hour after Lt. ITO took over the command of the headquarters company, a soldier came and reported that he heard volleys on the northern shore so I went out to investigate. On the way to the northern shore I met the execution party returning so I returned to the command post. Later a report came to the Commander from Headquarters company that the execution was

carried out. Later on I heard that the Headquarters company leader had a headache from dengue fever so he did not go to the Commander personally to report the carrying out of the execution. Later on the Commander sent for Paymaster Lt. KAWAGUCHI and ordered him to use his men in the Quartermaster Corps to bury the bodies. At that time I was away so I did not know it until later.

After the 7th of October we were expecting more raids so we were on watch night and day and had training in counter-offense. At about the 11th of October a message came in from the 4th Fleet saying that an American Task Force had left Hawaii and to be prepared for a landing invasion. So we doubled our vigilance. At about the 20th a report came in about someone seeing a caucasian in blue clothing near the woods by the shrine. An order was given to search the area but he couldn't be found so we gave it up. The next day he was found in the First Lieutenants Department warehouse and was taken to headquarters. We found out that he was hiding in the supplies storeroom.

On the same day just before sundown the Commander ordered him to be executed. He said he would do the execution personally by cutting his head off. After sundown the Commander executed him personally with his sword on the eastern end of Peale Island and the body was buried on the spot. When I went there the execution was over and they were almost through burying the body. There were five or six men but it was dark and no moon was out so I wasn't able to recognize anyone. To make sure there wasn't anymore American prisoners we checked up the remains of the prisoners of war that were buried.

On the night of August 15, 1945 we heard of the surrender from a radio newscast but we did not get any dispatch from Naval General Staff in Tokyo so we did not believe it. On the 16th an Imperial Rescript was received and we found out the truth.

It was on the 18th or 19th at about 8:00 p.m. The Commander ordered all officers above chiefs of sections near the headquarters area to muster at his quarters. He said, "I just heard over the radio from Melbourne that all criminals of war whether they were ordered or were the officers who gave the orders will be punished." After he said this he just stared at the floor and said nothing else. He seemed to be excited. About ten minutes later the meeting was dispersed. We wondered why the Commander ordered us to muster. Lieut. Comdr. Tachibana, Lt. Comdr. Miyazaki, Lt. Tokuda, and Lt. Ogawa were present.

Paymaster Nakasato, Lt. was sick in bed. Lt. Yamaguchi came just before the meeting was dispersed.

On the 20th or 21st of August all company leaders were ordered to muster. The Commander said, "The case concerning the prisoners of war will be like this. I have thought up a good idea so we are going to make it this way: Half of the prisoners of war died in the bombardment on the 6th of October 1943. The rest of the prisoners of war escaped on the night of the 7th of October and resisted with gunfire so a fight ensued and they all died." He put in a lot more details and said to be prepared according to his fabricated story. The conference lasted about two hours. Those present were: Lt. Comdr. Tachibana, Lt. Comdr. Miyazaki, Lt. Nakasato, Lt. Tokuda, Lt. Ueno, Lt. Yamaguchi, Lt. Ogawa, Lt. Chiba, Lt. Nishikawa, Lt. Taniguchi, Lt. Ito, Toraji, Lt. (jg) Asai, and Captain Nakajima, the Army Liaison Officer.

On the 22nd or 23rd of August 1945, the remains of the prisoners of war were moved to the eastern shore. The headquarter company took charge of the excavating and Ensign Hirata took charge of the burying party. It took us two days to dig out the remains.

On the 25th or 26th of August (maybe it was before), an inquiry came from the Bureau of Military affairs concerning the prisoners of war on Wake. On the same day all officers above the chiefs of sections, including the Executive Officer and all men who took part in the invasion were ordered to muster to give the Bureau of Military Affairs their information. The number shipped to Japan, day's schedule, the kind of work they did, living quarters, food, etc., and also the events that took place on Wake were sent to the Bureau of Military Affairs. It took about two hours. Those present were:

Lieut. Comdr. Tachibana, Lieut. Comdr. Miyazaki, Lt. Nakasato, Lt. Tokuda, Lt. Ueno, Lt. Yamaguchi, Lt. Ogawa, Lt. (jg) Asai, Ensign Horie, Warrant Officer Ariyasu, and Captain Nakajima (Army).

Ariyasu stayed only for awhile. On the night of September 8th all officers above company leader and men involved in the case were ordered to muster. More detail was given concerning the fabricated story and ordered that all his subordinates to be thoroughly familiar with the fabricated story. During the conference, Miyaki, Banguchi, Kido and Shibata were called and the details were told to them. The details are the same as the testimony from Miyaki and the other three. This conference lasted about 8 hours. Those present were: Lieut Comdr. Tachibana, Lieut. Comdr. Miyazaki, Lt. Nakasato, Lt. Tokuda, Lt. Yamaguchi, Lt. Ueno, Lt. Ogawa, Lt. Ito, Toraji, Lt. Nishikawa, Lt. Okanda, Lt. Matsudaira, Lt. Mitani, Lt. Hisanaga, Lt. Taniguchi, Lt. Chiba, Lt. Morimoto, Lt. (jg) Asai, Ensign Horie, Warrant Officer Hisakabe Petty Officer Miyaki, Chief Petty Officer Banguchi, Chief Petty Officer Kido and Chief Petty Officer Shibata.

I think this is about all the conferences we had. There might have been another conference for officers above company leaders. The Commander just wanted to make sure we were thoroughly familiar with the fabricated story.

END

The above statement of facts is a true story to the best of my knowledge and recollection of the facts. I have given it freely and voluntarily and without being threatened or forced to do so.

Witnessed.

"CERTIFIED TO BE A TRUE COPY"

/s/ W. P. Mahoney

"Exhibit 6-B"

STATEMENT OF ITO TORAJI

20360

On the 7th of October 1943 at about 5:30 P.M., I arrived from Kwajalein by plane and was assigned as Commanding Officer of headquarters company. Then Lt. Tachibana passed me an order saying that the headquarters company was ordered to shoot the prisoners of war to death.

At the command post I met one of the platoon leaders in the headquarters company (I think his name was Platoon Leader Nakamura) and told him that I was assigned as Company leader. I learned that the Headquarters Company was at the northern beach so I went there.

When I arrived at the northern beach I saw the Prisoners of War sitting side by side in a single file facing the beach, with their hands tied and blindfolded. About five or six meters behind each of them stood the riflemen. There were about one hundred but I couldn't see the men in the right flank distinctly. A platoon leader came up to me and said that everything was all set. So I said, "Go ahead as ordered."

A Platoon leader came over to me and said, "It is over," so I ordered him to report to Headquarters and then to go back to his post immediately. I went back to the command post (it was about 7 P.M.)

About a week later an order came by phone that someone saw a strange man who looked like an American and to search all their respective areas. After the search, I reported that everything was OK. Later I heard that an American was caught.

All that I stated on Wake Island is false.

- (a) I think it was the day of surrender that we were ordered to give the false statement.
- (b) All officers above Company Commander were ordered to muster at the Commanding Officer's quarters in the evening.
- (c) After the muster, the Commanding Officer said, "Half of the Prisoners of War died in the bombardment and the rest were executed because there were signs of a riot." He further stated that he had sent a dispatch to the homeland, and ordered us to testify within this scope.

I certify that the above statement is the truth, the whole truth, and nothing but the truth.

December, 1945

Lt. Ito, Toraji

I saw the following three platoon leaders at the place of execution: Nakamura, Horie, Nonaka. I am not sure of these names.

I have made the above statement on my own free will.

Ito, Toraji

Witnessed:

Mitsuo Nakamura

A true copy. Attest:

Lieutenant, U. S. Naval Reserve
Judge Advocate

CERTIFIED TO BE A TRUE COPY
/s/ W.P. Mahoney

"Exhibit 7-B(1)"

INTERNATIONAL PROSECUTION SECTION 2037

City to Tokyo)
) SS:
 Japan)

AFFIDAVIT

I, Richard E. Rudisill, Lt. Colonel, QMC, upon oath, make the following statement:

1. I am on duty as Chief of the Investigation Division, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, Room 823, Meiji Building, Tokyo, Japan.

2. My official duties include the direction of investigating officers engaged in the investigation of the treatment of prisoners of war and other Allied nationals during the course of the war.

3. Captain John Hamas, United States Marine Corps, has been serving as investigating officer under my direction in the Investigation Division. On 1 October 1946, Captain Hamas filed a report based upon investigation made by him and also upon his personal experiences as a prisoner of war. This report presents the following statements of fact on the subject indicated:

- (1) SUBJECT: Improper transportation on high seas, clubbings, stealing of valuable personal property, starving of about eleven hundred (1100) Prisoners of War, from Wake Island to Woosung (Shanghai) China aboard the NITTA Maru from 12 January to 24 January 1942.
- (2) Upon embarkation on NITTA MARU I was brutally clubbed across my back with a heavy club, slapped in the face by the Jap Guards who searched my small bag, containing, one book, one undershirt, and some toilet gear.
- (3) The Guards clubbed and slapped Colonel J. P. S. Devereux, Commanding Officer, Wake Island Detachment, U. S. Marines, too.
- (4) Marines, Navy and Army Enlisted Men, Civilian Defense Workers, were forced to run through a gauntlet, they were barbarically clubbed, with baseball bats, kicked, slapped, by Captain SATTO's guards and NITTA MARU Captain OGAWA KIYOSHI's ships crew until many of the men were badly hurt and fell ill.
- (5) They were herded like cattle to holds, so crowded, that there was not enough room to stretch or lie down. Existing in dark, damp holds for two (2) weeks; humiliated, clubbed, starved, thirsty, forced to live dirty during the whole trip.
- (6) PFC Trefansky, USMC, who was seriously wounded in combat, was clubbed until the stitches on his back ripped and the poor man fell unconscious.
- (7) PFC Phillip Burford, Pvt. Todd, PFC Eugene Richter, Sgt. "Peepsight" Hassig, Seaman Doke, U.S.N., Joe O'Neill, John Pollock, Harry L. McDonal, Red Topham, civilians, and countless others clubbed terribly.

- (8) As the result of this horrible nightmarish mistreatment, many of our young and husky Marines contracted tuberculosis, and other serious ailments. Amongst them was John Gutrie, Sgt. Bertel, and others, who all passed away during our internment in KIANGWAN CAMP.
- (9) I also have information concerning two very sick men aboard NITTA MARU (name not remembered) who were seen removed from one of the holds by the Japs, to the "sick-bay", but never returned.
- (10) Aviation Machinist Mate, 3rd Class FRANKLIN, U.S. Navy, and two other young American servicemen, who were detailed to help the officers never disembarked with us at Woosung, Shanghai. They disappeared too. It is very obvious that three (3) of the five (5), (perhaps all five) U.S. servicemen were beheaded, and their bodies thrown overboard.
- (11) Beheadings, clubbings, stripping the Prisoners of all belongings such as watches, rings, money, pens, pencils, toilet gear, clothing, even personal papers, letters and photographs.
- (12) Colonel DEVEREUX, after a repeated request, was denied the possession of his old "family papers". Perhaps some of these articles could be recovered yet.
- (13) Wounded and sick aboard were absolutely refused medical care by the Jap Doctor. I personally requested treatment for Captain FREULER who was suffering from infected shoulder wound and was refused. We tore up a towel and bandaged him up the best we could.
- (14) There was also a big, well-built, loud talking Nip Petty Officer, who clubbed Captain Wesley Platt, until he collapsed from possible internal injury. I witnessed the clubbing.
- (15) Great many others, service personnel and civilians alike were clubbed to insensibility.
- (16) During the voyage, Captain SAITO and his staff interrogated officers and men concerning military installations on MIDWAY, PALMYRA, JOHNSON ISLANDS and, in many cases, they threatened prisoners with beheading, unless the questions properly answered.
- (17) On or about 18 January 1942 the NITTA MARU anchored in Yokohama Harbor. The weather was freezing, none of us had warm clothing. The looting of our clothing and valuables caused our very destitute appearance, and not having adequate protection against the inclemencies of weather, great many of us fell sick from exposure.
- (18) All the prisoners were robbed of all their personal possessions. They imposed capital and corporal punishments, kept prisoners in cold, damp holds without light. They imposed unhealthy starvation. They failed to allow prisoners to stay in the open air, or exercise.
- (19) In addition to all the above, the Doctor failed to give medical aid to our wounded and ailing. And to all this: "The Commander of the Prisoner Escort NAVY OF THE GREAT JAPANESE EMPIRE" published the following: "Regulations for Prisoners".

- (20) "1. The prisoners disobeying the following orders will be punished with immediate death.
- a. Those disobeying orders and instructions.
 - b. Those showing a motion of antagonism and raising a sign of opposition.
 - c. Those disordering the regulations by individualism, egoism, thinking only about yourself, rushing for your own goods.
 - d. Those talking without permission and raising loud voices.
 - e. Those walking and moving without order.
 - f. Those carrying unnecessary baggage in embarking.
 - g. Those resisting mutually.
 - h. Those touching the boat's materials, wires, electric lights, tools, switches, etc.
 - i. Those climbing ladder without order.
 - j. Those showing action of running away from the room or boat.
 - k. Those trying to take more meal than given to them.
 - i. Those using more than two blankets.

.

- (21) 6. Navy of the Great Japanese Empire will not try to punish you all with death. Those obeying all the rules and regulations, and believing the action and purpose of the Japanese Navy, cooperating with Japan in constructing the "New Order of the Great Asia" which lead to the world's peace will be well treated.

The End
/s/ J. A. Jr.,"

- (22) Correspondence, food, clothing, packages were stolen.
- (23) My wife did send me some twenty-four (24) packages. Each was worth about fifty (50) dollars. I never received a single one. Most of the letters were held back in Japan, much destroyed. During three (3) years and nine (9) months in the hands of Japs I received one (1) letter, one (1) Christmas card and two (2) short radio messages at the end of the war from my wife, who wrote to me faithfully every chance she had. Many of her letters and postal cards were written in 1942-43-44-45 and just been returned as "undelivered from somewhere.
- (24) During the early part of 1945, just before our departure from China (KIANGWAN CAMP) a tall, slender, 60 year old Jap Prince of the royal-blood inspected us. He was the General Chairman of the Jap Red Cross from TOKYO. He did not bother to talk to our senior Marine officer, Colonel W. W. Ashurst, who could tell him plenty. The Jap Colonel OTERA just rushed him through the camp, he looked us over and departed.

(25) I still have a good size lump in my back, and a small hole in my skull. My head, left ear and leg is still aching at nights from the clubbings. Both of my legs are still sore and swelling from malnutrition, beri-beri, pelagra and other unpleasant complications forced upon me by the Japs. Even after a year of good American living.

4. I hereby certify, upon oath, that the preceding paragraphs beginning with the words "SUBJECT: Improper transportation on high seas....." and ending with the words "...American living", consisting of twenty-five (25) paragraphs dated 1 October 1946 are a true copy of statements of fact as presented to my Division by Captain Hamas.

/s/ RICHARD E. RUDISILL
Richard E. Rudisill
Lt. Colonel, QMC

Subscribed and sworn to before me this 2nd day of January, 1947.

/s/ JAMES J. ROBINSON
Capt. USNR
52853

I, Yasuo KOHARA, after having been duly sworn to speak the truth conscientiously, adding nothing and concealing nothing whatsoever, testified at the Sugamo Prison, Tokyo, Japan on 14 November 1946, as follows:

My name is Yasuo KOHARA.

My home address is: #651 Oaza-Nishiatchi, Nishiatchi-cho, Asakuchi-gun, Okayama-ken. At present I am confined in the Sugamo Prison as a suspected war criminal.

I joined the Imperial Japanese Navy in June 1929. At the outbreak of the Pacific War, I held the rank of Chief Petty Officer and was stationed at the Kure Naval Training Station.

From 25 December 1941 until the end of January 1942, I was assigned as a Prisoner of War Guard aboard the liner NITTA MARU. The NITTA MARU called at Wake Island on 13 January 1942 and took aboard some 1200 American Prisoners of War who had been captured at the time Wake Island surrendered to Japanese military forces in December 1941. From Wake Island the NITTA MARU went to Yokohama, Japan, and put ashore some fourteen American Prisoners of War. From Yokohama the NITTA MARU sailed to Shanghai, China, arriving there about 22 January 1942. All the Prisoners of War remaining on the NITTA MARU were put ashore at that time. Then the NITTA MARU went to Kure, Japan, and I went ashore and took up my regular duties at the Kure Naval Training Station.

The following persons were in the Prisoners of War Guard Detachment on board the NITTA MARU in January 1942:

<u>POSITION</u>	<u>RANK</u>	<u>NAME</u>
Guard Commander	Captain	(FNU) SAITO
2nd-in-Command	2nd Lt.	Young, short, graduate of the Merchant Marine School.
Guard Officer	W.O.	(FNU) YOSHIMURA
Guard N.C.O.	Senior C.P.O.	Usaji HIDA
Guard N.C.O.	C.P.O.	(FNU) TAKEZOE
Guard N.C.O.	C.P.O.	Yasuo KOHARA
Guard N.C.O.	C.P.O.	(FNU) ASAKAWA
Guard N.C.O.	C.P.O.	(Name Unknown)
Guard N.C.O.	P.O. 3/c	Tokuichi TAKAMURA
Guards	Seamen	About thirty men, names unknown.

In the afternoon of the second day after the NITTA MARU had departed from Yokohama, Japan, for Shanghai, China, with about 1200 American Prisoners of War from Wake Island on board, Captain SAITO called me into his cabin aboard the NITTA MARU. At this time he showed me a piece of paper which was an execution order for executing five American Prisoners of War aboard the ship. After I had read this order over, Captain SAITO told me that he was ordering me to kill one of these American Prisoners of War. I was astonished that he would order such a thing, and I flatly refused to carry out his order. When I refused, Captain SAITO told me that since I was the senior "GOCHO" of the guard I had to carry out his order. I refused again. But Captain SAITO explained to me that he was giving me a direct order and to use my Japanese sword. I was confused. I didn't know what to say. However, I reasoned to myself that the order from my Commanding Officer, Captain SAITO, was also an order from the Emperor of Japan. I must obey it. I also realized that if I refused this order I would be the one who would be executed.

Emperor - and kill

Therefore, I could do nothing but carry out the order of Captain SAITO to execute by my own hand an American Prisoner of War. After receiving this order I returned to my cabin as I was feeling ill.

Sometime later, someone came to my cabin, called me, and told me that the execution was ready to take place. I left my cabin and went up on deck. When I reached the quarterdeck, I saw five American Prisoners of War lined up on the port-side portion of the deck. Many of the Prisoner of War Guards and the crew of the NITTA MARU were standing around the American Prisoners of War and on the decks above the deck on which the Prisoners of War were standing. I noticed that it was late afternoon. Very soon Captain SAITO got up on a small platform near the American Prisoners of War and started to read the execution order. I cannot remember exactly how the execution order went, but it sounded something like this.

(First the names of the five American Prisoners of War to be executed were read off).

Then Captain SAITO read:

"Since you have committed -- a crime, it will do no good to the world to let you people live. I hope you will find happiness in the next world. When you are born again, I hope you will become peace-loving citizens."

After reading this execution order, Captain SAITO left his platform and proceeded to have the executions carried out. Captain SAITO ordered Warrant Officer YOSHIMURA to carry out the first execution.

The first American Prisoner of War was blindfolded and his hands were tied behind his back. He was made to kneel down on a small straw mat on the deck. Warrant Officer YOSHIMURA stepped out by the American Prisoner of War, raised his sword, and struck the American Prisoner of War heavily across the side of the neck. The head was not severed. Therefore, Warrant Officer YOSHIMURA struck the American Prisoner of War again with his sword. I cannot remember where this second blow landed, but I do know that the head still was not severed from the body, and the American Prisoner of War did not die immediately.

Next, Captain SAITO ordered P.O. 3/c Tokuichi TAKAMURA to execute an American Prisoner of War. P.O. 3/c TAKAMURA stepped up to the second American Prisoner of War who was kneeling on the deck. I was so sick from the sight of the execution of the first American Prisoner of War that I closed my eyes. When I opened my eyes, P.O. 3/c TAKAMURA was standing, sword lowered, over the sprawled out, headless body of the American Prisoner of War.

Next, Captain SAITO called out, "Senior 'GOCHO'". I answered, "Yes!". I was scared and shaking. I stepped out to where the third American Prisoner of War was kneeling on the deck. I raised my sword to strike the American Prisoner of War. However, being unable to bring myself to deliver the sword stroke, I lowered my sword. I opened my eyes, and I saw the red hair above the blindfold of this American Prisoner of War. Since Captain SAITO was standing right beside me and since he had ordered me to do this duty, I raised my sword and attempted to strike. Again, I could not strike. I lowered my sword.

Then realizing that I was acting on orders from the Emperor of Japan, I closed my eyes, raised my sword, and swung it forcefully downwards. When I opened my eyes, the body of the American Prisoner of War was lying at my feet. His head was severed from his body. I had carried out Captain SAITO's orders.

Next, Captain SAITO called out C.P.O. ASAKAWA. CPO ASAKAWA stepped out and stood beside the fourth American Prisoner of War. As CPO ASAKAWA raised his sword over the head of the American Prisoner of War; I closed my eyes. When I opened my eyes, the American Prisoner of War was lying dead on the deck, and CPO ASAKAWA was standing over him and shaking with excitement.

Next Captain SAITO called out CPO TAKEZOE. When CPO TAKEZOE was called out I left the deck and returned to my cabin. I felt so badly that I could not bear to witness any further executions. I did hear later, however, that CPO TAKEZOE had executed this fifth American Prisoner of War.

After the executions were finished I heard that the bodies of the five executed American Prisoners of War were thrown over the side of the NITTA MARU. I never heard of these five bodies being mutilated by the guards of the Prisoner of War Guard Detachment.

The morning after the execution, the NITTA MARU reached Shanghai, and the American Prisoners of War were put ashore. My duties as a Prisoner of War Guard were over.

While the NITTA MARU was en route from Shanghai to Kure, Captain SAITO called all the Prisoner of War Guards into his cabin and presented each of them several rings and watches which had been gotten somehow from the American Prisoners of War. I got a wrist watch and a gold ring. I lost this ring when my home in Kure was burned down during the American air raids on Japan during the war. I left the watch with my wife when I left home to come into Sugamo Prison.

When I got ashore at Kure, I discovered that the original execution order that Captain SAITO had read aboard the NITTA MARU was in the pocket of my coat. Along with this execution order there was a picture of an American civilian by the name of "TEPAS" or "TETER" who had been aboard the NITTA MARU and who was called "governor" by all the Japanese. I took this order home and kept it in my home until it was burned in the air raids. Captain SAITO never asked me for this order. Therefore, I am sure that Captain SAITO did not report the execution of the five American Prisoners of War aboard the NITTA MARU in January 1942 to his superiors at the Kure Naval Training Station. If Captain SAITO had reported the execution, he would have needed the execution order to substantiate the charge and sentence in this execution.

I have nothing further to add at this time.

/s/ YASUO KOHARA (Japanese
Yasuo Kohara characters)

ALLIED OCCUPATION FORCES)
CITY OF TOKYO)

I, Yasuo KOHARA, being duly sworn on oath, state that I had read to me and understood the translation of the foregoing transcription of my testimony and all statements contained therein, consisting of three (3) pages, are true to the best of my knowledge and belief.

/s/ YASUO KOHARA (Japanese characters)
Yasuo Kohara

Subscribed and sworn to before me this 19th day of November 1946.

/s/ George F. Getty III
GEORGE F. GETTY III, 1st Lt., Inf.
Inv. Div., Legal Section SCAP

ALLIED OCCUPATION FORCES)
CITY OF TOKYO)

I, Robert HASHIMA, Civilian Interpreter, GHQ, SCAP, Tokyo, Japan, being duly sworn on oath, state that I truly translated the foregoing testimony and all statements contained therein, from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition containing three (3) pages, to the witness; that the witness thereupon in my presence affixed his signature thereto.

/s/ Robert Hashima
Robert Hashima, Civilian
Interpreter

Subscribed and sworn to before me this 19th day of November 1946.

/s/ George F. Getty III
GEORGE F. GETTY III, 1st Lt., Inf.
Inv. Div., Legal Section, SCAP

C E R T I F I C A T E

I, GEORGE F. GETTY III, 1st Lt., Legal Section, SCAP, Tokyo, Japan, certify that on the 19th day of November 1946, personally appeared before me, Yasuo KOHARA, and according to Robert HASHIMA, gave the foregoing testimony, that after his testimony had been transcribed, the said Yasuo KOHARA had read to him by the said interpreter the same and affixed his signature thereto in my presence.

/s/ George F. Getty III
GEORGE F. GETTY III, 1st Lt., Inf.
Inv. Div., Legal Section, SCAP

TOKYO, JAPAN

19 November 1946
Date

Tokyo, 26 May 1942

CC.1.2.1./EE.4.6.9.7.--ce.--

Mr. Minister,

As I had the honor of informing Your Excellency by my letter of 21 April, I did not fail to transmit to my government, for the attention of the government of the United States of America, the contents of the letter, No. 144/T3, dated 20 April last, concerning the situation with respect to the American nationals on the island of Wake.

According to a telegram which I have just received, the government of the United States would appreciate knowing the name /sic/ of the prisoners of war and civilian internees that the Japanese military authorities may have removed from the island as well as the place where they are interned. It would also like to have information on the fate of the American nationals, prisoners or otherwise, remaining on the island.

In begging Your Excellency to consent to inform me if it would appear possible for him to communicate to me the information asked by the Government of the United States of America, I take this opportunity to reassure you, Mr. Minister, of my deepest respect.

The Swiss Minister

To His Excellency
Mr. Shigenori Togo
Minister for Foreign Affairs
Tokyo

Certificate:-

I, Robert M. Boyd, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8433.

/s/ Robert M. Boyd
28 December 1946

T/3 Ordinary No. 366

10 August 1942

Envoy Extraordinary and Minister Plenipotentiary from Switzerland

His Excellency,

Camille Gorge,

I have the honor to acknowledge the receipt of Your Excellency's letter, (.No. CC.1.2.1./EE 4.6.9.7.--ce-) dated 26 May, which, at the request of the American Government, inquires about names of the prisoners of war and civilian internees transferred from Wake Island to other places and their camps; and about the Americans remaining on the island.

Regarding the prisoners of war, the Imperial Government has sent to Your Excellency a list of their names, through the International Red Cross Committee, and thereby please be informed as to the conditions of those Americans taken prisoners of war on Wake Island.

Regarding the American civilian internees, we are ready to reply to every individual inquiry after the fullest possible investigations; therefore please arrange to convey our intention to the Government of America as you see fit.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Minister of Foreign Affairs

Shigenori TOGO (Seal)

To H. E. Monsieur Masayuki Tani
Minister for Foreign Affairs
Tokyo

2041

CC.1.2.3/1.2.7/-cr.-

Tokyo, 21 September 1942

Monsieur le Ministre,

By letter No. 385 T/3 dated August 25, Your Excellency has been good enough to inform me that the lists of civilian internees and prisoners of war would be, as in the past, sent as fast as they are prepared, to the International Red Cross Committee which would send them to the Government of the United States. Your Excellency added that it was by error that it had been stated that the lists had been sent by the "Asama Maru".

I have the honor of informing you that the Government of the United States has asked me to send to the Imperial Government the following answer:

"American Government has taken note of information obtained by Swiss Government and International Redcross Committee regarding the activity of the official Japanese Information Bureau and that since the receipt by the American Information Bureau of Redcross telegram US 70 of June 16 reporting the presence of 29 prisoners of war from Wake Island at Zentsuji only occasional individual names of internees of prisoners of war held by the Japanese have been reported to the American Bureau by the Committee's Information Bureau. The records of the American Bureau still contain the names of only approximately 2000 American prisoners or internees in Japanese hands.

The American Government is unable to accept as a satisfactory reply the statement of the Japanese Foreign Office that lists of civilian internees and prisoners of war are communicated as in the past as prepared to the International Committee of the Redcross and urges both the Swiss Government and the International Redcross Committee to impress upon the Japanese Authorities the great importance that the American Government attaches to prompt fulfilment by the Japanese Government of the obligations it has assumed under article 77 of the prisoners of war Convention and 4 of the Redcross Convention. It desires that the Swiss Government and the International Redcross Committee call on the attention of the Japanese Government that the American Information Bureau transmits to the Central Redcross Information Bureau weekly lists of all Japanese nationals interned, released, paroled, detained, taken prisoner of war, transferred from one

camp to another, etc. that are based on official information regularly and promptly furnished to the Bureau by the Government Agencies concerned and point out that the American Government has a right under the Geneva Conventions to expect Japanese Agencies concerned to furnish the Japanese Information Bureau promptly with like information for transmission through the central Information Bureau to the United States. In this connection it desires that the Japanese Government be reminded of its agreement that such lists shall be transmitted by cable to the Central Information Bureau at the expense of the state of origin of the Prisoners of War or internees.

The American Government would like to know at the earliest possible moment whether American prisoners of war held by the Japanese have been allowed to prepare and post the capture cards which paragraph 2 of article 36 of the Prisoners of War Convention specifies may be written by each prisoner of war "within a period of not more than a week after his arrival at the camp" and which "shall be forwarded as rapidly as possible and may not be delayed in any manner". If American have been permitted to prepare and post such cards the American Government would like to know urgently how the cards are being forwarded to the United States. If they have not already been forwarded by some other route it is urgently suggested that they, as well as complete lists of prisoners and internees containing information supplementary to that furnished by telegraph be forwarded on future trips of the exchange vessels."

While requesting Your Excellency to enable me to cable to the Government of the United States of American the information asked for, I take this opportunity to renew, my dear Minister, the assurances of my very high respect.

The Swiss Minister

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8445.

/s/ Yale Maxon

EE. 4.6.9.7. CE.

Tokyo, 6 October 1942

(Stamp) Oct. 7, 1942.

My dear Minister,

I have the honor to inform Your Excellency that in reply to letter number 366/T3, of the 10th of August last, on the subject of the American prisoners of War and civilian internees from Wake Island, the Government of the United States of America has asked me to notify the Imperial Government as follows:

"United States Government is still without report on approximately 400 American civilians from Wake Island. While United States Government welcomes offer Japanese Government to report on welfare of individuals upon request it expects Japanese Government to report all names promptly in accordance with Article 77 of the Geneva Prisoners of War Convention through International Red Cross Information Bureau or protecting power."

I must add that contrary to what His Excellency Mr. Togo thought in the aforementioned letter, I have not received any individual slips on American citizens captured at Wake Island by the Japanese forces.

Begging Your Excellency to consent to furnish me the information asked for by the American Government I take this opportunity to renew to you the assurances of my highest regard, my dear Minister.

The Swiss Minister

CERTIFICATE

I, YALE MAXON, hereby certify that I am thoroughly conversant with the FRENCH and ENGLISH languages, and as a result of the comparison between the FRENCH and the ENGLISH texts, I have established that this is a true and correct translation of International Prosecution Document No. 8427.

/S/ Yale Maxon

EE. 4.6.9.7.-dbw.

2043

By the note verbale No. 36/C.R. of February 15, the Imperial Ministry of Foreign Affairs had the kindness to inform the Swiss Legation that the Government of the United States of America, in order to obtain the names of the American internees on the Island of Wake, should refer to the lists sent to the International Red Cross Committee by the War Prisoners Information Bureau.

The Swiss Legation has the honor of informing the Imperial Ministry that the Government of the United States of America, to which this information was transmitted, points out that, considering the lists it received through the agency of the International Committee of the Red Cross, about 400 names of American civilians on the Island of Wake have not yet been communicated to it, which is contrary to the provisions of Article 77 of the Convention relative to the treatment of prisoners of war concluded at Geneva on July 27, 1929.

The Government of the United States of America insists therefore on receiving immediately notification of these 400 names. In addition it would attach importance to knowing the reasons for the delay accorded this notification.

The Legation would be very grateful to the Ministry for being kind enough to enable it to reply to the Government of the United States of America, and in thanking it very much for its kind and prompt reply, takes this occasion to renew the assurances of its high consideration.

TOKYO, April 8, 1943.

CERTIFICATE:-

I, ROBERT M. BOYD, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8436.

/s/ Robert M. Boyd

28 December 1946.

THE GAIMUSHO
TOKYO

No. 106/C.R.

Legation of Swiss Tokyo

Foreign Interest

EE 4.6.9.7 Apr 22, 1943

NOTE VERBALE

In acknowledging receipt of the Note No. EE 4,6,9,7 - DBw of the Swiss Legation dated April 8 concerning the American civilians on the Island of Wake, the Imperial Ministry of Foreign Affairs has the honor to inform the Legation as follows:

1. As regards the Americans on the Island of Wake, all the information to be furnished have been already communicated to the Legation by the Note Verbale No. 236/T.3. of August 10, 1942 and by the Note Verbale No. 36/C.R. of February 25, 1943.

2. As regards the approximately 400 American civilians whose names are allegedly not included in the list attached to the above mentioned communication, the Ministry begs to be informed of the names, addresses, occupations, etc. thereof, as such information is necessary for investigation.

April 19, 1943.

/Rubber stamp:/
August 24, 1943

2045

EE. 4.6.9.7.- dbou.

To the Imperial Ministry for Foreign Affairs
TOKYO

Referring to your note No. 106/C.R. dated 19 April last, the Swiss Legation has the honor to forward herewith to the Imperial Ministry for Foreign Affairs the list of 432 American civilians who ought, according to the latest information received by the Government of the United States of America, to have been on Wake Island at the moment of the Japanese occupation, but whose names, however, are not found on the lists sent by the Imperial Government to the International Red Cross Committee.

The Government of the United States of America attaches the greatest importance to knowing as soon as possible what happened to these persons and where they actually are now. It believes that investigations undertaken in this regard would be facilitated if a delegate of the Swiss Minister were to be authorized to talk to Mr. William Faircy who is believed, according to a message of the International Red Cross Committee at Washington, held as a prisoner of war in the Far East. In the opinion of the State Department, Mr. Faircy, whose name appears on the list attached, might be able to furnish indications regarding Mr. Leonard Ward and the other persons mentioned in this list.

The Legation takes the liberty of adding in this connection that the name of a Mr. William Faircy is found on list No. AM/4, containing the names of prisoners of war held in the Tokyo camp. This latter list was transmitted to the Legation by the Prisoner of War Information Bureau under the date of 2 June and there is every reason to believe that it relates to the Mr. Faircy from Wake.

The Legation would like to hope that the Imperial Ministry will be able to communicate to it the information requested by the State Department.

Thanking the Ministry heartily in advance for its kind and prompt reply, the Legation takes this opportunity of renewing to the Ministry the assurances of its high consideration.

TOKYO, 21 August 1943.

1 Annex

List of 432 American civilians from Wake Island regarding whose fate the Government of the United States of America desires to be informed:

/Names follow. Not copied here./

CERTIFICATE:-

I, YALE MAXON, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8438.

/s/ Yale Maxon

(Stamp)
Oct. 11, 1943

2046

EE. 4.6.9.7 - dezz.

To the Imperial Ministry for Foreign Affairs
Tokyo

By note of 21 August the Swiss Legation had the honor of submitting to the Imperial Ministry a list of 432 American civilians and of informing it that the United States Government attaches the greatest importance to obtaining information on their present situation. According to the last news received at Washington, they are supposed to have been on Wake Island at the time of the Japanese occupation; however, their names did not figure on the lists sent by the Imperial authorities to the International Red Cross Committee.

Lacking a reply to this day, the Legation takes the liberty of recalling this matter to the kind attention of the Ministry: the Government of the United States is indeed earnestly desirous of receiving this information as soon as possible.

In regard to this, the Ministry will be pleased to remember that according to the aforementioned note, Mr. William Fairey very probably a prisoner of war in the Tokyo camp, would be, in the opinion of the State Department, able to furnish information on the situation of the Americans from Wake.

The Washington Government would therefore like to have a delegate of the Swiss Minister authorized to talk with him on this matter.

Thanking the Imperial Ministry in advance for its prompt and obliging reply, the Legation takes this opportunity to renew assurances of its high regard.

Tokyo, 8 October 1943

C E R T I F I C A T E

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8428.

/s/ Yale Maxon

/Stamp/
Dec. 13, 1943

EE.4.6.9.7.- dezz.

By its notes of 21 August and 8 October, the Swiss Legation had the honor of informing the Imperial Ministry for Foreign Affairs that the Government of the United States of America attaches the greatest importance to obtaining information regarding the present situation of 432 American civilians presumed to have been on Wake Island at the time of the Japanese occupation. The Ministry will kindly recall that the Legation communicated to it the list of those concerned by the above-mentioned note of 21 August.

Meanwhile, the Legation has received from the Prisoner of War "Information Bureau" a list No. F.M. 27 of 205 Americans from Wake who are at the present moment prisoners of war in the Fukuoka camp. About 15 names found on the Prisoners of War Bureau list are not found on the list transmitted to the Ministry by the above-mentioned note, hence the Legation now knows the situation of about 190 of the 432 Americans from Wake as to whose fate the Washington Government has asked to be informed. It /the Legation/ is very desirous of receiving as soon as possible detailed information as to the whereabouts of the other Americans mentioned in the list of 21 August.

Thanking the Imperial Ministry in advance for its kind mediation, the Legation takes this opportunity to renew to it the assurances of its high consideration.

Tokyo, 10 December 1943.

To the Imperial Ministry
for Foreign Affairs
Tokyo

CERTIFICATE

I, YALE MAXON, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8430.

/s/ Yale Maxon

/stamp/ Feb. 16, 1944

EE. 4.6,9.7.--EGc

By its note of 21 August last, the Swiss Legation has the honor of presenting to the Imperial Ministry for Foreign Affairs a list of 432 American civilians who are supposed to have been on Wake Island at the time of the Japanese occupation and regarding whose fate the Government of the United States has requested information.

The Legation learned from list number F.M. 27 of the Prisoner of War Information Bureau dated 24 November, that about 190 of the 432 Americans from Wake were in the Fukuoka Camp; the Legation therefore expressed the desire, in its note of 10 December, to receive information as to the fate of the other Americans mentioned in its aforementioned list of 21 August.

Lacking a reply up to this day, the Legation takes the liberty of again calling this matter to the kind attention of the Imperial Ministry and takes this opportunity to renew assurances of its high regard.

Tokyo, 14 February 1944

To the Imperial Ministry
for Foreign Affairs,
Tokyo

EE.4.6.9.7-EGc

/stamped/
Sep 2, 1944.

By its note of 21 August 1943, the Swiss Legation had the honor of forwarding to the Imperial Ministry for Foreign Affairs a list of 432 American civilians who are believed to have been on the Island of Wake at the moment of Japanese occupation and regarding whose fate the Government of the United States of America has asked to be informed.

The Legation learned by list No. F.M. 27 from the Prisoner of War Information Bureau dated 24 November that about 190 of the 432 Americans from Wake were in the Fukuoka camp at that time; by its notes of 10 December and 14 February, it expressed its wish to receive information as to the fate of the other Americans mentioned in the abovementioned list of 21 August.

No answer having been received to this day, the Legation takes the liberty of calling this matter to the kind attention of the Imperial Ministry and takes this opportunity to renew the assurances of its high consideration.

Tokyo, 25 September, 1944.

To the Imperial Ministry
for Foreign Affairs,
Tokyo.

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8424.

/s/ Yale Maxon.

The Gaimusho
Tokyo
Translation

2 March 1942

No. 71/T3

To the Minister:

I have the honour to acknowledge receipt of your Excellency's letter of 20 February last, No. EE. 7.1. - ce, in which you informed me of the views of the Government of the United States on the treatment of prisoners of war and civil internees.

I desire to inform your Excellency that the Imperial Government intends to take into consideration, with regard to provisions and clothing to be distributed, the national and racial customs of American war prisoners and civilian internees placed under Japanese power.

Asking you to kindly inform the American Government of the United States of America of the above,

I am, yours truly,

Minister of Foreign Affairs

EXHIBIT A

<u>Document No.</u>	<u>Description</u>
1469-F	Copy of letter dated 27 December 1941 from the Swiss Minister to Shigenori TOGO, Foreign Minister.
1469-E	Letter dated 20 January 1942 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 11/T3).
1469-D	Letter dated 29 January 1942 from the Japanese Minister of Foreign Affairs to the Swiss Minister (No. 22/T3).
1469-C	Copy of letter dated 20 February 1942 from the Swiss Minister to Shigenori TOGO, Japanese Foreign Minister (EE.7.1.-ce).
1469-B	Letter dated 13 February 1942 from Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 46/T3).
1469-A	Letter dated 2 March 1942 from the Japanese Ministry of Foreign Affairs to the Swiss Minister (No. 71/T3).

C E R T I F I C A T E

I.P.S. No. 1469-A-F

Statement of Source and Authenticity

I, Walter Bossi, hereby certify that I am officially connected with the Government of Switzerland in the following capacity: Swiss Diplomatic Representative, and as such official I have custody of the documents, consisting of six letters and notes, as listed on Exhibit A attached hereto and described as follows: True copy of letters and notes in French from the Minister of Switzerland addressed to the Japanese Ministry of Foreign Affairs and the original replies thereto of the Japanese Ministry of Foreign Affairs addressed to the Minister of Switzerland.

I further certify that the attached letters and notes are official records of the Swiss Legation in Japan and that they are a part of the official archives and files thereof.

Signed at Tokyo on this

/s/ W. Bossi
Signature of Official

5th day of December, 1946.

Swiss Diplomatic Representative
Official Capacity

Witness: /s/ Max R. Ton

Statement of Official Procurement

I, 2nd Lt. Eric W. Fleisher, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Swiss Government in the conduct of my official business.

Signed at Tokyo on this

/s/ Eric W. Fleisher, 2nd Lt. AUSMI
NAME

5th day of December, 1946.

Investigator IPS
Official Capacity

Witness: /s/ J. A. Curtis

November 7, 1944

EE.4.6.9.7.-EGd.

Referring to its notes of 10 December, 14 February and 25 September last on the subject of the Americans from the Island of Wake under the control of Japan, the Swiss Legation has the honor of informing the Imperial Ministry of Foreign Affairs that the Government of the United States of America has transmitted to the Swiss Government the list of its nationals from Wake who have not yet been the subject of any official communication from the Imperial Authorities. The Ministry will find a copy of this list attached herewith.

The Washington Government is very desirous of obtaining a report of the actual residence and the condition of these individuals as soon as possible in order to be able to reassure their families.

The Legation is thankful to the Imperial Ministry in advance for its kind intervention in this matter with the competent authorities and, thanking it in advance for its kind reply, takes this opportunity to renew its assurances of high consideration.

Tokyo, 1 November 1944

Annex

To the Imperial Ministry
of Foreign Affairs,
Tokyo.

List of 173 Americans from Wake Island
about whom the United States Government
has received no official communication.

- | | |
|-------------------------|-----------------------|
| 1. Abott, Cyrus W. Jr., | 7. Bailey, George E., |
| 2. Allen, Horace L., | 8. Bellanger, George, |
| 3. Anderson, Norman A., | 9. Bowcutt, Don R., |
| 4. Andre, Roland A., | 10. Boyce, Dave, |
| 5. Anvick, Allen Elmer, | 11. Brown, Edward J., |
| 6. Baasch, Carl Alfred, | 12. Bryan, Robert, |

13. Clakins, Clarence C.,
14. Cantry, Charles A.,
15. Carlson, Stanley A.,
16. Cavanagh, Allen A.,
17. Chambers, David S.,
18. Chard, Donley D.,
19. Choy, Robert A.F.,
20. Church, Carleton G.,
21. Cormier, Louis, H.,
22. Corten, Paul,
23. Cox, Karl L.,
24. Cummings, David E.,
25. Cunha, James A.,
26. Davis, Joseph R.,
27. Davis, Lee R.,
28. Dean, George, W.,
29. Dixon, Thouron B.,
30. Dobyas, Harold,
31. Dreyer, Henry M.,
32. Dunn, Joseph H.,
33. Esmay, Wayne E.,
34. Farstedt, Knut,
35. Fenex, Ijacka,
36. Flint, Howard A.,
37. Follett, Frank P.,
38. Fong, Ginn Shaw,
39. Fontes, Glen B.,
40. Forsberg, Floyd F.,
41. Francis, Dale G.,
42. Flanklin, Mark B.,
43. French, Albert P.,
44. Froberger, Laurence,
45. Gay, Paul J. Jr.,
46. Gee, Yip, G.,
47. Gerdin, William P.,
48. Gibbons, George F.,
49. Gibbs, Charles A.,
50. Goembel, Claerence,
51. Grossman, Paul A.,
52. Greve, Louis,
53. Grim, Williams B.,
54. Haiggt, Ralph E.,
55. Haines, William H.,
56. Hall, John E.,
57. Hance, Loren H.,
58. Hansen, (John) Vernon,
59. Hardisty, Herbert,
60. Harris, George,
61. Harvey, Wilbur C.,
62. Hastie, Frank,

63. Hettick, Howard L.,
64. Hewson, Albert A.,
65. Higdon, Ralph,
66. Hill, Norman L.,
67. Highstein, Ernest A.,
68. Hofmeister, Julius M.,
69. Hong, Bing Tong,
70. Huntley, John W.,
71. Jenson, George, A.,
72. Jimison, Harold E.,
73. Johnson Edwin W.,
74. Jones, Alfred Alyayne,
75. Keeler, Ora K.,
76. Kelly, Fred W. M.
77. Kelly, Martin T.,
78. Kelso, Orval,
79. Kennedy, Thomas Francis,
80. Kidwell, Charles A.,
81. Kroeger, Wodiw W.,
82. Larson, Julius L.,
83. Lee, Ben Yin,
84. Lee, Koon Wah,
85. Light, Rolland E.,
86. Lim, Kong,
87. Lindquits, William O.,
88. Lythgoe, Gene,
89. Mackie, Elmer E.,
90. Marshall, Irving E.,
91. Martin, John,
92. McDaniel, James B.,
93. McEvers, Ralph,
94. McKeehan, Lloyd S.,
95. McInnes, Thomas L.,
96. McKimley, Jack Fritz,
97. Meyer, Lester T.,
98. Migacz, Frank,
99. Migacz, Melvin,
100. Miles, William,
101. Miller, Charles Myrilin.
102. Miller, Irwin E.,
103. Miller, Silas W.,
104. Mitchel, Howard H.,
105. Mitchell, Wayne E.,
106. Mittendorf, Joe F.,
107. Mueller, Carl,
108. Myers, Richard B.,
109. Micks, Quinton D.,
110. Niklaus, John F.,
111. Nygard, Andrew,
112. Olmstead, Clifford A.,
113. O'Nial, John H.,
114. Pawlotske, Richard P.,

- | | |
|-----------------------------|------------------------------|
| 115. Pease, Gordon H., | 141. Stevenson, Clinton L., |
| 116. Peterson, Hirschel L., | 142. St. John, Francis Carl, |
| 117. Peterson, Hjalmar, | 143. Stone, Clinton, |
| 118. Pratt, Archie Hays, | 144. Stone, Willis C., |
| 119. Preston, Donald Wm., | 145. Streblow, Alvin L., |
| 120. Proteau, George F., | 146. Stringer, Wesley W., |
| 121. Proteau, Lawrence H., | 147. Sullivan, Donald, |
| 122. Pucceli, Elmer, | 148. Susee, Arthur J., |
| 123. Sheperd, Orbin R., | 149. Tart, Lucy Franklin |
| 124. Rankin, Norton D., | 150. Thomas, Owen G., |
| 125. Ray, Clyde W., | 151. Thompson, Glenn H., |
| 126. Ray, William H. Jr., | 152. Tucker, Earl E., |
| 127. Reeves, F. Wayne Jr., | 153. Vancil, Vernon, |
| 128. Reid, Russell, | 154. Van Valkenburg, Ralph, |
| 129. Reiger, Gregory Carl, | 155. Vent, Glen, |
| 130. Reynolds, William H., | 156. Villa, Edward E., |
| 131. Robbins, Paul J., | 157. Villines, Chas., |
| 132. Schemel, Charles M., | 158. Walker, George M., |
| 133. Robbins, Sheldon G., | 159. Williams, Donald M., |
| 134. Schottler, Herman, | 160. Williamson, Frank E., |
| 135. Shank, Lawton E., | 161. Wilper, Eedmond, |
| 136. Sherman, Glenwood H., | 162. Wong, Bing, |
| 137. Shriner, Gould E., | 163. Wing, Bing Y., |
| 138. Sigman, Russell J., | 164. Wong, Guey Suey, |
| 139. Simpers, William, | 165. Wong, Guey Yick C., |
| 140. Smith, Charles E., | 166. Wong, Kay Ming, |

167. Wong, Sam W.,
168. Wong, Thyn, Wah,
169. Woods, Charles,
170. Wung, Clarence,
171. Yes, Foon Le,
172. Yuen, Harry T.K.,
173. Yuen, Gueck J.

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8423.

/s/ Yale Maxon

March 20, 1945

To the Imperial Ministry for Foreign
Affairs, Tokyo

EE. 4.6.9.7.--FGJ

By the note of November 1st, the Legation had the honor of informing the Imperial Ministry of Foreign Affairs that the Government of the United States of America would like to get news of her nationals on Wake under the control of Japan who have never been the subject of any official communication of the Imperial Authorities. A list of the interested was attached to the said note.

No answer being made to this day, the Legation takes the liberty of calling this matter to the kind attention of the Ministry.

/T.N. The Legation/ takes this opportunity to renew the assurances of its high regard.

Tokyo, March 19, 1945

Certificate:-

I, George W. Buffington, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8426.

/s/ George W. Buffington

May 16 1945

EE. 4.6.9.7. - Ffd.

By the notes of 1 November and 19 March last, the Swiss Legation had the honor of informing the Imperial Ministry for Foreign Affairs that the Government of the United States of America had expressed its desire of receiving news of its nationals from Wake who have not been the subject of a single official communication from the Imperial Authorities since they have been under the control of Japan. A list of the persons concerned containing 173 names was annexed to the above-cited note of 1 November.

No answer having been received to this day, the Legation takes the liberty of calling this matter to the kind attention of the Imperial Ministry.

3 years
The Government of the United States of America has in effect asked the Federal Authorities to press the Imperial Government in order that information concerning the actual residence and the conditions of these Americans may be sent to it /the Government of the United States/ as soon as possible. Strongly desirous of being able to put the families of those concerned at rest, the /Government of the United States of America/ remarks moreover that the Imperial Government has had 3 years now to compile the report requested and that consequently nothing ought to prevent its immediate transmission.

While asking the Ministry to be kind enough to communicate, for the sake of the Washington Government, the reply of the Imperial Government on this subject, the Legation takes this opportunity to renew the assurances of its high consideration.

Karuizawa 15 May 1945.

Ref Doc
From Dad

Document No. 8425

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8425.

/s/ Yale Maxon