

AFFIDAVIT

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

Personally appeared before me, the undersigned authority for administering oaths in cases of this character, JOHN H. ALLEN, 1st Lt, ADC, C-890115, formerly of Provisional Tank Group, Hq, USFIP, who having been read AW 24 and his rights thereunder explained to him and being duly sworn according to law; deposes and says:

I am now a patient at Schick General Hospital at Clinton, Iowa, presently home on convalescent leave at 1640 Dayton Avenue, St. Paul, Minnesota recovering from amoebic dysentery incurred in Bataan prior to capitulation. After completing the march from Bataan to Camp O'Donnell, commonly known as the "death march", I was shuttled along with other prisoners to various Japanese prison camps and ultimately arrived at Camp No. 17, Amuta Kyushu, Japan.

At all the times hereinafter mentioned, I was a 2nd Lieutenant with the Provisional Tank Group, Hq, USFIP. My promotion to 1st Lieutenant came in August 1945.

While at Camp No. 17, Amuta Kyushu, in August of 1943, I became acquainted with Private Noah C. Heard. At the time of my first association with Pvt Heard, he complained to me of dizzy spells. He told me his head hurt and he would wake up at night and find himself walking around toward the gate and he didn't know how he had gotten there. He told me he was afraid he would get in trouble with the guards. He also complained of being very despondent and at times I have seen him cry like a baby. I tried to help him by talking to him and by being friendly with him.

In about April 1944, Pvt Heard was put in the Japanese Guardhouse, Camp 17, accused of theft. I would say he was in the guardhouse for about seven to ten days and then released. He, with others, was brought before the personnel of the camp, both Americans and Japanese; and at that time, he and the others were knocked down by the Japanese. The following American officers witnessed Pvt Heard's being knocked down on this occasion: Major John R. Mamrou, Captain Achilles C. Tisdell, Navy Lt. Edward N. Little, 2nd Lt Owen W. Romaine, 2nd Lt Paul T. Christie and 2nd Lt Robert M. Perkins. The following Japanese were present: Camp Commander, 2nd Lt Ken Yuri; Interpreter, Oyi; Sgt Major Morataki, non-commissioned officer named Fukuda; Japanese Doctor Murao; a mine interpreter who said he was formerly of Riverside, California, whose name was Yamochi; a medical corpsman named Tsuji or Chugi. There were other

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Japanese guards present whose names I do not know. Lt Ken Yuri ordered the medical corpsman named Tsuji or Chugi to knock the Americans down and the corpsman named Tsuji or Chugi proceeded to knock them down with his fists as they stood at attention. I recall that one of the others, besides Pvt. Heard, who was knocked down on that occasion was Private Lonnie Patman. I also recall seeing Lt Ken Yuri himself personally strike another one of our prisoners whose name I do not know.

Afterwards, Oyi, the Japanese interpreter, made a statement to these men, which, as I remember it, was "Will you now promise not to break any more of the camp regulations?" The men then all agreed not to; whereupon, they were released to return to their camp duties.

About 31 May 1944, Heard was again placed in the guardhouse and accused of breaking into the canteen which was set up for the Americans at one end of the barracks building. On or about the night of 31 May 1944, I was awakened as were the following officers in Barracks #1, in which we were housed: Major John R. Mamrous, Captain Achilles C. Tisdell, Navy Lt Edward N. Little, 2nd Lt Owen W. Romaine, 2nd Lt Paul T. Christie and 2nd Lt Robert M. Perkins. [We were escorted enmasse by the Japanese to a place in front of the camp guardhouse.] Shortly afterwards, Captain Thomas Hewlitt and a 1st Lt Proff, American camp doctors, who had been at the hospital in camp, joined us. I would say it was about 11:00 P.M.

Pvt Noah C. Heard was sitting in the doorway of the guardhouse, surrounded by Japanese including 2nd Lt Ken Yuri, Camp Commander; Interpreter, Oyi; and a Japanese non-commissioned officer by the name of Fukuda. Fukuda apparently was in charge of the guards on duty at that time.

About twenty minutes later, the Japanese doctor Murao arrived with other Japanese personnel of the camp whose names I do not know. At this time, another Japanese Sergeant, whose name I do not know, but who was not Fukuda, was consulting a book which had been brought over by Sergeant Major Morataki from Japanese Headquarters, and this Sergeant was pointing out to the Camp Commander, Lt Yuri, certain passages or pages in the book, the contents of which I do not know.

Pvt Noah C. Heard was dressed only in a dirty tee shirt and a pair of shorts. He was barefoot.

After a short conference among themselves, the Japanese interpreter, Oyi, separated himself from the rest of the group conferring, and announced to we officers the following, in effect, "Pvt Heard was in the guardhouse for stealing. He broke out of the guardhouse and now has broken into the Japanese warehouse and also into the Japanese kitchen and stolen these articles you see before you." I saw assorted Red Cross food articles, a Japanese soldier's cap, a pair of glasses and a wrist watch. The interpreter, Oyi, went on saying, "This man had already promised before all of you and the staff of the camp that he would not break any more regulations."

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He has broken out of the prison guardhouse. He has not only stolen from us, but also has stolen the food from your personal packages that you had stored in the canteen. He is no good. We have found this box of food outside the gate, under which gate he could have crawled. The fact that he was in possession of these Japanese articles (cap, glasses, and wrist watch), at the time of his capture in the latrine of one of your barracks, makes it obvious that he had intended to escape, having first pushed the food from under the gate; then apparently becoming frightened, he had returned to the barracks to hide and later accomplish his escape." During this time, Pvt Noah C. Heard never once spoke a word but looked about himself in a dazed bewildered fashion. His body showed signs of having been beaten. He was bruised and swollen about his face.

Then the Camp Commander, Lt Ken Yuri, removed his saber from his scabbard and ran his thumb along the sharp edge as he scrutinized Pvt Heard who appeared to be oblivious to the surroundings. Lt Yuri then returned the saber to the scabbard. Lt Yuri then pushed Pvt Heard's head back with the tip of the scabbard pressing against Heard's forehead apparently in an effort to make Heard look at him; but Heard did not seem to know what was going on around him. Lt Yuri then said something in Japanese and as a result, one of the guards removed a stick of gum from a Red Cross package, removed the wrapping and stuck it in Pvt Heard's mouth. When the gum was thrust in his mouth, Pvt Heard just mechanically chewed on it.

Lt Ken Yuri, Sgt Major Morataki and Interpreter Oyi and the other non-commissioned officers once more conferred for a short period and then Interpreter Oyi told us that we would have to witness the execution and told us to proceed behind the guardhouse where it would be conducted. At this time a guard assisted Pvt Noah C. Heard to his feet and proceeded to lead him, accompanied by other Japanese, to the rear of the guardhouse. I was able to observe that Pvt Heard staggered as a dazed man would. Upon arriving behind the guardhouse, the guard lead him and through gestures, tried to make Heard kneel. Pvt Heard resisted these attempts and this became obvious to the Camp Commander, Lt Yuri, who then said something in Japanese and the guard allowed Pvt Noah Heard to sit on the ground instead. At that time, Pvt Heard brushed away cinders from in front of him and a Japanese guard seeing him do this, jammed his heel on the back of Heard's hand with such force that I could hear a crunch.

At this time, the Japanese Interpreter Oyi came to where we officers were lined up and said words to this effect, "We've changed our minds. You must go back to your barracks--go now-hurry up". We all started back toward our barracks; but 2nd Lt Paul T. Christie, 2nd Lt Owen W. Romaine and I separated ourselves from the remainder of the

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group and slipped into an empty building from which we could see, through a window, the scene which we had just left. I would say we viewed the scene from a distance not greater than twenty-five feet. There were lights on the fence which very clearly illuminated the scene. The lights were very bright and we could see everything very clearly. I could also hear very clearly what was said even though I could not always understand it.

From the window, I saw that a semi-circle of guards had formed behind Pvt Heard. At a command from Lt Ken Yuri, one of the guards came forward and bayoneted Heard in approximately the middle of his back. I do not know this guard's name. Pvt Heard grunted and fell forward from the impact of the onrushing guard and began to retch and twitch, making gesticulations similar to those of a brute that has been mortally wounded. These gesticulations caused him to roll on his back with his right side exposed to the semi-circle of guards. Upon the return of the first guard to the semi-circle, on the command of Lt Ken Yuri, a second guard went forward and plunged his bayonet into the exposed right side of Heard's abdomen. I do not know the name of this guard either. The guard withdrew and the Japanese doctor Murao, Lt Ken Yuri, Sgt Major Morataki, Interpreter Oyi and some of the guards went up to examine Heard's body. By this time, Heard's actions were no longer violent; however, a slight spasmodic twitch could be noticed in his hands and feet. A third guard whose name I do not know then turned his rifle butt up and thrust the bayonet vertically into Heard's throat. The guards then proceeded to rake across Heard's abdomen, cutting it to bloody ribbons. These were the same guards who were present throughout the entire proceedings, but their individual names I do not know.

At this point, the Japanese doctor Murao came forward and gave Pvt Heard a final examination and then Heard was covered with straw rice sacks and a Japanese guard was posted over his body and the rest of the Japanese retired.

From the building where we had been hiding while we watched the Japanese putting Pvt Heard to death, we went directly to our barracks. The next morning, all Americans were forbidden to leave their quarters or to look out in the direction of the previous night's execution. I managed to observe activity through a knot hole in the door of our barracks. I observed Japanese medical corpsmen looking around the rice sacks that had covered Heard's body. The body was no longer there. The Japanese were kicking dirt over the spot where the body had been. After they had completed this action, we were allowed to come out of the buildings.

After waiting a considerable time for roll call that morning, so that we could eat our breakfast and go about our duties, I went into the guardhouse to inquire when we could have roll call and was driven out by the

Affidavit - Lt Allen - Cont'd

Japanese guards who were drinking out of a bottle and appeared to me to be drunk. I was told we should go about our work; that there would be no morning roll call.

From then on, officially nothing was ever said about the death of Pvt Noah C. Heard although one guard, whose name I do not know, but whom I would recognize on sight, boasted to me that he was the one that first stuck Pvt Heard with a bayonet on the night in question.

Further deponent sayeth not:

/s/ John H. Allen 1st. Lt. A.D.C.
JOHN H. ALLEN, 1st, Lt. ADC
O-890115

Subscribed and sworn to before me this 30th day of December 1945
at Fort Snelling, Minnesota.

/s/ Ronald N. Davies
RONALD N. DAVIES
Major, Inf. 0226763
Post Judge Advocate

A true copy:

/s/ Lindsay Williamson
Lindsay Williamson, Capt., JAGD

C E R T I F I C A T E

May 14 , 1946

I ~~HEREBY~~ CERTIFY that the attached document is
a true copy of an affidavit purporting to be sworn and
subscribed to by John H. Allen, 1st Lt, ADC, O-890115

at St. Paul, Minn.

on the 30th day of December , 1945 .

I FURTHER CERTIFY that it was copied from an
original in my custody as Chief, Criminal Registry Divi-
sion, Legal Section, GHQ, SCAP, Tokyo, Japan.

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

*Pow's Flyer
killed in J*

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PROTOCOL CONCERNING TREATMENT OF ALLIED AIR FORCE FLIGHT PERSONNEL
IN THE CENTRAL DISTRICT
(PART I)

The Central Investigation Committee relating to Prisoners of War

December 26, 1945

/written in ink/ two copies duly submitted

I. FOREWORD

This Protocol was drawn up on the basis of a Report from the Chief Officer of Central District Demobilization Office (Ex-Commander of the Central Military District), and as regards the details thereof, same shall be submitted after making further investigations.

II. SUMMARY

Total number of the Allied Air Force Flight Personnel who were captured within the Central Military District by the Japanese Army was about forty-nine, of whom three were sent to Tokyo; about six died from injuries and sickness; two were put to death after trial by court-martial; and the rest of about thirty-eight, were put to death without being court-martialled.

III. THOSE SENT TO TOKYO

A man who was captured in the Tokai District (This District belonged at the time to the Central Military District) early in January of 1945, as well as two men who machine-gunned the air fields and transport facilities within the Military District in daytime during the end of July and on the 7th of August - three persons in all - were sent to Tokyo. The names of the flight personnel, the units that captured them, and the dates when they were sent to Tokyo, have not yet become clarified.

IV. THOSE WHO DIED FROM INJURIES AND SICKNESS AFTER CAPTURE.

1. One of the flight personnel (Hamilton) who made a reconnoitering flight over the Hanshin (Osaka-Kobe) District on the night of May 8th, 1945, died after capture from injuries and sickness.
2. Besides the above, seven persons who made a strafing and bombing attack on Osaka City on the _____ (TN - the character is not clear) of June, 1945, twenty-five persons who made a strafing and bombing attack on Kobe City in daytime of the 5th of the same month; six persons who made a strafing and bombing attack on Osaka City and suburbs thereof in daytime of the 26th of the same month; three persons who made a strafing and bombing attack

on Osaka City and suburbs thereof, and who were captured in Wakayama Prefecture on the 2nd of July; one person who shot non-combatants near Osaka City on the 30th of the same month; and one person who strafed fishing vessels and railways along the coast of Wakayama Prefecture in daytime of the 9th of August of the same year, made in all, forty-three persons, of whom about five persons died from injuries and sickness. Their names, however, cannot be ascertained as the pertaining documents have been destroyed by fire.

V. PERSONS WHO WERE PUT TO DEATH AFTER BEING TRIED BY COURT MARTIAL.

1. Two persons (Nelson and Auknuth) (T.N. phonetic) who were captured after they had made incendiary bomb raids on Osaka City on the night of the 14th of March, 1945 and on Kobe City on the night of the 17th of March, were sent to the 15th Area Army's Court Martial by the Central District M.P. Unit in the middle of May. As a result of investigations carried out by Prosecution Officer, Major-General (j.g.) (Legal) Kiyomi OTAWARA, it was ascertained that the two men belonged to the American Air Unit at Saipan (the name of the Unit is not clear as the documents were destroyed by fire). 2nd Lt. Nelson was an air navigator and sergeant Auknuth (Phonetic), served as a radio operator. They took part several times in bombing raids on Tokyo, Nagoya and Hamamatsu about January and February, 1945 and came over Tokyo again with about 300 other planes on the 8th of March in the same year and dropped oil incendiary bombs on the center of the city. They made similar incendiary bombing raids on the center of Osaka City on the 14th, and the center of Kobe City on the 17th of the same month. Moreover, as a result of these attacks, large unspecified numbers of casualties occurred among non-combatant people and their private properties reduced to ashes.
2. Consequently, concerning the indictment and term of punishment, the 15th Area Army Commander (concurrently the Central Military District Commander) submitted a written report to the Minister of War, together with the opinion of the Prosecution Officer recommending the death penalty for both of them in about the middle of June, and indicted them upon receipt of approval in the latter part of June.
3. On the 18th of July in the same year, at the tribunal of the 15th Area Army Headquarters, the five persons, viz. Judge, Major Tokuo YAMANAKA; Army Judicial, Captain Takeshi ONO; 1st Lieutenant Hideo MATSUMORI; Witnessing Prosecutor, Judicial 1st Lieutenant Yorio OGIYA; and Witnessing Recorder, Judicial Sergeant-Major Yoichi SHIMAMURA, held a court-martial trial of the said two persons and adjudicated that the two should have the death penalty imposed on them according to Article III, as their acts came under the terms of Martial Law Article II,

Paragraphs 1 and 2, concerning Punishment of Enemy Plane Flight Personnel.

4. Execution of the sentence was carried out at the Army Manoeuver Area at Yokoyama Village, Izumi Kita District, Osaka Prefecture at 4:00 p.m. on the 13th of July, 1945, when the two men were executed by a firing squad in the presence of the following witnesses: Chief Executor Judicial Army Captain Kanji NAKAMICHI; Execution Director Judicial Army 1st Lt. Yorio OGIYA; Witnessing Medical Officer Army Surgeon 1st Lt. MINAMI; Active Executors Judicial Sergeant-Major Toru MATSUDA; Sergeant-Major Seisaku MITA; Sergeant Yoshibumi MATSUI; and Witnessing Recorder, Judicial Sergeant-Major Yoichi SHIMAMURA.
5. The bodies, which were temporarily buried on the same day, were cremated at the same place on the 24th of August and then formally laid to rest at the Army Cemetery at Sanadayama on the following day, the 25th.

VI. THOSE WHO WERE PUT TO DEATH WITHOUT UNDERGOING COURT MARTIAL

1. The Flight Personnel coming under this Clause are seven men who made a strafing and bombing raid on Osaka City on the 1st of June, 1945; twenty-five men who made a strafing and bombing raid on Kobe City during the daytime of the 5th of the same month; six men who made a strafing and bombing raid on Osaka City and suburbs thereof during the daytime of the 26th of the same month; three men who were captured in Wakayama Prefecture on the 2nd of July after they made a strafing and bombing raid on Osaka City and suburbs; one man who machine gunned non-combatants near Osaka City on the 30th of the same month; and one man who machine-gunned fishing vessels and railways along the coast of Wakayama Prefecture during the daytime of the 9th of August in the same year, totalling forty-three men in all, of whom about five men died of injuries or sickness, which makes a net total of thirty-eight men, whose names, however, cannot be ascertained due to the pertaining documents having been destroyed by fire.
2. The Central Military District Headquarters, issued orders in about April, 1945 in the name of the Chief of Staff to the effect that all information collected from air flight personnel captured within the Central Military District should be reported en bloc by the Central District M.P. Headquarters to the Commander of the Military District. Moreover, although at that time, the Central District M.P. Commander was subordinated to the M.P. Commander in Tokyo, as regards guard duties, he came under the delegated command of the Central Military District Commander.

3. The intensification of air raids from June, 1945 onwards, brought about a gradual increase also in the number of captured air flight personnel, but although the Central District M.P. Unit, following thorough investigations on the strength of the afore-mentioned orders, secured evidence of violation of Martial Law in each of these cases, these flight personnel could not be brought before Court-Martial due to the 15th Area Army Headquarters (an operational unit incorporated into one body with the Central Military District Headquarters, and the greater part of whose personnel were holding additional posts with the Military District Headquarters) being too busily occupied in the preparation of defence operations against the intensified air-raids and supposed landing on our mainland by the U. S. forces, and on account of the Judicial Department, too, being kept busy in dealing with cases of violation of military discipline.

At that time, the Central Military District Army opined that the intensification of air-raids since the autumn of the year before - especially the fact that many lives and considerable private property had been destroyed as a result of the indiscriminate incendiary bombings on Tokyo, Nagoya, Osaka and Kobe, etc., since March of this year, had roused the indignation of the nation - especially towards the flight personnel - to an exceedingly high pitch.

4. As, under the afore-mentioned circumstances, the Central District M.P. Unit received no instructions from the Central Military District Headquarters, regarding the measures to be taken against the flight personnel, they contacted the Tokyo M.P. Headquarters, and on the occasion of the first execution in the beginning of July, same was carried out by also contacting the Military District Headquarters.

As stated above, the said total of forty-three persons were executed by shooting in several lots by special personnel at the manoeuver area at Nobutayama, Izumi-Kita Gun, Osaka Prefecture and the firing range at Higashi-ku, Osaka City, from the period between the beginning of July to the middle of August, and their bodies were buried at the same places. However, although some of the bodies seem to have been buried at the Army Cemetery at Sandayama, details are unknown.

VII. FUTURE COUNTER-MEASURES

As the executions in the preceding clause not only contain points violating the laws and regulations prescribed by the Japanese Army, but as there are also points requiring clarification as regards the responsibilities of the parties concerned, we are at present investigating into the matter so as to put same on trial.

PROTOCOL CONCERNING TREATMENT OF ALLIED AIR FORCE FLIGHT PERSONNEL
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Kempu Tai
alibi

1923

PROTOCOL CONCERNING THE HANDLING OF THE CREWS OF ALLIED PLANES
IN THE CENTRAL DISTRICT
PART II

27 March 1946

Central Investigation Committee
Concerned with POW

I. Foreword

This Protocol is a compiled collection of the reports made by those in command of demobilization in the Central District, and of the statements made by those who have connections with the Military Police, made in regard to "Protocol Concerning the Handling of the Crews of Allied Planes in the Central District, Part I," dated 26 December 1945.

II. The total number of crew members of Allied planes captured by the Japanese Forces in the Central Military District was about 49. The conditions of treatment of these men are as described in Annexed Sheets Nos. 1, 2 and 3.

III. The following are the results found through the further investigations of the cases which have been disposed of informally, without the formal proceedings of a court martial.

A. In regard to the outline of the handling of Allied Airmen in the Central Military District at that time:

Early in April (or late in March) of 1945, the Central Military District dispatched an order in the name of the Chief of Staff to the effect that the collection of information from captured airmen should be summed up at the Military Police Headquarters of the Central District, but the assignment of personnel to this work was not especially directed.

The Military Police Unit of the Central District, took charge of security, protection, billeting, provisions, and sanitation of the captured airmen, based upon the above order, and the basic duties of the Military Police, before, during and after the investigations.

There was an instruction that the Army will fully investigate the captured airmen and those who did not violate any military regulation will be interned in POW Camps, while those who violated any military regulation will be charged before a court martial which will dispose of the cases based upon its decisions. However, the disposition of these captured airmen was delayed because bombings caused disruption of transportation and communications, and preparations for the operations were complicated.

B. In regard to the public feeling against the captured airmen.

After the bombings of the Japanese Mainland were initiated, not only were fearful air raids against important facilities continued, but in various places the losses in lives and properties of non-combatants started to mount. Accompanying this, the hostile feelings of the people began to increase. However, in March when large cities such as Tokyo, Nagoya, Osaka and Kobe began to suffer indiscriminate incendiary bombing raids, and huge losses were suffered, the peoples' feelings suddenly became violent and their hostile feelings increased. The general public opinion against the captured airmen hardened conspicuously. Later on, the indiscriminate bombings by Allied aircraft became increasingly and ceaselessly violent and the peoples' spirit of vengeance reached its limit. The situation came to the point where even Japanese airmen who parachuted down were in danger of harm, because the people did not take time to make distinctions.

C. Relationship between the Central District Military Police Unit Headquarters and the Military Police Headquarters in regard to punishments.

1. Accompanying the sharp increase in air raids against the mainland in the spring and summer of 1945, the number of captured airmen increased considerably. However, for various reasons, every unit was unable to speedily bring these men to courts martial. Because of this, the Military Police Unit in the various areas had difficulties in the internment of these men on account of the poor and crowded internment facilities. Around June of 1945, Lt. General OKIDO, Sanji, the Military Police Commandant, after considering the general state of affairs, issued a personal message using the name of Colonel YAMAMURA, Yoshio, Chief of the External Affairs Section of the Military Police Headquarters. The message was issued to each Military Police Headquarters Commandant in the Northern, Northeastern, Eastern, Tokai, Central, Chugoku, Shikoku, and the Western District in regard to the handling of captured airmen.
2. The gist of the said personal message, according to the memories of those who were then connected with the Military Police Headquarters, is generally as follows:

Courts martial for captured airmen are generally at a standstill. Because of this, it seems that the interned personnel have increased and the various Military Police Units are feeling extreme difficulties in the handling of these men. From the standpoint of the Military Police, they hope for the acceleration of the courts martial. There are probably some men among the prisoners who carried out inhuman and indiscriminate bombings. It is only right that these men be immediately punished severely according to military regulations.

If it is impossible to make immediate dispositions by courts martial, perhaps other methods may unavoidably be used. However, it is up to the Military District Headquarters to decide which of the two methods should be adopted, and it is not a matter to be handled by the Military Police. Therefore, it is best to make contacts with the Chief of Staff of the Military District concerned, according to necessity. Moreover, it seems that he added that this case should first have the independent decision of the Chief of Staff of each Military District.

3. According to Major-General NAGATOMO, Tsuguo, Commandant of the Military Police Unit Headquarters of the Central District, he was trying to find a solution to the difficulties of the internment of the increased number of captured airmen. Since he received the aforementioned personal message at this time, it seems that he interpreted the intention of the message to mean immediate punishment of the captured airmen and he ordered his officers to make preparations accordingly.

D. Relationship between the Military Police Unit Headquarters of the Central District and the Central Military District Headquarters in regard to punishments.

1. Around the end of June (or the beginning of July), Major-General NAGATOMO, Commandant of the Military Police Unit of the Central District who received the said message, paid a visit to Lt. General KUNITAKE, Michio, the Chief of Staff of the Central Military District. NAGATOMO made the following statement: "As a result of investigating captured airmen, we find that their statements are generally all alike. Therefore, hereafter we will not submit every bit of information and we wish to take the appropriate measures for these airmen."

Lt. General KUNITAKE did not think that this negotiation was something in connection with anything as important as the punishment of the airmen, but he thought it was just a simple intelligence report. Therefore, he answered, "I acknowledge it," and turned his attention to extremely pressing problems of operation preparations, and countermeasures against air raids.

According to Lt. General KUNITAKE, it seems that he never even dreamed that the purpose of Major-General NAGATOMO's visit was the contact for the important matter based upon the personal message from the Military Police Unit Headquarters.

He never even dreamed

2. In the early part of June (the exact date is not known) Major SHINAI, Ikomaro, of the Military Police Unit Headquarters of the Central District visited Colonel OBA, Kojiro, a Staff Officer of the Central Military District and said, "Since we have had contact from the Military Police Headquarters, we will punish the captured airmen who are at present interned at the Military Police Unit of the Central District."

Thereupon, Colonel OBA asked, "Is it proved that all of these captured airmen actually carried out indiscriminate bombings?" It seems that Major SHINAI answered, "Yes,"

It appears that Colonel OBA thought that these punishments were matters concerning captured airmen who were under the administration of the Military Police Unit of the Central District and based upon the plans of the higher Military Police Headquarters to which the unit belonged. Therefore it seems that he answered, "It is inevitable, if they are to be punished by the Military Police Unit," thinking that it was unavoidable, since they were to be punished in the light of military regulations.

3. In regard to the two aforementioned items, Lt. General UCHIYAMA, Eitaro, the Commandant of the Central Military District had no knowledge of them, since he received no report regarding them at the time.

4. Conclusion.

Major-General NAGATOMO, Tsuguo, who is the principal party concerned with this case has been taken into custody by orders of the Allied Forces. Furthermore, the whereabouts of his chief subordinate officers are still unknown.

This protocol is based upon such investigations as are possible under such circumstances. Consequently, if investigations of these parties concerned can be carried out in the future, there may be some revisions and eliminations in this protocol.

Annexed Sheet No. 1

Place of capture	Date of capture	Nationality	Rank	Name	Unit designation and identification No.	Cause of death	Date of death	Place of death	Death certificate	Place of burial	Disposition of corpse	Persons who know the place of burial	Address of the aforementioned person
KU-SHI TA-KU FUTATABI-YAMA	March 17, 1945	American	2nd Lieutenant.	R.W. NELSON	Unknown	Executed by orders of Court Martial	July 18, 1945	OSAKA-FU SENHOKU-GUN YOKO-YAMA-MURA		OSAKA-SHI SANADAYAMA Army Cemetery	Cremated and buried	MATSUDA, TORU	OSAKA-FU NAKAKOCHI-GUN OTO-MURA ISHIKIRI
OSAKA-FU FUSE-SHI TAKAIDA-Vicinity	May 8, 1945	AMERICAN	Captain	HAMILTON	Unknown			OSAKA-SHI HIGASHI-KU OSAKA Military Police HQ.		OSAKA-SHI SANADAYAMA Army Cemetery			
x	U N K N O W N	A M E R I C A N S	Captain	OTTO	U N K N O W N		From early in June, 1945 To around Aug. 10th 1945.	OSAKA-FU SENHOKU-GUN		OSAKA-SHI HIGASHI-KU Rifle-range.	buried	FUJIOKA, HIDEO	OSAKA-FU MISHIMA-GUN IBARAGI MACHI SHIMO-CHUJO 273 c/o OKUMURA HIDEO
			1st Lieutenant.	COPE				SHINODAYAMA Maneuver Grounds.	One was drawn up but was burned	OSAKA-FU SENHOKU-GUN SHINODAYAMA Maneuver Grounds.			
			1st Lieutenant	YOUNG		Deaths from injuries and illnesses. (about 6)		OSAKA-SHI HIGASHI-KU Rifle-range					
			1st Lieutenant	SCHULTZ		or executed after thorough investigation and Court Martial.							
			2nd Lieutenant	MIGA PADDLE									
			Master-Sergeant	STRONG									
			Master-Sergeant	RED									
			Sergeant	CANSARA									
			Unknown	KEMMIRING									
				(about 37 more)									

- References. (1) This chart has been made from the memories of various persons in various areas because the original was burned. Therefore, some details are uncertain and absolute accuracy can not be expected.
- (2) The spellings of the names cannot be expected to be accurate.
- (3) The mark "x" under the column of place of capture shows uncertainty, but the outline of the circumstance of capture is as shown in annexed sheet No.2 "Investigation concerning the capture of airmen".

Investigation concerning the capture of airmen.

Annexed No. 2

Place capture	Date of capture	Nationality	Rank	Name	Attached (Kind of aircraft)	Identification serial number	Synopsis
WAKAYAMA-KEN NISHIMUTA-GUN NARI-MURA-AZA-TANI	Aug. 9, 1945	A	Captain	One unknown person	Unknown (p. 51)		
WAKAYAMA-KEN HITAKA-GUN KAMIYAMAJI-MURA TONO-HARA (In woods)	May 5, 1945	M E	Captain Unknown	MAX BARTON phonetic (Chief engineer) LONKAS PASK phonetic (engineer)	SAIPAN Army Unit 1329 B 29 (?)	U N	Two of the four who escaped, work- ing around in a woodland, were captured on May 9, at NISHIMUTA- GUN, FUTATSU- MURA KOMATSU- BARA and deli- vered to the Military Police Unit. Names and ranks unknown.
WAKAYAMA-KEN HITAKA-GUN SAMUKAWA-MURA KUSHIMOTO (SEIREI-YAMA)	June 26, 1945	R I C A N	1st Lieutenant 1st Lieutenant 1st Lieutenant 1st Lieutenant Master-sergeant Sergeant	PAUL SFTAN WILLIAN CONTED YUK TYLASE (T.N. phonetic) LEONARD'S. ROBERT PARIUT (T.N. phonetic) CAPP LESLEY	Unknown (B 29)	K N O W N	
WAKAYAMA-KEN HITAKA-GUN MAZUMATA-MURA KAWAMATA (in woods)	July 2, 1945	S	Sergeant sergeant Sergeant	WALL JOHN NICHOLS JANS PAR FRANCES RAYMOND (T.N. phonetic) WILLARD HARMED	Unknown (B 29)		Captured in a woodland
KYOTO-FU KUSE-GUN OKUBO-MURA ISETA	June 5, 1945		Unknown	6 men Unknown	Unknown (B 29)		
KYOTO-FU SORAKU -GUN KUSAUCHI-MURA			Unknown	6 men Unknown	Same as above		
NARA-KEN UDA-GUN SAMBON-MATSU-MURA	June 1, 1945		1st Lieutenant Master-sergeant Corporal	Unknown (about 25 years old) Unknown (about 27 years old) Unknown (about 25 years old)	Same as above		

Annexed sheet. No. 2.

Place of capture	Date of capture	Nationality	Rank	Name	Attached (Kind of aircraft)	Identification serial number	Synopsis
NARA-KEN YOSHINO-KAMIICHI SHIMOICHI	June 1, 1945	A	1st Lieutenant	WITTE		U	STRAN must be the same man as M/Sgt. STRONG indicated in annexed sheet No. 2, line 3.
		M	Non-Commissioned Officer	HART	Unknown (B 29)	N	
		E	"	STRONG		K	
		R	"	BECRAFT		N	
OSAKA-FU HONO-GUN TOYOSHIMA-MURA	July 30, 1945	I		One man unknown	Unknown (P)	O	
HYOGO-KEN MUKO-GUN YAMATAKE-MURA	June 5, 1945	C		Two men unknown	Unknown (B 29)	W	
		A				N	
Near KOBE-SHI	Same as above	N		Six men unknown	Same as above		
HYOGO-KEN AWAJI-SHIMA	Same as above	S		Five men unknown	Same as above		

Note. Because the documents were destroyed by burning, this has been made from memories of persons in various areas.

Therefore, there are inaccurate and unknown points.

Investigation On The Transfer of Living Aircraft Crews.

Annexed sheet " 3

Date of capture	Place of capture	Rank & Name	Identification Serial No.	Time of transfer	Receiver and name of responsible official	Sender and name of responsible official	Evidence, and other reference data
Jan. 3-1945 (?)	AICHI-KEN, HIGASHIKAMO-GUN, ASHISUKE-MACHI	Sergeant HAROLD HEADYS ? (T.N. phonetic)	Unknown	The middle pr latter part of February	OMORI POW Camp Responsible per- son unknown	Military Police Headquarters of the Central District. Sgt. MORI, TAKAO and 1 other.	B. 29, Tail Gunner. Received from NAGOYA Military Police Unit by the Army. Sent under order to OMORI POW Camp.
July 25, 1945	SHIGA-KEN GAMO-GUN HIRATA-MURA HANETA	2nd Lieutenant HARBAR TROW (T.N. phonetic)	Unknown	Aug. 9.	TOKYO Military Police Headquarters. Responsible person unknown.	Military Police Headquarter of the Central District. 2nd Lt. WADA, YASUO /T.N. WADA is juni, a sort of sub-offi- cer, rather like a warrant officer in the British Army./	Crew member of F6F, attached to the aircraft carrier "ENTERPRISE".
Aug. 7, 1945	OSAKA-FU SAKAI-SHI on the sea	2nd Lieutenant Name unknown	Unknown	Same as above	Same as above	Same as above	Crew member of P 51, attached to IWO JIMA 317 ?. Had knowledge of atomic bomb.

Reference. Because the document was burned, there are points that are inaccurate.

1924
Killed after Peace

PROTOCOL CONCERNING TREATMENT OF ALLIED AIR FORCE FLIGHT PERSONNEL
IN THE WESTERN DISTRICT

(Part 1)

The Central Investigation Committee Relating to Prisoners of War

January 23, 1946

(written in ink) two copies duly submitted.

I. FOREWORD

This Protocol was drawn up on the basis of a Report from the Chief Officer of the Western District Demobilization Office (Ex-Commander of the Western Military District), and, as regards details thereof, same shall be submitted after making further investigations.

It has become ascertained that the report duly made by the Western District Demobilization Office to the local U.S. Army Authorities to the effect that thirty-one Allied Air Force Flight Personnel were sent to Tokyo on the 18th of August, 1945, was a mistake.

II. SUMMARY

8-6-20-45
8-8-12-45
15-8-15-45
Of the Allied Air Force Flight Personnel captured by the Japanese Army within the Western Military District, about eight were put to death on the 20th of June, 1945 (Group I), another, approximately eight men, on the 18th of August in the same year (Group II) and another, approximately fifteen men, on the 15th of the same month in the same year (Group III), by personnel of the said Military District Headquarters.

III. RE EXECUTION OF GROUP I

As a result of various cities in the mainland having suffered one after another from incendiary bombing by the Allied Forces ever since the end of 1944, the hostile feeling of the military and government authorities, as well as the people, became steadily aggravated, especially upon Fukuoka City, the seat of the Military District Headquarters, being air-raided on the 19th of June, 1945, which resulted in the principal parts of the City being reduced to ashes, and presenting the tragic sight of large numbers of the general populace being made victims, whereupon the hostile feeling appears to have become still further intensified.

It was under the circumstances as per the foregoing paragraph that about eight of the captured Flight Personnel were executed by Personnel of the Military District Headquarters within its compound on the 20th of June.

IV. RE EXECUTION OF GROUP II

atomic

On entering into August, successive atomic bomb raids were made by the U. S. Army on the Cities of Hiroshima, and Nagasaki, victimizing the majority of the citizens of both cities, and upon it becoming known that the miserable plight of the said victims was absolutely beyond words, the general feeling of animosity appears to have soared up to its zenith again.

It was under the circumstances as per the foregoing paragraph that about eight captured Flight Personnel were executed by Personnel of the Military District Headquarters in a hill near the Aburayama Crematorium in the southwest part of Fukuoka City, on the 12th of August.

V. RE EXECUTION OF GROUP III

Upon the war coming to an end on August 15th, various wild rumors became circulated throughout Kyushu District, and Fukuoka District especially was thrown into an indescribable state of confusion due to the weaker sex fleeing to places of refuge, etc., due to the fabricated report that a part of the Allied Forces had already landed, etc., and these factors appear to have aroused a sense of intense enmity among a section of the officers of the Military District Headquarters.

It was under the circumstances as per the foregoing paragraph that about fifteen captured Flight Personnel were executed by Personnel of the Military District Headquarters in a hill near the Aburayama Crematorium in the southwestern part of Fukuoka City, on the 15th of August.

VI. FUTURE COUNTER-MEASURES

As all these cases occurred at a time of extreme pressure in operational duties and when the public were extremely restless in their minds, as well as due to the pertaining documents having been destroyed by fire, there are still not a few inaccurate points as regards the number, names and disposal of the bodies of the executed Flight Personnel, status of their belongings, as well as in regard to the names of the Headquarters Personnel participating in the executions, detailed circumstances regarding the actual executions as well as the consequential responsibilities, etc., it is therefore being planned to make thorough investigations by strengthening the Investigation Staff; and at the same time, as the matter contains points that are considered as violating the laws and regulations prescribed by the Japanese Army, same are being investigated at present so as to put same on trial.

It is also being planned to make thorough investigations as to the actual circumstances of the execution, etc., and to make a report on the same to the Allied Forces, etc., and to make a report on the same to the Japanese Army, etc., and to make a report on the same to the Japanese Army, etc., and to make a report on the same to the Japanese Army, etc.

*Women
to
Hill**after
war
ended*

KILLED
THEN BODIES DUG UP
AND BURNED

VVV Govt

RESTRICTED

19255#

Yorio OGIYA, after having been duly sworn, testified at the Investigation Division, Legal Section, GHQ, SCAP, Osaka Branch Office, Yasuda Building, Osaka, Japan, on the 8th day of February, 1946 as follows:-

- Q. Please state your full name, age, address and nationality?
A. My name is Yorio OGIYA. I am 27 years of age and reside at Yabagani, Heijo Mura, Ikoma-gun, Nara Prefecture. I am of Japanese nationality. (Japanese seal)
- Q. What is your occupation?
A. [I am now working for the Sumi Law Office, Asahi Bldg, Osaka City as a Law Clerk.]
- Q. Do you intend to remain at your present address, and if not, how can your whereabouts in the future be ascertained?
A. I intend to remain at my present address.
- Q. Were you a member of the Japanese Army? If so, when did you become a member, the position you held and what branch of service you were assigned to?
A. [I became a member of the Japanese Army, 1st November 1943 and was discharged on 30th November, 1945. I was assigned to the Judicial Branch. I was a first lieutenant until August 20th, 1945 and was then promoted to a Captain.]
- Q. When were you assigned to the Central Army Area Headquarters?
A. December 26th, 1944.
- Q. What were your duties in the Judicial Branch of the Central Army?
A. My duties were to investigate military cases to find out whether the party is guilty or not guilty either before the case is tried or after the case is tried. All military Judicial Officers do the work of both Judge and Public Procurator.
- Q. What are the duties of the Judge?
A. The judge looks over the case appealed by the Public Precurator to see whether the military personnel is guilty or not at the Military Court, and gives judgment accordingly.
- Q. Could the Military Judicial Officer act both as Public Procurator and Judge the same case?
A. In General they don't in order to give proper judgment. In war-time for example out in the front when either the Judge or the Procurator is killed or wounded then the Procurator or the Judge has to act as both Procurator and Judge.

Do you recall the names of captured American B-29 Fliers by the names of Lt. Robert W. Nelson and Sgt. Alvey Stanley Auganus?

A. Yes, I remember.

Q. When did you first hear his name and under what circumstances?

A. I heard about Lt. Nelson and Sgt Auganus in the middle of May 1945 in the Judicial Department. I don't remember from whom I heard it, but everyone in the Judiciary Department was talking about these two fliers.

Q. Were you ever appointed as a member of the Military Discipline Conference of the Japanese Central Area Army?

A. Yes.

Q. What was your duties on the Military Discipline Conference and what position did you hold?

A. I was appointed as Witness Public Procurator and my job was to read an opinion at the Military Discipline Conference and request a death penalty.

Q. Who were the defendants at the time you were appointed to the Military Discipline Conference?

A. 2nd Lt. Robert W. Nelson and S/Sgt Alvey Stanley Auganus both of the United States Army.

Q. Were Lt. Nelson and Sgt. Auganus the only two American Aviators or soldiers whose matters were brought before the Military Discipline Conference?

A. Yes.

Q. When were you appointed as Witness Public Procurator in the Nelson and Auganus matter and by whom?

A. I was appointed on the 14th or 15th of July 1945 to act as Witness Public Procurator in the Nelson and Auganus matter, by Major General Kiyotomi OTAHARA head of the Judicial Department of the Central and 15th Area Army Headquarters.

Q. Who investigated the Nelson and Auganus matter?

A. Major General Kiyotomi Otahara investigated the Nelson and Auganus matter.

Q. Did you ever investigate the Nelson and Auganus matter?

A. No.

(Japanese Seal)

Q. Then how did you come to act as Witness Public Procurator if you never investigated the Nelson and Auganus matter?

- Q. Major-General Kiyotomi OTAHARA was supposed to be the real Witness Public Procurator in the Nelson and Auganus matter, but he was transferred to the head of the Judicial Branch of the Second General Army in Hiroshima and I was ordered to take his place.
- Q. When did the Nelson and Auganus matter appear before the Military Discipline Conference?
- A. July 18th, 1945 in the Court room of the 15th Area Army Headquarters in the Osaka Castle Grounds.
- Q. Name all the people that were present at the time you presented the Nelson and Auganus matter to the Military Discipline Conference?
- A. The following were present:- Chief Judge Norio YAMANAKA (Major); 1st Lt. Hideo MATSUO (Judge); Capt. Buichi ONO (Judge); W.O. or Sgt/Major Yasukazu SHIMAMURA (Witness Clerk); both Lt. Nelson and Sgt. Auganus and an interpreter whose name I don't know, but his rank is that of Sgt. or Sgt/Major.
- Q. Who instructed you to ask for the death penalty of Nelson and Auganus?
- A. After Maj. Gen. Otahara completed his investigation, he wrote an opinion based on his investigation and forwarded this opinion to Lt. Gen. Eitaro UCHIYAMA Commander of the Central Army Headquarters to get an approval of the death sentence. Then after obtaining (obtaining) the approval of Gen. UCHIYAMA, Maj. Gen. OTAHARA took his opinion to General HATA who was in command of the Second General Army and also got his approval of the death penalty. Lastly Maj. Gen. OTAHARA took the opinion to the War Ministry in Tokyo and the death penalty was also approved. Then on the 18th day of July, 1945, I presented this opinion with the approvals of Gen. UCHIYAMA, Gen. HATA and the War Ministry, to the Military Discipline Conference and demanded the death penalty by reading the opinion and the approvals to the Judges of the Military Discipline Conference.
- Q. Was Lt. Nelson and Sgt. Auganus permitted to say anything in their own defense at the Military Discipline Conference?
- A. I remember Nelson saying that he was only obeying the orders of his higher officers that he bomb Japan. I don't remember Sgt. Auganus saying anything. That was his defense.
- Q. Who asked Lt. Nelson and Sgt. Auganus questions at the Military Discipline Conference?
- A. Capt. Buichi ONO.

Hata
agrees
to
Death

V.P. 4

Q. What were the questions asked and what answers were given?

A. The questions asked were as follows:-

1. What unit they belonged and duties, name, rank, age, schooling, profession.
2. Places they bombed:- March 9th, 1945 Tokyo-incendiary bomb from Saipan
March 14, 1945, bombed Osaka.
March 17, 1945, bombed Kobe.
3. Radar-explanation. Nelson was asked to explain American Radar system.

Radar

Nelson said that he admitted the fact that he bombed Japan, but he only obeyed his higher officer's orders.

Q. What was the verdict of the Military Discipline Conference?

A. Lt. Nelson and Sgt Auganus was found guilty and sentenced to die by the firing squad.

Q. When was Lt. Nelson and Sgt Auganus shot to death and where?

A. Both were shot to death on July 18th 1945 the same day the decision was rendered by the Military Discipline Conference, at about 4:00 PM in the Yokoyama Military Parade Grounds, Senboku-gun, Osaka Prefecture.

Q. Who was present at the execution of Lt. Nelson and Sgt Auganus?

A. Capt. Kanji NAKAMICHI head of the Osaka Military Prison in Ishikiri; 1st Lt. Jisai Minami who was medical officer and witness; I was present and Judicial Officer and director of the execution: Sgt/Maj. Yasuichi SHIMAMURA who was Judicial Officer non-com witness clerk; the firing squad consisted of three non-coms whose last names are MATSUDA, MATSHI and SANTA; also present was a Japanese Buddhist Priest whose name I do not remember; and about two others from the Osaka Military Prison whose names I also do not remember.

Q. Where and when were the bodies of Lt. Nelson and Sgt Auganus buried after they were executed and who was present?

A. The remains of Sgt Auganus and Lt. Nelson were buried the same day on the hills of Yokoyama Military Parade Ground, Senboku-gun, Osaka Prefecture. The same people that witnessed the execution were present.

Placed in grave in inclined position

Q. Describe the execution?

A. Lt. Nelson and Sgt Auganus were blindfolded and placed in graves already dug on the side of a hill so that the both fliers were on an inclined position with their heads uphill. The firing squad got into a prone position about two meters away from the graves in which the fliers were placed and two of the firing squad shot at Nelson and Auganus simultaneously one round each. Both Nelson and Auganus were hit in the head

but Nelson was still alive. So a third member of the firing squad shot another round into Nelson's head thus completing the execution. A board was placed on the bodies of each of the fliers and their bodies including the boards were covered up with earth right then and there.

(Japanese Seal)

Aug 24

~~Told No cremation~~

Q. Were the remains of Lt. Nelson and Sgt. Auganus ever unearthed again? If so, state what was done with the bodies?

A. On August 24th, 1945 by order of Major General Soji YAMAGAMI, head of the Judicial Branch of the Central Army Area Hqs, I was instructed to unearth the remains of Lt. Nelson and Sgt. Auganus and cremate the bodies and bury them at the Sanadayama Military Cemetery in Osaka. So I got ahold of Sgt. Major Yasuichi SHIMAMURA, MATSUDA, MATSUI, SANTA and two or three other from the Osaka Military Prison whose names I do not remember and cremated the remains of Lt. Nelson and Sgt. Auganus at the Yokoyama Military Parade Grounds, Senboku-gun Osaka Prefecture, and buried the ashes the next day in Sanadayama Cemetery in Osaka. (Japanese seal)

(Japanese Seal)

Q. Describe how you cremated the bodies of Lt. Nelson and Sgt. Auganus specifically naming the materials used to cremate them?

A. I got there a little later, but when I got there Matsuda, Matsui, Santa and others from Osaka Prison got there first and cremated the bodies of Lt. Nelson and Sgt. Auganus with wood and 18 liters of gasoline. The bodies were placed on a piece of iron that straddled Nelson's grave and we all spent a night there because it took from twelve to thirteen hours to burn the bodies.

Q. In a previous affidavit you made under oath on the 11th Day of December, 1945, you stated that Lt. Nelson and Sgt. Auganus were killed by a bomb at the Osaka Castle and you stated that they were cremated at the Sanadayama Military Cemetery. Is that true?

A. Yes I did say it, but the facts are not true. I told a false hood. (Japanese Seal)

Q. Who instructed you to tell a falsehood that Lt. Nelson and Sgt. Auganus was killed by a bomb?

A. Major General Soji YAMAGAMI and Capt. Buichi Ono told me to tell a lie that Lt. Nelson and Sgt. Auganus was killed by a bomb. (Japanese Seal)

all night

- Q. When did they tell you to say this?
- A. I don't remember the day, but it was in October, 1945 at the Osaka Military Prison in Taikiri on the 2nd floor of the prison office which was at that time the Judicial Section of the Central Army Area Hqrs and 15th Army Area Hqrs that I was told by the General and the Capt. to tell these falsehoods about Nelson and Auganus. (Japanese Seal)
- Q. When you buried the remains of Lt. Nelson and Sgt Auganus in the Sanadayama Military Cemetery, why did you not put a marker at their graves with the names of the fliers on the marker?
- A. A marker was not placed on the graves.
- Q. What happened to the dog-tags and personal effects of Lt. Nelson and Sgt. Auganus?
- A. I do not know what happened to the dog tags, but we cremated Nelson and Auganus with their clothes on.
- Q. Did Lt. Nelson and Sgt. Auganus have any shoes on when they were executed and/or cremated?
- A. They had their shoes on when they were executed, but I don't remember them having their shoes on when they were buried or cremated. (Japanese Seal)
- Q. Was the death of the fliers Lt. Nelson and Sgt Auganus reported to any authorities such as the International Red Cross?
- A. I do not know.
- Q. Do you have anything further to add to your statement?
- A. I have nothing further to add.

ALLIED OCCUPATION FORCES) /s/ Yorio Ogiya (Japanese Seal)
 : SS.:
 CITY OF OSAKA)

I, Yorio OGIYA, being duly sworn on oath, state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, consisting of four pages, are true to the best of my knowledge and belief.

/s/ Yorio Ogiya (Japanese Seal)

Suscribed and sworn to before
 me this 8th day of February, 1946

/s/ Murray Gray

MURRAY GRAY, 1st Lt. Ord Dept.
 Investigating Officer, Legal Sec.
 GHQ, SCAP

ALLIED OCCUPATION FORCES)
: SS.:
CITY OF OSAKA)

I, Tanaki KAWASHIMA, residing at #45 Nara City, Nara Prefecture, being duly sworn on oath, state that I truly translated the questions and answers given from English to Japanese and from Japanese to English respectively, and that after being transcribed, I truly translated the foregoing deposition containing four pages, to the witness; that the witness thereupon in my presence affixed his signature.

/s/ Tanaki Kawashima

Subscribed and sworn to before
me this 8th day of February,
1946

/s/ Murray Gray
MURRAY GRAY, 1st Lt. Ord Dept
Investigating Officer, Legal Sec.
GHQ, SCAP

A CERTIFIED TRUE COPY:

Everett Checket (signed)
EVERETT CHECKET
Major, Infantry