Summary

BURMA - SIAM

A. CIVILIANS IN BURMA

a) Prosecution Document numbered 5276, the affidavit of T. B. AUCHTERLONIE, is now produced for identification and the marked excerpts offered in evidence. The document refers to the torture of a Burmese at Victoria Point Camp. The man was confined for two weeks in what was known as the Dog Cage, a wooden structure 3 ft. by 5 ft. and then beaten, suspended by the hands from a rafter and beaten in front of some of the officers of the Camp. The man's ankles were then tied up behind his body with a rope around his neck and a fire lit beneath his feet. Later he was cut down and driven away with an armed guard and some digging tools. The truck returned without the Burmese.

b) Prosecution document numbered 5260, the sworn statement of W.O. II A.H.H.CULLEN is now tendered for identification and the excerpts marked therein, offered in evidence. This statement relates to the murder of a Burmese in September, 1943. Japanese guards beat the man with a six foot bamboo pole and forced a passing Burmese civilian to thrash his countryman with this instrument When the victim was raw and bleeding the guards decided to shoot him. This was done and two P.O.W. belonging to the witness' detachment, were ordered to bury the body.

c) Prosecution document numbered 5120, the solemn declaration of Mg. SAN MGWE is produced for identification and the marked excerpts offered in evidence. This document states that in June 1945, Kempeitai personnel arrested the witness's uncle and removed money and household goods from their home. The witness was told by a fellow prisoner that his uncle was tortured; his uncle has never returned home since the arrest.

d) Prosecution document numbered 5138, being the affidavit of Lt. Col. E.L.St. J.COUGH, exhibiting three statements of OHN MYAING, MA SAN THEEN and AH YI respectively, is produced for identification and the marked excerpts now tendered in evidence. This statement relates to the massacre by Japanese of women and children civilian inhabitants of the village of EBIANG. They were pushed into a number of houses and fired on by machine guns, and the houses set on fire. Two girls although wounded, escaped. One of them OHN MYAING states:

"We were pushed inside and after about two hours we were fired on by machine guns. The firing continued until all the crying and moaning had ceased. I was wounded in my right hip, under my left arm and on my right hand. If anyone cried out the firing started up again. When everything had been quiet for some time, smoke began filling the room and one side of the house was on fire. I tore up some floor boards and escaped."

Prosecution document numbered 5337, being the statement of Capt. T.C.B. BURDEKIN is now offered for identification and the marked excerpts produced in evidence. This document in paragraph II thereof relates the information obtained in an official investigation of the events known as the EBAING Massacre, confirming the evidence of the document last produced, No. 5138.

e) Prosecution Document numbered 5137, being the affidavit of Lt. Col. E.L.St. J. Couch exhibiting charge sheet and Abstract of Evidence in relation to the KALAGON Massacre, is now produced for identification and the marked excerpts offered in evidence. Prosecution document numbered 5336, being the report of Lt. Col. A.M. Sturrock, President No. 4 War Crimes Court, Rangoon, in reference, inter alia, to the KALAGON Massacre, is now offered for identification and the marked excerpts produced in evidence.

These documents describe the proceedings before the Court and summarize the evidence given. The villagers of KALAGON were interrogated by the Kempeitai, beatan and tortured. The massacre was carried out by taking the villagers in groups of about twenty-five to the nearby wells where they were bayonetted and thrown down the wells.

Witness for the Defence: Col. TSUKUDA stated that there was no trial and that since they were satisfied that the villagers had been acting in a manner hostile to the Occupying Power, the Japanese were justified in the circumstances, in carrying out a mass execution.

The first Accused, the Commanding Officer of the Unit carrying out the massacre, stated that he thought the women and children were acting against the Japanese Army. When asked how he justified the killing of infant children, he said there was no other alternative. He further said:

"Within the Orders I received, the killing of the children was also included. If I spared the children, they would be orphans and as such they could not have a living. In order to save time and carry out my duties, I could not help killing them."

The evidence of the Headman of the village who escaped was that of the 195 women, 175 men and 260 children collected by the Japanese, only a very few escaped death.

Prosecution document numbered 5337 already in evidence, in paragraph III thereof makes reference to this massacre.

f) Prosecution document numbered 5336, of Lt. Col. A.M.STURROCK, already in evidence, also contains summaries of the proceedings of five other trials of Japanese for alleged war crimes. In four of these cases convictions were registered.

g) Prosecution Document numbered 5344, the signed statement of MAUNG BU GYI, is now offered for identification and the marked excerpts tendered in evidence. This document describes the beating of a woman with a rifle by Japanese, at KYONLANA Village. She was stripped naked as was her nephew and both were tied to a railway carriage in the sun. Next day the witness saw bloodstains by the river bank and on enquiry, was told by an Indian, also arrested with the woman, that she and the boy had been decapitated. The bodies were thrown into the river by the Indian.

h) Prosecution document numbered 5346, the signed statement of MAUNG TUN SHWE, is now produced for identification and the excerpts marked therein, offered in evidence. This document states that the witness, a Police Constabl accompanied a Kempeitai Officer to a village where an old man and another native were arrested on suspicion of being concerned in the death of a Japanese soldier. These men were tortured with water and then their feet were burned. Several houses were burned down. They were then taken to Inbin where they were decapitated. Their bodies when they had fallen into the trench were bayonetted by Japanese soldiers.

At Myanaung two other men were decapitated.

i) Prosecution document numbered 5347, the signed statement of MAUNG KIN Mg. is now produced for identification and the marked excerpts offered in evidence. This document states that the witness acted as an Interpreter for a Japanese officer in May, 1945, at Ongun, when seven Burmans were being questioned. They were taken to Ongun cemetery and there beheaded. The witness states:

"Although I had my hands over my ears, I could hear the blows of the sword and the Japs saying, 'Oh, that one isn't dead yet, bayonet him'. I heard cries of 'Oh God' coming from the trench."

On the next day, two white men, apparently Airmen, who had witnessed the execution of the Burmans, were themselves murdered in the same way.

The witness states:

"I have heard from coolies working for the Japanese, of other executions. Sometimes there were executions of batches of six people, sometimes of batches of up to 30 people."

j) Prosecution document numbered 5342, the signed statement of Mg. PAN is produced for identification and the marked excerpts thereof offered in evidence. This document relates the torture of Burmese nationals by the Kempeitai at Shanywa, the witness having been forcibly removed there, after torture, in order to identify suspected men. The witness saw his father, brother and other men shot by the Japanese. The headman's house was set on fire.

k) Prosecution document numbered 5340, the signed statement of SAW BO GYI GYAW is offered for identification, and the marked excerpts therein tendered in evidence. This document states that seven persons were executed in Tharawaddy by the Kempeitai. The execution was observed by the witness from a window overlooking the compound within which the people were shot.

l) Prosecution document numbered 5339, the sworn statement of R.A. NICOL is now tendered for identification and the excerpts marked, are offered in evidence. This statement describes how the witness was taken to Moksokwin forest in early 1945 as an interpreter. He saw four Allied Airmen guarded by a party of Japanese soldiers. After interrogation, the men were taken into the forest and half an hour later, the Japanese returned without the men, but carrying their clothes, four pairs of shoes, a pick-axe and a shovel.

m) Prosecution document numbered 5348A, being the sworn statement of Mg. THAN Mg, is now produced for identification and the marked excerpts therein offered in evidence. The document states that in August, 1944, at Sinikan the witness saw a Burmese tied to a tree, ordered to say his prayers and murdered by a Japanese, who hacked him all over the body with a sword.

This was the punishment for refusing to disclose any knowledge of British troops.

n) Prosecution document numbered 5348B, being the sworn statement of Mg. THAN MAUNG, is now offered for identification and the marked excerpts are produced in evidence. Prosecution document numbered 5354, being the unsworn statement of Sgt. Maj. YOSHIKAWA, Sadaichiro, is now offered for identification and the marked excerpts therein produced in evidence. These documents relate to the murder of six Kachins near BUMRAI, in June 1944, because they were suspected of helping Allied troops in the neighbourhood. The six men were bayonetted to death by the Japanese after being interrogated. The latter document of Sgt.Maj.YOSHIKAWA is an admission of this incident.

o) Prosecution document numbered 5359, the sworn statement of ROLAND JOSEPH, is now tendered for identification and the marked excerpts thereof offered in evidence. This document states that the witness saw Kempeitai personnel set fire to the foot of an Indian, the foot having had kerosene oil poured over it. The witness further states that he saw a woman tied to a post and beaten, her longyi removed and beaten again. She was dragged along the road by a rope from her neck until unconscious.

A Japanese poured a pitcher full of boiling water into an Indian's mouth. The man was pushed into a water-filled trench and submerged several times until unconscious. He was then removed and put into wooden fetters.

p) Prosecution document numbered 5356, the solemn declaration of HARRY JOSEPH, is produced for identification, and the excerpt marked therein offered in evidence.

This document states that in April, 1945, the Kempeitai detachment at Kyaikto stayed in the witness's house until June. During this time, the witness observed the following tortures carried out on their prisoners:-

"(1) Beat the prisoners with big solid bamboo sticks (approx. length 4'/5' - diameter 3") Beat the prisoners until they confessed (i.e. forced confession).

(2) During beating and interrogation, prisoners were made to squat with hands and feet tied with ropes.

(3) The hands of the prisoners were tied with ropes. Prisonerswere then strung up to the roof of the house by their hands so that

their feet did not touch the ground. Prisoners were left like this for some time.

(4) During interrogation, the prisoner's hands and legs were splashed with large quantity of boiling water.

(5) The prisoner was blindfolded, then a large quantity of water slowly poured into his mouth and nostrils, so that the prisoner suffocated.

q) Prosecution document numbered 5361, the sworn statement of SIMA BAHADUR, is now tendered for identification and the excerpts marked therein, offered in evidence. The document states that in January, 1945, the witness and nearly 1,000 Indians were arrested. They were detained in a church for a day without food and drink and then taken to Hsipaw where six hundred and twenty-one men were packed into a room about 25 feet square. There was no room to lie down and the men were forced to sit with their knees tucked under them, shoulder to shoulder.

"I was detained in this room for thirty eight days, never being allowed to go out. Our food consisted of a small ball of rice and a pinch of salt daily, with a very small quantity of water. We were not allowed to leave the room to perform our natural functions, this being done in the room through a small hole that had been made in the floor.

After a few days, the conditions in this room became practically unbearable, the filth and stench becoming undescribable.

During my stay in this "HELL HOLE", approximately two hundred men died from various diseases, and it was a common practice to leave the dead in the room for a few hours, after which they would be taken out by the Japanese and thrown into a trench or bomb-crater, where they were left exposed to the air".

The witness and five other Gurkhas were then taken to Mongkai and into the jungle,

"and we were forced to kneel down, after our hands had been tied behind our backs. One of the Japanese, which one I do not know, pulled my coat clear of my neck, and I saw that the other five were being dealt with in the same manner. At this time, standing near us was one

officer and three soldiers, whilst at a distance, I could see about twenty five others. The officer took out his sword, and I saw him hand it to one of the soldiers, and point to me. The Japanese soldiers approached me from behind, and suddenly I felt a sharp pain in my neck, also I felt the blood running over my face. After that I lost consciousness, and I can not say what happened.

The following morning, just as the sun was rising I came to my senses, and found that I was soaked in blood. I looked around, and found that my five comrades were all dead with their heads partly severed from their bodies."

A Doctor's certificate attached to the document confirms the nature of the wound and describes the man's consequent disability.

r) Prosecution document numbered 5364, the sworn statement of BEL BAHADUR RAI, is now produced for identification and the marked excerpts therein offered in evidence. This document states that in June 1944, the witness who was acting as an Interpreter for the Kempeitai in Hopin, saw a Corporal and two soldiers of the British Army who had been captured.

The Corporal was wounded in his throat so that he was unable to eat or drink. He was given no medical aid and died in two days.

The remaining soldiers and another who had just been captured were tied together and taken to a nearby bomb crater where they were shot by a Japanese Sgt. Major.

s) Prosecution document numbered 5365, the sworn statement of R.B. WILSON, is now offered for identification and the excerpts marked, tendered in evidence.

This document relates the maltreatment of prisoners of war and internees at Rangoon Central Gaol. Men were beaten savagely and others were frequent deaths from malnutrition and lack of medical facilities.

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

t) Prosecution document numbered 5367, the sworn statement of TAN HAIN ENG, being produced for identification and the marked excerpts offered in evidence, describes the execution of five Chinese near PROME.

The witness went to the place of execution as an Interpreter and saw

a number of Japanese officers there present. There was a table covered with a white cloth, on which were flowers, one or two bottles of sake and some glasses.

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

u) Prosecution Document numbered 5368, the sworn statement of J.H.WILLIAMS, produced for identification, and the excerpts marked therein are now offered in evidence. This document describes the beating of Prisoners of War at Maymyo and the inhumanity of a Japanese N.O. who kicked a man to death who, suffering from a stomach complaint, was unable to control his motion.

v) Prosecution Document numbered 5369, the sworn statement of Mrs. M.M.WILLIAMS, is now offered for identification and the marked excerpts produced in evidence. The document confirms the conditions in MAYMYO as set out in the preceding statement numbered 5368.

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

1535A

Evidentiary Document # 5276.

I, VX 39006 Major John Kevin LLOYD of Army Headquarters make oath and say:

1. I am an officer of the Australian Military Forces.

2. Annexed hereto and marked "R" is a true copy of an affidavit sworn by Thomas Bruce AUCHTERLONIE on 18 April 1946, which I have in my custody in the course of my duties.

3. The original affidavit cannot be made available immediately as it is required for trials of minor war criminals.

Sworn before me at MELBOURNE)
this 27th day of May 1946) (Signed) J. LLOYD,
Major.

(Signed) R.D. CRANPTON,
Capt.
An officer of the
Australian Military Forces.

Evidentiary Document # 5276.

On this eighteenth day of April, One thousand nine hundred and forty-six, Thomas Bruce AUCHTERLONIE, of 7 Frances St., Epping, in the State of New South Wales, makes oath and says as follows:-

1. As NX %$((L, Cpl. T.B. AUCHTERLONIE, of 2/3 MAC I was taken prisoner at Singapore on 15 Feb. 42. As one of a party of three thousand (A Force) I was transferred from Changi on 15 May to VICTORIA POINT where 1,000 Australians landed. As one of 700 I was sent to the aerodrome Victoria Point.

2. The Officer in charge of the Australians was Major GREEN of 2/4 MMG Bn. The Commander of the Aerodrome PW Camp was Lieut. EJGUCHI (OGUCHI) nicknamed "Smiler".

3. The Commander of the Victoria Point area was Capt. YASUDA. Lieut. SHIRASI was commander of the 300 PWs at Victoria Point (Proper). A description of Capt. Yasuda is as follows - Height about 5 ft. 5 ins., age 43 years (approximately), compact build, exceptionally dark complexion for a Jap and wore a moustache.

4. A description of Lieut EJGUCHI is as follows - height 5 ft. 9 ins, age 29 (approx.), slim build, exceptionally god-looking for a Jap. He was always smiling and was known as "Smiler". He was an ex-bank clerk in Tokyo.

5. A description of Lieut. SHIRASI is as follows - height 5 ft. 9 ins age 35 (approx.),well built, rather protruding teeth.

6. I was employed with seven other Australians at Jap HQ as driver to Lieut EJGUCHI. Some time in July I saw a Burmese imprisoned in a "Dog Cage" at the radio station, Victoria Pt. A "Dog Cage" was a board structure no more than 3 ft. by 5 ft., used as a solitary confinement cell by the Japs.

7. A Jap told me that the prisoner was an ex-Burmese policeman and that he had been arrested for the purpose of gaining information about the British occupation.

8. I saw the Burmese in the "Dog Cage" on a number of occasions during the next fortnight. He was progressively more haggard during that period and the Japs told me that he had been repeatedly beaten.

9. At the end of the fortnight I drove Lieut. EJGUCHI to the radio station. While sitting in the car I saw a number of wicker lounge chairs being placed in position. These were occupied by Capt. YASUDA, Lieut. EJGUCHI, Sgt.Major TAKAHASI, another Sgt. Major QM and a Sgt. whom I could personally identify but whose names I do not know. Also present was the Japanese interpreter. He was 5 ft. 7 ins. high; age about 27 years; slight build, lantern jawed and sunken eyed. He was a cruel looking person.

10. The prisoner was then brought out of the cage and his hands tied behind his back. The interpreter proceeded to interrogte him in Malay. I understood little Malay and could not gather the context of the conversation.

11. After each refusal to answer the prisoner was beaten by one or more of those present. Sticks of approximate diameter 1½ ins. and length 1 metre were used in the punishment. This continued for approximately half an hour, after which relays of four Japanese soldiers were called down from HQ to do the beating. The Burmese would evidently give no information

12. He was then placed on a 44 gallon drum, all clothing removed; the rope tied to his hands was passed over a rafter under the store verandah and tied at such a length that when the drum was kicked from under him no part of his body could touch the ground. After the drum had been kicked away the Burmese was spun around on the rope and beaten with sticks by four Japanese soldiers. This was stopped at intervals for interrogation but the Burmese still refused to answer.

13. After about fifteen minutes, his andkles were tied up behind his body with a rope around the neck, and a fire lit underneath him. He stood this for ten minutes and appeared to lose consciousass.

14. The Japanese then cut him down, placed him in a truck with two armed guards and two soldiers with digging tools. The truck was driven away and returned some twenty minutes later without the Burmese. The Japanese interpreter was one of the most vicious of the tormentors. This interpreter was nicknamed "Hurry Hurry".

15. There were no other Australian eye witnesses to the torture. I was ordered to turn the car around prior to the commencement of the torture but I observed from about 15 feet through the rear vision mirror.

16. Lieut. IJGUCHI belonged to the KEMPEI TAI.

17. Lieut. SHIRASI, during the time we were at Victoria Pt. Camp, appeared to be more humane than his fellows.

SWORN by the abovenamed deponent,)
Thomas Bruce AUCHTERLONIE, at SYDNEY)
this eighteenth day of April, One) (Signed) T.B. AUCHTERLONIE.
thousand nine hundred and forty-six)

Before me,

(Signed) L. SHEFFIELD J.P.
A Justice of the Peace.

Exhibit "R".

This is the document marked Exhibit "R" referred to in the affidavit of VX39006 Maj. J.K. Lloyd sworn before me this 27th day of May 1946 as being produced and shown to him at the time of his swearing his said affidavit.

(Signed) R.D. CRANPTON, Capt.
An officer of the Australian Military Forces.

1536A

I, VX 39006, Major John Kevin Lloyd of Army Headquarters make oath and say:

1. I am an officer of the Australian Military Forces.

2. Annexed hereto and marked "K" is a true copy of an affidavit sworn by NX68582 WO2 Ashley Harry Hope CULLEN on 18th Jan. 1946 which I have in my custody in the course of my duties.

3. The original affidavit cannot be made available immediately as it is required for trials of minor war criminals.

Sworn before me at MELBOURNE)
this 27 day of May, 1946.) /s/ J. Lloyd
Major

/s/ D. Peach NX76207 Capt
An officer of the
Australian Military Forces.

AUSTRALIAN WAR CRIMES COMMISSION

Evidence taken before Mr. Justice Philp at Sydney this eighteenth day of January 1946.

--

NX.68582 W.O.11 Ashley Harry Hope CULLEN, being duly sworn gives the following evidence :-

--

My full name and unit is NX68582 WO11 Ashley Harry Hope CULLEN, of 2.3 Reserve M.T. Company, 8 Division. My home address is : 68 Queen Street, Ashfield, N.S.W.

I was captured in Java and was confined in Bicycle Camp from 1.4.42 to 8.10.42 and working camps on the Burma side of the Burma-Thai Railway from November 1942, to December 1943. From January to March 1944 I was at Tamarkan and at Saigon from April to June 1944. From September 1944 to the capitulation I was back in Changi Camp.

During the period August to October 1943 I was in charge of a detached party of 20 POW (10 Australian, 10 Dutch) engaged in relaying cattle from Retpu (30 Kilo Camp, Burma-Thai Railway) to 45 Kilo Camp and we were housed with 4 Korean guards, all of whom were privates. On or about 26 September 1943, the Senior Guard named Pte YESTER informed me that I was to ensure that all purchases of cheroots by POW were to be made through him at a cost of 1 rupee 20 cents per bundle. As these cheroots were obtainable from the nearby POW Camp canteen for 50 cents per bundle, I refused to comply with his demand stating my reasons. After making threats of punishment if I persisted in non-compliance with his order, he sent me back to bed and two hours later (0100 hrs) he took me some distance from our quarters and without warning knocked me to the ground and jumped on me, after which he proceeded to kick me about the ribs and head and finally to throttle me. Two other guards arrived in time to prevent what would have been my death, whereupon he administered several more kicks and told me he would "finish me". He then ran to the camp for his rifle and after a hurried discussion one of the other guards took me into the jungle where he informed me that Pte YESTER fully intended to shoot me and that he and the other guards could not prevent it happening other than by hiding me. This guard Pte NUMARA, hid me in a disused hut, and some hours later I was returned to camp. Pte NUMARA mustered the other PW and informed them that YESTER had fully intended to kill me, and warned them to avoid him whenever possible. Pte YESTER refused to allow me to go to the nearby POW Hospital Camp for treatment until several days had elapsed, and threatened me with severe punishment if I reported the matter. I later reported the matter to Lieut-Col C.M. BLACK, 213 Res M.T. Coy, and I was admitted to hospital in spite of opposition from YESTER, who withheld my bedding etc. After approx three weeks in hospital undergoing treatment for contusions and "black outs", YESTER successfully demanded my return to camp and three days later he thrashed an Australian private named CASEY for not buying cane sugar from a source which yielded YESTER material gain. On my intervention to stop this thrashing, YESTER loaded his rifle and was about to shoot Pte CASEY when he was disarmed by other guards who fortunately arrived on the scene.

/Corroborative

Corroborative evidence may be obtained from Sgt E. Allen, 2/6 Fld Coy RAE, Dvr W. Buller, 2/3 Res M.T. COY AIF, Pte C. Patching, AIF, and Spr E. Caldwell, 2/6 Fld Coy R.A.E. AIF.

As a result of the beatings about the head I suffered from lapses of memory and hallucinations for a period of eighteen months and received treatments for same at Changi Hospital from September 1944 to January 1945.

Whilst in charge of a detached cattle party (as above) I was forced early in September 1943 to place a member of the party to guard a Burmese civilian who had been brought to the camp by a Korean guard, whose name I do not know, who was in charge of 18 Kilo Camp, Burma-Thai Railway cattle party. AIF members of this party informed me that the Burmese had been forced to accompany them from a spot between RETPU and 18 Kilo Camp, where they had met him walking along the road. The Burmese was tied to a wooden seat by our quarters, and I was informed that if he escaped, myself and the other POW responsible would be tied in his place. The Guards then proceeded to get drunk and at frequent intervals during the afternoon they in turn unmercifully thrashed the Burmese about the body with a six foot bamboo pole. After several hours of this intermittent treatment they forced a Burmese civilian who was passing by, to thrash his countryman, and they insisted that he thrash him about the head and chest in order to inflict wounds by means of the bamboo pole which had now become split for about two feet of its length. When the Burmese wielding the pole tended to ease off in the beating, the guard struck him several times to enforce more drastic wielding of the bamboo. When the Burmese was thrashed to a point of insensibility and was raw and bleeding severely from head wounds the guards decided to shoot him and ordered me to provide two POW's to assist the Burmese to a spot some 400 yards from the scene of the thrashing and to bury the body after the shooting. Two guards named Pte KING and another private named YESTER each fired a bullet into the Burmese after which they ordered the two POW, Pte YULSING and Pte VERBAAS of the Royal Netherlands Forces to bury the body. Ptes VERBAAS and YULSING witnessed the shooting and reported the details to me on their return to camp.

The Burmese had in his possession a fair sum of money which to the best of my belief was later taken by the Korean guards.

Corroborative evidence may be obtained from Sgt C. Walsh and Sgt. E. Allen of 2/6 Fd Coy, RAE AIF, Dvr W. BULLER, 2/3 Res M.T. Coy AIF Spr E. Cadwell, 2/6 Fd Coy RAE AIF, and Ptes YULSING and VERBAAS, of R.N.F., Java.

The Korean guards mentioned were under the command of a Japanese officer, Lieut NEITO, of Retpu POW Hospital Camp.

I certify that the foregoing evidence is true and correct.

/s/ A. E. Cullen WOII

Taken and sworn before me at Sydney
this eighteenth day of January 1946

E. Philp
Commissioner

Exhibit "K"

This is the document marked Exhibit "K" referred to in the affidavit of VX39006 Maj J.K. Lloyd sworn before me this 27th day of May 1946 as being produced and shown to him at the time of his swearing his said affidavit.

/s/ D. Peach, Capt.
NX76207
An officer of the
Australian Military Forces

SYNOPSIS

HAINAN ISLAND.

a) Prosecution Document numbered 5335, the Affidavit of Dr. W. AITKIN, is now offered for identification, the marked excerpts being produced in evidence. This Affidavit states that in November, 1942, 263 officers and men P/W arrived in Hainan. The accommodation for the draft which consisted of sick, weak and aged men, was appalling. Huts were infested with vermin. Sanitary arrangements were primitive and since the camp was situated near a drainage swamp, mosquitoes were ubiquitous. Food was generally inadequate and sometimes grossly insufficient.

Between November, 1942 and August, 1945, there were 2,430 admissions to hospital. There were 60 deaths due to disease.

Sick men were forced to go on working parties, where the work was heavy. Men were frequently beaten.

A complaint to the Camp Commandant regarding the reduction of food resulted in the witness and another officer being beaten. Requests to the Japanese M.O. to supply drugs and for improved diet were ignored. Deaths were sometimes shewn on death certificates as due to starvation. The M.O's reply was that if the witness continued to shew death as due to starvation, he would shew the prisoners what death from starvation really meant.

b) Prosecution document numbered 5264A, the Affidavit of Major I. F. MACRAE, is produced for identification, and the marked excerpts therein now offered in evidence. The document states that in November, 1942, the witness arrived in Hainan with a draft of men. He confirms the conditions described in the preceding document No.5335. The men were engaged on building works for the use of the Japanese Army, and were beaten and kicked while so doing.

Many men went to work barefoot, owing to lack of footwear.

In Haisho there were many coolies working. They were starved and emaciated in appearance. The witness saw the dead bodies of coolies dragged out of the hospital, when he passed by; sometimes as many as ten to twelve.

For breaches of discipline, coolies were brought to the P/W Camp where they were flogged and given the water torture.

In July, 1943, about 120 Chinese were bayonetted to death outside the Camp.

c) Prosecution Document numbered 5250, the Affidavit of A. F. WINSOR, is now introduced for identification, the marked excerpts thereof being offered in evidence. The document states that about 120 Chinese were bayonetted to death in 1943, because narcotics had been illegally brought into a coolie camp and these men chosen at random were executed as a warning for the future.

d) Prosecution document numbered 5251, the Affidavit of MAJOR R.G. TURNER, is produced for identification, the marked excerpts thereof being introduced in evidence. This Affidavit exhibits 29 official photographs taken by an Allied officer of prisoners of war recovered at Hainan Island in August, 1945. These exhibits are now tendered in evidence.

Evidentiary Document # 5120.

1537A

STATEMENT OF MG SAN NGWE (KOSANINE Qr., KYAIKTO)

Name: MG SAN NGWE (Nephew of U SAN KHO of KAWTIN village murdered by KEMPEITAI, KYAIKTO)

Age: 39 years.
Father: U PAN AYE.
Caste: Burman, Buddhist.
Address: KOSANINE Qr., KYAIKTO (M5298)

MG SAN NGWE, having been duly affirmed, states:-

I solemnly and sincerely declare that I will tell the truth, the whole truth, nothing but the truth.

On 20 June 45,7 KEMPEITAI personnel led by Sg. KATO and Sgt. Major KHAWASAKI of KYAIKTO KEMPEITAI, came to KAWTIN village (M 5099) where my uncle U SAN KHO and myself were residing. The KEMPEITAI searched our house and took away the following property together with my uncle as their prisoner:-

(1) 2 Bicycles.
(2) Rs.300/- British coins.
(3) Rs. 70,000 Jap currency.
(4) All furnitures and clothings.

The KEMPEITAI did not tell me the reasons for my uncle's arrest. Since that day I did not hear anything about my uncle. Only when the Jap surrender took place I heard that my uncle had been tortured to death by the KEMPEITAI of KYAIKTO (date NOT known). But a prisoner who escaped from the custody of the a/m KEMPETAI H.Q. (which was situated in a garden between KYAIKPI (M5596) and PHETKALEIK (M5497), told me that my uncle was put in the same pit with him and tortured mercilessly. The escaped prisoner's name is MG TUN YI of TAROKTAN Qr., KYAIKTO. I can definitely state that my uncle fell a victim to the KEMPEITAI tortures because he has not returned to his home since he was arrested.

(Signed) x x x x
(SAN NGWE)

Recorded by me on 15 Nov. 45 at KYAIKTO (M 5298)

(Signed) BA KO. Lt.
Det 602 F.S.S.
63 Ind. Inf. Bde.

This statement has been read over to the witness in a language which he understands and has been acknowledged by him to be correct.

(Signed) BA KO, Lt.
Det.602 F.S.S.
63 Ind. Inf. Bde.

18 38 A

P.1

Evidentiary Document # 5138.

IN THE MATTER OF WAR CRIMES COMMITTED
BY THE JAPANESE IN BURMA.

AFFIDAVIT.

I, Lieutenant-Colonel EDWARD LLEWELLYN ST. JOHN COUCH, Royal Army Service Corps, with present address at HQ Allied Land Forces South East Asia, Singapore, make oath and say as follows:-

1. I am a Solicitor of the Supreme Court of Judicature in England and I now hold the appointment of Assistant Judge Advocate General, War Crimes Legal Section, Allied Land Forces South East Asia.

2. I have been in correspondence with HQ BURMA Command concerning the alleged massacre by the Japanese in June 1945 of a number of women and children civilian inhabitants of the village of EBAING in Burma.

3. Investigtions are far from complete and up to date I have received only three statements from eye-witnesses; copies of the said statements being now produced and shown to me and marked "EBAING A", "EBAING B", and "EBAING C" respectively and hereunto annexed.

4. I have personally examined the said copies with the said original statements and that the last mentioned were received at this HQ from HQ BURMA COMMAND.

SWORN by the said Edward Llewellyn St. John COUCH at Singapore this 17th day of April 1946.) (Signed) E.Ll. St.J. COUCH. Lt.Col.

Before me,

(Signed) ? (i/c War Crimes Legal Section.)
An officer detailed by the
Commander-in-Chief ALFSEA
to interrogate witnesses.

Evidentiary Document # 5138.

"EBAING A".

THIS is the copy statement marked "EBAING A" referred to in the Affidavit of Lt. Col. Edward Llewellyn St. John COUCH hereunto annexed and made before me this 17th day of April 1946.

(Signed) ?
Colonel.

OHN MYAING (25 years) d/o UNGE and MA CHAN THA of EBAING village, having been duly affirmed states:

I recognise this man (W.O. TOYAO YASUMASA) and pointed him out on the identification parade. On about the 24th June 1945, early in the morning this man with another Japanese soldier came to the house where I was living. The other soldiers could speak Burmese and told us that we had to go to the Phongyi- Kyaung to collect permits for cultivation. This was done only to allay our suspicions. I had slept the night in U Nga Mulay's house and many others had come there for the night as they were frightened of the Japs who had arrived the previous evening. These two soldiers took all the womenfolk and children to Ah Nyain's house where we found about 30 women and children. There were a number of Japs near Ah Nyaing's house. We were pushed inside and after about two hours we were fired on by machine guns. The firing continued until all the crying and moaning had ceased. I was wounded in my right hip,under my left arm and on my right hand. If any one cried out the firing started up again. When everything had been quiet for some time smoke began filling the room and one side of the house was on fire. I tore up some floor boards and escaped. After running about 30 yards I was fired on by the Japs but not hit. I met Ma San Theen in the evening and stayed together in the jungle. The next morning two Karens, whose names I do not remember, found us and carried me to Minkathit village where I remained three months,recovering from my wounds; I then returned to my sister's house near EBAING.

This statement has been read over to the witness in a language she understands and has been acknowledged correct.

X
Left Thumb Print of
OHN MYAING.

Recorded by me on 23rd November 1945 at an identi/ficaion parade at MOULMEIN JAIL.

(Signed) G.I. LEWIS.
Capt.
3 Pln. BIC. Att: 17 Div.

Evidentiary Document # 5138.

"EBAING B"

This is the copy statement marked "EBAING B" referred to in the Affidavit of Lt. Col. Edward Llewellyn St. John COUCH hereunto annexed and made before me this 17th day of April 1946.

(Signed) ?
Colonel.

MA SAN THEEN (aged 20 years) d/o CHIN MALA and CHAN LAY of EBAING village, having been duly affirmed states:

I recognise this man (Corp. TOYAZAKI HIROSHI) and pointed him out on the identification parade. On about the 24th June 1945, early in the morning before dawn, he came to our house with two others. With me in the house were five people, my mother, two sisters and brother. My mother and two sisters and myself were tied together by our wrists and taken by these three soldiers to AYE MG's house. This man whom I recognised took away one of my sisters from AYE MG's house and I have not seen her since; she was probably killed with the others in AH NYAING's house. AYE MG's house was crowded with women and children. After some time the Japs started firing at the house with machine guns. While the people were with me shouted and cried the firing continued. I was hit on my right elbow but was saved from death as I was under other bodies. When the house started to burn I jumped out through the window and ran off into the jungle where towards eveningI met OHN MYAING who was badly hurt. The next morning we were found by two Karen men who took us to MINKATHIT village.

This statement has been read over to the witness in a language she understands and has been acknowledged correct.

X
Left Thumb Print of
MA SAN THEEN.

Recorded by me on 23rd Nov. 1945 at an identification parade held at MOULMEIN JAIL.

(Signed) G.I. LEWIS.
Capt.
3 Pln. B.I.C. Attd. 17 Div.

P4

Evidentiary Document # 5138.

"EBAING C".

THIS is the copy statement marked "EBAING C" referred to in the Affidavit of Lt. Col. Edward Llewellyn St. John COUCH hereunto annexed and made before me this 17th day of April 1946.

(Signed) ?
COLONEL.

AH YI d/o Ah Nyain and Nan Di of Ebaing, having been duly affirmed states:-

I recognise this man (KUNURA SHIRO) and pointed him out on the identification parade. On the 24th June 1945, before dawn he came to my house. He came with another soldier. Another girl, AH YONE was with me in the house. This Japanese soldier tied my left wrist with cord and led me out of the house; the other soldier did the same to AH YONE. We were taken through the compound towards AYE NG's house. AH YONE and her escort was separated from us in the jungle. As I followed this man I freed my wrist and ran off into the jungle. He fired after me but did not hit me. I ran about a mile from the village and stayed in the jungle for two days without food. I then went to a Karen's house in the jungle and next day he took me to my sister's house in KYONSAUK.

This statement has been read over to the witness in a language she understands and has been acknowledged correct.

X
Left Thumb Print of
AH YI.

Recorded by me on 23rd Nov. 1945 at an identification parade held at MOULMEIN JAIL.

(Signed) G.I. LEWIS.
Capt.
3 Pln. B.I.C. Att: 17 Div.

1539A

Evidentiary Document # 5337.

FORM OF STATEMENT.

Statement of Captain J.C.B. BUNDEKIN (307036), an Officer of the Royal Berkshire Regiment, detailed to investigate war crimes by the Commander-in-Chief, Allied Land Forces, South East Asia.

I have been investigating war crimes in the MOULMEIN area, the majority of those committed in that area were committed in the last five months of the war. The BURMA Defence Army went into revolt in April, and British parachutist units, working with them, made a serious threat to the Japanese rear. The Japanese made every effort to smash these forces before the Fourteenth Army could make a seaborne attack along the coast. The crimes committed before April were mostly of an anti-espionage nature, or resulting from the recapture of POW who had escaped from the BURMA-SIAM Railway, or from the capture of Allied airmen who were brought down in that area.

The cases listed below are at present under investigation;

I. The Case of the 27 Missing Burmans.

The Kempei Tai arrested about 150 people in the MOULMEIN area who were suspected of political offences. 27 of these were removed from the MOULMEIN Jail on 24 July 45 under strong escort. Since this date, none of the men have returned to their homes, nor have their families received any word of them. The MOULMEIN Kempei Tai state that they were released on the 24th, and deny they were removed under escort, but there are many witnesses to the fact that they were bound and under escort when removed.

A Kempei Tai officer made a statement to an Intelligence Officer of 17 Ind Div in Nov 45, stating that they had shot the men and burned the corpses; but he refused to sign the statement and now denies all knowledge of the incident.

The 27 were all leaders of the local AFPFL, BDA and Youth League organisations.

II. The EBAING Massacre.

In Jun 45 a punitive expedition of Japanese infantry, accompanied by Kempei Tai, went to EBAING village in search of Allied parachutists, and their accomplices. The Japanese arrived in the evening and arrested the whole village. They separated the women and children from the men. Early the next morning they tied the villagers into groups of 10 to 12. First, they removed the men to the village pagoda, and opened fire on them with 2 machine-guns, killing all. The women and children were dealt with in the same way. Some babies in arms were bayonetted to death. In all, 97 people were killed, the only survivors being 2 girls who escaped although wounded. One girl had 7 bullet wounds. The Japanese then burned down the village.

III. The KALAGON Massacre.

This case has already been tried, and the Japanese concerned convicted. A punitive expedition of infantry and Kempei Tai was sent to destroy KALAGON village, with the result that some 630 persons were killed and thrown down the village wells. The charge against the villagers was that they were helping Allied paratroops in that area. The village was supplying thatch and food to parachutists.

IV. Six Murders at THATON.

In the course of anti-parachutist activities in the THATON area, six men were arrested. These men were confined in the THATON Kempei Tai lock-up for a week, and then taken out and shot. Their bodies were rescued by their parents the night after they were shot.

V. Seven Murders at SHANZU Village.

A small force of Japanese Kempei Tai went to SHANZU village in the last week of July 45. They had orders from the O.C. Kempei Tai, MOULMEIN, to arrest and kill 19 men. Of these, only seven could be found - these men were suspected of helping paratroops. These seven were shot in front of several witnesses and their bodies were recovered later.

VI. Kempei Tai Activities in MOULMEIN Jail.

At present, six people are known to have died as a result of torture in MOULMEIN Jail. Of these, four died after release, and two died in the Jail. I am in possession of some 40 affidavits relating to tortures in the Jail; these tortures ranged from beating to water and electric tortures.

VII. Atrocities of the KANKAREIK Kempei Tai.

KANKAREIK was used as a base for Allied operations in the DALI Forest area, of which KALAGON and EBAING formed a part. Suspects were brought into KANKAREIK for interrogation, which, in most cases, included torture. Some 20 people died of tortures received there.

VIII. The TAKARA Case.

A party of Kempei Tai went to TAKARA and arrested 25 people suspected of anti-Japanese activities. Of these 25, the K.T. killed 5 and released 16; they left 4 with the Japanese garrison, which killed them. The bodies of these men have been recovered, and there were witnesses to the killings.

IX. The Four Missing Royal Marines.

4 Royal Marines of the S.O.G. were landed on BILUGYUN I. in April 45. The men were captured and seen alive in the K.T. lock-up in MOULMEIN; since then they have disappeared. They were NOT repatriated as PsW at the surrender. It has been proved that they were in uniform, and were carrying unconcealed arms.

RANGOON
JCBR/MNR

(Signed J. BURCHLE (?) Captain
Investigator.

Certified that the above statement is accurate and correct.

(Signed) ?
Colonel
W.C.L.O., Burma Command.

11 JUL 46
JDC/MNR

1541A

Evidentiary Document # 5336.

THE REPORT OF LIEUTENANT COLONEL A.M. STURROCK, PRESIDENT, NO. 4 WAR CRIMES COURT, RANGOON, ON THE WAR CRIMES TRIALS COMPLETED AT RANGOON.

---

1. KALAGON CASE:

Major ICHIKAWA Seigi
Capt. SAKAMAKI Saburo
Capt. OKUBO Yozo
Capt. YANAGISAWA Izumi
Capt. MIDORIKAWA Hisashi
Med. 2/Lt. USUI Kiyohiro
Lieut. TASHIMA Ichiro
Lieut. TAKEI Shozo

all of the 3rd Bn., 215 Regt., 33 Div., I.J.A.

Capt. HIGASHI Noburo
W.O. FUJIWARA Ryozo
S/Maj. KOBAYASHI Akira
Sgt. NAGATA Toshiyuki
Sgt. NOMOTO Kinni
Cpl. MORIMOTO Seiichi

all members of Kempetai.

CHARGES:

All accused were charged in the first place with committing a war crime in that they were concerned in the unlawful killing of men and women and children, civilian inhabitants of KALAGON, and in the second place with committing a war crime in that they were concerned in the unlawful beating, torture, woundingand other maltreatment of the said civilian inhabitants of KALAGON.

The first named accused Major ICHIKAWA Seigi was further charged with the unlawful abduction of women from the said village of KALAGON.

PROSECUTION:

Prosecution case consisted of the evidence of several villagers from KALAGON, a Karen by name SAW KAY KU who had served as an Interpreter with the Kempetai and statements by several of the accused.

The evidence was to the effect that the 3rd battalion along with a number of Kempetai personnel went on an expedition to KALAGON: the villagers were rounded up; some of them were interrogated by the Kempetai and later the villagers were massacred by the Japanese soldiers on the orders of accused ICHIKAWA, the operation being superintended by his junior officers.

During the interrogations it was alleged that persons interrogated were beaten and tortured.

DEFENCE:

The defending officer asked the court to dismiss the charges against certain of the accused on the ground that there was no case to answer. The Court held (1) that there was no case against Sgt. NAGATA and accordingly found him not guilty (2) all the members of the 3rd battalion must make their defence on all charges and (3) that the remaining members of the Kempetai must answer the second charge but that there was no case against them with the exception of accused NOMOTO on the first charge in respect of which a verdict of "not guilty" was entered. Accused NOMOTO had to make his defence on both charges.

All accused elected to give evidence.

The defence on the first charge by the members of the 3rd battalion was that the operation had been carried out under superior orders, as a measure of reprisals, and that it was not obviously illegal.

In addition it was submitted that the accused OKUBO, SAKAMAKI, USUI and TAKEI had not been concerned in the operation and should therefore be found "not guilty". These accused, although present, were, it was submitted, engaged only on work which was legitimate.

On the second charge the defence was a denial that there was any unnecessary ill-treatment.

The defence of Major ICHIKAWA on the 3rd charge was that the women were taken of their own free will.

The defence of the members of the Kempetai on the second charge was denial of the allegations with the further defence by Capt. HIGASHI that as he was not present at KALAGON and had given no order for the use of ill-treatment, he should not be held responsible.

The defence of NOMOTO on first charge was a denial.

FINDINGS AND SENTENCES.

Name	Finding	Sentence
Major ICHIKAWA Seigi	Guilty of all 3 charges with certain minor exceptions.	Death by hanging
Capt. SAKAMAKI Saburo	Guilty.	10 years imprisonment.
Capt. OKUBO Yozo	"	10 years imprisonment
Capt. MIDORIKAWA Hisashi	"	Death by shooting.
Lieut. TASHIMA Ichiro	"	Death by shooting.
Ind. 2/Lt. USUI Kiyohiro	Not Guilty	
Lieut. TAKEI Shozo	Guilty	10 years imprisonment
Capt. YANAGISAWA Izumi	"	Death by shooting.
Capt. HIGASHI Noburo	Not Guilty	
W.O. FUJIWARA Ryozo	2nd Charge Guilty	5 years imprisonment
Sgt/Maj. KOBAYASHI Akira	" " "	5 years imprisonment
Sgt. NOMOTO Minni	" " " 1st Charge Not Guilty	7 years imprisonment
Cpl. MORIMOTO Soiichi	Not Guilty.	

Findings and sentences have now been confirmed.

NOTE ON EVIDENCE:

The prosecution witnesses related how on the arrival of the Japanese at the village of Kalagon, the villagers had been gathered together and the men put in the mosque and women and children in the neibhbouring Zayet. Thereafter a few of the villagers were taken for interrogation by the Kempetai. The most reliable witness on the method of interrogation was the Interpreter SAW KAW KU. He testified that some of the villagers had been beaten, that their hands had been tied behind

their backs, a rope fixed to the cord binding their hands passed over a beam on the roof and the victim pulled off the ground. While handing in this exceedingly painful position the interrogation had gone on and the victim frequently beaten.

The actual massacre was carried out by taking the villagers in groups of about 25 to the nearby wells where they were bayonetted and then thrown into the wells.

The defence called as witnesses Col. TSUKADA, the commander of 213 Regt. and Capt. KATAYAMA, his operational staff officer. In evidence both these officers stated that the operation of KALAGON was carried out on orders from the Division.

Col. TSUKADA however in answer to the questions by the court suggested that ICHIKAWA had certain discretion as to whether or not he would kill all the villagers. The witness stated that what was done by ICHIKAWA and his battalion was in conformity with their orders and that ICHIKAWA had in no way exceeded his orders.

Col. TSUKADA expressed the view that lack of time and shortage of manpower were ample justification for dispensing with any trial in the case of the inhabitants of KALAGON and that as the Japanese were satisfied the villagers were acting in a manner hostile to the occupying power the circumstances were sufficiently grave to force the Japanese to carry out the mass execution.

Major ICHIKAWA when asked the following questions:

Q. Do you really think that women and children were acting against the Japanese army.
A. Yes.
Q. How do you justify the killing of the infant children.
A. There was no other alternative way of dealing with the children
Q. Explain that a little further.
A. First, within the orders I received, the killing of the children was also included. If I spared the children they would be orphans, and as such they could not have a living. In order to save time and carry out my duties, I could not help killing them.

Accused MIDORIKAWA gave the following answers to questions:

Q. Do you not think then since you consider the order you have received unlawful it was your duty to make comments to your senior officer ICHIKAWA.
A. I do not think it unlawful.
Q. Do you think the killing of women and children in KALAGON a lawful order.
A. I cannot say whether it was a lawful order, but due to the military necessity and force of circumstances the higher

command had issued the order after considering the circumstances. So I believe it to be right.

Q. You believe that any order issued to you by superiors is lawful order.

A. Up to now we have always considered an order from higher command to be correct.

Q. To be lawful.

A. Irrespective of anything an order given in the army should be executed so that the final object of the war shall be a success.

Q. Therefore you are prepared to do any order given by a superior irrespective of whatever you yourself may think about that order.

A. If it is an order of a superior officer I must obey the order against anything, fire or water.

Col. TSUKADA in answer to the question:

Q. As a senior officer of the Japanese Army how do you justify the measures which were taken in KALAGON.

A. The people of KALAGON village were hostile towards the Japanese, therefore they could be killed. It was pitiful to kill the children but as they could not be taken care of by the Japanese army they had to be killed.

Q. Do you consider that in all cases where people are hostile to you you are entitled to kill them.

A. I am of the opinion that proper investigation should be made before such hostile people were killed, but in consideration of lack of time and manpower they had to do the killing.

On the question of use of force during interrogations, witness KATAYAMA in answer to the question.

Q. I presume that there are circumstances in which it is lawful.

A. Yes.

Q. In what circumstances was it lawful.

A. Circumstances are that if the people interrogated refuse or refuse to confess their guilt of their doings and if it affects victory of the nation or if it is very important that the information must be exact.

Q. Is that the general principle accepted in the Japanese army in its interrogations.

A. I do not know whether it is a principle of Japanese army to use force during interrogation. It is just my opinion.

According to the evidence of the Headman of the village who had escaped, approximately 600 villagers were collected by the Japanese, about 195 women, 175 men and 260 children. Only very few of those persons escaped massacre.

2. NEW LAW COURTS ANNEXE:

The accused:-

Capt. UYENO Masaharu
Capt. YAMAZAKI Kaname
Members of or attached to the Kempetai.

CHARGE:

Both the accused were charged with committing a war crime in that they were concerned in brutality towards and ill-treatment of certain prisoners of war resulting in the deaths of five of the said prisoners.

PROSECUTION:

The prosecution case consisted of a number of affidavits by ex-prisoners of war who had been held at one time in New Law Courts Annexe Jail and statements made by the accused. In this evidence it was alleged that, following an attempted escape the prisoners of war were beaten mercilessly by guards on the orders of Capt. UYENO; it was further alleged that no medical attention was given to any of the sick or injured prisoners of war, and that the deaths resulted from the severe beatings and complete lack of medical attention.

DEFENCE:

Both the accused elected to give evidence.

They also called Major AKIYAMA Hideo on their behalf. The defence pleaded denial of prosecution allegations. Accused UYENO, in particular, denied that prisoners of war were beaten after the attempted escape and also that he refused to allow medical attention to be given to prisoners of war.

The Medical Officer claimed that he had never refused to give medical attention when requested; that his duties in connection with the Annexe were only part of a very large number of duties which he was expected to perform and that he was seriously handicapped by lack of medical supplies.

FINDINGS AND SENTENCES.

Name.	Finding.	Sentence.
Capt. UYENO Masaharu	Guilty	Death by hanging.
Capt. YAMAZAKI Kaname	Not Guilty.	

Finding and sentence have been confirmed.

NOTE ON EVIDENCE:

The affidavits produced by the prosecution contained considerable corroboration of the fact that the prisoners of war were seriously beaten immediately after the attempted escape and at intervals thereafter during the time they remained in the New Law Courts Annexe jail.

From the testimony of accused it appears that under an order from very high authority the Airmen were to be treated differently from other prisoners of war and were in fact to be regarded as criminal suspects; the intention seems to have been that they should be charged as war criminals on account of having carried out indiscriminate bombing.

The accused contended that in their view the prisoners of war should not have been lodged in this jail and that they made representations to that effect.

3. NEW LAW COURTS CASE.

The accused:-

Capt. NAGAHARA Kenzo
Capt. YAMAZAKI Kaname
2/Lieut. YOKOTA Masao
Cpl. NODA Masami

All members or attached to the Kempetai.

CHARGES:

All accused were charged with committing a war crime in that they were concerned in the ill-treatment causing physical suffering to the prisoners of war interned at New Law Courts jail.

The first three accused were further charged with ill-treatment resulting in the death of four prisoners of war.

The first named accused and the third and the fourth named accused were further charged with ill-treatment resulting in the death of another prisoner of war.

And the second named accused was further charged with ill-treatment resulting in the death of two additional prisoners of war.

PROSECUTION:

The prosecution case consisted of a number of affidavits by former prisoners of war, statements by all the accused and the testimony of two civilian witnesses who had been prisoners in the jail and of a Japanese corporal.

DEFENCE:

The accused NAGAHARA and YAMAZAKI elected to give evidence on oath.

The accused YOKOTA and NODA on the advice of the defending officer declined to give evidence.

The defence was a denial of the allegation together with a claim that in so far as the conditions were unsatisfactory in the jail it was not the fault of any of the accused as they were not responsible for the nature of the building, number of prisoners to be housed, the quantity of food available, the quantity of medical supplies and of the fact that there were also common criminals in the jail.

In respect of accused NODA a further point was made regarding the method of identification which it was claimed, was improperly carried out and could not therefore be accepted by the court.

FINDINGS AND SENTENCES.

Name.	Findings.	Sentence.
Capt. NAGAHARA Kenzo	Guilty of 1st charge. Not Guilty of the remaining charges.	4 years imprisonment
Capt. YAMAZAKI Kanane	Not Guilty.	
2/Lt. YOKOTA Masao	Guilty of the 1st charge. Not Guilty of the remaining charges.	2 years imprisonment
Cpl. NODA Masami	Not Guilty.	

The findings and sentences have been confirmed.

NOTE ON EVIDENCE:

This case was similar to the previous one in that it concerns the treatment of Airmen prisoners of war. As in the Annexe case it was claimed that these airmen were lodged in this jail on orders from high command because they were regarded as criminal suspects. The O.C. of the jail stated that in his view it was wrong that prisoners of war should be put into this jail but that he had no alternative but to accept them when they were sent.

He said he made representation to have them removed to a POW camp.

4. YEDWINGON CASE.

The accused:

Cpl. IDETA Nado
Capt. HIGASHI Noboro
2/Lt. NAKAYAMA Isaku
2/Maj. KOBAYASHI Akira
Sgt. NAKASHIMA Tokyoshi
Sgt. SHIOTA Toshihiro
Sgt. TOYAMA Ryosaku
Cpl. BABA Mitsuru
S/Lte. OGAWA Migaku

all members of or attached to the Kempetai.

CHARGE:

All accused were charged with committing a war crime in that they were concerned in the ill treatment of civilian residents of the villages of YEDWINGON and MAUNGLON.

PROSECUTION:

The prosecution case consisted of evidence of nine witnesses from the village of YEDWINGON who alleged that they had been arrested by the Kempetai and incarcerated in Moulmein jail for a period of approximately 19 days.

They alleged torture by water torture, electric torture and beatings during interrogations.

All accused were identified by several of the witnesses as having been present either at the time of the arrest or in the jail during the interrogations.

The accused Cpl. BABA Mitsuru tendered plea of guilty.

All the other accused pleaded not guilty.

DEFENCE:

The general defence was a denial of any ill-treatment. The acusd Col. IDA and Capt. HIGASHI denied that they had any knowledge of the arrest or ill-treatment of any of the witnesses.

The accused KOBAYASHI, SHIOTA and TOYAMA while admitting presence at the time of the arrest, claimed that they had never been in Moulmin jail during the period when the witnesses had been imprisoned.

The accused OGAWA maintained that he was only a driver and had nothing to do with the interrogations or ill-treatment nor did he act at any time as a guard.

All accused elected to give evidence.

In evidence accused NAKAYAMA admitted that he had ordered use of torture.

The defence also called as witness St. Maj. FUKUDA who stated that NAKAYAMA, W.O. IDEGOMORI and himself had been responsible for the ill-treatment of some of the witnesses for the prosecution.

The defence also produced an admission by W.O. IDEGOMORI of the ill-treatment.

(Note: W.O. IDEGOMORI was one of the accused on the original charge sheet and the charge was withdrawn as he was unfit to stand trial owing to illness.)

FINDINGS AND SENTENCES.

Name.	Finding.	Sentence.
Col. IDETA Nado	Guilty	8 years imprisonment.
Capt. NIGASHI Noburo	Guilty	8 years imprisonment.
2/Lt. NAKAYAMA Isaku	Guilty	8 years imprisonment.
S/Maj. KOBAYASHI Akira	Guilty	6 years imprisonment.
Sgt. NAKASHIMA Tokyoshi	Guilty	3 years imprisonment.
Sgt. TOYAMA Ryosaku	Guilty	6 years imprisonment.
Cpl. BABA Mitsuru	Guilty	1 month's imprisonment.
Sgt. SHIOTA Toshihiro	Not Guilty	
S/Pte. OGAWA Migaku	Not Guilty	

(Note: The accused S/Maj. KOBAYASHI Akira was also one of the accused, found guilty, in the KALAGON case.)

The findings and sentences have not yet been confirmed.

NOTE ON EVIDENCE:

This case is of interest because it was the first one in which an accused had admitted in the witness box that the Kempetai did on occasion use force to extract information.

The accused NAKAYAMA confessed to having used the water torture and Sgt. Major FUKUDA who was called as witness admitted use of electric torture.

Capt. HIGASHI who was one of the accused in the KALAGON case and at that time denied that force was ever used by the Kempetai now admitted that on occasion it might be used. But he was somewhat vague as to what he meant by use of force during interrogations.

In this case tortures used were:

(1) Water torture.
(2) Electric torture.
(3) Hanging a person from a beam with his hands tied behind his back, while in this position the man would either be beaten or given electric torture.

It would appear from this case that the use of force by the Kempetai to obtain information was a common occurrence.

5. RANGOON CENTRAL JAIL CASE (TAZUMI and others).

The accused:

Capt. TAZUMI Motozo.
1st Lt. ONISHI Akio
Sgt.Maj. UENO Kiyoshi
S/Ite. UENO Koigetsu.
members of the Imperial Japanese Army.

CHARGES:

All accused were charged with committing a war crime in that they were concerned as parties to illtreatment resulting in the death of 17 named prisoners of war and physical suffering to other prisoners of war.

PROSECUTION:

The prosecution case consisted of a very large number of affidavits by former prisoners of war and was to the effect that the Airmen prisoners of war were treated differently from the other POWs and were incarcerated for a long period in solitary confinement where they received insufficient rations and practically no medical attention whatsoever and that beatings by the guards were a frequent occurrence.

The accused S/Ite UENO was identified by his nickname 'limpy' as a notorious beater.

It was alleged that in the case of Lt. DRUMMEY he was deprived of the care of a companion because the medical officer ONISHI stated that he would die in any case and this prisoner was left to die quite unattended.

Prosecution also called as a witness Mr. FULLARTON who had been a prisoner in the Rangoon Central Jail from 1942 to the termination of the hostilities. He has testified that conditions as regards the Airmen were worse than as regard ordinary POWs.

He identified all the accused.

It was stated in several of the affidavits that the accused TAZUMI was a better prison commandant than any of his predecessors.)

DEFENCE:

The accused with the exception of S/Pte UENO, elected to give evidence but subsequently Lt. ONISHI on the advice of the defending officer declined to give evidence.

The defence consisted of a denial of the allegations of ill-treatment.

The accused TAZUMI claimed that he had done what he could to improve conditions. On behalf of accused ONISHI, it was claimed that he was very badly trained and had little experience of medical matters and in addition to his work at the jail he had duties in connection with transit camp and that he was exceedingly short of medical supplies.

Accused Sgt. Maj. UENO denied the allegation against him of ill-treatment although he admitted having on occasions slapped the POWs.

FINDINGS AND SENTENCES.

Name.	Findings.	Sentence.
Capt. TAZUMI Motozo	Guilty of ill-treatment of prisoners of war.	7 years imprisonment.
Lt. ONISHI Akio	Guilty of ill-treatment resulting in the death of Lt. DRUMMEY and contributing to the death of 10 other prisoners of war.	Death by hanging
Sgt.Maj. UENO Kiyoshi	Guilty of ill-treatment.	3 years imprisonment.
S/Pte. UENO Keigetsu	Guilty of ill-treatment.	15 years imprisonment.

The findings and sentences have not yet been confirmed.

NOTE ON EVIDENCE:

This case like the New Law Courts Annexe and New Law Courts jail cases deals particularly with the ill-treatment of Airmen who were prisoners of war. It appeared from the evidence that these men were treated in a different fashion from ordinary prisoners of war on instructions from high authority because they were regarded as criminal suspects.

The accused TAZUMI maintained that apart from keeping them segregated from other prisoners they were no worse off than ordinary prisoners of war. He maintained that they got the same ration of food as ordinary non-working prisoners and that medical attention was not withheld from them.

In this case as in all the jail cases it appears that the guards were for the most part a thoroughly bad type who made a practice of beating and striking the prisoners of war on the slightest provocation.

The statement by the accused S/Rte UENO made to the Investigating Officer, in answer to the question:

Q. Is there any other reason for your beating these prisoners in cell block 5 so frequently.

A. In September 1944 I was told by a Kempetai enlisted man, whose name I do not remember, that it would be all right to beat these prisoners.

shows the attitude of mind of the guards.

There is such a mass of testimony in all the jail cases relating to beatings that it seems impossible to come to any conclusion other than that such treatment if not actively encouraged was at least permitted and regarded as quite normal.

6. RANGOON CENTRAL JAIL CASE (IKEDA).

The accused:

Sgt. Maj. IKEDA Kumejiro.

a member of the Imperial Japanese Army.

CHARGE:

The accused was charged with committing a war crime in that he was concerned in ill-treatment resulting in the death of 5 American prisoners of war.

PROSECUTION:

The prosecution case consisted of a number of affidavits by former prisoners of war, which alleged that the prisoners of war had died through lack of medical treatment and in particular that the persons named in the charge sheet who were brought in suffering from severe burns when their aircraft crashed, received no medical treatment.

DEFENCE:

The defence consisted of a denial of the allegations. The accused elected to give evidence and on oath stated that he had given such treatment as he could to the American airmen who were very severely burnt and in a critical condition when they were brought in to the jail. He claimed to have carried out the instructions given to him by the medical officer.

The defence called as witness Cpl. NOTANI who had been an assistant to the accused and who corroborated his story.

The defence further called Major SHIMIZU a Japanese medical officer who gave evidence as to what might be expected in the case of patients suffering from burns of the nature described to the court.

FINDINGS AND SENTENCES:

The court found the accused not guilty.

In announcing finding the court stated that although they were satisfied that at some stage after they crashed there had been a criminal neglect in the treatment of those airmen, yet they were quite satisfied that there was nothing in the evidence to show that the accused could be held responsible in any way for what had occurred.

NOTE ON EVIDENCE:

In view of the fact that the accused in this case was acquitted it is undesirable to draw any definite conclusion from the evidence, but it does appear that the Japanese took little trouble to ensure that wounded or injured prisoners of war were properly treated at an early stage.

(Signed) A.M. STURROCK
Lieut.Colonel R.A.
President, No. 4 War Crimes Court,
Rangoon, M.A., LL.B.(Edin.),
Writer to the Signet.

1542A

Evidentiary Document No. 5344.

FORM OF STATEMENT

Summary of examination of Maung Bu Gyi Occupation Coolie
Address: Kyonlaha Village.

Maung Bu Gyi, duly affirmed, states: I am 20 years of age, of Burmese nationality and born at Kyonlaha. My permanent home is at Kyonlaha Village. I am at present living at Kyonlaha Village.

On the day before the Japanese from Henzada Kempei Tai came to Kyonlaha Village to recruit coolies I was at the river front. I saw that one Burmese woman Ma Thein Shin and four or five Indians had been arrested by a party which had come from HENZADA.

I can speak some Japanese and was made to interpret for the Japs. They asked the woman if she had stolen a mosquito net. The woman defined it.

The woman was beaten all over her body with the butt of a rifle. She still denied the theft. Her hands were tied behind her back, and one of the sleeves of her jacket was torn off with a bayonet. Then she was stripped naked.

When the woman had been beaten with the butt of the rifle her nephew Mg. Tin Nyunt was also arrested because he had been found with a Japanese book in his pocket.

The nephew, who was sixteen, was beaten, his hands were tied behind his back and he was stripped, too.

Both of them begged of me to plead for them and I did so. The Jap Officer would not listen to me and he ordered both of them to be tied to a railway carriage and made to stay in the sun. I came back. On the next morning I went to the river side and found blood stains. I was told by one of the Indians arrested that the woman and the boy had been decapitated. The Indian said he was made to throw both bodies into the river.

I heard that two headless bodies were recovered from the river.

s/s/ Bu Gyi in Burmese characte

Interpreter.
I certify that I duly translated the above summary to the witness in his own language prior to his signature which appears above.
Affirmed before me d'Astugues A.h. Signature, Rank, Captain.
Description: Investigator 17 War Crimes Investigation Team.

An officer detailed to examine the above by the Commander-in-Chief Allied Land Forces, South East Asia.

(Authority: ALFSEA War Crimes Instruction No. 1 para 7).

IT IS CERTIFIED that the above statement is the true copy of the Original Statement made by MAUNG BU GYI, Coolie, KYONLANA VILLAGE

/s/ T.S.F. BURNETT Lt-Col
O.C. 17 War Crimes Investigatic
Team.

1543A

Evidentiary Document No. 5346.

FORM OF STATEMENT

Summary of Examination of Maung Tun Shwe Police Constable
Address: Henzada Police Station.

Maung Tun Shwe, duly affirmed, states:-
I am 31 years of age, of Burmese nationality and born at Henzada.
My permanent home is at Henzada.
I am at present living at Henzada.

In April or May Japanese Kempei Tai Officer (three lines and two stars) Harada, whose photograph I recognise among those shown to me, and Mg. Mg Mya whose Japanese name I do not know came to Henzada P.S. they ordered myself S.I.P. Hla Mg. P.C's San Mg. Chittee, Aye Mg. Mg. Han to accompany them.

Harada and Mg. Mg. Mya were in Burmese dress. There were about 40 Jap soldiers, but I don't know who was in charge.

We went to Inbin by train and after two days' stay left Inbin at 7 p.m. to go to Nga Bat Kya village. We arrived at the village at 4 a.m.

The Japanese soldiers surrounded the village and some men led by Harada and Mg Mg Mya went into the village and arrested the headman's father who was about 60 years of age. A Chin was also arrested.

The old man was tied to a bench in front of his house. A piece of cloth was placed over his face and water was poured on the cloth. Then he was tied to a post and his feet were burned with a burning firewood. Mg. Mg Mya questioned him about the death of a Japanese soldier. He replied that the soldier was killed by some people in his house. He had tried to stop the murder.

The Chin, Nga Myauk, was questioned and tortured in the same way as the old man. He said that he did not kill the Jap and that he had tried to stop the killing, but he arrived on the scene too late. The killing was done by his two brothers-in-law.

Mg. Mg. Mya ordered the old man to take him to the spot where th Jap was buried. He returned with the cap of the dead Jap. The two prisoners were tied and guarded.

Two women had also been arrested. They were kept in the hut where Harada and the officer were. That hut was about five huts from the headman's house.

Several houses were set on fire by the Japs. The fire at Nga Myauk's house spread to about 10 houses.

At about 6 p.m. we left the village for Myin Wa Taung. We stopped at a village on the way, but could not find the headman. The next morning Harada, Mg Mg Mya 7 or 8 Japs and myself left for Sinkyone village to investigate the whereabout of another Jap who was missing. An old man told us that he had guided the Jap as far as the hills. The Japs believed him and we turned to Myin wa Taung. The next night we left for Inbin and arrived at 5 a.m.

We stayed at one Phogyi kyaung with the Officer, Harada, Mg Mg Mya and some Jap soldiers. The rest of the Jap soldiers went to another phongyi kyaung taking the two prisoners with them. The next morning we joined them at the other phogyi-kyaung.

At about 4 p.m. the two prisoners had their hands tied behind their backs and were taken to a trench in the paddy field opposite the phongyi kyaung. The police dug the trench. The old man was made to squat on the edge on the trench and Mg Mg Mya cut off his head. The Chin was executed in the same way. When the bodies fell into the trench they were bayoneted by the Jap soldiers.

Harada and the Officer were in the Phongyi kyaung at the time of the execution.

That night we set out for Myanaung. When we arrived at Gyaungbyut taw the Japs tried to enter a phongyi kyaung. They were looking for guerillas. The doors were locked. They banged on the door, made a lot of noise, when they got inside they started to search. As they were searching some Japs who had been left outside brought in a man whom they had found near the phongyi kyaung. He explained that he had heard the noise and thought that it was dacoit. He was searched and a revolver was found on him. The Japs found an empty cartridge case in the revolver and then identified the revolver as one which had been issued to a He-Ho guard and which had been stolen from him after he had been beaten. The man, Ko Kyin Sein, said that he had bought the gun from a young man for 150 Rs.

We proceeded to Htanbone bin where Po Pein Hnyaw was arrested because Ko Kyin Sein alleged that he had fed members of the resistance movement. At the headman's house two other men were arrested.

Then we went to Myanaung and put up at the bungalow. After about a week's stay two trenches were dug near the bungalow and Ko Kyin Sein and Ko Pein Hnyaw were decapitated by, I believe, the Jap officer.

One of the men arrested at the Headman's house was taken away by Mg. Mg Mya, and the other returned with us when he left for Henzada.

(Signed) Tun Shwe.

Interpreter.

I certify that I duly translated the above summary to the witness in his own language prior to his signature which appears above.

/s/ Hla Nyunt,
Interpreter.

Affirmed before me d'astugues A.R. signature, Rank, Captain.
Description: Investigator, 17 War Crimes Investigation Team.

An Officer detailed to examine the above by the Commander-in-chief, Allied Land Forces, South East Asia.

Authority: ALFSEA War Crimes Instruction No. 1 para 7.

It is certified that the above statement is the true copy of the Original Statement made by Mg Tun Shwe, Police Constable, Henzada Police Station.

/s/ T. S. F. BURNETT Lt -Col.
O.C. 17 War Crimes Investigation Team.

FORM OF STATEMENT.

Summary of examination of Maung Kin Mg. occupation Student.
Address: Paukpanbyu St. Henzada.
Maung Kin Mg. duly affirmed states:-

I am 14 years of age of Burmese nationality and born at Henzada. My permanent home is at Henzada. I am at present living at Henzada.

One day in May, 1945, I took a Japanese Army bus from near the Railway Station Henzada to Ongun where I was employed as a Japanese interpreter.

When the bus arrived at Ongun, I alighted near the garage. At that moment, a Japanese Officer (1 line 3 stars) by the name of YAMADA called to me to accompany him to a trench situated close to the village guard post. I went with him.

In the trench, either standing or sitting, were seven Burmans. Their hands were all tied by the same piece of rope. The Japanes told me to ask the Burmans why they had been arrested. The Burme replied that they were not guilty, but did not give me the reason for their arrest.

The time was then about 6 pm. Sitting quite near were two whi men, I believe they were tied.

One was over 6 feet tall and was wearing a khaki uniform slacks and a tunic. On his head was a peculiar sort of head gear It had a flat at the back, netting over the top, a turned up peak in front, ear flaps with straps which fastened under the chin. On his shoulder there was something embroidered in English character, but I did not understand it. He was wearing black boots something like Jack-boots. On one of his forearms, he had a tatoo design, but it was partly covered by his sleeve and I do not remember what it was. He had brown hair and a beard. He had protruding teeth and protruding cheek bones. I could not judge his age, but he seemed to be about the age of the investigator (30). He was carrying a water bottle which had a blue-black cover. He had had a ring which the Japanese had confiscated. The ring was light yellow colour, it might have been gold. In the front was a three-teer gold circle and there was a monogram on it.

The other man was about the height of the average Burman (5' 4"). He had a pair of shorts which he carried under his arm and which the Japanese took from him. I saw YAMADA wearing the shorts the next day. He was dressed in exactly the same way as the first man except that he had nothing embroidered on his shoulder. On his shoulder strap he had a blue stripe. He had brown hair and a beard and seemed older than the first man.

Beheaded 2 "white men" 7 - Burmese

About 15 minutes later the Japanese officer with an escort of 25 soldiers led the 7 Burmans and the two white men to ONGUN cemetry. Before they were taken away these 7 Burmans of whom I knew 4 or 5 because they were my classmates in the Japanese languag school, asked me as to how they were to be killed. They were frightened because the soldiers had fixed the bayonets.

I asked the Japanese officer who gave no reply.

At the cemetry the Jap officer and 3 soldiers looked for trench in the vicinity. They found one close by.

I was standing about 70 yards away. I was asked by the Japanese to return to ONGUN but I wanted to see. As I was an interpreter I was allowed to stay.

It is a Burmese custom to pray before being executed and I asked YAMADA for permission for the men to pray. He allowed this.

One Burman was taken from the group and ordered to kneel on the edge of the trench. YAMADA cut off his head with a sword. The other Burmans and the two white men could see what was going on. Then the other men were killed one by one. I did not look I shut my eyes, put my hands over my ears and turned away.

Although I had my hands over my ears I could hear the blows of the sword and the Japs saying "Oh, that one isn't dead yet, bayonet him". I heard cries of "Oh God" coming from the trench.

Next day came the execution of the two white men. They were stripped of their clothes and were completely naked. They made signs that they wanted to smoke and were each given a cigarette.

Then they were executed in the same way as the 7 Burmans. The tall man was executed first. Earth was thrown on the bodies and then the Japanese left taking the dead men's clothing with them

The next morning I wanted to go out, but I was not allowed and I was warned by the Lt. Col. SAITO's driver that I was not to tell anybody about the execution. I was not allowed out for ten days and Lt. Col SAITO himself warned me that he would kill me if I told.

The murdered men I knew were Mg Than, age 24 of Henzada. O Mg Than, age 35 of Taloketaw. Yauk Tet, age 20 of Henzada. Ohn Mg., age 17 of Henzada., and a nephew of Daw Waing Gyi of Henzada.

I have heard from coolies working for the Japanese of other executions. Sometimes there were executions of batches of six people, sometimes of batches of up to 30 people.

Of the two white men the tall was brough in about a month before the execution and the other one about 15 days before the execution. I think they had been brought from Pantanaw.

Two months before the arrival of the first of these men a man with "NEW ZEALAND" on his shoulders was brought to the ONGUN Garrison. I think he was an airman. He wore a gold coloured badge with two lions on it on his arms. He had brown hair and was clean shaven. I should think he was a tall man but I never saw him standing up. I think his back was broken as he sat with his torse hunched forward. He was never taken to hospital and never given medical attention. While he was at ONGUN he slept in the garden. The Japs had given him a mosquito net and a ground sheet. 4 or 5 days later the man disappeared. I think he was taken to Rangoon.

I can recognise the photograph of Thenouchi who was known as E Maung.

Signed Khin Maung.

Interpreter.

I certify that I duly translated the above summary to the witness in his own language prior to his signature which appears above.

Signed, Hla Nyunt.
Interpreter.

Affirmed before me d'Astugues A.R. Signature, Rank, Captain.

Description investigator 17 War Crimes Investigation Team, an Officer detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.

(Authority:- ALFSEA War Crimes Instruction No. 1 para 7).

It is certified that the above statement is the true copy of the Original Statement made by Mg Kin Mg, Studen Paukpanbyu St. Henzada.

Signed T. S. F. BURNETT Lt-Col.
O.C. 17 War Crimes Investigation Team

1545A

Evidentiary Document # 5342.

FORM OF STATEMENT.

Summary examination of MG PAN, Trader, MUDON.
Age: 34
Nationality: Burmese.
Home Address: SAZIN Qr., MUDON.

Witness duly affirmed states:-

I was arrested in the early morning of the day before the expedition to SHANYWA by a KT, TUN OHN was with him. I was questioned and tortured all that day by Sgt.Maj. TAMURO Noriharu. The only reason I can give for my arrest is that I come from SHANYWA Village and I would be able to recognise the man the Japs wanted.

The next morning I accompanied the party commanded by Sgt. Maj. TAMURO Noriharu, TAN KIN CHOON was also with this party. We went by the short cut over the hills; we had only gone about a mile out of MUDON when we met about 200 villagers bringing vegetables to MUDON. Sgt. Maj. TAMURO Noriharu stopped these people and made them sit down; I was told to go round and see if the following people were among them - LUN SHEIN, NGA KWE, SAN LIN, PA EE, AH BAW, AI KAH, THE HEADMAN OF SHANYWA, wife of the Headman, wife of AH BAW, TUN MYAING, U THAI KIN (my father), and SAN HLA GYAW (my brother). Out of these people only MG KWE, AI KAH, AH BAW and LUN SHEIN were not there. The rest being present. I pretended not to recognise any of them, but TUN MYAING on hearinghis name called, stood up. Sgt. Maj. TAMURO Noriharu questioned and beat him until he admitted YIN SHEIN was at his house. TAN KIN CHOON on seeing my father and brother asked me in front of TAMURO, "Isn't that your father and brother over there?". TAMURO heard this and so I had to admit it was them; all three were arrested and tied up. YIN SHEIN was arrested at TUN MYAING's house in MWEHAUK village. When we arrived at SHANYWA we were taken to the Headman's house. U OHN and U SEIN PO, HLA PE and OHN KYAING were already there. I saw U OHN PE being beaten by Sgt. Maj. TAMURO Noriharu, after this he told Sgts. NOMOTO Kinji, and KANAZAWA Seichu to take U OHN PE and U SEIN PO out and give them the water treatment; when they came back I noticed their clothes were wet. There was no further questioning or torture after this. I heard Sgt. Maj. KUMAGAI Hachiro say to Sgt. Maj. TAMURO Noriharu and TAN KIN CHOON "We will kill them all". NGA YAH was then brought in and questioned, Sgt. Maj. KUMAGAI Hachiro said "We will kill him also".

kill them all

Eight of us were taken from the house and lined up between a mangoe tree and the gate, we were told to sit down. NGA YAH, PO TO, OHN KYAING and HLA PE were told to stand up. I heard Sgt. Maj. KUMAGAI Hachiro say "Bring four soldiers". I am not very clear as to what happened next as I was expecting to be killed and I was praying with my head bent and my eyes closed. I heard a volley of rifle shots followed closely afterwards by one rifle shot and one pistol shot. Sgt. Maj. KUMAGAI Hachiro came over to me and said, "You will be killed at MUDON with YIN SHEIN". I was then placed under the guard of P.C. SAN MYA and

HLA TE. I saw my father (U THA KIN) shot by Sgt. NOMOTO Hinji, my brother (SAN HLA GYAW) shot by Sgt. KANAZAWA Seichu and U TUN MYAING shot by S/Pte FUJII Hanji; they were all shot with pistols, once standing up and again after they had fallen.

The Headman's house was then set on fire, and as R.A.F. planes were above we moved out back to MUDON. I was kept in the KT lock-up until the next morning, when I was moved to the Civil Police Station and released eight days afterwards at the surrender.

(Signed) MG PAN.

Interpreter.

I certify that I duly translated the above summary to the witness in his own language prior to his signature which appears above,

(Signed) SAW SAN NU.

Affirmed before me J.C.B. BURDEKIN (signature), Captain, an officer of the Royal Berkshire Regiment. Dated this 28th day of July 46. Detailed to examine the above by the C-in-C, ALFSEA.
(AUTHORITY: ALFSEA War Crimes Instruction No. 1 para. 7.)

MMG.

I hereby certify that this is a true copy of the sworn statement made by MG PAN, Trader, MUDON, before Captain J.C.B. BURDEKIN, Royal Berkshire Regiment, on the 28th day of July 1946.

(Signed) J.H. LAMBERT, Major.
Offg. O.C. 17 War Crimes Investigation Team.
(Major J.H. LAMBERT MBE)

Tele: Central 174.
JHL/MMG.

1546A

Evidentiary Document # 5340.

FORM OF STATEMENT.

Summary of examination of SAW BO GYI GYAW, son of SAW BA GYAW.
Occupation: Student.
Address: TAUNGTHUGON, INSEIN.

SAW BO GYI GYAW, duly sworn/affirmed, states;-

I am 22 years of age, of Karen nationality, and born at THARRAWADDY. My permanent home is at INSEIN. I am at present living at INSEIN.

I was living in the Karen quarter just outside the A.B.M. compound THARRAWADDY. The house in which I was living overlooked this compound. One day, in the early or middle part of May, just as it was growing dark about 5 or 6 p.m., I heard some shots fired from within the compound. On hearing this, I went to an upstairs window where I saw seven persons in the custody of about six Japanese who were wearing raincoats. The prisoners were being blindfolded with strips torn from a blanket. I could not recognise any of the prisoners as they were about 150 yards away.

The first prisoner I saw being executed by a trench was shot at with a pistol at close range, several shots being fired. Two more prisoners were brought by the trench and they were shot at by some Japs who were under a big tree, these Japs rested their rifles on the tree roots and fired at the prisoners. This was repeated with the remaining prisoners.

After the execution was over the Japs returned to their quarters in the compound. These Japs were Kempei Tai personnel and were the last Japanese troops in THARRAWADDY. I do not know any of their names except one, whose name was S/Pte SAITO, but he did not belong to the Kempei Tai. I do not know the Unit from which he came.

The majority of the civilians, including myself, left THARRAWADDY after this incident. When I came back to THARRAWADDY, I met some people who were exhuming the bodies; U TIN's wife identified her husband's body, and he was cremated just near the trench. There was also another trench nearby which contained the body of U PO HLA WIN. I saw his body, and the head was smashed and the skull appeared to be broken.

(Signed) SAW BO GYI GYAW.

Interpreter

I certify that I duly translated the above summary to the witness in his own language prior to his signature which appears above.

(Signed) HLA NYUNT
Interpreter.

Sworn/affirmed before me H. HARRUP (signature); Rank: Captain. Description: Investigator, 17 War Crimes Investigation Team at RANGOON on the 31st day of May 1946.

An officer detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.

(Authority:- ALFSEA War Crimes Instruction No. 1, para. 7.)

I hereby certify that this is a true copy of the Sworn Statement made by SAW BO GYI GYAW, Student, TAUNGTHUGON, INSEIN, before Captain H. HARRUP, Investigator, 17 War Crimes Investigation Team on 31st May 1946.

(Signed) J.S.F. BURNETT, Lt.Col.
O.C. 17 War Crimes Investigation Team.
(Lt.Col. J.S.F.A.F. BURNETT, DSO, MC)

MMG/-
Tel: Central 174.

1547A

Evidentiary Document # 5339.

I, Robert Andrew Nicol, aged 42, Anglo-Burman, an Inspector in the Revenue Department of the Municipal Corporation of Rangoon, resident at No. 81, Sandwith Road, Rangoon, being duly sworn states as follows:-

Prior to the occupation of Rangoon by the Japanese forces, I was permanently resident at Rangoon but with the approaching advent of the Japanese, I evacuated from Rangoon in 20th February 1941 and I remained at Pyaunglya till 25th May 1945.

On Wednesday, 7th either February or March 45, I can't remember which, at about 1000 hrs. a lorry stopped in front of my house in PYAUNGLYA, and BA HLAING, a young Burman accompanied by a Jap soldier (three stars), came to my house and enquired if I could speak English and Burmese fluently. When I told them I could, I was asked to accompany them.

I was taken in the lorry to the MOKSOKWIN reserve forest, and when I arrived there, I saw one young RAF Sergeant with a Wireless Operator badge, together with two sentries with rifles and bayonets and a Jap soldier with a sword (one line and three stars). The Sergeant was seated with both hands tied behind his back. About one hundred yards away I saw three other airmen standing guarded by approximately 25 Jap soldiers. The Senior Officer amongst this party seemed to be a man about 5 ft. 2 ins to 5 ft. 3 ins. wearing a white shirt, riding breeches and brown jack boots. I thought that he was the Senior Officer as he was the only man present wearing a sword and revolver. He was approximately 22 years of age and rather fair for a Japanese.

I was taken by the Jap soldier (one line three stars), BA HLAING and the driver, to where the Sergeant was seated. The Jap soldier (one line three stars) spoke to BA HLAING in Japanese and BA HLAING translated back to me in Burmese and I was told to interpret for him in English to the airman. Most of the questions were about the different wavelengths the RAF used to communicate with their base. The young Sergeant would only say that the dials were fixed before leaving the base. While BA HLAING was translating back to the Japanese soldier, I managed to get the airman's name. He told me that his name was STAN WOODBRIDGE and that he came from CHINGFORD, ESSEX, ENGLAND.

When the airman would not disclose any of the information required, BA HLAING took off his belt and struck him several times across the back with the buckle end of the belt. Then the Jap soldier (one line three stars) struck WOODBRIDGE on the head with the flat of his sword several times, then the questions were repeated but WOODBRIDGE refused to give any different answers. This questioning lasted for about an hour.

When the questioning was finished, WOODBRIDGE was taken by the four Japanese and BA HLAING towards the other group which was one hundred yards away. Then the whole party, including the four airmen and BA HLAING went away into the forest. As they were moving off I asked the driver by signs if they were going to shoot the airmen and he indicated

Shoes airman

that they were going to be beheaded. I then went back to the lorry and waited there alone for about half an hour, until the Japs returned. One of them was carrying a pick-axe, another a shovel and others carrying the airmen's clothes. The uniforms were rolled up into a bundle which was carried by one man, and so I could not see how many there were. I did see four pairs of shoes carried by other Jap soldiers. BA HLAING was with them. The whole party, including myself and BA HLAING was with them. The whole party, including myself and BA HLAING, climbed into the lorry and we were driven back to the town where I got off at the crossroads.

(Signed) R.A. NICOL.

Date: 5.7.46.

Sworn before me this 5th day of July 1946.

(Signed) ?
5th Additional Magistrate,
Rangoon.

Evidentiary Document # 5348 A.

1548A

STATEMENT OF WITNESS.

Name: MG Than MG
Occupation: Clerk.
Address: Bhamo.

been duly sworn states:

I am 29 years of age, of Burmese nationality, born at Bhamo. My permanent home is at Naungkho.

Sometime in the middle of August '44 at SINKAN (together with YOSHIKAWA S/Maj. NAGATA Cpl., THAN TE, MAUNG MU and SAN AIK) I saw one Burmese BA KHIN killed by YOSHIKAWA and NAGATA.

On the said day at SINKAN, THAN TE, and KO YIN (Later now dead killed by Kachins) brought in BA KHIN to YOSHIKAWA. BA KHIN was questioned by YOSHIKAWA regarding British troops and BA KHIN denied any knowledge of them. BA KHIN was beaten whilst being questioned by YOSHIKAWA, and was later taken outside the village. Here, YOSHIKAWA gave BA KHIN his last chance to tell the truth. "You will be released if you tell the truth, otherwise you will be killed". BA KHIN still denied knowledge of British troops. Then YOSHIKAWA ordered BA KHIN to be tied to a nearby tree, and told BA KHIN to say his prayers. After BA KHIN had finished YOSHIKAWA ordered NAGATA to kill BA KHIN with his sword. NAGATA thrust the sword at BA KHIN's neck but it did not penetrate, and YOSHIKAWA flying into a fury took the sword from NAGATA and fiercely attacked BA KHIN with the sword all over his body, killing the man.

He, (YOSHIKAWA) told all of us present that this is an example of the treatment anyone will receive for going against the Japanese.

The following were at the site:

1. MG MU. 2. THAN TE. 3. SAN AIK. 4. TIN MAUNG. 5. Myself and the K.T. YOSHIKAWA and NAGATA.

I can identify the Japs.

(Signed) MG THAN MAUNG.

Sworn before me D.R. MADDOX, Lt.Col. No.16 War Crimes Investigation Team, at BHAMO on the 7th day of May 1946.
Detailed to examine the above by the Commander-in-Chief, Allied Land Force South East Asia. (Authority: ALFSEA War Crimes Instruction No.1 para 7.)

I recognise the photograph of Sgt. Maj. YOSHIKAWA SADAICHIRO which I have been shown as the man referred to above as YOSHIKAWA.

I certify that the above is a true copy of a statement taken in the course of War Crimes Investigations, the original of which is now in the custody of 16 War Crimes Investigation Team.

Dated the 3rd July 1946. (Signed) B.T. HUMPHREYS. Capt. RA.
Investigator, 16 War Crimes Investigation Team.

Evidentiary Document # 5348 B.

15497 P1

STATEMENT OF WITNESS.

Name: M. Than Maung.
Occupation: Previous Clerk (now unemployed)
Address: Bhamo.

Been duly sworn states:

I am 29 years of age, of Burmese nationality, born at Bhamo. My permanent home is at Naungkho and I am at present living at Naungkho.

During June 1944, when I was working for the Burma Police at Bhamo, after the rains had commenced in North Burma, I was given orders by my chief to accompany the M.T. YOSHIKAWA as an interpreter on his tours.

The same evening YOSHIKAWA, another Jap M.T. (name not known), BA KYI and myself left Bhamo by truck for the 17th ~~mile~~ mile on the Bhamo/Myitkyina Road, arriving there after dark about 2200 hours. We slept there that night with a Jap Unit whose Commander had requested the M.T. to report to him for duty.

Early the next morning we left in the direction of BUMRAI, with 15 other Jap troops. YOSHIKAWA suspected the Kachins in and around BUM RAI of helping the British or Allied Troops in the area. When we arrived at BUM RAI, YOSHIKAWA arrested 8 Kachins (males), and after a short stay we all made our way back towards the 17th mile. (These Kachins (name not known were Kachins who were preparing to visit the flats on a purchasing trip, when they were arrested.) After walking two miles, a halt was called (for a rest) and YOSHIKAWA got the Kachins together and commenced questioning them regarding Allied troops in the vicinity and accusig them of purchasing food for them, as these Kachins, when searched, were found in the possession of silver rupees. When the interrogation was being carried out, an aircraft (American) passed overhead, and YOSHIKAWA took the chance to further accuse the 8 Kachins of being spies. He then gave the order to the 15 Jap soldiers to bayonet the Kachins. Two of the Kachins came forward and confessed about the Chinese troops in the vicinity, and they were not killed (the six others were killed there; I was present on the spot).

We proceeded on our journey and arrived at the 17th mile after dark, having the two Kachins with us. These two Kachins were tied up to trees for the night and made their escape before dawn.

(Signed) THAN MAUNG.

Statement given in English.

Sworn before me B.T. HUMPHREYS, Capt. R.A.
16 War Crimes Investigation Team, at Bhamo on the 22nd day of May 1946.

Detailed to examine the above by the Commander-in-Chief,
Allied Land Forces, South East Asia.

Authority: ALFSEA War Crime Instruction No. 1, para. 7.

I recognise the photograph of Sg. Maj. YOSHIKAWA SADAICHIRO which I have been shown as the man referred to above as YOSHIKAWA.

I certify that the above is a true copy of a statement taken in the course of War Crimes Investigations, the original of which is now in the custody of 16 War Crimes Investigation Team.

Dated the 3rd July 1946. (Signed) B.T. HUMPHREYS.
Capt. R.A.
Investigator, 16 War Crimes Investigation Team.

1550A

Evidentiary Document # 5354.

FORM OF STATEMENT OF A PERSON SUSPECTED OF BEING CONCERNED IN THE COMMISSION OF A WAR CRIME.

I, Captain B.T. HUMPHREYS of 16 War Crimes Investigation Team certify that I have now duly warned Sgt. Maj. YOSHIKAWA Sadaichiro in the following terms:- "Do you wish to make any statement or to give evidence on oath? You are not obliged to say anything or give evidence unless you wish to do so, but whatever you say or any evidence you give will be taken down in writing and may be given in evidence." R.P.4(E). The said Sgt. Maj. YOSHIKAWA Sadaichiro states that he wishes to make an unsworn statement.

(Sgd.) B.T. HUMPHREYS,
Capt. R.A.
(Capt. B.T. HUMPHREYS, RA)
The 22nd day of June 1946.

UNSWORN STATEMENT:

I, Sgt. Maj. YOSHIKAWA Sadaichiro of the Kempeitai have been duly warned that I am not obliged to make a statement, but that whatever I say will be taken down and may be used in evidence, wish to state voluntarily as follows:-

In September 1944 I was stationed in the Kempei Tai at BHAMO, and it was during that month that I received orders from Capt. KURAKATA Inesuke to go to the 15th or 17th mile north from Bhamo. I had to report to the HARA BUTAI who had a camp there. I went there accompanied by Sgt. OGWA Tamotsu of the Kempeitai, and I was given a party of soldiers from the Butai under command of a Sgt. KATO: I think that he had four men with him.

I went from the 15th or 17th mile up the hill to BUMBRAI accompanied by this party and I think that there were also two or three policemen.

I ordered the arrest of eight people when we reached BUMBRAI. We knew that there were some spies in the area and had information that these eight people were involved in the activities of the spies. Some of these eight people were Kachins and some were Chinese. They were suspected of having come over the Border from China.

We took these people out of the village and on the way down the hill to the main road we stopped to question them. The interrogation confirmed that they were spies. I carried out the interrogation. I then turned them over to Sgt. SATO of the Hara Butai and gave him a verbal report of my findings. SATO ordered about five or six of them to be killed and they were killed there. The others ran away later after we had reached the camp.

OGAWA went all the way with us and I think that he may have interrogted one of the prisoners, but he took no other part in the affairs.

There was a Japanese defence post at BUMERAI. I think that the reason for the people being killed was in order to prevent information leaking out about the Japanese defences.

The above statement has been read over to me by an interpreter and is a true account of what I have stated and I now voluntarily append my signature thereto (YOSHIKAWA Sadaichiro).

Signed at Rangoon on the 22nd day of June 1946.

(signed in Japanese character.

CERTIFICATE OF INTERPRETER.

I, Tokeshi IWAI at present in Rangoon Gaol solemnly and sincerely declare that I truly and correctly translated to Sgt. Maj. YOSHIKAWA Sadaichiro the words of the above caution and that he thereupon elected to make an unsworn statement and that he then made an unsworn statement which I truly and correctly translated into English and saw taken down by Capt. B.T. Humphreys RA; I read over the whole of the above statement to the said Sgt. Maj. YOSHIKAWA Sadaichiro in the Japanese language and he acknowledged it as correct and has now duly signed it in my presence and in the presence of the said Capt. Humphreys.

I certify that no inducement, threat or promise was held out to the said Sgt. Maj. YOSHIKAWA Sadaichiro and that he made the above statement entirely voluntarily.

(Signed) TAKESHI IWAI.

Affirmed before me B.T. HUMPHREYS Captain RA of 16 War Crimes Investigation Team at Rangoon Gaol on the 22nd day of June 1946. An officer detailed to examine the above by the C-in-C ALFSEA. Authority: ALFSEA War Crimes Instruction No. 1 (Second Edition) para. 19(a).

I certify that the above is a true copy of a statement taken in the course of War Crimes investigations, the original of which is now in the custody of 16 War Crimes Investigation Team.

Dated the 3rd July 1946. (Signed) B.T. HUMPHREYS.
Capt. R.A.
Investigator 16 War Crimes Investigation Team.

Evidentiary Document No. [illegible] 1551A

FORM OF STATEMENT

Sworn Statement of ROLAND JOSEPH
Address:- c/- Mr. F. S. JOSEPH, HEAD MASTER, KYAIKTO
Occupation:- Student

Duly sworn states, I am 16 years of age, of Anglo-Burmese Christian nationality, and born at KYAIKTO. My permanent home is at KYAIKTO. I am at present living at KYAIKTO.

About 20 days after the arrival of K.T. at our house, one morning at about 1100 hours I came to the house from PHEKALEIK village to which place we had evacuated earlier and while there I saw a well dressed Indian, who I afterwards learnt that he died at PHEKALEIK while under K.T. custody, talking with Capt. MATSUOKA Kenro while Sgt. Maj. SUZUKI Kiyoshi was sitting near eating rice. I know these two K.T. by their photographs. I heard MATSUOKA asking the Indian what property he possess and where he lived. After a while I saw Sgt. TOYAMA Shoji took this Indian away to the back garden and Corporal SAKAMAKI Tsutae and SAKAKI Toyohiko who I recognise by photographs tied him with a rope and blind folded him and brought him back to the house and put in wooden fetters.

At about 1630 hrs. after their meal W.O. TSUBOI Yoshio, I can recognise from photograph, interrogated him and ordered Sgt. TOYAMA who rapped the Indian's foot with rags and pour kerosine oil on it and set fire to the foot. Later I found this foot with a big sore and rotting. As the sore was smelling he was kept apart.

2 days after all the K.T. left for NGAPYAWDAW village where paratroops were heard to drop leaving SUZUKI Kiyoshi, one Jap officer in spectacles who is not among the photographs and other N.C.Os. That very day I was interpreter THAN AUNG of LEITPYAGAN Qr., PEGU, brought one woman, whose husband I know to be KO BA MG of KYAIKTO, tied with a rope. The Jap Officer asked him why she did not accept the worn out Jap currency. She pleased that it was not generally accepted. Then the Jap officer said that she must be punished and another Jap whole photograph is not here, tied her with a rope but she escaped and the Jap chased her and pulled her back by her hair. Then she has retied and beaten by the same Jap while SUZUKI Kiyoshi stood by and laughed and clapped his hands. Then SUZUKI Kiyoshi ordered the Jap to stop, and tied her to a post. When she was tied the Jap took off her longyi and beat her again. At this juncture I went up stairs and peeped through the floor. Then THAN AUNG brought a placard on which were written some Burmese letters and hung it on her neck. Then her longyi was restured and was pulled along the road by the rope followed by the interpreter, the Jap and Cpl SAITO Kenji who I recognise by the photograph. I was told that she was taken to the bazaar and was exhibited. After a while I followed and found the

party at the pagoda where she was released. I saw her fell down unconscious and I returned to PHEKALEIK.

Then on the 17th June, 1945, the day we were arrested at about 0900 hours while I was kept under arrest on the ground floor I saw SULTAN taken out by Cpls. SAKAMAKI and SAKAKI to the air raid trench in the back garden. W.O. TSUBOI was then sitting on a chair near the trench. A Jap with a dah cut scar on the fore-head took a pitcher full of hot water andhe poured the hot water into SULTAN'S mouth TSUBOI, who knows Burmese well interrogated and ordered the Jap who kicked SULTAN into the trench which was full of water and he pressed him down with his foot. After a few minutes, he was pulled up and the drowning was repeated 3 or 4 times. Then I saw SULTAN unconscious and was brought back and put in wooden fetters again. At about 1600 hours MA SWAN TI was brought in and taken out to the back garden and beaten by the Jap with the scar on the forehead, while W.O. TSUBOI interrogated her and Cpl. CHIBA Nobuo was looking after MA SWAN TI child.

Hot water poured into mouth

I only heard ABHUSU crying in pain from the back of the garden. On the same day I was released.

(Signature) ROLAND JOSEPH

Interpreter.

I certify that I duly translated the above summary to the witness in his own language prior to his signature which appears above.

(Signature) indecipherable.
Interpreter.

Affirmed before me ? (Signature) Rank: Capt.

Description:- Army officer on 6th July, 1946.

An officer detailed to examine the above by the Commander-in-Chief Allied Land Forces, South East Asia.

(AUTHORITY:- ALFSEA War Crimes Instruction No. 1. para 7).

At/MMG.

STATEMENT OF HARRY JOSEPH, GANGAW Qr., KYAIKTO

Name .... HARRY JOSEPH. Age 23 Yrs.
Father .... Mr. F. S. JOSEPH
Caste .... Anglo Indian, Christian
Address .... GANGAW Qr., KYAIKTO. (M 5298)

HARRY JOSEPH, having been duly sworn, states:-

"I solemnly and sincerely declare that I will tell the truth, the whole truth, nothing but the truth."

"The KEMPEITAI of KYAIKTO stayed in our house from April 45 to June 45. There were about 25 KEMPEITAI personnel. The names of some of the KEMPEITAI are given below:-

(1) Lt. MATSUOKA (Approx. 40 yrs. of age - Height approx 5'6" with spectacles: thin).
(2) Sgt. Maj. KHAWASAKI (age approx. 35/40 - Height approx 5'6" Thin - always speaks with a smile.)
(3) Sgt. KATO (Age approx. 30/35 - Height approx 5' 1" - shoulder slightly bent.)
(4) Sgt. TOYAMA (Age approx. 35 - Height approx 5'6" cruel looking).
(5) Sgt. SUZUKI (called MOKPALIN SUZUKI who came to KYAIKTO from KEMPEITAI HQ at MOKPALIN (G 3814) Age approx 35 - stout - height approx 5' 6")

Among these KEMPEITAIS, No. (3) Sgt. KATO and No. (4) Sgt. TOYAMA were the cruelest of the lot.

I was arrested on 17 June 45 by the a/m KEMPEITAIS, who occupied my house. I did not know why I was arrested. I escaped from their custody the same night and did not see them again.

While I was staying in my house together with the a/m KEMPEITAIS for about 2 months I witnessed their atrocities (especially of Sgt. KATO and Sgt. TOYAMA) Prisoners (names NOT know) were ill treated in the following manners, while in their custody:-

(1) Beat the prisoners with big solid bamboo sticks (approx. length 4'/5' - diameter 3") Beat the prisoners until they confessed (i.e. forced confession).
(2) During beating and interrogation, prisoners were made to squat with hands and feet tied with ropes.
(3) The hands of the prisoners were tied with ropes. Prisoners were then strung up to the roof of the house by their hand so that their feet did not touch the ground. Prisoners were left like this for some time.
(4) During interrogation, the prisoner's hands and legs were splashed with large quantity of boiling water.

Boiling Water

Water Cure

(5) The prisoner was blind folded, then a large quantity of water slowly poured into his mouth and nostrils, so that the prisoner suffocated.

Among the KEMPEITAIS, Lt. MATSUOKA gave the orders and the rest carried them out. I could definitely say that Sgt. KATO and Sgt. TOYAMA were the cruelest KEMPEITAIS of the lot.

/s/ HARRY

Recorded by me on 13 Nov. 45 at KYAIKTO (M 5298)

/s/ Lt. BA KO
Det. 602 F.S.S.
63 Ind. Inf. Bde.

This statement has been read over to the witness in a language which he understands and has been acknowledged by him to be correct.

/s/ Lt. B. KO
Det. 602 F.S.S.
63 Ind. Inf. Bde.

I HEREBY CE TIFY that this is a true copy of the Sworn Statement made by HARRY JOSEPH, Anglo Indian, Christian, GANGAW Qr., KYAIKTO (M 5298) before Lt. BA KO, Det. 602 F.S.S. 63 Ind. Inf. Bde.

/s/ J.S.F. BURNETT Lt. Col.
O.C. 17 War Crimes Investigation Team
(Lt. Col. J.S.F.A.F. BURNETT,DSO.MC)

Tel. Central 174.

1556 A
P. 1

Evidentiary Document # 5365.

SWORN STATEMENT of Mr. RUDOLF BASIL WILSON,
Wireless Operator, Civil Wireless Station,
Bangalore Cantonment:

I was employed as a wireless operator in Port Blair since 1936. We were captured by the Japanese on 23 March 1942 and kept prisoners on the island for eight months.

Two weeks after our capture, in Port Blair, Mr. A.C. Bird, Commercial Officer and personal assistant to the Chief Commisioner, was catagorised as a spy by the Japanese. He was taken out, tortured and eventually beheaded in public on Aberdeen. I did not witness this as I was kept on Ross Island, but people connected with the convict establishment on the Andamans will possibly be able to give details of this incident.

On 20th November 1942 eighteen of us were taken by the Japanese in the hatch of the KUNITU MARU to Rangoon. This party included various Govt. officials among whom was the Chief Commissioner, Mr. C.F. WATERFALL. We reached Rangon on 22nd November 1942 and taken straight to the Central Jail. We were confined in cells meant for solitary confinement but two were kept in each cell. After two days of confinement in this cell we were removed to the Wing for British prisoners. During the time that we were in the solitary cells most of us were beaten up by the Japanese guards. The Chief Commissioner and, I think, the padre of the Church of England, Rev. Kemp who were in the cell next but one to mine were the persons most severely beaten. The beatings were due to the fact that we did not understand what the guards wanted us to do, and which, I later learnt, was that we should bow to them when we met them. The worst beatings were in connection with the forms that we were made to fill in giving details of our names, occupations, state of mind at the time of capture etc. The Japanese guard responsible for the beatings while we were in the solitary cells was killed in a subsequent air raid on Rangoon.

Bow

After our removal to the British Wing we were kept in cells, originally intended for 28 convicts, but which invariably contained 40 or more prisoners of war. The sanitary arrangements were most unhygienic and we had to clean our lavatories ourselves.

While I was in Rangoon Jail, I was not beaten, but beatings for others were daily features. Of these I can particularly remeber cases of Maj. Loring, Capt. Mason, Brigadier Hobson and one Mr. Monin, a prisoner of over 60 and who is now in the B.M.H., Bangalore.

One Japanese guard in particular, whose name I do not know but who was known as the "Moulmein Terror" was the worst at this jail. He was a short, puny individual and whenever there was an air raid, which was frequent, Mason and Loring would be taken out of the jail compound gate and beaten up by the "Moulmein Terror". They were either slapped, fisted or beaten with the butts of rifles.

Two other guards, who were in charge of the garden party one by name MOTO and another known among us as "The Admiral", indulged in considerable ill-treatment of prisoners. They usually adopted the practice of kicking with ammunition boots on the shins or private parts of prisoners. Most of the punishments were inflicted as the result of the prisoners failing to understand orders given rapidly in the Japanese language. "The Admiral" was so named by us because he had been transferred from the Jap Navy to the Army.

Beatings with rifle butts and ammunition boots took place regularly every day but I cannot remember any specific dates on which any particular prisoner was thus beaten up. The Japanese guards allotted punishment on a "mutual responsibility" basis. That is to say for any misdemeanour committed by anybody, the actual individual concerned as well as the senior officer, Brigadier Hobson, would be punished.

On two occasions the Japanese guard commander, when going round after lights out discovered a faint glow of burning embers in the cook-house. Immediately Brig Hobson was called out and beaten. I did not see the beating but heard the sounds Then the cook-house staff (prisoners) were called out and in the presence of Brig. Hobson, made to fall in ranks facing each other and made to slap each other hard, for a considerable length of time. The guard involved in these instances was known as "HUMPY" due to his stooping gait.

Mr. Monin was severely beaten by MOTO, in my presence. The reason for this was that when Monin passed MOTO, his bow was not observed by MOTO, who presuming that MONIN did not bow when he came into the jail compound, beat him. Monin was also kicked. It was a severe beating for an average young man and Monin was half carried and half dragged up to his cell in a state of semi-collapse.

The worst beatings were given to new prisoners arriving in jail. These, as they arrived, were kept in solitary confinement upwards of three weeks at a time, during which time they were frequently beaten up, the buckle end of a belt and the steel shaft of a golf club being the chief weapons. I have seen the guard known as the "Moulmein Terror" going towards the solitary cells with a golf club. Five American priests - Fr. Newman, Fathers O'Reilly, O'Sullivan, Demarais and Lucey - who were thus confined in solitary cells and beaten up have told us of instances of British Airmen prisoners being starved and beaten up severely.

Deaths among prisoners in the Rangoon Jail were frequent, due mostly to malnutrition and lack of medical facilities. Cpl. Sykes, Pte. Mollet, Pte. Abrahamson of the Duke of Wellingtons, Pte. Holdsworth of the West Yorks and Pte. Sheard of the HOYLIS were a few that I can remember. I think Rev. Kemp, mentioned earlier, who is now in Yercaud, had a list of prisoners who died in Rangoon jail during the period that I was there. Beri beri and dysentery were the cause of most deaths.

The doctors who may be able to give fuller detail are Lt.Col. Mackenzie, R.A.M.C., Maj. Macleod, I.M.S.,Dr. Macdonald, I.M.D. and Dr. Swingler, I.M.D. Dr. Macdonald is now at B.M.H., Bangalore, while Dr. Swingler, I understand, is at Shillong. The only medicine available as far as I can remember were Vitamin B tablets for beri beri, bone charcoal for dysentery and diarrohea and H2S for skin diseases.

There were also cases of prisoners of war who were taken for experimental purposes and used as guinea pigs. I have heard of cases of such prisoners being injected with denge germs among other germs. This, however, was before I reached Rangoon Jail and I was told this by several prisoners. One of such prisoners, I think,is Col. Doveton RAMC.

Apart from this I have heard of Group Captain Moore who was starved and ill-treated in the solitary cells for refusingto disclose informaion desired by the Japs.

I was taken to Tavoy on 16th April 1943 where I was kept in an internment camp. Here I was beaten up a number of times three of which I can remember. Once it was for not being able to understand an order given in Japanese by Cpl. OKAMOTO who was in charge of the saw-mill in the camp. Okamoto on this occasion beat me with a flat piece of wood all over the body. On another occasion I was beaten up by the N.C.O. of the camp, MITAHARA. This was because at a gramophone concert where I was detailed to play a number of records, I played one more than the number put to the programme. MITAHARA struck me with his closed fist on the face a number of times. The third beating was also by MITAHARA for not bowing to him. He commenced with his fists and later resorted to his belt. I and another prisoner - MANIN - were thenmade to kneel in front of the guard room. A bamboo stick 2 inches in diameter, was then placed in the hollow behing the knees and we were made to sit back on our heels for about two hours, after which we had to rise and stand to attention for another two hours.

Dr. Swingler mentioned earlier, and one Mrs. Childers, widow of Lt.Col. Childers, were given solitary confinements for 3 months and frequently beaten when in solitary confinement. This was done by a three star private by name TAME. TAME was the individual responsible for most of the ill-treatment of prisoners in Tavoy camp from Jan. 44 to Aug 45. He was the interpreter of the camp but appeared to have extraordinary powers and virtually ran the camp. Mrs. Childers received particularly bad treatment from TAME. With the advent of TAME an absolute reign of terror prevailed.

Mr. Forbes Mitchell, his wife and four year old son, at present staying in 5 Curley Street, Richmond Town, Bangalore Cantt;, received considerable ill-treatment at the hands of TAME. TAME was responsible for deciding on diet of sick prisoners and due to his dislike of Mitchell refused to allow any special sick diet being given to Mitchell's son, who was extremely weak and under-nourished.

There was a Mrs. Tun Hla Oung, wife of Capt. Tun Hla Oung who was brought down from Maymyo to Tavoy camp. She was an English ~~woun~~ woman aged about 26, and was subjected to an indecent assault by one of the camp Governors. This particular governor was in command previous to the individual who was governor at the time of our release. I do not know the details of this incident but I have heard that TAIE aided the governor in his assault on Mrs. Tun Hla Oung.

In Tavoy food deteriorated to such an extent that we were obliged to eat dogs, rats and snakes.

Two other wireless operators, who were in Rangoon Jail and Tavoy camp with me and who might be able to furnish more information, are R.C. ALLISON, 4 Alexander Street, Richmond Town, and R.T. WIGGINS, 16 Wood Street, Banglore Cantt:

Read over and approved as a correct record.

Bangalore
23 Feb. 46.

(Signed) RUDOLF BASIL WILSON.

The above sworn statement of Mr. Rudolf Basil Wilson, consisting of 3 pages was recorded by me and read over to him on 23 Feb. 46 and approved by him as a correct record.

(Signed) Capt. C. Thomas
Staff Captain, Legal,
H.Q., Bangalore Area.

I certify that the above is the above is the true copy of the statement made by R.B. WILSON.

(Signed) ?
Capt., Investigator, 17 W.C.I.T.
Detailed by C-in-C ALFSEA.

Evidentiary Document # 5367.

1556 A

Appendix "A" Part II
ALFSEA War Crimes Instruction No. 1.

FORM OF STATEMENT.

Summary of Examination of	TAN HAIN ENG
Occupation	Assistant Manager, Match Factory.
Address	127 Hanthawaddy Rd., Kemmendine.

Duly sworn states, I am 32 years of age, of Chinese Nationality and born at AMOY, China.

My permanent address is	127 Hanthawaddy Rd., Kemmendine.
I am now living at	127 Hanthawaddy Rd., Kemmendine.

From May to November 1942 I was made to work by the Japs at the western Kempei Tai branch at Prome Court as a temporary interpreter. At that time a Jap named Lt. (later Capt.) MIYAMA was O.C.

MIYAMA: Lieutenant, promoted at end of 1942 to Captain.
Age: just over 40, looked 50.
Height: about 5 ft. 3 ins.
Stout build
Going bald on top. Black hair, close cropped back and sides.
Small dark eyes.
Fairly large nose.
Small moustache
Small mouth. Fairly full lips.
Round face.

I remember the occasion of the execution of 5 Chinese from Rangoon at the Kemmendine Chinese Cemetery, but I cannot remember the exact date.

The 5 Chinese were:- CHAN BOON CHAO, YEUP KHAI SOO, YEO BENG TWAY, LEE HYE SOM, LIM KAH CHAO

The day before the execution my cousin, TAN SIN KAR, came and told me that his brother-in-law, CHAN BOON CHAO, was going to be executed. I do not know how he knew this.

I went to a sergeant at Prome Court named ARAHORI, and asked him to intervene on his behalf as he was a relative of mine.

ARAHORI: Sergeant
Age: about 30
Height: about 5 ft. 2 ins.
Slim build
Short black hair.

Dark eyes. No spectacles.
Straight nose.
Fairly thin lips. No moustache.
Long face.
No scar.

ARAHORI went, I believe, to Lt. MIYAMA, but when he returned said that nothing could be done as the order for the execution had come from H.Q. I then asked on my cousin's behalf if I could arrange for the burial of CHAN BOON CHAO in the Chinese fashion. This request was granted.

The next morning I went to Prome Court as usual. I was asking Sgt. ARAHORI what I should do about collecting the body, when an officer came in and told m to go to Lt. MIYAMA. I could not recognise the officer who gave me the order.

Between 7 and 8 a.m. I left Prome Court in a car with Lt. MIYAMA and another officer who may have been a doctor.

I could not now recognise the officer who accompanied us as I saw him only on that occasion.

Upon our arrival at the cemetery we went in. I forget now whether the prisoners arrived before or after we did.

Other Japs had arrived from the East Kempei Tai branch and HQ.

Altogether there were 7 or 8 officers, of whom I knew:

Lt. MIYAMA, O.C. West Kempei Tai, described above.
Lt. KINOSTA, O.C. East Kempei Tai, branch.

KINOSTA: Lieutenant (later promoted to Captain)
Age: about 35 or 40.
Height: about 5 ft. 6 ins.
Well built.
Short black hair.
No spectacles. Brown eyes.
No moustache.
Straight nose
Fairly wide mouth. Thin lips.
Long face.
No scars.

Seven or eight N.C.Os were there of whom I knew three from Prome Court.

Sgt. ARAHORI: described above.
Sgt. UCHIDA: on charge of M.T. at Prome Court.
Sgt. MITOMA:

UCHIDA: Sergeant
Age: about 30
Height: about 5 ft. 4 ins.
Well built.
Short black hair.
Dark eyes. No spectacles.
Rather flat nose.
No moustaches.
Small thin lips
Oval face.

MITOMA: Sergeant
Age: about 30
Height: about 5 ft. 3 ins.
Thin build
Short black hair
Grey eyes. No spectacles.
Long pointed nose.
No moustache.
Wide mouth. Thin lips
Long face.
No scars.

There were about 10 private soldiers with rifles.

Also there were 3 other people in civilian dress who I took to be interpreters from other Kempei Tai branches.

A table had been brought, on which were a white cloth, some flowers, one or two bottles of saki, and some glasses.

The prisoners were seated together on the ground. They were not bound. Lt. MIYAMA read a few words to them from a paper to the effect that they had been working against the Japs and collecting money for anti-Japanese activities, with the result that orders had come from HQ for their execution.

I translated it to them

Lt. MIYAMA then asked if they wanted to send any messages to their families. He gave me a pencil and paper and told me to pretend to write.

All the prisoners were talking at once and I would not have been able to take it all down in any case. I simply wrote the name CHAN BOON CHAO on the paper.

Lt. MIYAMA then told me to go. I went away to a distance of about 30 yards.

The 5 prisoners were made to sit with their legs in the graves which were already dug. Their backs were against boards stuck in the ground at the head of each grave, which bore their names. They were tie to the boards in some manner. Their eyes were bandaged and another clo was put round each man's forehead with a black spot in the centres, presumably to act as a target.

5 soldiers placed their rifles on stands. 5 or 6 other soldier stood a little way behind them.

All the officers and N.C.Os except MIYAMA moved off to a distance of about 30 yards.

Lt. MIYAMA then gave the order to fire.

After that the officers and N.C.Os moved across to see the bodies, and I left the cemetery to order a coffin at a shop just down the road, for CHANBOON CHAO's body.

When I returned, 4 of the bodies had been put in the graves and the soldiers and some Burman's were filling them in.

The body of CHAN BOON CHAO was lying by an empty grave.

I arranged for the body to be put in the coffin and carried to a nearby hut. This took about 20 minutes and when I came away from the hut the Japs were leaving the cemetery.

On the road outside I met my cousin TAN SIN KAR on his way to the cemetery. I told him I had arranged about the body and then returned to the factory at which I work.

(Signed) TAN HAIN ENG.

Sworn before me (signature)

Captain, F.S.O.
Commanding 598 F.S. Section, S.E.A.C.

This 2nd day of July 1946.
Detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.
Authority: ALFSEA War Crimes Instruction No. 1 para 7.

I hereby certify that this is a true copy of the sworn statement made by TAN HAIN ENG, Assistant Manager, Match Factory, 127 Hanthawaddy Rd., Kommendine, before
Captain, F.S.O. Comanding 588, F.S. Section, S.E.A.C., this 2nd July 19

(Signed) J.S.F. BURNETT.
Lt. Col.
O.C. 17 War Crimes Investigation Team.
(Lt.Col. J.S.F.A.F. BURNETT, DSO, MC)

Evidentiary Document # 5368.

1557A

STATEMENT OF MR. J.H. WILLIAMS, Dental Surgeon, Rangoon, Burma, re Internment Camps in Maymyo and Tavoy.

Mr. J.H. WILLIAMS, duly sworn, states:-

I was taken as a prisoner of War by the Japanese in May 1943 and was sent to TONBO ~~Cap~~ camp in MAYMYO.

During my six weeks in this camp I witnessed extreme cruelty inflicted on B.O.R. prisoners of war. On one occasion all the B.O.Rs. were lined up and beaten with wooden swords. Many of them had their boots taken from them and when transferred from Maymyo they were compelled to walk bare-footed and only half clothed.

I also witnessed the death of two B.O.Rs. due to the inhumanity of the M.O. in charge, a Lieut. about 5 ft. 7 ins. in height, light complexion for a Jap; he also had a thin mustache; his name I do not remember. He actually kicked one man to death for he was sufferingfrom a stomach complaint, and could not control his motions.

The Commandant of the camp was Capt. Yamakuchi. He also was very cruel judging by the accounts of eye witnesses. The Capt. had a habit of beating up all new prisoners just for the fun of it. I understand that a British Major was hungupside down after being given the water treatment, and also severely beaten at the same time by this officer.

In June 1943 I was transferred with others to KYAUKME. In this cap we were fairly wel treated. The C.O. was Maj. KOMOTO, and the senior N.C.O. was Sgt. YANAGA.

Feb. 1944 we were taken back to Maymyo, but not to Tonbo Camp. Our stay in this particular ~~cap~~ camp was uneventful, except for an assault on Mrs. Aungby a Jap soldier, because she had smiled in his presence.

In Nov. 1944 we were transferred to Tavoy camp where the conditions were bad. New comers were not allowed to speak to each other, men separated from their wives and children. The food was bad and 90% of the inmates suffered from beri beri, pellagra, and other forms of malnutrition.

L/Cpl. Takie was the big shot in this camp; his was a tyranical regime. The men were beaten by him almost daily. He also made advances to most of the women in camp, including some of the nuns; this was told me by his orderlies. I personally know of one case in which Mrs. Aung was taken from her hut and brought before the Governor for the purpose of rape. Mrs. Aung was with the Governor for several hours in a hut near where my hut was situated. I therefore heard all that went on during the

Rape

time that she was with him; this must have been a great ordeal for Mrs. Aung. An armed guard was placed outside hut by Takie, apparently to prevent any of us from attempting to rescue Mrs. Aung. Takie was directly responsible for this attack. After this episode Takie began to make love to Mrs. Aung, and they were planningto elope to Russia after the war. I firmly believe however that Takie forced her to comply with his requests and desires.

Mo Shoshi

In Maymyo it was said that Mrs. Aung was forced to marry a Jap Col. Ajima between Sept. and Dec. 1943. I was told this by Father Clerici.

During the entire period of my internment I was made to do dental work for the Japanese, usingmy own tools, instruments and material, for which I received practically no pay; only for a short period of time when I was sent out of camp to the Jap hospitals to perform dental treatment was I paid; this was absolutely inadequate for the treatment and services rendered.

(Signed) J.H. WILLIAMS.

Sworn before me (signature) A.M. MACGREGOR, (rank) Capt. (description) War Crime Investigation, this 12th day of March 1946.

Detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.

(Authority: ALFSEA War Crimes Instruction No. 1 - para 7)

Certified that the above is the true copy of the statement of J.H. WILLIA

(Signed) M.M. AGARWAL, Capt.
16 W.C.I.T.

Date: 13.9.46.

155 78A

Evidentiary Document # 5369.

STATEMENT BY MRS. M.M. WILLIAMS, Station Road,
Rangoon re Internment in Maymyo and Tavoy.

Mrs. M.M. Williams, duly sworn states:-

In May 1943 I and my husband were arrested by the Japanese and interned in Tonbo Camp, Maymyo.

During the same month I witnessed the Camp Commandant, Capt. YAMAKUCHI, accompanied by the Jap M.O., a Lieut. about 5 ft. 7 ins. in height, light complexion, thin moustache, beat with a sword, punch in the stomach about 40 British soldiers. These men were starving, and not fed for three days prior to interrogtion. I heard themplead for food, and tell Capt. YAMAKUCHI, "Feed us, then we can talk". Prior to interrogation they were sprayed with disinfectant. Three died during my stay in camp, and I feel their death was due to the beatings and starvation. An Indian told me he had seen a British Major suspended upside down from a tree and water pouring from his mouth, YAMAKUCHI beating him with a stick. The M.O. accused me of being a spy and slapped me in the face.

About July 1943 I, my husband, Mrs. Scott Gray, Mr. Scott Gray and the Stanley family were transferred to Myaukme Internment Camp. In this camp we were fairly well-treated by Maj. KODTO and Sgt. YANAGA.

On Feb. 16th 1944 the abovementioned party and including Mr. Murphy, Ford, Sterlingand Brindle were taken back to Maymyo, to a camp near the Signal Lines. Mrs. Aung told me she had been beaten, and I also saw her being struck with a rifle, and kicked in the groin, and slapped on the face by a Jap sentry. It was said in camp that Mrs. Aung had married a Japanese Colonel.

The following people on the 8th Nov. 1944 were transferred from Maymyo to Tavoy arriving there 1st Dec. 1944. Mr. and Mrs. Scott Gray, Mrs. Aung, Mr. Ford, Murphy, Sterling, Brindle, Stanley wife and family, Father Clerici, myself and my husband. A weekafter our arrival Takie asked if I wanted to change Rs. 1200/- in Indian currency to Japanese occupational notes. I did not agree but was compelled and received one for one. I did not spend any of this money and after peace was declared Takie refused to change it back into Indian currency. The Jap money is still in my possession.

recup. money.

On or about the 1st Feb. 1945 I saw Mrs. Scott Gray, Mrs. Aung and Florence Stanley standing in the sun for a supposed breach of camp rules ordered by Takie. Mrs. Scott Gray stood for seven hours, Mrs. Aung for ten and Florence Stanley for eight hours. Takie on this occasion also slapped Mrs. Aung and Mrs. Scott Gray.

The water carrier Mohd. Zaman told me that Mrs. Childers, Mother Sucille and himself had been severely beaten with a leather buckled belt by Takie.

Evidentiary Document # 5369.

Mr. Holden Harold and Sydney told m that Takie had attempted to seduce Enid, he (Mr. Holden) had applied for an interview with the Governor, this application was refused by Takie, and he had received a beating instead.

On or about the 1st April 1945 after an air pamphlet raid Takie came to House No. 12 occupied by myself, Mrs. Aung, Scott Gay, Stanley and Alexander called Mrs. Aung outside and took her to Capt. HIMURA in the construction office. She returned about 0330 hours with her clothes torn in shreds; she informed us that HIMURA had tried to rape her, but she had resisted.

After the above incident Takie had partitions erected in House No. 12 and visited Mrs. Aung very frequently, quite often staying unti 0200 hours and I have every reason to believe that sexual intercourse took place.

During the monsoons in July 1945 I was extremely ill and could not get up for roll call; I was dragged out by a sentry, acting on Takie's orders, and made to stand in the sun for nine hours.

After our release and in Rangoon, Mrs. Forbes Mitchell told me that on several occasions Takie had raped her in the construction office.

(Signed) M.M. WILLIAMS.

Sworn before me (signature) A.M. MACGREGOR, Capt. (description) War Crimes Investigation, this 12th day of March 1946.

Detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.

(Authority: ALFSEA War Crimes Instruction No. 1 para. 7).

Certified that the above is the true copy of the statement of Mrs. M.M. Williams.

Date: 13.9.46.

(Signed) M.M.AGARWAL, Capt.
Off. Major Legal,
16 W.C.I.T.

SYNOPSIS

BURMA and SIAM

Burma Siam

B. P/W sent to BURMA Sector of Burma/Siam Railway.

a) Prosecution Document numbered 5206A, the Affidavit of Chaplain F. H. BASHFORD, is offered for identification, and the marked excerpts produced in evidence:

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

About 14 days prior to 13.12.42, the undermentioned Dutch personnel escaped from Japanese captivity from Megalie Camp (approximately 8 kms from Thambyuzayat):

Capt. J.H.W. De ROCHEMONT
Capt. F.A.M. HARTERINK
Lt. G.A.HERMANS

These officers were subsequently captured; the officers were executed by a firing party under Lt. NAITO about 0815 hours on 13.12.42.

On 27.12.42, the undermentioned Dutch personnel were executed for escaping from MEGALIE Camp:

Sgt. Th. H. VAN HAASEN
Pte A.N.J. VREDEVOOGD
Pte H.R. NEILESSEN

On 13.12.42 NX 69005 Pte WHITFIELD G. H. AIF., arrived at Thambyuzayat Camp. He had escaped some weeks before from Kandaw Camp, roughly 4½ kilometres from Thambyuzayat. Our Medical officers were of opinion that Whitfield was not mentally sound. Brigadier Varley interviewed Naito for the purpose of discovering what would be the punishment of a man who escaped and gave himself up, but not being mentally sound. Naito informed the Brigadier that such a man would not be shot. Whitfield was not confined but allowed to remain in the hospital hut.

Shortle before 1100 hours on 14.12.42, a party of Japanese arrived at this hut, asked which was Whitfield, and upon being told that Whitfield was "outside boiling a billy," the man who was boiling the billy and who was, in fact, Whitfield, was seized and his hands tied behind his back, and his eyes blindfolded and the man immediately taken to the place of execution - a cemetery nearby - and executed a few minutes later. There was no semblance of a trial. I conducted the burial service over his remains on that day."

b) Prosecution document numbered 5034, the Affidavit of Lt. Col. C. M. BLACK, is now produced for identification, the marked excerpts thereof being offered in evidence. This document states that the witness commanded a force of P/W which at the end of 1942, went to a camp 40 kilos from Thambaziat.

"Conditions at this camp were shocking. There was an insufficiency of water and food was very short. The hospital was in a gully, and the camp had been occupied previously by Burmese and was generally in very bad condition. The sick rate rapidly increased and I think at one stage there were about 130 men in hospital, and about 90 to 100 had very bad diarrhoea out of a total strength of 675. Two men died from dysentery, but despite my representations to the Japanese lance-corporal, who was in charge of the camp, and to Brig. Varley we were unable to get anything with which to treat the sick at all. Later, we were forced to abandon the camp on account of its bad condition and lack of water."

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

Later at Thambaziat, nearly 30 men were killed and the witness was wounded by Allied air attack. There was no distinctive signs on the camp to indicate it contained Prisoners of War.

At Retpu, sick men were forced to work. The Japanese Camp Commandant on one occasion, ordered two of his subordinates to kill a P/W. They

refused whereupon the Commandant himself shot the P/W who fortunately was only injured.

c) Prosecution Document numbered 5041, the Affidavit of Dr. C. R. B. Richards, being offered for identification, the marked excerpts thereof are produced in evidence. This document states that in August, 1943, the witness was at 80 Kilo Camp at Aperong. There were 200 Allied P/W in a filthy hospital camp. The rain continually drenched the men. There were no fit men in this camp to look after the sick. The average deaths were between two and six daily and sick men had to carry their comrades to the grave.

The Japanese refused to allow the witness to look after the sick. Food given to them was a tiny amount of rice. Medical supplies were only obtained by barter, such as a watch for a bottle of iodoform.

"The policy of the Japanese Commander in that area was that whilst men were working they would receive food, but as soon as they became ill they were "written off" and were sent down to this particular hospital to live there to die.

I can imagine nothing more appalling than conditions under which these men lived and died. It was in effect a living morgue."

d) Prosecution document numbered 5038A, the Affidavit of Lt. Col. G. L. RAMSAY, is offered for identification, and the marked excerpts thereof, produced in evidence. This Affidavit states that at 26 and 75 Kilo Camps on the railway, Korean Camp Guards indiscriminately beat up prisoners.

Working hours were long and in the rainy season, men often worked in mud up to their knees. They had no change of clothing.

At 105 Kilo Camp, men suffered greatly from dysentery, malaria and ulcers. Guards found a favourite method of punishment in kicking an ulcer. There were 158 deaths in seven months at this camp out of a force of less than 1,000 men.

At Tamarkan during 1944, dysentery, fever and malnutrition caused many deaths.

1560 A

PAGE 1

Evidentiary Document No. 5206A.

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
No. 1.
THE UNITED STATES OF AMERICA,
and ors.
- AGAINST -
ARAKI, SADAO, and ors.

I, FREDERICK HUGH BASHFORD, make oath and say as follows:

1. My Army number is NX70685: rank, Chaplain/Captain: full name, Frederick Hugh Bashford: 2/4 CCS. AIF: home address. 3 Wyargine Flats. The Esplanade, Balmoral, New South Wales.

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

3. About 14 days prior to 13.12.42, the undermentioned Dutch personnel escaped from Japanese captivity from WEGALIE Camp (approximately 8 kms from Thambyuzayat):-

Capt. J. H. W. De ROOHEMENT
Capt. F. A. M. HARTERINK
Lt. G. A. HERMANS

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

5. On 27.12.42, the undermentioned Dutch personnel were executed for escaping from WEGALIE Camp:-

Sgt. Th. H. VAN HAASEN
Pte. A.N.J. VREDEVOOGD
Pte H. H. NEILESSEN

6. On 13.12.42 NX69005 Pte WHITFIELD G.H., AIF, arrived at Thambyuzayat Camp. He had escaped some weeks before from Kandaw camp, roughly 4½ kilometres from Thambyuzayat. Our Medical officers were of opinion that Whitfield was not mentally sound. Brigadier Varley interviewed Naito for the purpose of discovering what would be the punishment of a man who escaped and gave himself up, but not being mentally sound. Naito informed the Brigadier that such a man would not be shot. Whitfield was not confined but allowed to remain in the hospital hut.

7. Shortly before 1100 hours on 14.12.42, a party of Japanese arrived at this hut, asked which was Whitfield, and upon being told that Whitfield was "outside boiling a billy", the man who was boiling the billy and who was, in fact, Whitfield, was seized and his hands tied behind his back, and his eyes blindfolded and the man immediately taken to the place of execution - a cemetery nearby - and executed a few minutes later. There was no semblance of a trial. I conducted the burial service over his remains on that day.

SWORN before me at Sydney

on the Fourth day of September, 1946. (Sgd) F. H. BASHFORD

/s/ A. J. Mansfield
Judge of Supreme Court of Queensland.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

No. 1

THE UNITED STATES OF AMERICA, AND ORS.

- AGAINST -

ARAKI, SADAO, AND ORS.

I, CHRISTOPHER MONTAGUE BLACK, make oath and say as follows:

1. I was NX7084, Lt-Col. Christopher Montague Black, H.Q. "Blackburn Force" when I was taken prisoner in Java on the surrender of the Blackburn Force in March 1942. I entered Bicycle Camp and remained there until October 1942.

2. I left Batavia with Col. Williams in about October 1942, about 1400 or 1500 men being in the party. We proceeded by sea to Singapore. From Singapore we went again by sea to Rangoon. We were then transferred to another ship.

3. We disembarked at Moulmein, where I left Col. Williams and proceeded to THAMBAZIAT. I was then sent back to Moulmein to get nominal rolls, but I did not see what conditions were like there. The men had been placed in a gaol and I think they were given food.

4. I returned then to THAMBAZIAT and remained at this camp for about 10 days. I was then required to split the force into 2 groups, one to be commanded by Col. Williams, and the other by myself. Col. Williams brought his force on to THAMBAZIAT from Moulmein, and went out to 30 Kilo camp (TANYIN), and I was placed in a camp a further 10 Kilos out.

5. Conditions at this camp were shocking. There was an insufficiency of water and food was very short. The hospital was in a gully, and the camp had been occupied previously by Burmese and was generally in very bad condition. The sick rate rapidly increased and I think at one stage there were about 130 men in hospital, and about 90 to 100 had very bad diarrhoea out of a total strength of 675. Two men died from dysentery, but despite my representations to the Japanese lance-corporal, who was in charge of the camp, and to Brig. Varley we were unable to get anything with which to treat the sick at all. Later, we were forced to abandon the camp on account of its bad condition and lack of water.

6. When I left Bicycle Camp I was suffering from pellagrous

diarrhoea and my sickness continued in 40 Kilo Camp. I managed to get to THAMBAZIAT to a conference with the Brigadier and I was placed in hospital. That was prior to the amandonment of the 40 Kilo camp.

7. The camp was taken over by Major G.A.C. Kiernan while I was in hospital. We were given rice and a small quantity of vegetables. The food scale was so low that the Japanese commander himself used to try and buy at his own expanse a dozen eggs to give to the most seriously ill. The hours of work at that time were in my opinion reasonable. Sick men were not forced to work. We had a medical officer, but no medical supplies at all. Beri Beri and Pellagra began to show up very badly.

8. I was in hospital for about 8 weeks and then resumed command of the force. In the meantime, the force had moved from 40 Kilo to 26 Kilo (KUM-NIT-KWAI) which had been a coolie camp and was in a shocking state of repair. I was informed by the Japanese guard, who took me back, that it had been abandoned some 2 days before because of an outbreak of cholera. The huts had been repaired slightly when I arrived, but conditions were still very bad indeed so far as accommodation was concerned. Major Kiernan, who had been in command, told me that he had found it necessary to burn a large portion of the camp for sanitary reasons; it had previously been occupied by Burmese natives.

9. The food again consisted only of rice and vegetables in small quantities. We did not receive anything like our scale of rations.

10. It was at this camp that I first met the Japanese quota system of work. The commander of the camp, who is now dead, used to enforce this system and made sick men go out to work. There was a lot of sickness but no medical supplies. Subsequently, the meat issue was increased when the camp was made a staging camp for cattle being driven along the line. The Sergeant who took the place of the officer in charge also used to buy us supplies of eggs.

11. During my stay in THAMBAZIAT, Col. Ramsay brought his force to 26 Kilo and I joined him there. The hours of work were increased and became very long; men were made to work from 8 a.m. and did not get back to the camp until 10 or 11 p.m. The work was of an exceptionally heavy nature, but despite protests that were made to the Japanese no relief was given. As a matter of fact, Capt. BLAU was beaten by one of the guards out at the railway line for protesting.

12. From 26 Kilo I went to 75 Kilo but I was not there long enough to observe the conditions under which the men

were living. The guards began to beat the prisoners from the first day of arrival.

13. I was then returned to RETPU, 30 Kilo. I established a hospital which was subsequently taken over by a Dutch officer after 4 weeks.

14. I again went to THAMBAZIAT and remained there until 12 June 1943. Here we were badly bombed by American planes, as a result of which there were between 25 and 28 deaths, and quite a number of wounded, including myself. There were no distinctive signs on the camp to show that it contained prisoners of war.

15. I did not see any great hardships suffered there, and the food was reasonable. Lieut. HAGUCHI was the Japanese medical officer at THAMBAZIAT. Capt. Griffin informed me he had seen a large quantity of Japanese medical supplies in THAMBAZIAT, but that there was great difficulty in getting them into camp. The Brigadier made many protests both verbally and in writing to NAGATOMO with regard to conditions, but he received no reply at all.

16. Whilst I was in the camp there were many executions, including that of Private Whitfield. This man had disappeared from the 4 Kilo camp and one morning it was reported to me that he had come into our camp at THAMBAZIAT. I saw him and he asked me what I could do. I asked him how far he had got in his escape and he told me that he had reached Rangoon. He said that he felt he should give himself up and I said that I thought that was the best thing, and that I would discuss it with Brig. Varley. One of the most serious things in a Japanese prison camp was to have one man more than should be there because the Japanese always suspected that a spy was being hidden there. After a good deal of discussion and by arrangement with the M.O.'s, Brigadier Varley reported that Whitfield had come into the camp and that he was mental. This was supported by the medical officers. At that time Col. NAGATOMO had gone to Singapore, and the Group Commander was Lieut. NITO. He went and saw Whitfield and said he would leave him there to rest for a few days and that he would then send him back to his camp. Subsequently Lieut. HAGUCHI, the medical officer, came to see Whitfield and said that he was not mental at all. Next morning Whitfield was cooking over a fire when a number of Japanese soldiers rushed up to him, bound him, and took him over to the cemetery about 100 yards distant and shot him. I actually saw him bound up myself and taken away, and then heard rifle shots.

17. In cases of execution such as this, the Japanese usually took Col. Hamilton over to see the body and this was

done in the case of Private Whitfield. He was buried by an Australian party. The Japanese always allowed a burial service and I actually attended this particular one; a chaplain was also present. I think it was NITO who reported the death to Brig. Varley; I know that NITO told him it was as a result of a telegram received from Col. NEGATOMO that he gave the order for the execution. I was present during this conversation myself. There were also executions of Dutchmen, who had escaped, and altogether I think three Australians were executed, including Bell, Whitfield, and one other.

18. I was then sent to a camp at 18 Kilo, where Cpl. FUJIYARA was in charge. I was taken very sick there with Major Fisher. Conditions were appalling; food was very short, and the accommodation was entirely unsatisfactory. There was no room to do dressings except in the passages of the huts, through which the rain water rushed inches deep, and the facilities provided for men with dysentery were absolutely shocking.

19. From 18 Kilo I was moved back to RETPU. The camp had been abandoned, and the roof of the buildings had fallen in; the whole place was in a state of disrepair. We had a large number of very heavy sick. Shortly after we arrived, Lieut. NITO came to take charge. He forced sick men to repair huts, setting time limits on the work which were entirely insufficient for the work which had to be done. Despite my protests, he persisted in his treatment of men at the revolver point. Lieut. Healy was blamed for any trouble at all and he certainly would have shot him had it not been for my sending him away in time. Supplies, which were megre, consisted only of rice and vegetables, and occasionally a little meat which used to arrive by train between 10 o'clock and midnight and which NITO forced very sick men to carry a kilo from the train to the camp in the rainy season. This applied, in fact, to all the food. Men used to fall down and injure themselves, as there was no track and mud everywhere between the camp and the railway station. NITO continued drinking and on many occasions he informed me that he would have to kill somebody. One night he caught Sgt. Major Coombes of 2/4 C.C.S. at the latrine. He took him to the guardhouse and the Japanese guard commander informed me later that he had been ordered by NITO to bayonet him, but that he had refused. NITO then called another member of the guard, took Coombes down to the cemetery and ordered him to shoot him. The guard again refused whereupon NITO said "Well, if you won't kill him I will". He then took out his revolver and fired two shots through Combe's back. Fortunately he was not killed. NITO had accused him of trying to escape and as a result, for the next six weeks, I had to patrol the camp at night with NITO, who was always

drunk, with a loaded revolver in my stomach. At that time I had just had an operation on my arm and I appealed to NITO to allow me to go to bed as I was ill, but he would not do so. He forbade me to report the matter, but I managed to do so.

20. At this time, even NITO's own guards allied with us against him. With the aid of the guard we managed to get a message through to Col. NEGATOMO and Brig. Varley and as a result NITO was removed.

21. I then went back to 105 Kilo camp where Col. Ramsay was in command. I remained there until just after Christmas 1943. Conditions were very bad.

22. From 105 Kilo I went to a camp called NAKOM PATOM, which was a very large hospital camp, very well built. Conditions were reasonable with the exception that a guard nicknamed "BUSTY" used to beat the prisoners unmercifully, including Major Williams Wynn, who was given a particularly severe beating; when I endeavoured to intervene I was also given a very bad beating.

23. The Japanese forced some of the sick to work at NAKOM PATOM and there were no medical supplies to treat those who were ill.

24. When Red Cross supplies arrived, large quantities were stolen by the Japanese guards and I am certain with the cognisance of Col. ISUI who was then the commander.

Taken and sworn at SYDNEY

on the Tenth day of /s/ C. ~~Beach~~ Black

September 1946.

Before me /s/ A.J. Mansfield
Judge of Supreme Court of Queensland

1562A

Evidentiary Document # 5041.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

NO. 1.

THE UNITED STATES OF AMERICA, AND ORS

- AGAINST -

ARAKI, SADAO, AND ORS.

I, CHARLES ROWLAND BROMLEY RICHARDS of Sydney in the State of New South Wales, Medical Practitioner, make oath and say as follows:

1. I was NX70273 Captain Charles Rowland Bromley Richards, A.A.M.C., attached to 2/15 Australian Field Regiment when I became a Prisoner of War of the Japanese at Singapore, on 15 February 1942.

2. Between the 30th July and 30th August 1943 I was at 80 Kilo Camp (APERONG) with a party of about 900 Australians belonging to No. 3 Branch.

3. When we arrived there, there were approximately 200 Australians, Americans, and Dutchmen belonging to No. 5 Branch suffering very badly from Dysentery, Beri Beri, Malaria, and Tropical Ulcers.

4. They were in a hospital camp about 300 yards from where we were. The accommodation at this camp consisted of Attap huts, which were in a filthy condition. The huts were not sufficient to keep out the rain, and the men were continually drenched. There were no fit men in this hospital camp to look after the sick.

5. The average deaths were from two to six per day, and sick men had to carry their dead comrades to the graves.

6. The Japanese refused to allow us to look after these sick men, but we managed to go down secretly and examine them. They were in charge of an American Medical Officer who was not able to get a proper grip of the circumstances.

7. The food given to these men consisted of rice in very small quantities.

8. The only medical supplies were secured by barter with the Japanese, such as a watch for a bottle of Iodoform. I believe that the Japanese themselves had medical supplies which could have been made available for the prisoners.

9. On one occasion it was necessary for an amputation to be performed on one of these patients. Major Krants and I managed to have the man transferred to our camp without the knowledge of the Japanese, but

during the operation they found out and came and watched. We anaesthized the patient with a small amount of anaesthetic, which we had, and used a hacksaw for the operation.

10. The policy of the Japanese Commander in that Area was that whilst men were working they would receive food, but as soon as they became ill they were "written off" and were sent down to this particular hospital to live there to die.

11. I can imagine nothing more appalling than conditions under which these men lived and died. It was in effect a living morgue.

SWORN before me at Sydney on the)
Fifth day of September 1946.) (Signed) C.R.B. RICHARDS.

(Signed) A.J. MANSFIELD.
Judge of Supreme Court of Queensland.

1563A

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST.

NO. 1.

THE UNUTED STATES OF AMERICA, and ors.

- AGAINST -

ARAKI, SADAO, and ors.

I, GEORGE ERNEST RAMSAY of Sydney in the State of New South Wales, make oath and say as follows:-

1. I was NX34999, Lt. Colonel George Ernest Ramsay, 2/30 Australian Infantry Battalion when I was captured by the Japanese at Singapore in February, 1942.

2. I was transferred to the 2/18 Battalion on a day in April, 1942 I left there with A Force which was a force of 3000 under Brigadier Varley. We were to move overseas to an unknown destination. I was in command of 1 Bn. of A Force. It consisted of about 850 all ranks. We embarked on the CELEBES MARU with 1000 troops which included my own 1 Bn and a detachment from the 2/4 CCS. The remaining 2000 embarked on the TOYASHI MARU under Brigadier Varley. Before leaving we were told that the force would go to the same destination as the other one but in fact 1000 men were dropped at Victoria Point on the extreme tip of lower Burma, and the next 1000 with me were dropped at MERGUI.

3. The remaining 1000 under Brigadier Varley were disembarked at TAVOY.

4. We got to Tavoy in late August or September, 1942. Brigadier Varley was still there with portion of the original 1000 but he was in a separate camp and I was denied official access to him.

5. On leaving TAVOY we moved to THANBUYZYAT by rail and also on foot. This was in December, 1942. Colonel NAGATOMO had his headquarters at THANBUYZYAT and when I was at THANBUYZYAT Brig. Varley had established his own headquarters there. He stayed in THANBUYZYAT for a night or two and then moved to 26 Kilo Camp. Hitherto we had been with Jap front line troops; but on arrival at 26 Kilo camp we had our first experience with Koreans as guards. They were pretty bad.

Korean

6. A Jap sergeant named FANATO was there; a Jap engineer officer also was there and they were insistent on a certain number of our men going out to work each day. I wrote to them several times and made verbal protests against the numbers of men being required and setting out the reasons why their requests were impossible of fulfilment. He threatened on several occasions, and did on several occasions parade the whole camp and selected the men himself. This was the Jap officer. We were sometimes, however, able to substitute

for these men other men whom the M.O. regarded as fitter than the ones picked out by the Jap officer. Throughout, the question of work quotas was one of daily dispute and trouble.

7. From 26 Kilo camp we moved to 75 Kilo camp, called MEILOE. There we struck a worse crowd of Korean guards than at 26 camp. There was a lot of indiscriminate bashing there though no serious injuries were sustained. The health of the men was poor. Men would be required to leave the camp early in the morning and would not return until 2 or 3 the next morning; then they would be compelled to leave again the same morning shortly after dawn. Occasionally protests to the Japs resulted in some of the men being given an extra hour or two of rest. The rainy season there, men often worked in mud up to their knees and they had no change of clothing. Meals were only fair.

8. The Jap engineer soldiers ill-treated the men a lot by hitting them with bamboos, their fists and rifle butts, through no fault of the men but due to the impatience of the Japs who could not understand that the men did not understand what was being requited of them all of the time.

9. Jap Commander there was Lieut. HOSHI. I had my own force - Ramsay force and Black and Green forces.

10. Korean guards apparently under instructions from the camp commander often forced men out to work. HOSHI would often promise that they would not be sent out without the concurrence of our M.Os but he failed to pass those instructions on to his Korean administrative staff apparently, anyway. So, when the work party was formed in the morning, he would not be available, and the Koreans would deny that they had received instructions from their commander. On one occasion I went up and found him in the grounds just as a party of our men just selected were being sent out. I reminded him of his promise, pointed out the men to him, and he ordered them back to camp. However, he seemed to take great care subsequently that he was never about the place when other parties were going out. In this camp we had about 10 deaths.

11. We moved to 105 Kilo camp, called AUNGANAUNG, in April or May 1943, and remained there for seven months. It was there we struck tropical ulcers pretty badly, a lot of the men getting them. There was a hospital back at 55 Kilo called the Death Camp. Some men were sent back there for amputation. There were over 100 amputation cases and some died after the operation. The M.Os. at 105 Kilo camp were Captains Cumming, Higgin, Anderson and White; they were all A.A.M.C. Our camp in strength varied between the 2000 and 2500 mark. Of my original force of 1000 men I lost 128; I put my deaths down at 15%. There were 158 deaths at the 105 Kilo camp from the mixed force in the seven months. There were instances of men being knocked about by the Japs and the Koreans with bamboos and other things, necessitating medical treatment. Koreans were particularly brutal. If they wanted to punish a man they would

strike him anywhere at all, and on half healed ulcers. They have kicked men on the shins and the shins had ulcers on them. I saw Japs screw a stick into a man's navel. Lt. HOSHI was commander there.

12. Ulcers extended from knee to ankle, exposing the shinbone for 8 or 9 inches. They went black. I have seen ulcers cover a whole foot. The question of iodiform was a pressing one throughout and once one of my men said he had been offered a small jar of iodiform by a Jap in exchange for his watch. He had been pestered several times to exchange his watch but as it was a present from his mother he did not want to let it go. However, in order to relieve his friend's suffering from ulcers he finally let it go for the bottle of iodiform from the Jap. I told the Jap Commander that the bottle could only have been obtained by illegal means by his men. The exchange was made in the presence of the Jap Commander. The iodiform was in a bottle about 1½ inches by 3 inches. Our M.O. said there was enough in it to last several weeks. There was no label on it.

13. At the 105 camp there was a lot of dysentery and some malaria. We had 3 to 4 cholera deaths there. There were no medical supplies; we tried to get emetine from as far back as MERGUI but never could.

14. In December, 1943, after completion of the railway, we moved to TAMARKAN.

15. There was a statement that the railway had to be put down at all costs - responsibility for that was with Col. NAGATOMO, who was i/c of No. 3 Branch, which took in our A Force, and Co. Williams' force which had come from Java.

16. Later Col. NAKAMURA, who took Col. NAGATOMO'S place, spoke in similar terms. He said we were only a rabble army and that we were dependent on the Jap Imperial Army for our safety. NAGATOMO had once read out some such statement in Japanese and then his interpreter read it out in English. There are copies of this; copies were left with us.

17. NAGATOMO came out to the camp on one or two occasions, but did not go right through. At no time did he interview me in the latter stages, or ask if I had any complaints generally. Neither of these two Jap Commanders ensured that their instructions, whatever they were after I had had early interviews with them, were carried out. Perhaps they all of the time had no intention of giving these instructions. There always seemed to be a general desire on the part of Japanese Commanders to evade responsibility. Hoshi would send his batman out, if we called, to say Hoshi was indisposed and could not be disturbed. Once we arrived too quickly for him; we got onto the verandah of his cottage and through the window saw him just getting into bed, clothed, with his boots on. He came out subsequently and saw us. But that was

HIS dodge.

18. On 1 January, 1944, we reached TAMARKAN. It was alleged to be a rest camp. Food for the first few months was a considerable improvement on anything we had had. There were not many troops there when we arrived, but troops came all of the time out of the jungle from the jungle camps and by May there must have been about 5000 troops there.

19. There were constant irritation tactics and minor bashings. These were daily occurrences. At one time the camp commander was MATSUSAKI. No indication was ever given to me by the Japs of any change in their command there.

20. In August, 1944, the Japs re-organised their groups. Colonel Anderson, who had taken Brig. Varley's place, took over command from me.

21. There were some deaths at Tamarkan. In the "black month" we lost about 2 a day; we took dead bodies straight from the trucks. Dysentery and fever and malnutrition caused most of the deaths. We had no quinine or atebrin. There was a Jap M.O. at NAGATOMO's headquarters who occasionally visited the camp, and once more in their usual style they agreed that the men were very sick; but I was told by the commander later that the men were fit to work because his M.O. had so reported. The name of the Jap M.O. was HIGUCHI. The M.O. at Tamarkhan was NOBOSAWA. I believe neither of them had any medical background. HIGUCHI was a dentist and NOBOSAWA a vet. Our senior M.O. was Col. Hamilton. For most of the time, before Col. Hamilton, Major Hobbs was our M.O. at TAMARKAN.

22. We remained at TAMARKAN until February, 1945, when they separated officers from Ors.

23. We were moved to KANBURI; a party of 3,000, including Australian, British, American and Dutch. All officers. They moved the officers on a 6-day trip by river and on foot to a new camp, and parties went in batches of 500. Five parties already had left a intervals of 5 days each. I reached BANGKOK on the night we were notified that the war was over. The camp site was on the other side of BANGKOK.

24. Lieut NITO, Chief of Staff of NAGOTOMO, once visited our camp. Normally he had been drinking before his arrival. He told Major Green, Col. Black and me that he could promise us an honourable death, and that if things went bad he would shoot us himself. /

/s/ G. E. Ramsay.

TAKEN AND SWORN AT SYDNEY ON THE TENTH DAY OF SEPTEMBER, 1946. BEFORE ME /s/ R. L. Deasey, J.P.

SYNOPSIS OF EVIDENCE

B U R M A and S I A M

C. P/W sent to Siam Sector of Burma-Siam Railway.

a. Prosecution Document numbered 5059A, the Affidavit of Lt. Col. C.H. KIPPE, is now offered for identification and the marked excerpts produced in evidence. This document states that in April, 1943, 7,000 P/W were moved from Singapore to Siam. The trains were overcrowded, food was irregularly supplied, water was inadequate and sanitary conditions either non-existent or revolting.

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

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

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

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

thousand men for work they would get a thousand men, irrespective of their physical condition.

Rice with a few piece of fish in it, was the food ration. In the early stages rice was fairly plentiful, but as soon as a man went sick the ration was cut down to one third of the amount given to a working man. Sick were then starved and it was impossible to build them up again.....

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

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

In June Pond's Battalion arrived at KONGOITA where the party halted for two days. The troops were billeted in huts which had been evacuated the previous day on account of cholera deaths. The huts were indescribably filthy and protests which were made to the Japanese only caused the force to realise that they were officially placed on the same level as Burmese Coolies. An application for tools with which to clean up the filth brought the reply that none was available, despite the fact that hundreds of shovels and chunkels had been brought from UPPER KONGOIT.. Coolies walked through the huts, spat, defecated and vomited everywhere. Yak carts and yelling droves congregated at the entrance. Yaks were taken through the huts and they dropped their excreta where rice bags had to be stored.....

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

No provision for hospitalization of the force had been made

except a small hospital camp at LOWER NIEKE, which was soon abandoned. Requests to allow fit men to remain in camp to improve the situation were refused and all fit men were made to work on railway construction. Any attempts to get tools with which officers could do this work met with very little success. We even found it difficult to obtain a pick or shovel to dig graves for the dead.

In the same camp on the 10th August cholera broke out. The area selected by the Japanese for the isolation hospital was a small cleared space of low lying ground on the river bank, where the mud was ankle deep and the only fixed accommodation was a small hut capable of holding no more than thirty patients. The remainder of the personnel placed in isolation had to be quartered in tents and under tent flys which invariably leaked. No fit men were freed from engineer work to assist the sick in providing stagings to keep them from muddy ground, and all duties except nursing had to be performed by the personnel in isolation. Requests for more serviceable tents and the release of men from work to improve the area and even for a few additional tools all met with the same result. The Japanese did not occupy this hospital.

The instances I have given above indicate generally the type of accommodation in these camps, except that I have not stressed the terrific overcrowding which existed everywhere.

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

Force Headquarters were constantly asking for medical supplies to be brought forward, but the answer always given was that the road to the south was impassable. However, war equipment and merchandise for the NIEKE shopkeepers were being brought forward in quantities by river boats. The result was that medical supplies were practically non-existent.

I have seen all the bones of a man's feet exposed by an ulcer of the foot. I have seen the bones of a man's leg exposed from the

knee to the ankle and I have seen a man's ribs exposed by an ulcer under his arm. The only treatment which could be given was scraping with sharp instruments.....

On the 7th July a protest against the maltreatment of the men was forwarded to GENERAL BANO. This pointed out that on the 3rd July, the men marched out of camp at 0900 hours and after ploughing through mud for five kilometres they commenced work at 1030 hours. The task for the day for 135 men was 160 metres of corduroying. This involved the removal of the mud for a width of 6', laying the logs, and draining and reinforcing the track with earth and stones. Parties of ten to twelve men were forced to carry in the day seven logs 15 feet long and 10 to 12 inches in diameter a distance of one kilometre though the mud and slush. Four men collapsed. In one instance only six men were detailed to a log, these were driven along by an engineer who struck the men every ten yards or so with a bamboo stick. After a break of thirty minutes for lunch they had to work on until 2100 hours with one rest of fifteen minutes, returning to camp at 2230 hours. The working hours the next day were the same, except that there was no break during the afternoon. Instead of ten to twelve men being allotted to each log carrying party, there were only seven.

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

On one occasion we were able after some difficulty to raise the required number of men for work for the engineers when the Japanese demanded another fifty for work inside the camp..... I refused on the ground that I had no more men who were capable of standing on their feet.....one of them....entered one of the hospital wards and commenced slashing at the men with a stick with the object of driving them out to work... After the Japanese had stated that, if the men were not forthcoming the whole camp ration would be cut in half, we decided that it would be in the interest of the men if we selected fifty, rather than have the camp literally starved. At this stage conditions in No. 3 camp were well nigh

desperate. The number of sick was above one thousand, out of a strength of 1680....."

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

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

I gained the impression that everything was to be subordinated to the completion of the line by the end of August, and when this was not fulfilled (The Japanese) became insane with rage. In the last days of its construction our men had to work from 0530 hours until 0200 hours the following day.

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

Of the original 3,662 men who left SINGAPORE as members of "F" Force, 1060 failed to return, representing approximately 29% of the A.I.F. component. The losses in the whole Forcewas 44%. The British lost 59%....."

b. Prosecution document numbered 5064A, the Affidavit of Maj. B.L.W. CLARKE, a doctor, is now produced for identification and the marked excerpts therein offered in evidence. This document described the condition of some of the men of F Force who returned from the railway camps in December, 1943:

"These men were in a shocking condition, suffering from gross attacks of beri-beri, and its various types, malaria, tropical ulcers and gross debility. The loss of weight was simply appalling. The average loss of weight would appear to be in the neighbourhood of 70-80 lbs. per individual. Approximately 80 per cent of these men had to be admitted immediately to hospital."

c. Prosecution Document numbered 5013, the Affidavit of R.G. WILLIAMS, is offered for identification, and the excerpts marked therein now produced in evidence. This document describes the nightmare journey of P/W by cattle truck from Singapore to Siam. Men were overworked, underfed, lived in appalling filth, were beaten and forced to work when sick at camps in and near KINSIOK. Dysentery, malaria and cholera took their toll. Clothing hardly existed and after a day's work, some men actually were only able to crawl back to camp. Towards the end of the construction of the railway, men were forced to work impossible hours, and the Japanese recklessly disregarded the danger of landslides so that on one occasion six men were needlessly killed.

d. Prosecution document numbered 5067, the Affidavit of Lt. Col. E.J. BARRETT, R.A.A.M.C., is tendered for identification and the marked excerpts offered in evidence. This document treats of the conditions in CHUNGKAI Sick Camp between May, 1943 and January, 1944. The average number of Prisoners of War in the Camp was 8,000. They consisted of men sent from the railway camps suffering from various injuries and diseases. In seven months 1400 prisoners died, many from tropical ulcers which had been caused by injury at work or from the guards, and from deficiency diseases.

The[illegible]re no anaesthetics, no instruments and a meagure supply of drugs. [illegible]ness states:

"One day 5 Japanese doctors came to see the camp. I asked them to watch an amputation which was being carried out on a tropical ulcer case. During the course of the operation one of the Japanese doctors fainted and another was sick. Thinking this was a good opportunity to request proper instruments and supplies of drugs, I made a request to them and their answer was that I must realize that these were prisoners of war and no supply could be made."

e. Prosecution document numbered 5072, the Affidavit of Sgt. C. BERRY, is now offered for identification, and the marked excerpts produced in evidence.

This document states that the witness was at SUNGKRAI from May, 1943 until September, 1943:

"When at SUNGKRAI I was at No. 2 Camp (Death Valley) and was forced to work on the road during my first nine days. At SUNGKRAI there were bamboo buildings without roofs or sides. There was mud on the floors which had no foundations whatever. Above the floor there was bamboo matting. The first night 1680 prisoners of war were put into two huts about 200 metres long and about 24 feet broad. It was raining when we arrived and it continued all night. There was no cover whatsoever and the monsoon rain came down and no one had groundsheets or other protection. It soon became absolutely impossible to lie there. The only alternative was to light fires and keep warm by standing around them. We stayed there all night until 0500 hours the following morning when everybody paraded prior to going on to the railroad the first day. We were given no opportunity of cleaning up or making the camp inhabitable. We were divided into groups of fifty and positions were allotted four miles on each side of the camp. My particular party was marched about three miles from the camp. It was raining very hard and we were very cold, only getting half a pint of rice for breakfast, which was served at 0530 hours. Each man was issued with a spade, a basket and a pick.

We started work immediately digging the road and we stopped for ten minutes every five hours. Half a pint of rice was issued at a quarter to one and then we continued. We marched back to the camp at 1830 hours. This was the daily routine.

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

On my second day there, cholera broke out. No preparation had been made for an isolation hospital and the cases could not be segregated. After approximately a week from the time of my arrival, the Japanese provided a hut for cholera cases and the following day I was sent as a medical orderly for duty at the hut. This hut was only partly roofed against the rain and the centre of the hut coincided with the course of the water escaping down the hillside. There were bamboo mats on the sides of the wall of the hut but there was nothing in the centre where the major part of the water came through. There were so many casualties that there was insufficient room by the walls and some had to lie in the water. The holes in the roof were so large that the rain came through on to the men who were lying beneath. We had no water other than water from the roof, which we had to boil. There was no accommodation for the orderlies, who had to sleep among the patients. No cholera inoculation was possible.

The casualties were carried to the hospital by the fit prisoners of war on groundsheets. Cholera being highly contageous, these men were frequently infected and died. There was no lighting whatever and when I was on night duty it was impossible to remove the

dead, who in consequence had to remain among the living until day-break. On the first day thirty-eight men died and were left outside the hut, no provision being made for them to be removed. There was a cremation party of prisoners of war but these could do nothing because the Japanese refused to give them shovels or other implements with which to bury the bodies. There were any number of tools because they had to be used for digging the road. These thirty-eight men were left outside the hut for two days, only some of them being covered. Eventually after two days the Japanese gave facilities for burying them.

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

f. Prosecution Document numbered 5031A, the Affidavit of Maj. R. J. CAMPBELL, is offered for identification and the marked excerpts thereof produced in evidence. This Affidavit states that the Camp at TAMARKAN was close to bridges which spanned a river and these were repeatedly bombed. Permission to mark the camp as containing P/W was refused, and in one raid 18 men were killed and huts set on fire.

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

Two months later he was recovered by P/W doctors who said he would have been dead in a few more days. He was insane, suffered from blackwater fever and was terribly emaciated. He had not washed or shaved during the period and had not defecated for two months during the eighty days he spent in the trench.

g. Prosecution document numbered 5074, the Affidavit of C.Q.M.S. G. KNOWLES, is now offered for identification and the marked exhibits therein produced in evidence. This Affidavit relates the savage beating of prisoners of war at KANBURI. Men were beaten with teak poles on all parts of the body until in some cases the men were broken and unrecognizable and two officers were murdered.

h. Prosecution Document numbered 5075, the Affidavit of Sub-Lieut.J.O. CHUN, is tendered for identification and the marked excerpts thereof now offered in evidence. This Affidavit states that in July 1943, at KANBURI the witness on being told that some sick men had arrived there found them crawling about the 3 kilometre stretch seperating the railway station from the camp. One orderly had been sent with 170 men suffering from beri beri, dysentery, tropical ulcers and cholera to this camp. It took five hours to find all these men.

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

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

A month later, despite all efforts, dysentery patients were still lying on the ground in a hut without platforms.

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

1565A

Evidentiary Document # 5059A.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST.

No. 1.

UNITED STATES OF AMERICA AND OTHERS.

- against -

ARAKI, SADAO AND OTHERS.

I, CHARLES HENRY KAPPE of BRISBANE in the STATE of QUEENSLAND, make oath and say as follows:-

1. I was VX48789 LT.COL. CHARLES HENRY KAPPE, SIGNALS UNIT, 8 AUSTRALIAN DIVISION, when I became a prisoner of war of the Japanese at SINGAPORE on the 15th February, 1942.

2. I left CHANGI in April, 1943, in command of 3660 Australian troops Generally speaking, the men were in good condition, but fit for light work only. After fourteen months on insufficient food they had no resistance and no reserve of strength.

3. The Japanese said that the movement of this force of 7000 strong, comprised of 3,300 British and the remainder Australians, under the command of Lt. Col. HARRIS, 18 Div. Artillery, a Britisher, was because the food situation in Singapore was deteriorating.

4. The Japanese told us we were going to a place where the climate was similar to that of Singapore. They said we were going to seven camps in the hills in a good climate with healthy surroundings; that as many mosquito nets and blankets as possible were to be taken by individuals and deficiencies would be made up when we reached our destination (which was not disclosed); Canteens were to be established in all camps and no restrictions were to be placed on the amount of personal equipment to be taken; transport would be made available for the cartage of heavy camp equipment, camp and medical stores for the men unfit to march; there would be no long marches; we were not to be a working party. I was not told this personally, but the Force Commander was told and I have seen it in his sworn report that thirty per cent of the men could be unfit. Australian policy was that only very near fits would go. There was no inclusion of any sick personnel. In the Australian component we had only one hundred and twenty-five men who were unfit for work, whereas the British included the full thirty per cent.

5. We moved by train in parties of 700 to BAMPONG in THAILAND. The transport was in ten rice trucks and each had to accommodate twenty-seven to twenty-eight men and stores. There was no ventilation in the trucks except the sliding doors. The heat was terrific. The trucks could only hold ten men comfortably.

6. The men were kept in the trucks for long intervals and sanitary facilities en route were either non-existent or filthy.

7. The food consisted of twenty ounces of rice and onion water per man per day for everybody including the sick. We were not given regular meals, sometimes we went for twenty-four hours without food and one party went for forty hours without it.

8. The water supplied was inadequate. Drinking water was very limited, we could only fill our water bottles at the stops, which were irregular. One train was without water for a full day and until nightfall on the next.

9. The trip lasted four to five days.

10. When we arrived at BAMPONG we were placed in a staging camp where the accommodation was filthy and over-crowded. Food consisted of rice and there was very little of it. We had one day there.

11. We then marched by night, a total of 185 to 190 miles as near as we can gauge. For the first part of the journey the weather was dry. It was tropical country and perspiration just poured from everybody and our clothes became absolutely wet, when we were marching these long distances and carrying heavy loads, later the Monsoon broke and we marched through tropical rain.

12. Rest periods were quite useless because the staging camps were in cleared areas alongside the track and no cover or protection from the tropical sun or insects was provided.

13. The journey took seventeen days and during that time we had three extra days' rest, that is three nights without marching.

14. Our longest march was about twenty-eight kilometres, during which we marched forty minutes and rested twenty minutes. We were very over-loaded as we had to carry our cooking containers, gear and medical supplies. There was no transport to take any of the heavy gear which consisted of six gallon containers, medical paniers full of medical stores, picks, shovels, etc.

15. We were constantly badgered by the Japanese, and the sick were forced to continue despite our own medical officers' opinions. The guards beat them along, and many had to be carried by comrades on improvised stretchers throughout the night, in addition to their own loads.

16. The beatings and slappings of men who were completely unfit weakened them to such an extent that when they arrived at their camps they fell easy victims to cholera and other diseases and died rapidly. The Japanese never let up or allowed the men including the sick, to rest. It seemed to be the higher policy to drive these men through, to see that they did not remain in the staging camps.

17. Most of the beatings were done with hands and fists, but there was one instance when two officers, Major ANDERSON and Lieut. TWEEDIE were beaten with a golf club.

18. Everyone of the staging camps was shocking from the point of view of sanitation, filth, full latrines, etc. were ripe for dysentery and other diseases. There were flies by the millions and maggots crawling everywhere.

19. Our party went to within a few miles of the THREE PAGODAS PASS on the BURMA-THAILAND RAILWAY, and the men commenced work on the line in mid May 1943. I was with them the whole time.

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

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

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

23. Rice with a few pieces of fish in it, was the food ration. In the early stages rice was fairly plentiful, but as soon as a man went sick the ration was cut down to one third of the amount given to a working man. Sick were then starved and it was impossible to build them up again. We have complete records of the ration and they show that the food was totally inadequate.

24. During the course of the building of the line I was told by the Japanese that it was a Military Railway, and as soon as the line was through I saw the trains loaded with horses, guns, trucks, ammunition, etc.

25. The Force I was with was called "F" FORCE and we worked on the section of the railway just south of the THREE PAGODA PASS to NIEKE. Until July I was with POND'S Battalion moving from KONCOITA to TAIMONTA and then with a special party of three hundred odd to a general camp just south of NIEKE.

26. In June POND's Battalion arrived at KONCOITA where the party halted for two days. The troops were billeted in huts which had been evacuated the previous day on account of cholera deaths. The huts were indescribably filthy and protests which were made to the Japanese only caused the force to realise that they were officially placed on the same level as Burmese coolies. An application for tools with which to clean up the filth brought the reply that none was available, despite the fact that hundreds of shovels and chunkels had been brought from UPPER KONCOITA. Coolies walked through the huts, spat, defaecated and vomited everywhere. Yak carts and yelling droves congregated at the entrance, yaks were taken through the huts and they dropped their excreta where rice bags had to be stored.

27. There were dead coolies within two hundred to three hundred yards.

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

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

30. In the same camp on the 10th August cholera broke out. The area selected by the Japanese for the isolation hospital was a small cleared space of low lying ground on the river bank, where the mud was ankle deep and the only fixed accommodation was a small hut capable of holding no more than thirty patients. The remainder of the personnel placed in isolation had to be quartered in tents and under tent flys which invariably leaked. No fit men were freed from engineer work to assist the sick in providing stagings to keep them from muddy ground, and all duties except nursing had to be performed by the personnel in isolation. Requests for more serviceable tents and the release of men from work to improve the area and even for a few additional tools all met with the same result. The Japanese did not occupy this hospital.

31. The instances I have given above indicate generally the type of accommodation in these camps, except that I have not stressed the terrific overcrowding which existed everywhere.

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

33. Force Headquarters were constantly asking for medical supplies to be brought forward, but the answer always given was that the road to the south was impassable. However, war equipment and merchandise for the NIEKE shopkeepers were being brought forward in quantities by river boats. The result was that medical supplies were practically non-existent.

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

35. The Japanese had their own medical supplies at NIEKE because some of our Australian doctors who were working in that area were attemptin to purloin some of these stocks to pass on to our camps.

36. The facts set out in the preceding paragraphs are typical of the treatment meted out generally at the railway camps in respect of medical supplies.

37. On the 7th July a protest against the maltreatment of the men was forwarded to GENERAL BANNO. This pointed out that on the 3rd July the men marched out of camp at 0900 hours and after ploughing through mud for five kilometres they commenced work at 1030 hours. The task for the day for 135 men was 160 metres of corduroying. This involved the removal of the mud for a width of 6 ft., laying the logs, and draining and reinforcing the track with earth and stones. Parties of ten to twelve men were forced to carry in the day seven logs 15 feet long and 10 to 12 inches in diameter a distance of one kilometre through the mud and slush. Four men collapsed. In one instance only six men were detailed to a log, these were driven along by an engineer who struck the men every ten yards or so with a bamboo stick. Up to 1345 hours the men had been given no rest. Then after a break of thirty minutes for lunch they had to work on until 2100 hours with one rest of fifteen minutes, returning to camp at 2230 hours. The working hours the next day were the same, except that there was no break during the afternoon. Instead of ten to twelve men being allotted to each log carrying party, there were only seven. Eight men collapsed under the heavy loads. I made that report after enquiry with Major JOHNSTON.

38. The above is typical of the work on the corduroying of roads, but the work on the construction of embankments and digging cuttings was just as arduous. The whole force worked seven days a week until about the 17th September.

39. The majority of men who went to work would normally have been in hospital or on light duties.

40. On one occasion we were able after some difficulty to raise the required number of men for work for the engineers when the Japanese demanded another fifty for work inside the camp. This work included the building of a new barrack hut for the Japanese, the making of pathways and other work in their interest. I refused on the ground that I had no more

men who were capable of standing on their feet. I fought the Japanese on this matter for two hours. The two persons making this demand were Lieuts. FUKUDA and TOYAMA. After this time, one of them, I think it was TOYAMA entered one of the hospital wards and commenced slashing at the men with a stick with theobject of driving them out to work. I had a hurried conference with my senior Medical Officer, Major STEVENS. After the Japanese had stated that, if the men were not forthcoming, the whole camp ration would be cut in half, we decided that it would be in the interest of the men if we selected fifty men in the latter stages of their malaria treatment, rather than have the camp literally starved. At this stage conditions in No. 3 camp were well-nigh desperate. The number of sick was above one thousand, out of a strength of 1680.

41. On the 15th July, 1943, I sent out a party, 38 less than the number requested. The senior Medical Officer and his assistant started work as soon as it was light to reclassify the men. At about mid-day Majors HUNT and JOHNSTON and I were summoned to I.J.A. Headquarters where we found FUKUDA in a raging temper because his orders had not been carried out. FUKUDA stated it was Japan's intention to become friendly with Australia after the war, but the senior officers were doing all they could to antagonise the Japanese by refusing to carry out orders. He said that if he ordered that 1000 men would go to work, they would go despite any protests which we would make. The Japanese engineers were prepared to die and the prisoners also must be prepared to sacrifice their lives for the railway. He went on to threaten that not only would the Camp Commander and his staff be punished but all men in the camp would be made to suffer for the disobedience of his orders. Our own particular punishment was to consist of being made to stand in a fire. He pointed out that the construction of the railway had to go on without delay as it was required for operational purposes, and had to be finished within a certain time at all costs, irrespective of the loss of lives of British and Australian prisoners He said it was no use our quoting the articles of the Geneva Convention, as our own people had offended against it by the sinking of hospital ships and running down civilian internees with steam rollers. If necessary, he stated, the men would be required to work three to four days on end without rest.

42. The above instances are typical of the Japanese attitude towards work throughout the railway construction. I gained the impression that everything was to be subordinated to the completion of the line by the end of August, and when this was not fulfilled, they became insane with rage. In the last days of its construction our men had to work from 0530 hours until 0200 hours the following day.

43. On the 13th September I was informed by Lieut. FUKUDA that the men must be prepared to work all through the night as the railway was only a few kilometres to the north, and it was necessary that the line should reach SONKURAI, three kilometres to the south by the 16th. Owing to heavy rain, however, the work ceased at 2230 hours, the men having been out since 0530 hours that morning. On the 14th September reveille was at 0530 hours and despite heavy rain all day and throughout the evening the men were forced to remain out until 0230 hours on the 15th. Again they were roused at 0530 hours and were worked until mignightof the 15/16th

September. On the 16th reveille was at 0530 hours and work finished at 2200 hours. By this time the men were completely exhausted. Conditions were approximately the same on the 17th. All the foregoing facts are set out in my diary which I kept at the time.

44. In November, 1943, after the completion of the railway the survivors came south by rail to KANBURI, which was the Japanese main base for the railway construction. After about ten days there we moved to BANGKOK. After about a week there I moved by ship with 500 troops to SELARANG, SINGAPORE.

45. Of the original 3,662 men who left Singapore as members of "F" Force, 1060 failed to return, representing approximately 29% of the A.I.F. component. The losses in the whole Force was 44%. The British lost 59%.

46. Many of the men have died since and I am certain that many others will feel the effects for the rest of their lives.

47. I consider the reasons for the heavy loss of life were the poor food for the fourteen months in CHANGI, followed by a five days' train journey under shocking conditions, followed by seventeen days' marching through the jungle with heavy loads and through filthy staging camps with poor food, which completely exhausted the men. No rest was given before they were sent to work. Insufficient food was provided to make good the exhaustion of their bodies following those events. Food of a nutritional value was absent. On top of that excessive overwork had to be done. There was lack of elementary medical supplies and facilities and elementary necessities for sanitation and hygiene.

(Signed) C.H. KAPPE, Col.

SWORN BEFORE ME AT BRISBANE
ON THE 6TH DAY OF SEPTEMBER, 1946.

(Signed) A.H. DEAKIN, J.P.

JUSTICE OF THE PEACE.

Evidentiary Document No. 5064A. 1566A

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST.

NO. 1.

UNITED STATES OF AMERICA AND OTHERS

- against -

ARAKI, SADAO AND OTHERS.

I, BURNETT LESLIE WOODBURN CLARKE of BRISBANE in the STATE of QUEENSLAND, MEDICAL PRACTITIONER, make oath and say as follows:-

I was QX.22806 MAJOR B.L.W. CLARKE, 2/13 A.G.H. 8 AUSTRALIAN DIVISION, when I became a prisoner of war in the hands of the Japanese Forces.

2. In December, 1943, a large portion of "F" Force returned from the BURMA-THAILAND RAILWAY. These men were in a shocking condition, suffering from gross attacks of beri-beri, and its various types, malaria, tropical ulcers and gross debility. The loss of weight was simply appalling. The average loss of weight would appear to be in the neighbourhood of 70-80 lbs. per individual. Approximately 80 per cent of these men had to be admitted immediately to hospital.

SWORN BEFORE ME AT BRISBANE ON THE)
13TH DAY OF SEPTEMBER, 1946) (Signed) B.L.W. CLARKE.

(Signed) A.H. DEAKIN, J.P.
JUSTICE OF THE PEACE.

Evidentiary Document No. 5013.

N679 P.1

The International
Military Tribunal
for the Far East,

THE UNITED STATES OF AMERICA AND ORS

v

ARAKI, SADAO, AND ORS.

I, Ronald George Williams of Derby in the State of Tasmania, formerly TX2146 Lieutenant Ronald George Williams of 2/40 Aust. Infantry Battalion, make oath and say -

I was first taken prisoner in Timor on 23 February 1942. In September 1942 I was taken with a number of Australians to Java. We left Java for Singapore on 1st January 1943 and went to Changi where we remained until 21st January, 1943.

From Changi we entrained on 21 January 1943 and arrived at Bangpong, Thailand, on 25 January 1943. The train trip was very bad. We were put into either cattle trucks or rice trucks in small steel compartments, into which over 30 men were crowded. The heat was terrific during the day and it was freezing cold at midnight. There was not sufficient room for the men to lie down. The food was supplied on the railway station and was not particularly bad. We had a lot of malaria on the trip but nobody died.

From Bangpong we went by truck to Taso, up the river. We stayed there overnight and on the following morning left for a place later called Hintok, where we arrived on 27 January 1943. We arrived at about five o'clock in the evening. Up a narrow road the Japanese pointed to the jungle itself and said, "There is your camp." We then had to go to work to hew a camp site out of the jungle; we had to get off the road because of the traffic. The following day we received some tents. Food was very, very poor at this stage. We had more or less plain rice for the two months we were there. We were joined by a large Dutch party who had a lot of cases of dysentery; they had about four or five deaths before we left but we did not have any although some of our party contracted the disease. We were still having trouble with malaria and general malnutrition and beri beri. Up to this time we had found out how to treat tropical ulcers and we had them under control. At this camp we were first employed in cleaning a large area in which to build a camp, and then we did repair work on the jungle roads. The hours of work were from eight o'clock in the morning until six o'clock at night. We had some sick men who were taken out to work every day. Some men had to go out to work barefooted because they had no boots. Our clothes were practically worn out. After we had built the camp the Australians were in tents but the Dutch were left out in the open with no accommodation whatsoever.

Our next camp was at Kinsiok, where we came under the command of Tanaka. We marched 17 kilometres and arrived there on 18 March 1943, and left with a party of 230 on 1 April 1943. The food was a little better, as we received a small quantity of dried fish; but it was still absolutely inadequate and the men continued to go downhill in health mainly through malnutrition; they were becoming weaker and weaker every day. The accommodation with which we were provided had formerly been a Dutch dysentery hospital, and there were faeces all over the floor. There were some minor beatings in the camp. We went out to work on the railway line and it was here that we first came into contact with the Japanese engineers, whom we nicknamed the "Black Crows". I went out on to the railway lines and tried to talk to the Japanese officer with a view to shortening the hours of work and allowing sick men to rest as well as to provide them with at least half-an-hour for lunch as they were getting only 10 or 20 minutes, but for that I received a decent sort of bashing from the Japanese officer. Sick men were forced to work on the railway line. The reply I received from the Japanese was, "When the Japanese soldiers are sick they must work, so your men will work and also you will work. I refused to work and told him that I was there to look after the men and not to work, and for that I was beaten with a walking cane. The Japanese were standing on the railway embankment throughout the day throwing pieces of rock and dirt at the men if they so much as straightened their backs; they were also hit over the head with bamboo sticks. We did not have any deaths. Medical supplies were very, very limited and clothing likewise was short, as we had had no extra clothing given to us. Our doctors and medical sergeant had the tropical ulcers under control but we had some very bad beri beri cases and perhaps ten of our men who were going blind were evacuated down the line to the hospital. At that time there were 376 men in our party.

From Kinsiok I went with 230 men to clear another piece of jungle at Kinsiok No. 1 Jungle Camp, 10 kilometres down the river. We left on 20 July 1943. The food was at all times very scarce and the men were still going downhill from malnutrition. Accommodation was absolutely appalling; we had 20 and 22 men in a tent, which leaked very much. Men were working from seven o'clock in the morning until 9 o'clock at night, when they returned to camp, endeavouring to eat their food in the dark and going to these tents which were absolutely impossible to sleep in owing to the weather. We had a great deal of sickness and dozens of sick men were being forced out to work on the railway line each day. They were beaten if they could not work. The man in charge of that camp was a Japanese named Hori Gunso, who is now dead. The Commander of the camp was still Tanaka, who was really responsible for our treatment. We had our first cholera cases there in July 1943. Eight Australians died from dysentery, malaria and cholera. We had been joined at this camp by a party of 500 Englishmen. Up till their arrival we had had no dysentery in the camp but unfortunately they brought it with them, and it became rife amongst us. Medical supplies were the shortest they had been up to date. We had practically no beatings inside the camp but the engineers were bashing the men all day. The English suffered about 40 deaths in the camp and they

evacuated 350 sick men out of their 500. Over the whole period, about 50 or 60 of our men were evacuated. We had great difficulty in getting men evacuated; we would argue with the Japanese for hours about it. At that stage, the men were wearing any old rags they could get; they had no proper clothes and no footwear whatever. Because of this, they contracted some sort of foot-rot and I have actually seen men crawling back into camp at night. Yet the Japanese would not allow them to stop work.

On 20 July 1943 we went back to Kinsiok for three days to finish the railway line. This was what the boys called "Three Days of Hell". They used to be made to work from daylight to dark to get the railway line completed. The hours of work were very long and sick men were forced to work; they were even driven out of hospital to work on the railway line. At this camp we had seven deaths from dysentery and cholera; men collapsed on the job with cholera. Tanaka was still directly in charge of us. The guards themselves were all Koreans, the worst of the lot being nicknamed "The Mad Boatman" - Mortiama. Another guard who was in charge of the work parties was Takiyama, also Morimoto. He took part in a lot of the bashings and would generally pick on sick men; he would go through the hospitals and chase out sick men to work. He would bash the boys with his fists and with pieces of stick, from which they had black eyes and bleeding noses and skin knocked off their faces. Medical supplies were very, very limited. There were dozens and dozens of cholera cases. The camp had grown and now contained approximately 1500 or 2000 men; when we came back it was in an absolutely appalling condition; there was mud up to the knees.

We left Kinsiok on 24 July 1943 by barge for Kluang Klai, 80 kilometres further up river. We remained there until 8 December 1943. There were 1000 men in the camp, including 120 Australians. In the early stages, the men were suffering very badly from malnutrition but later the food improved; we were given a considerable number of cows and we had some meat each day. Latterly, in this camp it was the best food we had in Thailand. It was the height of the wet season when we arrived there and during the first few weeks we were saturated the whole time, but later we built ourselves a reasonable camp; we had tents with bamboo flooring all the way between the tents so that we could go all over the camp without putting a foot on the ground. We were still engaged on railway work but the hours of work were not so long and the men did not work as hard as they had done before. We still had a lot of malaria and the usual beri beri and malnutrition. The Englishmen were suffering very seriously from tropical ulcers and men were losing their legs. Sick men were being forced out to work - men with very large ulcers. We would get one day's rest with malaria if we were lucky, and unless men had beri beri very badly they were sent out to work. Six men were killed in a landslide. We were made to work in a very dangerous position. I could not get down to the place myself but the Australian sergeant-major who was in charge of the working party repeatedly pointed out the danger of the job but the Japanese would not heed his warning, with the result that 17 of our men were actually caught in the landslide and six killed. The Japanese engineers were entirely to blame for this as the sergeant-major pointed out how the job could be done without the

attendant danger, but no notice was taken of him. Tanaka was still in charge of the camp. One man died from malaria and one from pneumonia. Medical supplies were still insufficient. We did not receive any vitamins of any sort and the men still suffered from malnutrition. We had an issue of rubber boots there and a small quantity of Dutch clothes. Up to this time a lot of men had been evacuated to the base hospitals on account of tropical ulcers, cholera, dysentery and pneumonia. When we went back down the river we had 98 men left.

The railway line was joined in Thailand on 17 October 1943.

Sworn before me at Launceston)
in the State of Tasmania this)
24th day of September 1946)

(Signed) RON G. WILLIAMS.

(Signed) A.J. MONAGHAN, J.P.

1568 A

Evidentiary Document No. 5067.

IN THE MATTER OF JAPANESE WAR CRIMES AND
IN THE MATTER OF THE ILL-TREATMENT OF
PRISONERS OF WAR AT CHUNGKAI PRISONER OF
WAR CAMP, THAILAND.

AFFIDAVIT.

I, Lieutenant Colonel St. Clair Edward John BARRETT, (&$$%$), R.A.M.C., with permanent home address at 4 Crescent Gardens, Belfast, Northern Ireland, make oath and say as follows:-

1. On 15th February 1942 I was captured and taken prisoner by the Japanese at SINGAPORE. After being a prisoner of war in CHANGI I was, in November 1942, sent into THAILAND as medical officer to treat prisoners of war who were working on the building of the BANGKOK-MULMEIN railway.

2. I was senior medical officer at CHUNGKAI Sick Camp from 19th May 1943 until January 1944. During this time the British commandant was Lt.Col. OWTRAM. During this period there were no working parties at the camp and it was mainly used for administrative purposes and as a sick camp. I had 28 medical officers under me including British, Australian and Dutch.

3. I remember the following personalities of the Japanese staff:-

Lt. OSARTO. He was of small and slight build, very quietly spoken, did not speak English and was aged about 35 years. His attitude towards prisoners of war was satisfactory.

Lt. KOKUBO. He relieved OSARTO as Commandant. Thick set build, very dark appearance, bandy-legged, 3rd class swordsman, about 45 years of age, was very fond of drink

Cpl. YASNO. This NCO maintained a very correct attitude towards prisoners of war. He was neither friendly nor unfriendly.

4. The average number of prisoners of war in the sick camp was 8,000. They consisted of prisoners of war sent down from the railway camps who were suffering from various injuries and diseases. In the seven months I was there 1,400 prisoners of war died, many from tropical ulcers which had been caused by injury received at work, or from the guards, and deficiency diseases such as beri-beri and pelogra. I had 120 amputations in order to avoid the spread of disease to other parts of the body.

5. Medical supplies were nil and I give the following examples:-

Bandages: The supply was very meagre. My allocation was six 2" bandages per month to dress 2,000 tropical ulcers.

Drugs: My allocation of quinine was 5 kilos per month which was quite inadequate. I would have required 20 kilos for the supply of ordinary maintenance doses. My quinine officer was Captain IAN MACKENZIE, S.S.V.F.

Instruments: No instruments of any kind were issued. They were all home made. My amputation knife consisted of an ordinary carving knife and my medical saw consisted of a hacksaw.

Anaesthetics: There was no supply of anaesthetics.

6. I repeatedly brought to the notice of Lt. KOKUBO this state of affairs who replied that he had no supplies to remedy them. I am convinced that he took no steps to obtain any supplies. Cpl. YASNO once showed me his medical store and it was empty.

7. One day 5 Japanese doctors came to see the camp. I asked them to watch an amputation which was being carried out on a tropical ulcer case. During the course of the operation one of the Japanese doctors fainted and another was sick. Thinking this was a good opportunity to request proper instruments and supplies of drugs, I made a request to them and their answer was that I must realise that these were prisoners of war and no supply could be made.

SWORN by the said St. Clair Edward)
John BARRETT at 6 Spring Gardens)
in the City of Westminster this)
13th day of December 1945.) (Signed) St.C.E.J. BARRETT.

Before me,
(Signed) F. HONIG.
Captain Legal Staff.
Military Department,
Judge Advocate General's Office, London.

Certified true copy.

(Signed) K.J. RITCHIE, Lt.
for Military Deputy J.A.G.

Evidentiary Document # 5072. 1764A ~~1677~~

IN THE MATTER OF JAPANESE WAR CRIMES AND IN THE MATTER OF CONDITIONS AT SUNGKRAI CAMP, THAILAND, AND IN THE MATTER OF AN ASSAULT UPON PRIVATE RODRIGUES AT SUNGKRAI CAMP, THAILAND.

A F F I D A V I T.

I, 7261114 Serjeant CHARLES BERRY of the Royal Army Medical Corps with permanent home address at 12, Prospect Terrace, Withwell, Chorley, in the county of Lancashire, make oath and say as follows:-

1. I was taken prisoner at SINGAPORE on 15th February 1942. I was in prison camps as follows:-

(a) Robert's Hospital, CHANGI on SINGAPORE Island from 15th February 1942 to 26th April 1943.

(b) In transit by rail and road from CHANGI to SUNGKRAI from 26 April 1943 till about 23 May 1943, stopping for one night at BANGPONG, THAILAND.

(c) At SUNGKRAI, THAILAND, from 23 May 1943 to 12 September 1943.

(d) At TAMBAYA, BURMA, from 12 September 1943 to 12 December 1943.

(e) At CHANGI, SINGAPORE, from 12 December 1943 to August 9th, 1944.

(f) At KRANJI, SINGAPORE, from 9 August 1944 to about 9 February 1945.

(g) At CHANGI from 9 February 1945 to 22 July 1945.

(h) At a rubber state in JOHORE supplying labour for tunnelling nearby under the new Johore Police Barracks. The senior officer was Captain HOLMYARD, 1st Battalion, The Manchester Regiment, from 22 July 1945 until 21 August 1945.

(i) At CHANGI until liberation on 15 September 1945.

2. When at SUNGKRAI I was at No. 2 Camp (Death Valley) and was forced to work on the road during my first nine days. At SUNGKRAI there were bamboo buildings without roofs or sides. There was mud on the floors which had no foundations whatever. Above the floor there was bamboo mattin The first night 1680 prisoners of war were put into two huts about 200 metres long and about 24 feet broad. It was raining when we arrived and it continued all night. There was no cover whatsoever and the monsoon rain came down and no one had groundsheets or other protection. It soon became absolutely impossible to lie there. The only alternative was to light fires and keep warm by standing around them. Some of them crawled underne the officers' sleeping quarters and also under the officers' living quarter

We stayed there all night until 0500 hours the following morning when everybody paraded prior to going on the railroad the first day. We were given no opportunity of cleaning up or making the camp inhabitable. We were divided into groups of fifty and positions were allotted four miles on each side of the camp. My particular party was marched about three miles from the camp. It was raining very hard and we were very cold, only getting half a pint of rice for breakfast, which was served at 0530 hours. Each man was issued with a spade, a basket and a pick. We started work immediately digging the road and we stopped for ten minutes every five hours. Half a pint of rice was issued at a quarter to one and then we continued. We marched back to the camp at 1830 hours. This was the daily routine.

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

4. On my second day there, cholera broke out. No preparation had been made for an isolation hospital and the cases could not be segregated. After approximately a week from the time of my arrival, the Japanese provided a hut for cholera cases and the following day I was sent as a medica orderly for duty at the hut. This hut was only partly roofed against the rain and the centre of the hut coincided with the course of the water escaping down the hillside. There were bamboo mats on the sides of the wall of the hut but there was nothing in the centre where the major part of the water came through. There were so many casualties that there was insufficient room by the walls and some had to lie in the water. The hole in the roof were so large that the rain came through on to the men who wer lying beneath. We had no water other than water from the roof, which we had to boil. There was no accommodation for the orderlies, who had to sleep among the patients. No cholera innoculation was possible.

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

6. Another hut was made available for dysentery cases. The Japanese used to test all prisoners of war for dysentery by putting either a piece of bamboo or a piece of wire or a glass tube up the rectum. This was a painful operation for those who were fit. They would take out persons who were extremely ill or dying of dysentery and would carry out this test and this in bad cases definitely precipitated death by reason of the pain and the fact of their being moved.

7. Convalescents were forced to carry bamboos long distances in the rain with bare feet, with the result that their feet were torn and resulting in ulcers, for which there were no facilities for treatment, and many of them died.

8. On or about 30 May 1943 I was in a working party, of which Private Rodrigues of the Straits Settlements Volunteer Force was a member. When I got back to the camp I saw Private Rodrigues tied to a tree and badly bruised about the face, which was very swollen. His legs were also bruised and cut, giving the appearance that he had been dragged. I was told (I forget by whom) that a Korean guard, whose name I do not know, had attempted to strike Rodrigues with a hammer, that Rodrigues seized the hammer to prevent its being used against him, but that he was forced to let go and subsequently he was beaten up by this guard and the other guard. I did not witness the occurrence but Captain (Padre) DUCKWORTH, Royal Army Chaplains Department, would be well aware of the circumstances because he is sure to have interviewed Private Rodrigues. I do not know which guards were involved. There were about six guards and they were all Koreans. I do not know any of their names. Private Rodrigues was tied to the tree with wire and there he was left for forty-eight hours. It was raining throughout that period. He was wearing shirt and shorts with nothing else over him. He was tied to the tree immediately in front of the guardroom and in view of it and anybody coming in or going out of the camp must have seen him. Lieutenant ABE, the Camp Commandant must have seen Private Rodrigues there as his home was immediately behind the guardroom. He was given medical attention afterwards but I do not know by who.

Koreans

9. The medical personnel at the camp consisted of Major HANBURY, Indian Medical Service, Captain SILLMN, Royal Army Medical Corps (Malaya), Lieutenant TURNER, Straits Settlements Volunteer Force, Royal Army Medical Corps, and a Captain who was a keen botanist; Serjeant O'Grady and Corporal Cawthra, and others whose names I cannot remember.

10. The senior officer in the camp was Colonel HINGSTONE, Royal Army Ordnance Corps (?).

11. Lieutenant ABE, who was in charge of the camp, was about five feet eight inches tall, well built and about ten stone in weight. He was always well dressed, usually wearing riding boots. He used to ride a

horse. I do not know the names of any of the Korean guards, who were all bad men, nor any distinguishing marks about them.

SWORN by the said CHARLES BERRY)
at Headquarters, Southern)
Command, Wilton, in the county)
of Wilts this Third day of)
January 1946) (Signed) C. BERRY, Sgt.

Before me,

?
Captain.
Military Department.
Judge Advocate General's Office.

Evidentiary Document # 5031A. 1510A

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

No. 1

THE UNITED STATES OF AMERICA, and ors.

- AGAINST -

ARAKI, SADAO, and ors.

I, PETER JOHN CAMPBELL, make oath and say as follows:

1. My number, rank, name and unit is NX35053, Major Peter John Campbell, attached HQ AASC 8 Div. I became a prisoner of war in February 1942, and marched into Changi on 17th February.

2. I left there in May 1942.

3. We went to Moulmein.

4. In January 1944 we moved to Tamarkan camp in Thailand.

5. The type of work done there was mainly repairing railway bridges, which were next to the camp, and on railroad maintenance.

6. The corner of Tamarkan camp was about 100 yards from a wooden railway bridge which spanned the river; 50 yds. higher was a steel railway bridge. The line bordered one side of the camp. During the succeeding 12 months when I was there these bridges and the ack-ack battery located about 200 yds. outside the camp were bombed on seven occasions. Repeated complaints were made to the camp commandant about the danger of siting a POW camp next to a military objective, and repeated requests were made for permission to mark the camp as such; but this got us nowhere. The result was that bombs several times fell in the camp; bomb fragments were scattered far and wide throughout the camp; machine-gun bullets burst from the planes and from Jap observation posts spraying the camp. Ack-ack shrapnel came in in great quantities, and numerous men were killed and injured. In one raid alone, 18 men were killed and huts set on fire. Bashings and ill-treatment were commonplace occurrences; as an example: Capt. Concannon was made to stand in front of the guard house for 30 hours by Sgt. Kiroda at Tamarkan I witnessed this. That would be about December 1944. He is a man of 50. He had a light on in the canteen, which had been lit contrary to orders by one of his men working for him - just one of these small mistakes that happen.

7. In February 1945 we were shifted to Kanburi camp, which was an officers' camp. There were about 3,000 officers stationed there in camp, the dimensions of which, for POW purposes, were 220 yds. by 120 yds. We were closely confined in this camp, so far as there were about four fences and a deep bund, and a 10 ft. ditch around it. The restricted

space led to colossal overcrowding both for sleeping and for sanitary purposes. Conditions were similar to Tamarkan Camp, otherwise. The commandant, Capt. Niguchi, was an arrogant, sadistic type, who was very keen on mass punishments for offences committed by individuals, such as confining everybody into the huts for a period of about 10 days - I cannot remember what the offace wasinhat case - no reading, no lying down, no conversing, no parties of more than six, etc.

8. On one occasion I saw him make a Capt. Martin stand for 72 hours in front of the guard house for looking through a fence. That was at this camp at Kanburi about July 1945. He was standingto attention most of the time. He had to stand all the time; there was no question of sitting down. He was given water and one rice ball a day. The Japanese allowed him to move away to relieve himself. Eventually, he had to take his boots off, and of course his feet got sunburned and he ultimately collapsed. Capt. Martin is a barrister in Sydney.

9. The worst thing committed by this Capt. Niguchi was against a British officer, named Drower.

10. About the middle of June, Captain W.H. Drower was asked by the Japanese to give his opinion on the refusal of some officers to do certain menial tasks. He confirmed their attitude and he was immediately taken to his office, where Captain Niguchi and his adjutant beat him into insensibility with wooden swords and then put him in a cell at the rear of the guardhouse. The Japs then realised that as he was the interpreter he could understand what they were saying so they then put him in a covered slit trench, the dimensions of which were, say, 5 ft. by 2 ft. 6 ins. by 4 ft., which had about six inches of mud and water in it, and was infested with mosquitoes; Drower had only a pair of shorts; he had no blanket; he was only given water and one rice ball per day. Later on he was taken back to the guardhouse where he was threatened with torture and after this he endeavoured to commit suicide by strangulation and by cutting his leg open with a rusty teapot spout.

11. On 16 August he was recovered by our doctors, who stated that he would have been dead in a few moredays. He was insane, and had severe blackwater fever, and was terribly emaciated; he had not washed or shaved during the period - he had long hair and beard; he had not defacated for the two months in the 80 days he was in the trench.

12. A Japanese interpreter, Capt. Drower told me that a form of mental torture was introduced upon him by the Japs in the guardhouse; and all talk in the guardhouse was deliberately audible so that Drower could hear and understand.

13. At the end of July, the officers' camp at Kanburi commenced to be transferred to a new camp at Nakom Nyok. This was a distance of 120 miles. I left on 10 August with the fifth party of 400. We started in open rail goods trucks, 30 men to a truck, and reached Bangkok, a distance of 40 miles

after 29 hours travelling. We sat up all night, and had no sleep. We then started unloading baggage into barges, and sat in a very cramped position on the top of the luggage in a barge about 6 ft. by 18 ft., and in which 67 men were jammed. We sat up all night without sleep, with intense discomfort; and next day we went five miles down the river to a large concrete warehouse; we slept there two nights on the concrete floors, with rain pouring down on us because the roof had largely been blown away by bombing; then we entrained in small closed steel railway vans, about 5 ft. by 12 ft.; these were first half-filled with baggage and we sat on top. The next 50 miles took us 16 hours, and during this night we also had no sleep. We then set off marching with all of our gear and as the majority of the party were sick Dutchmen it was a very slow march. We took 36 hours to cover 30 miles and during this period only had two hours sleep on the roadside in pouring rain. During the last 12 hours of the marching we had neither food nor water, except ditch water, which we drank from the paddy fields. On arrival in the new camp the huts were bamboo and attap, but we slept on the earth floor on a basis of 15 men to each hut bay, which was 10 ft. by 18 ft. We arrived there on 16 August 1945.

(Signed) P.J. CAMPBELL.

Sworn before me at Sydney
on the fifth day of September
1946.

(Signed) A.J. MANSFIELD.
Judge of Supreme Court of Queensland.

1571A

Evidentiary Document # 5074.

IN THE MATTER OF WAR CRIMES AND IN THE MATTER OF ATROCITIES COMMITTED (AT KANBURY PRISONER OF WAR CAMP, SIAM,) IN SEPTEMBER 1943 AND IN THE MATTER OF THE MURDER OF CAPT. HANLEY AND LIEUT. ARMITAGE.

British National Office Charge No:

United Nations War Crimes Commission Reference:

AFFIDAVIT.

I, No. 3858367 C.Q.M.S. GEOFREY KNOWLES, Reconnaissance Corps, with permanent address at 3 Duston Road, Morecambe, make oath and say as follows:-

1. I was taken prisoner in Singapore on 15th February 1942. I stayed there until June 1942 and was then moved to Siam. Later, in March 1943 I was moved to Kanburi Prisoner of War Camp. Kanburi was the headquarters of No. 1 Group of Prisoner of War Working Camps. The work we were doing was on the Bangkok - Moulmein railway line. No. 1 Group consisted of about seven outlying camps, one of which was called Sakomoto. When I arrived at Kanburi I was put to work in the cook-house there, and all the time I was with No. 1 Group I stayed at Kanburi itself and did not go out to any of the outlying camps.

2. The Japanese and Korean personalities at Kanburi Camp were as follows:

Lt. Comi	Commandant. Other members of his staff were:
Lt. Oda	
Lt. Kanematsu	This man had been educated in America and had been there 35 years; consequently he could speak absolutely fluent English.

The N.C.Os. were:

Sjt. Ejoma	
Sjts. Watanabi	There were two Watanabis; one of them was medical and the other in administration.

The guards were Koreans. The ones involved in these particular atrocities were called:

Kanashira	whose nick-name by us was "The Undertaker"
Yasimoto	

There were more guards involved, but I cannot remember their names.

3. In September 1943 the Japanese found a wireless set which had been made by Serjeant Major Thew and a friend of his called Sjt. Smith. This set was found on Serjeant Major Thew's bed at Sakomoto Working Camp. A few days later Thew was sent down to Kanburi and was stood outside the guard room when he arrived. I remember seeing him there.

4. At 11 p.m. the Japanese began beating Serjeant Major Thew. None of us were allowed to see what was going on except the British Commandant, Capt. Renwick of the Sherwood Forresters who was called out specially to witness it. I was on duty in the cook-house about 100 yards away and I heard the whole incident. Serjeant Major Thew was beaten for an hour and a half. The method of beating was to strike him on the small of the back and on the thighs with heavy teak poles. I could hear the thuds of the poles as they struck him. Every now and again there would be a short spell when Thew was interrogated about his wireless set. The Japanese varied the beatings by striking him on the face with wooden clogs. When it was all over Thew was left in a crumpled heap outside the guard room for four days. On the first day he was brought down to the cook-house for some tea which I gave him. At first I did not recognise the man; his whole body was marked with weals, his jaw was crooked as though broken, and his face badly marked as the result of blows with the wooden clogs. His nose appeared to be broken and his legs up to his kidneys were a mass of black bruises. He also had a very bad eye injury which was suppurating. I did not see him after that, as for the rest of the four days rice and tea were brought to him and he stayed outside the guard room out in the open. At the end of the fourth day he was taken to hospital where I saw him again. At that time he was barely conscious and I do not think he knew what he was doing or what was happening. It was discovered in hospital that as well as his other injuries he had a burst ear drum. There is no doubt that all the personalities I have mentioned took part in this beating.

5. The day after Thew was allowed into hospital five British officers were brought down from Sakomoto to Kanburi for a beating. They were:

Major Smith (S.S.V.F.)
Major Slater
Major Knights
Lt. McKay
Lt. Lomax (Royal Signals)

The day before these five British officers were beaten the whole camp was warned that there was to be a beating that night, but there was to be no demonstration whatsoever; troops would remain in their bed spaces, otherwise a massacre would take place. I noticed that there were machine guns in the guard room, presumably ready for this. At 11 o'clock that night the beating started. All five of these British officers were beaten in much the same way as Serjeant Major Thew. Major Smith was almost killed and Lt. Lomax had both his forearms broken as a result of trying to protect himself. But I did not witness these incidents owing to the camp order; I only heard the screams and the noise of the teak poles on the

victims' bodies. When that was over the five of them were left outside the guard room for one day; they were then removed to hospital. I saw them in hospital and helped to feed them as none of them were able to feed themselves. Their injuries were terrible.

6. The day after that four more British officers were brought in to Kanburi for beating. They were:

Capt. Hawley
Capt. Gregg (7th Coastal Bty. R.A.)
Lt. Armitage
Lt. Gilchrist (S-D.F.)

As it turned out, neither Capt. Gregg nor Lt. Gilchrist were beaten, but at 11 o'clock that night Capt. Hawley and Lt. Armitage were murdered. Again, I did not witness the incident, I only heard the noise of the beatings which lasted in each case for about three-quarters of an hour. In each case Dr. Van der Eyden was called out, but before he got to where the beatings were going on he was motioned back by Kanematsu.

7. The next day two soldiers, Bdr. Rider and Gnr. Cavaney, who were in the workshop about twenty yards behind the Japanese guard room, found a Red Cross issue trilby hat in the swill pit. They also slept in that little hut and told me afterwards that they had heard the Japanese guards drawing shovels from an adjacent tool house. There is no doubt in my mind that Hawley and Armitage were beaten to death and buried nearby, and there is also no doubt in my mind that the Japanese personalities whom I have mentioned above were all responsible for these beatings as they must all have taken their turn at striking those British officers and Serjeant Major Thew.

8. I would describe Lt. Coni as a man of about 40, height 5 ft. 5 ins., weight about 10 stone, very thick set; round face and flat nose and looked more like a monkey than anything else. Lt. Oda was aged about 27, about 5 ft. 8 or 9 ins. tall, rather slim, weight about 9½ stone; he had monkey-like features, high cheek bones, long jaw and was more slant-eyed than the Japanese, upper teeth prominent. Kanematsu, owing to his long stay in America, had rather lost his Japanese features; he was whiter than the majority and wore square cut rimless glasses of an American fashion. He was aged about 50, height 5 ft. 9 ins., weight about 11½ stone. He had had varicose vein trouble and he had had the affected veins taken out, so that he did not have actually a limp nor exactly a normal walk; he moved slowly and rather stiffly. He was, properly speaking, a civilian interpreter attached to the Japanese Army with a lieutenant's rank, and he wore on his left breast a blue plaque upon which were five overlapping stars gradually

decreasing in size. Of the sorjeants and Korean guards they were all very much the same in build, about 5 ft. 5, typically built low-class Japanese or Korean coolie types.

SWORN by the said GEOFFREY KNOWLES)
at 6 Spring Gardens in the City)
of Westminster this eighth day of)
November 1945) (Signed) G. KNOWLES.

Before me

(Signed) A M. BELL-MACDONALD.
Capt.
Legal Staff.

Mil. Dept.
Office of J.A.G.
London.

Certified true copy:

(Signed) R.B. LAMBE, Lt.Colonel,
A.A.G.
War Crimes, HQ AIFSEA.

1572A

Evidentiary Document # 5075.

IN THE MATTER OF JAPANESE WAR CRIMES AND IN THE MATTER OF THE MISTREATMENT OF PRISONERS OF WAR AT KANBURI NO. 3 HOSPITAL CAMP, 9TH AND 10TH JULY 1943.

AFFIDAVIT.

I, Sub-Lieutenant J.O. CAUN of the Netherlands East Indies Army, make oath and say as follows:-

1. On the 8th March 1942 I was captured and taken prisoner by the Japanese Army at BANDOENG, JAVA, and was subsequently transferred to SIAM where prisoners of war were employed on the building of the BANGKOK-MULMEIN railway. I speak Japanese and at the various camps I was at acted as interpreter.

2. On the 9th July 1943 at one o'clock in the morning I was awakened by the Japanese guard commander of Staff Camp, Group 1, KANBURI, who told me that 167 sick men had arrived from the jungle. I went to the entrance of the camp but found only approximately 40 patients there who looked filthy, underfed and very sick. I asked the Japanese in charge of the sick party where the remainder of this party were. He replied that the remainder were not very fit to walk and that they were coming in slowly. I immediately went back and asked for 20 volunteer stretcher-bearers.

3. We went to the station and found that along the 3 kilometre stretch that separates the railway station from the camp, sick men were crawling and lay about the ground. We picked them up as we found them. We also came across a Dutch medical orderly who told us that he was the only orderly that had been sent with this transport which consisted of beri-beri, dysentery, tropical ulcer and cholera patients. He told us that they had been 4 days on the road and that 3 of them had died on the way. At six o'clock in the morning the last man was found and brought in. All the sick were given shelter in the foot-baths of the atap huts in our camp.

4. At nine o'clock I saw the adjutant of Group 1, Lt. KOMAI, who said to me that now he was going to open a new hospital. He called over 6 prisoners of war who were in the vicinity and ordered them to break down the fence which separated our camp from the Japanese cavalry regiment called Yamada Butai. The day before the Japanese and their horses had moved out, leaving 20 empty huts, 3 with and 17 without platforms. In most of the huts the filth of the animals was still on the ground. The Japanese Lieutenant gave the order that the 167 sick, who were under the command of the Dutch Captain CLAASZ, had to be moved to this new camp within an hour. There were no doctors, no medical orderlies nor cook-house personnel at that time so I went over to the Dutch doctor, Capt. NOORDHOEK-HEGT and asked him if I could apply to the Japanese for him to go over as a volunteer. He immediately agreed and the Japanese Lieutenant gave his permission for this doctor and other medical orderlies to go over and attend to the sick.

5. It took, however, several hours to persuade the Japanese to let a working party of 50 men attend to cook-house and hygiene necessities. The only definite permission which was given was that medical staff would be sent from the jungle camps or the base hospital. It took approximately a fortnight to get some staff and the man who had been put in charge of the camp then was the British Major BLACK, R.A.M.C., who will certainly be able to give a vivid picture of his first impressions.

6. By the time the medical staff arrived the hospital housed 1,522 patients and the number of dead totalled approximately 7 to 12 a day. It took 10 days before the Japanese supplied any medicines. On the third day after this hospital had been opened I had, on instructions of Dr. NOORDHOEK-HEGT, a talk with the Japanese Captain, Doctor MORI, who was in charge of the medical department of the Japanese Prisoner of War Administration in THAILAND. As a result of this talk, on the fifth day the hospital was supplied with a certain quantity of milk, cigarettes, butter, coffee and sugar.

7. The people mainly responsible were the Japanese Prisoner of War General Headquarters Staff themselves. The hospital came under direct command of the Japanese Headquarters. Doctor MORI being in charge of the medical side is certainly first of all to blame, but also General SAITO and his adjutant were fully aware of the filthy conditions and the horrible circumstances in which this hospital was opened because an officer of the Japanese General Staff, Prisoner of War Command, visited the hospital on the third day. Even in the month of August after a certain Captain McGREGOR of the Malaya Volunteers had been building platforms and repairing roofs, dysentery patients were still lying on the ground in a hut without platforms.

8. British doctors in this hospital were Captain CHURCHILL and Major BLACK and the Camp Commander for the non-medical side was Major TATE DE LA PORT.

9. The camp was placed in the middle of July 1943 under command of a Japanese serjeant, WATANABE, whose gneral conduct was good and who did his best to help the different authorities.

SWORN by the said J.O. CAUN)
at 6 Spring Gardens in the)
City of Westminster this)
18th day of December 1945.) (Signed) J. CAUN.

Before me,

(Signed) F. HONIG.
Captain Legal Staff.
Military Department.
Judge Advocate General's Office, London.

Certified true copy,

(Signed) K.J. RITCHIE, Lt,
for Military Deputy, JAG.

Synopsis of Evidence

D. COOLIES ON THE RAILWAY

Injections to Kill

a) Prosecution Document numbered 5128, the Affidavit of Major R. CRAWFORD, is now offered for identification, the marked excerpts thereof being produced in evidence. This document states that in June 1943, the witness was appointed Officer commanding "K" Force, a Unit of 230 P/W medical personnel designed to give medical assistance to coolies and P/W employed on the construction of the Burma/Siam Railway.

The witness states that the journey to the working sites involved for many gangs of coolies, marches of indescribable hardship. Conditions in coolie working and hospital camps were disgraceful and a grave danger to the lives of those living therein.

The witness further states that:-

"In these camps, at some periods, there were no or quite inadequate sanitary arrangements, the entire camp area being, consequently, heavily contaminated with feces. In practically no camp was a satisfactory water supply provided, the general source being raw river water even with cholera prevalent. Sleeping accommodation was in many cases quite inadequate or of the most primitive kind. Tents were generally and huts frequently not weather proof; coolies often had to sleep on the ground. Blankets were not provided, an occasional sack being issued as a substitute, and the clothing issue for coolies was at most a flimsy sarong. The food supplied to labourers was frequently 'poor' or 'bad' and quite below the level necessary for the maintenance of good health in individuals doing heavy manual labour.

"The unsatisfactory conditions here described were conducive to widespread disease of many kinds, the principal of which were dysentery, cholera, pneumonia, ulcers and deficiency diseases. Conditions hereinbefore described apply not only to male coolies but

"but also to women and children who were brought by the Japanese to work on the railway.

"Arising from these gravely unsatisfactory living, feeding and working conditions sickness among labourers was over considerable periods enormous, and the indifference of the Japanese, their failure to take steps to combat sickness, their failure to supply suitable and adequate medical supplies constitute criminal neglect. The Japanese were in the vast majority of cases entirely insensible to sickness and hardships suffered by the labourers and their attitude indicated only a determination to complete the railway at all costs with complete indifference to the number of deaths that might and were caused thereby.

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

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

(b) The Medical staff of "K" Force were, at the whim of the Japanese medical orderly so restricted in their access to sick coolies that co-ordinated policy and continuous treatment were impossible. The medical force (including Medical Officers) was largely employed on manual labour, and Medical Officers were generally submitted to degrading and insulting treatment such as the performance of manual labour, working in Japanese kitchens and as servants to Japanese.

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

Examples of the incredible conditions in individual camps are given indicating the similarity in the neglect of the basic humanities and in the evil treatment accorded to the men in all the camps mentioned.

b) Prosecution document numbered 5136, the Affidavit of Captain F. H. WALLACE I.M.S. is offered for identification, the marked excerpts thereof being produced in evidence. This Affidavit confirms the conditions of coolie camps and the treatment of coolies set out in the preceding document No. 5128. The present witness states that when coolies suffering from cholera at Kinsayok were thought by the Japanese medical N.C.O. to be too ill to recover, they were pushed into a small lean-to shelter of attap and left to die. They were given no food or water.

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

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

c) Prosecution document numbered 5256, being the Affidavit of R. E. PETERSON, is tendered for identification and the marked excerpts therein offered in evidence. The document states that:

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

"Karneatsu proceeded to a coolie camp to interview coolies in the hospital. He had a hypodermic syringe filled with a red unknown fluid. He ordered the coolies down from their beds and asked them if there were any who could not walk, he told them they were going to be moved to a base hospital and those who could not walk would be carried.

Shots of "Red Fluid" to Kill

"Several staggered forward and were given an injection of the fluid in the big vein in the elbow. All who were inoculated died within a few minutes. When the remainder saw what was happening they said they could walk. When he had finished he proceeded to the dysentery hut.

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

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

d) Prosecution document numbered 5370, the solemn affirmation of THAKIN SA, is now offered for identification and the excerpts marked therein, offered in evidence. The document states that in order to enable the Japanese authorities in Burma to obtain sufficient labour for the construction of the Burma-Siam Railway, they recruited coolies.

When the promises made by the Japanese to the labourers failed to materialize, they press-ganged every available person into the Labour Force, since willing recruits were no longer to be found.

The witness was appointed a Superintendent of Labour at Thanbyuzayat in December, 1942, to look after the interests of the coolies as far as possible. He found that men were only released from the Force when they were used up physically and no longer employable.

".....Living accommodation provided for laborours at the camps was insufficient and insanitary. The area where the work had to be done was very damp and labourers had to live in barracks which could not keep out the wet. Barracks intended for 150 persons had to house as many as 300. Clothing shortage was acute; when the clothes which the labourers brought from home began to fall into rags, gunny bags were supplied to them to do duty both as wearing apparel and as blankets. No change of clothing was available to most of the labourers and none was provided by the Army. The result was that the clothing of almost all labourers was crawling with vermin and most of them were suffering from a virulent type of skin disease. Food supply was not sufficient; and the rice supplied was weevilly.

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

"Labourers were treated as slaves; whips and sticks were freely used on the labourers; and sickness ordinarily was no excuse.

"There was a total lack of system in allotment of labourers to the various camps. As the labourers

"arrived at Thanbyuzayat, they were either driven up in lorries or taken marching through the camp. Officers in charge of the camps would pick out persons they wanted; families became separated, the husband being retained in one camp and the wife sent th another camp, the parents going to one camp and the children to other camps.....This lack of system and the haphazard manner in which the labourers were taken into different camps made it impossible to trace the labourers later. Many cases had been known of families then separated never coming together again....."

In March, 1943, the Moulmein Civil Administration was ordered to supply 7,000 labourers within 5 days. Intensive press gang methods followed this order. Between April and July 1943, about 30,000 labourers were sent from Rangoon to Thanbyuzayat to join "The Sweat Army".

The Japanese prevented the Burmese Labour officers from taking any active steps to help the coolies and were not even allowed to maintain independent records.

e) Prosecution document numbered 5371, the statement of MAUNG AYE KO is tendered for identification and the excerpts therein offered in evidence. This document confirms the evidence of the last witness in Prosecution document No. 5370. The present witness became a Labour Officer in 1943. He found the ill-clad labourers, fevered and hungry, living in disgusting conditions. A large number of men were malarial; many suffered from jungle sores exposing the bones and the vermin infesting them. Deaths at Kyontaw Camp averaged about ten a day.

Cholera was rife at Kyonkaya. The dead and dying were piled together and, soaked in petrol, burned. Men were beaten savagely and on one occasion the witness found the decomposing bodies of two men who had been left to rot as a warning to P/W and labourers.

In or about October, 1943, six P/W escaped from Kilo 126 Camp. On recapture they were beheaded.

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

1574A

Evidentiary Document # 5128.

IN THE MATTER OF JAPANESE WAR CRIMES AND IN THE MATTER OF THE ILL-TREATMENT, TORTURE AND CRIMINAL NEGLECT OF COOLIES LABOURERS ON THE SIAM-BURMA RAILWAY BETWEEN THE YEARS 1943 AND 1945.

AFFIDAVIT.

I, Major Robert Crawford, formerly of the Johore Volunteer Engineers, with permanent address in U.K. C/o Mercantile Bank of India Ltd., 15 Gracechurch Street, London, E.C.5., make oath and say as follows;

1. I was taken prisoner by the Japanese at Singapore on 15/2/42 and on 25/6/43 I was appointed officer commanding "K" Force, which was a company of 230 medical personnel of all ranks, belonging to British and Dominion Forces with a few Dutch, and which was intended to move to the Siam-Burma Railway to bring medicalassistance to coolies of all nationalities (and to POW's) employed on the construction of the said railway. In my capacity of Medical Officer, commanding that force, I had the opportunity of observing the medical, hygeinic and general conditions under which Indian, Chinese, Malay, Javanese, Burmese and Eurasian (a few) coolies worked and lived under Japanese command between 1943 and 1945.

2. The narrative contained in this my affidavit is concerned with my personal experience and observations and with information gathered directly from medicalofficers and other ranks of "K" Force.

3. General; The number of coolies employed by the Japanese on the Siam-Burma Railway cannot be ascertained definitely, and estimates vary from 75,000 to 250000. It is probably that about 100000 were so employed

The journey to the working sites involved for many gns of coolies marches of indescribable hardship, lasting in some cases up to ten days, in monsoon rains, and responsible for heavy mortality and morbidity.

4. From observations made by me and from statements made to me by members of "K" Force it is established hat conditions in coolie working camps and coolie hospitals alike, e.g. Hintok camp, Upper Konguita camp, Niki Bridge-building camp, 73 Kilometre camp, Longi camp, Camburi No. 2 hospital camp, Wanyei hospital camp, Kinsayoke hospital camp and many others, were so far below any standards of western civilisation that they can be described as disgraceful and a grave danger to the lives of those living in them

In these caps, at some periods, there were no or quite inadequate sanitary arrangements, the entire camp areas being, consequently, heavily contaminated with faeces. In practically no camp was a satisfactory water supply provided, the general source being raw river water even with cholera prevalent. Sleeping accommodation was in many cases quite inadequate or of the most primitive kind. Tents were generally and huts frequently not weather-proof; coolies often had to sleep on the ground. Blankets were not provided, an occasional sack being issued as a substitute, and the clothing issue for coolies was at mst a flimsy sarong.

The food supplied to labourers was frequently "poor" or "bad" and quite below the level necessary for the maintenance of good health in individuals doing heavy manual labour.

The unsatisfactory conditions here described were conducive to widespread disease of many kinds, the principal of which were dysentery, cholera, pneumonia, ulcers and deficiency diseases.

5. Conditions hereinbefore described apply not only to male coolies byt also to women and children who were brought by the Japanese to work on the railway.

6. Arising from these gravely unsatisfactory living, feeding and working conditions, sickness among labourers was over considerable periods enormus, and the indifference of the Japanese, their failure to take steps to combat sickness, their failure to supply suitable and adequate medical supplies constitute criminal neglect. The Japanese were in the vast majority of cases entirely insensible to sickness and hardships suffered by the labourers and their attitude indicated only a determination to complete the railway at all costs with complete indifference to the number of deaths that might and were caused thereby.

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

(a) The Medical Officer and his staff worked under the orders of an ignorant and ill-trained Japanese medical NCO or private.

(b) The Medical staff of "K" Force were, at the whim of the Japanese medical orderly so restricted in their access to sick coolies that co-ordinated policy and continuous treatment were impossible. The medical force (including Medical Officers) was largely employed on manual labour, and Medical Officers were generally submitted to degrading and insulting treatment such as the performance of manual labour, working in Japanese kitchens and as servants to Japanese.

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

8. The following are examples of conditions in working camps:-

(a) KINSAYOKE No. 1 Jungle Camp. July-August 1945. Leaky tents. Food - small quantity rice with two or three fresh chillies. Poor hygiene. In July deaths reached 20-30 daily, the population being about 1500.

(b) MINTOK Camp. Hygiene - nil. Sickness colossal. During cholera 10-14 deaths daily, but many never found. Cholera cases driven into jungle and abandoned.

(c) UPPER KONCUITA Camp. Strength about 3000 but estimated that 10 to 20 per cent of original strength disappeared on the march to the camp. 1200 sick daily. Deaths during October 1943 - 382.

(d) NIKI Bridge-building Camp. It is estimated that 1500-2000 coolies died in this camp in a period of six months. Treatment accorded coolies described (by 5932200 Sgt. G.D. Chandlen, 2/Cambs) as "terrible". Fractures from ill-treatment seen. High suicide rate - probably 20-30 in six months.

(e) 73 KILOMETRE Camp, Burma. 500 Burmese labourers. Deaths averaged 2 daily over 3 months. Average daily number at work about 200.

9. The following are examples of conditions in coolie hospitals:-

(a) CAMBURI No. 2 Coolie Hospital. Average number of patients 2000 or more. Conditions in dysentery wards and "death-house" indescribable. Coolies sent to death-house struck off ration strength. Complete

indifference on the part of the Japanese to suffering. Constant beating and maltreatment of patients for offences, real or imaginary. Deaths over a period of 18 months numbered about 5000, a figure which is regarded by many as an underestimate. Frequent examples of gross cruelty.

(b) WANYEI Hospital. Average number of patients 1500; maximum 3300 in September 1943 with gross overcrowding and patients lying in the open. Estimated 4000 deaths in 12 months, September 1943 being the peak month with 600-700. Ill-treatment of coolie patients fairly frequent.

(c) KINSAYOKE Hospital. At first tents with patients on ground. Up to 1000 patients. Hospital run by 2nd Class Japanese private. Deaths estimated at about 2000 in 15 months. Sick frequently driven out to work around camp.

10. Mortality. From estimates and observations made by members of "K" Medical Force it is certain that 50 per cent of the total labourers brought from Malaya to Siam and Burma died there in the period 1943-45 and that by far the greater part of this mortality occurred in the last eight months of 1943.

Ban Pong Hospital	300 deaths	Camburi 1 Hospital	1500
Camburi 2 Hospital	5000	Wanyei Hospital	4000
Kinsayoke "	2000	Koncuita "	1800
Niki "	2000	Appuron	1200
and so on			

A summation of all estimates indicates about 42,000 deaths among 75000 labourers, and as the survey does not cover all camps, it is fairly certain that there were 50,000 labourer deaths on the railway.

11. The following instances of specific ill-treatment, brutality and neglect were reported to me by medical personnel under my command:-

(a) 7349689 Sjt. R. Pullen, RAMC reported that, in the Takamoto Camp at Niki sick labourers who were still alive were thrown into a mass grave, he personally having observed movements of limbs in the graves. The Japanese Medical Officer of the Butai was one Miketa.

(b) VX 50666 Pte. D.R. Boardman, AAMC reported that at Taimonta Coolie Hospital a considerable number of sick labourers were killed off by overdosage of morphia and by the intravenus injection of air of mercuric salts. A Japanese private - "Greenpants" - togther with an unknown 5-star Japanese, was responsible. The hospital was under the administration of Mudo Butai (Major Mudo).

(c) Captain B. Lennox, RAMC reported that at No. 2 Hospital, Camburi, intravenous injections causing considerable agony and death were administered to a nuber of coolies by a Japanese doctor, Lt. Takana.

(d) 5932200 Sjt. G.D. Chandler, 2/Cambs reported that a very sick coolie was taken to the edge of a communal grave and hit on the head with a shovel by a Japanese serjeant and thrown into the grave. He also reported a coolie pushed off a bridge at Niki by a Japanese and drowned. These incidents occurred in a bridge-building Butai (Osaka Tai) at Niki.

(e) Captain R.L.G. Dawson, RAMC: reported that ten Medical Officers and 40 ORs, who were being marched from Kinsayoke to Niki were at Tamajo billeted overnight in tents previously used for cholera suspects and which were but a few feet away from tents containing active cholera cases.

(f) 7368972 Pte A.A. Page, RAMC reported that at Niki Coolie Hospital the Australian Medical Officer was forbidden to visit two British POWs suffering from typhus who were brought into the hospital and that an Indian dresser was forced to administer an overdose of morphia with fatal results.

(g) Captain E.K. Wallace, I.M.S. reported that at a Kinsayoke checking station coolies undergoing rectal swab examintion were, one after the other, kicked biolently by the Japanese medical officer of the Hygiene Butai

(h) VX 37391 Pte. G.E. Hibberd, AAMC reported that at No. 2 Coolie Hospital Canburi (under Major Fudo, already referred to) coolies were kept standing for hours with weights tied to the penis.

(i) 7382349 Pte. E.W. Barber, RAMC reported that at Kinsayoke Hospital a coolie suffering from cerebral malaria was kicked in the face by a Japanese soldier known as "Scarface".

(j) Captain D. Gawn, RAMC reported that when sick were being evacuated almost helpless patients were made to crawl several kilometres to the station or barge, from Kinsayoke Hospital.

(k) Major S.C. Nardell, I.M.S. reported that at Concuita Coolie Hospital he was struck across the face by the Japanese medical officer, known as Dago Joe, for refusing to carry out surgical treatment of which he, the said Major Nardell, did not approve.

(l) 13772 Sjt. G.E.D. Lewis, SSVF reported that members of the Japanese Hygiene Unit at Niki, during a routine rectal swab examination, inserted a glass rod into the vagina of a Chinese woman examinee, and beat a sick coolie along to the examination point where he collapsed and soon afterwards died and another atrocity of similar nature.

(m) 7349689 Sjt. R. Pullen, RAMC reported that at a Niki Coolie Camp a coolie, suspected of theft, was tied to a tree, flogged and struck over the genitals, that another form of punishment was the bringing of lighted bamboo into contact with the body and face of coolies, causing severe burns,

(n) Capt. R.L.G. Dawson, RAMC reported that at Upper Concuita Camp sick coolies were used for the practice of judo and thrown over the shoulders of Japanese and that they were also beaten.

(o) 7538201 Pte. R.L. Jones, RAMC reported that at Upper Taimonta a coolie, accused of theft, was taken into the jungle and shot. Between August and December 1943. He also reported that coolies, who had stolen rice, were made to maintain a bent position over fires.

(p) VX 54784 Pte. R.B. Cussen, AAMC reported that at a Concuita Cap about 50-60 coolies, cholera-suspects, were given large doses of morphia and saturated potassium permanganate solution from which all of them died.

(q) 7341626 Sjt. R.A. Stoneman, RAMC reported that at Wanyei Hospital a coolie, suspected of theft, was swung round by the hair.

These instances could be multiplied ad nauseam.

12. The Japanese administration responsible for the welfare of coolies (of which Col. Hatakawa is known to be a member) must be held answerable for -

(a) The appalling conditions prevailing in many working camps and hospitals;

(b) The criminally inadequate medical supplies for the treatment of sick coolies and POWs, and the shocking conditions under which the medical supplies were supplied to coolies and in particular to sick coolies;

(c) The coarse and brutal treatment accorded the coolies;

(d) The forcing of sick to work;

(e) The colossal morbidity and grave mortality, much of which could and should have been prevented.

(f) The degrading and insulting treatment accorded to Medical Officers and their staff; and

(g) In general the calculated and criminal neglect of even the most elementary provisions for the health and welfare of the coolies.

SWORN by the said ROBERT CRAWFORD)
at 6 Spring Gardens in the City of) (Signed) R. CRAWFORD.
Westminster this 15th day of February 1946 (ROBERT CRAWFORD)

Before me,

(Signed) H. NEIL MASTERS,
Capt., Legal Staff.
Mil. Dept., JAG's Office, LONDON, S.W.1.

1575A

Evidentiary Document # 5136.

AFFIDAVIT in the matter of Japanese War Crimes and in the matter of the ill-treatment, torture, starvation and murder of coolies on the Siam-Burma Railway.

THE DEPONENT (Captain E.H. Wallace, Indian Medical Service) wishes to make the following statement:-

1. Home Address: Captain Edwin Herbert Wallace, I.M.S.
Mylnebeck House, Lake Road,
WINDERMERE, Westmorland.

Unit: Indian Medical Service.
On Ex-P.O.W. Leave,
attached to India Office, London.

Superiority of Jap medicine

2. Date & Place of Capture: 15.2.1942. Singapore.

3. Statement of Atrocities:

(1) KINSAYOK COOLIE HOSPITAL, SIAM. JULY, 1943.

When the Japanese Medical Authorities (that is, the opinion of the Japanese N.C.O. in local charge) considered that coolie cases of CHOLERA were dangerously ill and thought not to recover, or when the CHOLERA HOSPITAL (a meagre hut holding 40 mixed British P.O.W. and coolie patients) was full, then these patients were shoved into a small lean-to shelter of attap leaves and left to their fate. No provision was made for their feeding or drinking and the doctor i/c the Coolie Cholera Hospital was not given necessary medical supplies or staff to deal with these unwanted or excess patients. They were left to die. I saw coolies crawling from this hut on their knees begging for food and their only answer from the Japanese orderlies was abuse and kicks. In the Cholera Hospital itself the British M.O. i/c was overworked, under-staffed and so ill equipped with instruments and drugs that needles made from bamboo, cut by themselves, were used for intravenous saline infusions necessary for the treatment of cholera. This was seen by myself.

Bamboo needle

Witnesses: Captain Christison, R.A.M.C.
Major Crawford, "

It was said of Cholera Hospitals in this area that excess or nearly dead coolie patients were forced into common pit graves and buried alive - if there was protest, the coolies were beaten down with spades by Japanese orderlies. This fact I often heard substantiated by many R.A.M.C. orderlies from different camps; eye-witness of this particular atrocity -

JAPANESE COMMANDANT - Names unknown.

(2) KINSAYOK COOLIE CAMP. JULY 1943.

I was told, in my capacity as doctor, to accompany the Japanese M.O. of the JAPANESE IMPERIAL ARMY HYGIENE UNIT, in order to give anti-cholera innoculations to coolies. We arrived at a Sanitary Cordon Hut on the path leading from the South along the railway line then being constructed. At dusk a long procession of coolies, carrying their belongings and children, and utterly exhausted, walked through the control barrier and so onwards to the camp where they would rest for the night. Instead of treating these coolies with consideration - they were already starved and had walked all day carrying loads without food - the Japanese 'doctors' made constant 'fun' of these exhausted coolies. The usual procedure at these points (a necessary one since cholera was rampant up and down "the line" at that time) was for an examination of the anus with a glass, metal or bamboo probe to be made, and the coolie sprayed with a disinfectant. This was all done in an atrocious manner. Female coolies, naturally, objected to lifting up their skirts in front of a jeering mob of white coated Japanese and their many friends standing in the rear - these women were picked out by the Japanese and often their skirts were thrown right over their heads, or their heads forced down to the ground, whilst a laughing crowd examined the woman's 'private parts'. If either a man or a woman, usually white haired and exhausted, lingered or seemed uncertain of what to do they were herded forward by smacks all over the body with large bamboo sticks or poles. If there was any hesitation whilst the spraying was done then the smarting disinfectant was purposely sprayed into the face and eyes. The anal examination was performed by Japanese medical orderlies, I gave the innoculations of anti-cholera serum; the Japanese M.O. himself stood at one side of the line of coolies waving a huge stick and many times, when coolies were bending down, he would strike them across the buttocks with a large bamboo pole, one inch thick at least, and also kick them, on doing this he would leap up into the air with glee and shouts of mirth, with his orderlies joining in upon each occasion. At the same time he himself wore a white face mask, white coat and big boots and he got an orderly to spray him all over every so often. On the way back, in halting English, he explained to my protests that these coolies were in his opinion sub-human and not worthy of any consideration and seemed surprised that I did not take the same view; he then passed on to a discussion of how Japanese surgical science was far in advance of the British and American efforts.

JAPANESE M.O.'s NAME: Unknown.

Witness: Captain Brown, R.A.M.C., 198 Field Ambulance.

(3) NIKAE COOLIE HOSPITAL, 133 Km. Siam Burma Border.
July, 1943 - January, 1944.

Here was a very large coolie hospital even in the early days of 1943. Patients who were considered likely to die, or whose treatment would have to be prolonged, and who, after being cured and were considered

of no further use as labour on the railway, were all put into the "Dead House" (named so by the Japanese themselves). This was a long badly made hut, liable to flooding, at the river side and allowed to gt into a most delapidated condition and although 200-300 yards from the rest of the hospital huts not provided with its own fireplaces or kitchen. The Japanese medical orderlies very rarely visited this place and did not bother at all with its administration, and no British M.O. or R.A.M.C. orderly was allowed to visit it. The consequence of this lack of attention was that the "native" (Malay Tamil dressers usually) dressers and the Malayan Service Tamil "doctor" who was really an ex-dresser, were in charge of this hut and seriously misabused their position. Patients were left entirely without treatment for many days on end, food and water was not supplied to patients unable to rise from the bamboo frames on which they lay - the "stink" in consequence of unattended wounds and unattended excretions of nature was almost unbearable in the heat. I used to visit this "Dead House" and was told many piteous stories by the inmates - they accused the so-called native dressers of not bringing in their two meals of rice and chillie water (allowed by the Japanese) unless they were bribed to do so - some of them had even to pay ten dollars ($10) for a container of water. They crawled about, or lay anywhere, as best they could.

10 70 Water

I consider the frightful state of this particular "Dead House" (there was one in every Japanese coolie hospital) at that time to be a serious mis-use of medical privilege by the Japanese authorities running the coolie hospital. The truth is that conditions in this hut were so disgusting that the Japanese themselves preferred to keep away despite their medical responsibility.

JAPANESE M.O'S NAME - forgotten.

Witnesses:- Captain J.L. Frew, Australian Medical Service, (13 A.G.H.)
Lieut. P. Tomlinson, F.M.S.V.F. (Malayan Medical Service)
Captain Gibson, R.A.M.C.

(4) NIKAE COOLIE CAMP. JULY, 1943 - JAN. 1944.

I lived in a tent opposite the guard-house of the Japanese Military Police (KEMPITAI). On many occasions I saw many coolies forced up the big trees near the guard-house by Japanese using long sharpened bamboo poles. When coolies had reached the top of the trees and could go no further they were repeatedly jabbed at by the Japanese guards with these sharpened poles. The cries of fear and horror of these men could be heard all over the camp, and they were often kept up in these positions for 48 hours at a time without food or water. On several occasions I saw coolies fall down off the trees when they were only snarled at and kicked by their captors. On one occasion I saw a coolie of age about 50-60 (grey hair and emaciated) thrown into the nearby swift river despite his exhaustion; he floated, repeatedly sinking, down the river and was rescued by a P.O.W. (a Private J. Dunk, R.A.M.C., attached F.M.S.V.F.) bathing further down.

Despite his state the coolie crawled into the jungle bleeding and presumably died later at night. At night time the coolies in the trees had no respite as the Japanese guards whenever they felt like it attached burning pitch faggots to the end of their poles and continued to jab away at the coolies above with fire - accompanied as usual by the howls of the men and the laughter and jers of the guards. At this same gaol-house coolies caught for various misdemeanours (and I have to admit, that of stealing which the Japanese were very intolerant of - but generally on account of absenteeism from work) were flogged extremely severely by these Kempei guards - in several instances I have seen coolies faint off tied up against trees with their severe punishment.

NAMES OF GUARDS: Unknown. Witnesses: As in No. (3).

(5) KANBURI COOLIE HOSPITAL, SIAM. OCT. 1944 - MARCH, 1945.

I was placed in charge of the Dysentery ward of this Hospital - at this time there was an average of 40 patients daily, and an average of 1 - 3 deaths daily. My indictment is that patients were not given sufficient dressings for their wounds and totally insufficient drugs for treatment. Emeline Hydrochloride, the only drug capable of saving life in Amoebic Dysentery, was absolutely with-held despite almost daily protests. Every morning I had to attend the Japanese Medical Stores for my issue of drugs and dressings for this ward - although the ward was considered the "Dead House" by the rest of the hospital, and so admitted the most fulminating cases of Tropical Ulcer - cases in which one or both legs might have the bone completely exposed from knee to ankle - I was yet gravely every morning handed a piece of gauze, 3 inches by 3 inches, or smaller; one bandage every third or fourth day; half a dozen tablets of soda bicarbonate; one tablet of aspirin; a few crystals of Potassium Permanganate; and 1 - 3 tablets of an antiseptic akin to Acriflavine called "Rivanol"; cotton wool, one handful if one was lucky. Consequently dressings had to be provided from the boiled clothing of coolies who had died, and when that was used up, just leaves. No instruments were supplied i.e. no scissors or forceps, bottles or jars rarely.

Due to the ill-equipped state coolies in the last stages of Dysentery had to be nursed on mats on the bare ground as the mats became filthier and filthier by excreta they could not be replaced despite protests. Food was supplied but was of such inferior quality (rice and vegetable soup chiefly) that it was impossible for patients to recover on it especially when already suffering from starvation, beri-beri and dysentery. During this period I remember at least three patients who committed suicide as they realised there was no hope for them; one suicide would commence a sequence of such acts throughout the hospital as the railway line was conveniently near.

I do not know whether I can directly blame the Japanese Commandant (Captain, now Major, KUDO of the I.J.A. Engineer Regt.) for these conditions. But there was a serious shortage of drugs, dressings and food in this camp and the authorities which permitted such shortage

and, I think, 6 or less Japanese orderlies. It is thus not surprising that there must have been leakages and thefts of food and drugs.

I do know that Major KUDO got drunk very frequently and that he chased any fair-looking coolie woman patient he ever saw and "slept" with her despite the husband's protests, and also that a Malay dresser wished to run away as his wife was being approached by the commandant. So it is not surprising that the rumour got around that the vegetables which should have been given as rations to the British P.O.Ws in the camp were sold in the coolie cantoen and that prisoners (all M.Os and medical orderlies) could thus buy back their own rations at high rates.

CAMP COMMANDANT: Major (then Captain) KUDO, I.J.A. Engineers.

Witnesses: Lt.Col. BENSON, R.A.M.C., 27 Indian Field Ambulance.
Sgt. STONEMAN, R.A.M.C., 198 Field Ambulance.

(6) In this Kanburi Coolie Hospital was a Mr. Chin (a Malay born Chinese, living before the war at Butterworth, near Penang). I have no proof but he was widely suspected by all P.O.W. as being an accomplice of the Japanese, and that he gave information away to the KEMPI Police (Japanese Military Police) at Kanburi concerning leakage of news from the outside world into the camp - this incriminated friendly Siamese subjects and caused the torture of British P.O.W. under the Japanese police. He was definitely anti-British when I first knew him late in 1944 but gradually changed his views. At the time when there was a KEMPI enquiry regarding British P.O.W. subversive activities I saw Mr. CHIN cycling into Kanburi town every morning which was an unusual practice for him as he worked in the hospital every morning as "head doctor". I have no definite information excepting for his original anti-British views and his opinion that we should lose the war. I have to say that his wife, name unknown, was friendly to British Prisoners and on one occasion gave one tied up against a pole at the Guard House a glass of water despite the objections of the Japanese Guards.

WITNESSES: Lieut. Col. Benson, R.A.M.C., 27th Indian Field Ambulance.
Major Crawford, R.A.M.C., (Estate Doctor, JOHORE).

(7) The general medical and sanitary management of the entire coolie camps spread up and down the Siam-Burma Railway was absolutely deplorable, and conditions even at this late date seem unbelievable. The administration was such that whole bodies of thousands of coolies and British P.O.Ws would be marched all day to new camp sites; they would then be left to build their own huts and be left sometimes even without rice for food for days at a time. This occurred when "F" and "H" Forces of Prisoners arrived in Siam from Singapore. Considering the extremely hard manual labour of coolies and our own men the food during 1943 and early 1944 was absolutely inadequate. Men working from before dawn up till midnight had to go for periods of 4 to 8 weeks on a diet of rice and vegetable water only. It is not surprising that hundreds collapsed from

starvation and the consequent lowered resistance to tropical diseases such as malaria and dysentery. Although the Japanese Medical authorities knew the prevalence of malaria, mosquito nets during 1943 and early 1944 were not supplied to coolies or prisoners. There was a total lack of appreciation of the situation by local guards so that coolies and P.O.W. would arrive perhaps with plenty of rice but no containers to cook it in. Sickness throughout this period was not considered a cause of absenteeism, and coolie camp MANDORS (Chiefs) had to produce a certain fixed percentage of workers present every day - if the figure fell the Japanese guards would visit coolie and British Hospitalsand whip the men with canes or strike them with bamboo poles and make them come out to work (I saw this done myself many a time in coolie hospitals and once at the British Hospital at KINSAYOK in July 1943 - the protests of British doctors were not considered and often the doctor ended up with a beating himself. The provision of sanitary facilities was ludicrous - merely pits without any shelter for thousands of men, and these had to be dug by patients from the hospitals as the rest of the camps were out working on the railway during daylight. The collection of flies round the open latrine pits was disgusting and by their dissemination amongst living huts and cookhouses diseases spread rapidly at every camp. With the advent of cholera to back up the dysentery and malaria the Japanese were forced to send down to Singapore, when it was already too late, for a party of 40 doctors and about 200 R.A.M.C. medical personnel in order to prevent the entire coolie and P.O.W. labour from being wiped out. By November, 1943, there were well over 5,000 deaths in the F & H British Force of Labour, and as regards coolies an estimation is difficult but I know that at SAN KRYER Coolie Camp (about 120 Km. from TAMBUSAYAT, and a few Km. above NIKAE) the death roll in November, 1943, was 40-50 daily for a period of 6-8 weeks in one small camp alone. On the march "up-country" from KINSAYOK to NIKAE, every hundred yards or so of the path worn by previous prisoners and coolies, we met dead bodies of coolies or the unmistakable smell of a decaying corpse - these were of men who had been forced to march in too exhausted a state or who had fallen ill on the way and had been left behing.

Work

death

In some instances Japanese guards tried to amend the conditions but they were powerless in the face of a woefully inadequate supply and medical organisation.

In my opinion the Japanese Medical Colonel in charge of the Railway Medical & Sanitation Administration and whose H.Q. was at KAMBURI, and who described the Americans who built the Panama Canal as "big white beasts" is the Japanese officer directly to blame for the absolutely unnecessary high death roll amongst coolies and prisoners on the railway, certainly in 1943. He must take the blame for responsibility for racial hatred as witnessed by his speech to British doctors whom he made sit for an examination to prove they were doctors, and for his failure to transport medical, food and sanitary supplies to the forward camps cutting their way through virgin jungle. There was also inadequate supervision of Japanese medical guards and orderlies who were allowed to treat coolies as they thought fit and who were given far too wide powers of local administration.

offical resp.

JAPANESE MEDICAL COLONEL'S NAME: Unknown - H.Q. at Kanburi, Siam, June - December 1943.

Witnesses: Major Crawford, R.A.M.C. (Estate Doctor, Johore, Malaya).
Captain J.L. Frew, Australian Medical Service, 13 A.G.H.

(8) INFORMATION REGARDING NUMBER OF COOLIE DEATHS ON RAILWAY.

Estimation extremely difficult as I only saw one camp at a time and had no birds-eye view of the railway line as a whole. I have lived in six different coolie hospitals up and down the line and, together with discussion with other doctors, have formed the conclusion that I should not be surprised at any figure between 100,000 and 150,000 coolies throughout the early 1943-1945 period.

(Signed) E.H. WALLACE, Captain.
Indian Medical Service.
Member of "K" Medical force on
Siam-Burma Railway June, 1943
to August, 1945.

Windermere.
17.2.46.

I, EDWIN HERBERT WALLACE, do solemnly and sincerely declare that the foregoing statement is true to the best of my knowledge and belief, and I make this solemn declaration conscientiously believing the same to be true.

(Signed) E.H. WALLACE. Captain.

DECLARED before me this 18th day of FEBRUARY, 1946.

(Signed) E.F. HEWETSON.
Justice of the Peace for the
County of Westmorland.

Examined with original affidavit at H.Q. ALFSEA this seventeenth day of April 1946, and certified a true copy.

(Signed) ?
Lt.Col., Legal Staff,
War Crimes Legal Section,
ALFSEA, Singapore.

1576 A

Evidentiary Document No. 5256.

RICHARD ERNEST PETERSON.

I, Richard Ernest PETERSON of No. 316 Dawson St., BALLARAT in the State of Victoria make oath and say as follows:-

1. I was a member of the AIF. My Number was VX30823 and I was attached to the 2/9 Field Ambulance.

2. I was taken prisoner of War by the Japanese in February 1942 and placed in CHANGI prison. Later I was sent to Thailand in K force and placed in various camps in SIAM.

3. In February 1944 I was in a coolie camp known as CHAYMONGA. On the 14th February 1944 I contacted a Japanese known to me as ARAI (Storm Trooper) HAYASHI KARNEATSU. We were in a coolie camp which was also a hospital.

4. KARNEATSU proceeded to a coolie camp to interview coolies in the hospital. He had a hypodermic syringe filled with a red unknown fluid. He ordered the coolies down from their beds and asked them if there were any who could not walk, he told them they were going to be moved to a base hospital and those who could not walk would be carried.

5. Several staggered forward and were given an injection of the fluid in the big vein in the elbow. All who were inoculated died within a view minutes. When the remainder saw what was happening they said they could walk. When he had finished he proceeded to the dysentery hut.

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

7. All who ate this poison died during the day.

8. The Japanese.....was known to all prisoners at CHAYMONGA camp as Green Pants.....

Burn A R
as Clergyman

1577A

AFFIDAVIT OF THAKIN SA

I, Thakin Sa, trader, Yenangyaung, now residing at House No. 156, 47th Street Rangoon, solemnly affirm and state as follows:-

For some years before the Japanese occupation of Burma, I had been associated with labour movement in oil-fields area and had taken part in many activities intended to improve the condition and status of labourers in that area and elsewhere in Burma.

The Japanese Army, in July 1942, began to recruit labourers in Burma for work on the Burma-Siam Railway project. It relied at first on specious propaganda for the succes of its recruitment. High rewards were promised; good food, good living conditions, ample clothings and good medical treatment whil at work were promised; and the recruits were definitely told that they would not be required to serve more than three months at the project. Consequently, recruitment was at first fairly successful

But when the first few batches of labourers were not sent back at the end of the stipulated three months and when those who escaped the vigilance of military guard set over them came back with stories of ill-treatment at work, of scanty food and clothing supplies at the camp and total neglect of the sick and ailing, further recruitment on a voluntary basis became impossible. The Army on this resorted to press-gang methods. Units of the Japanese Army stationed at different parts of Burma seized persons they thought suitable and took them under military escort to the labour camp at Thanbyuzayat. People of all sorts and conditions were taken in this way, while they were about on their legitimate business. The agency of the civil police force at whose head was a Japanese Officer nominated by the Army, was also employed. Persons whom the local police officers considered a source of trouble were seized; people who had incurred the displeasure of civil and military administrations as also persons who were thought to be disaffected with the Administration were taken into custody and pressed into the labour force. Some of them were kept detained in custody for some time before being sent away to Thanbyuzayat. The provisions of Rule 38 of the Defence of Burma Rules made by the lawful Government of Burma under the Defence of Burma Act, 1940, was freely mis-used in respect of persons who escaped from the press-gangs or from labour camps.

In spite of strict censorship maintained by the Army and the civil administration set up by the Army, discontent in the country became vocal and could no longer be ignored towards the end of 1942. A conjoint Board of five Japanese representatives and five representatives of the Burmese administration was set up to allay discontent with the methods

of recruitment and with labour conditions at the camps. The Burmese Administration was also permitted to have Burmese Officer at Thanbyuzayat and at labour camps to look after the interests of labourers. In pursuance of this scheme, I was appointed a Superintendant of Labour at Thanbyuzayat. I held that post from 27th December, 1942, to 31st. March, 1944.

When I arrived at Thanbyuzayat, there were about 7000 Burmese nationals at work at various camps on the railway project. In January, 1943, the Army asked for a further force of 16600 labourers. It was then also stated on behalf of the Army that the labourers would not be retained at work beyond three months of their arrival; and it was also stated that the arrival of these new labourers would enable those who had been at work since the first recruitment to be released. Between 18th January, 1943, and 8th March, 1943, about 9000 labourers arrived at Thanbyuzayat. It was reported that there had been many escapes on the way in spite of vigilant guard set over the recruits. It may be stated here that none of the former 7000 odd or of the present 9000 odd labourers was discharged as having completed their term of service. Only such as were completely used up physically and who could not be employed any further were allowed to go back and many of them died on their way home.

Living accommodation provided for labourers at the camps were insufficient and insanitary. The area where the work had to be done was very damp and labourers had to live in barracks which could not keep out the wet. Barracks intended for 150 persons had to house as many as 300. Clothing shortage was acute; when the clothes which the labourers brought from home began to fall into rags, gunny bags were suppli to them to do duty both as wearing apparel and as blankets. No change of clothing was available to most of the labourers and non was provided by the Army. The result was that the clothings of almost all labourers were crawling with vermin and most of them were suffering from a virulent type of skin disease. Food supply was not sufficient; and the rice supplied was weevilly.

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

Labourers were treated as slaves. Whips and sticks were freely used on the labourers; and sickness ordinarily was no excuse.

There was a total lack of system in allotment of labourers to the various camps. As the labourers arrived at Thanbyuzayat, they were either driven up in lorries or taken marching through the camps. Officers in charge of the camps would pick out persons they wanted; families became separated, the husband being retained in one camp and the wife sent to another camp, the parents going to one camp and the children to other camps. Labourers who were sent from one camp to attend one of the few hospitals then maintained along the route were not exempt from being taken into any other camp. This lack of system and the haphazard manner in which the labourers were taken into different camps made it impossible to trace the labourers later. Many cases had been known of families then separated never coming together again. It may be noted that some of the camps are as far as 154 kilometres away from Thanbyuzayat.

In theory, age limits for recruits to the labour force were 14 and 45; but, in practice, labourers range in age between 12 and 60. A fair proportion of the labourers were women; some of them came with their husbands and others came with relatives or friends from the same local areas. In most cases, they were separated through haphazard selection of labourers at the camps from their husbands, relatives or friends. They suffered a good deal of molestation from the Japanese Army personnel; and reports made to senior officers were lightly dismissed as a rule. A report once made through the Burmese officer in charge of labour of a change of rape against two Japanese soldiers met with a rebuff from Captain Fujino, who was then in charge. His reply was that Japanese soldiers were not capable of such impropriety and that the Burmese officer should not appear to encourage frivolous reports against the Army. The molestation of women labourers did not abate till after July, 1943, when the Army authorities imported about 300 prostitutes to serve the Army personnel engaged on the project.

About the end of March, 1943, the Army authorities at Thanbyuzayat issued a statement that out of 7000 labourers received before January, 1943, and of 9000 labourers received by 8th March, 1943, 5000 only were effectively at work. The difference between 16000 and 5000 were sought to be accounted for by illness, death or desertion. We were told that the Army must have another 30000 labourers and we were directed to report accordingly to the Burmese Administration at Rangoon. The Army at the same time issued a directive to the local civil administration at Moulmein that pending the arrival of the labourers to be collected on country-wide basis by the Central Burmese Administration at Rangoon, Moulmein area must supply within five days 7000 labourers. Intensive press-gang methods followed this order in Moulmein district. Between the months of April and July, 1943, approximately 30000 labourers were sent by the Burmese Administration at Rangoon to Thanbyuzayat. This was the last recruitment

to what was known as the "Sweat Army".

The name "Sweat Army" had earned such notoriety that it was decided to rename the labour force, which w known thereafter as Labour Service Corps., though now and again the term "Sweat Army" was still used in correspondence.

The authority of the Burmese Superintendant and Supervisors was small. The Army was very jealous of what it appeared to consider interference with their prerogatives by Burmese officers. The latter were not allowed free access to the labourers and were not allowed to maintain independant records. Once the labourers arrived at the camps, all records relating to them were kept by the Japanese authoritie: Such records were highly unreliable; in the first place, the number of deaths were minimised, as each death at work meant a payment of compensation to the dependants; and lastly, the records were slip-shod.

We did our best to improve living, food and working conditions; and by the time the road was open, the conditions had improved a good deal. But, even at the best, these were very bad. Flogging of labourers, punishment by exposing them to the sun tied to trees and starving them used still to be resorted to. There also was another practice indulged in by petty officers of the Army, resulting in illicit gain to them. These officers would keep back twenty per cent of the wages due to the labourers, as security for their good behaviour. It was professed that this sum would be paid to the labourers on their discharge; but very few labourers were discharged. Moreover, labourers were very often transferred from one camp to another, and the Japanese officers also used to be transferred quite as often. One officer succeeding another would profess to know nothing of the deposits with the previous officer and labourers transferred had no means of making their claims.

(Signdd) Thakin SA
late Labour Supdt.

Identified by me:-
(Signed) E. Maung)
Advocate-General
Burma.

Affirmed before me, this 1st. day of August, 1946.

(Signed) ?
District Magistrate,
Rangoon.

Seal of the Court of the District Magistrate
Rangoon. 1/8/46.

1518A

Evidentiary Document No. 5371.

Statement of Maung Aye Ko, late Camp Officer, Burma-Siam Railway project, a Cinema Artist of Rangoon, Burma.

In 1943, I was appointed a camp officer to supervise Burmese labour on the Siam-Burma Railway project. In the company of 49 other camp officers appointed at the same time, I left Rangoon on 26th July, 1943, and reported at the reception camp at Mupun Station, Moulmein.

There were, then, at that camp about 2000 Burmese labourers. They were housed in barracks open to the inclemencies of the monsoon, which was particularly severe in that part of Burma. Most of the labourers were clad only in a loin cloth and many of them were down with fever. No medical aid appeared to have been given, and the food supply was bad and insufficient. Sanitary arrangements were practically absent.

From the reception camp, batches of 100 to 400 labourers were taken in open railway trucks to Anankwin Camp (45 kilometres from Thanbyuzayat). No arrangement was made for meals during transit. Many cases of attempted and effective escapes from the trucks were reported; military guards had orders to and did shoot deserters. After Anankwin, labourers had to march to the camps appointed for them. Some of these camps were as far as 130 kilometres from Thanbyuzayat.

A few days after arrival at Mupun Camp I and 29 other camp officers were taken by railway as far as Thanbyuzayat. 14 camp officers were left at Thanbyuzayat and 16 others including myself proceeded onwards by motor-trolleys to Lonsi camp (65 kilometres from Thanbyuzayat). From Lonsi, we travelled in motor lorries to Kyontaw camp (95 kilometre from Thanbyuzayat). The last named camp was the headquarters of Conno Butai (No. 5804) under a Major Conno with Lieutenant Sato as his second in command.

On our way from Lonsi to Kyontaw, we found labourers at work, scantily clad in rags or gunny bags. They appeared for the most part to be emaciated and many of them were suffering from sores. Whips and sticks were freely used by the Japanese overseers set over the labourers. There were at work also prisoners of war. They were equally ill clad and many of them appeared to be very emaciated.

At Kyontaw camp, we found the labourer to be about equally composed of Burmese and prisoners of war. Burmese labourers lived separately from the prisoners of war; but the accommodation provided for both and food supplied to

them are almost the same. Long barracks with bamboo flooring rais about three feet from the ground and not affording sufficient security from the weather housed both classes. Rice was weevilly and to accompany it used to be supplied a kind of tasteless broth of vegetables. Only about 30 percent of either class could be described as fit; about 30 percent were badly affected by malaria of a virulent type and were very emaciated; and the rest appeared to be suffering from a virulent type of skin disease, which caused big sores to appear mainly on the legs, through the openings of which sores the bones would appear exposed and vermin infesting them. No medical treatment was provided at the camps for the last disease, though it appeared to be fatal in many cases. For malarial patients, quinine used to be provided, but never in sufficient quantities. A hospital was situated at a distance of about 5 kilometres from this camp; but, no transport of any kind was available for the sick. Those too ill to walk to the hospital had to do without any medical attention. Deaths used to average about ten a day, at this camp alone.

The members of Conno Butai were particularly harsh and callous in their dealings with those at work under them. Floggings were freely administered to those who through sheer physical weakness or illness could not work hard enough to please them.

After a few days at Kyontaw camp, five other camp officers and I proceeded by Motor lorry to Kyonkaya camp (114 kilometres from Thanbyuzayat). Three officers including myself were left at this camp and three others were taken onwards to thenext camp at 121 kilometres from Thanbyuzayat. My duties took me often to the last mentioned camp. At Kyonkaya camp as also at the camp at 121 kilometres there were both prisoners of war as well as Burmese labourers. Burmese labourers were then placed on earth-work at the making of an auxilliary motor road; and prisoners of war were engaged in stone carrying and stone-breaking. Cholera epidemic was rife at the camp and many died of it. The dead and dying were piled up and soaking them in petrol, the Japanese used to cremate them. Brutal acts committed on labourers were daily occurrences, but we were powerless to prevent them. One one occasion, when I was coming from the camp at 121 kilometres, I saw a prisoner of war at work in a stone quarry collapse; his companions went up to render aid to him; and the Japanese supervisor belaboured those giving aid to the man who had collapsed with a heavy piece of planking. Another man collapsed on the spot as a result of the beating; and I was told by the Japanese guard to move on. Three days later, when I got back to the place where I witnessed the incident, I saw two dead bodies of the prisoners of war, who had fallen down dead that day. The bodies were in an advanced stage of decomposition. Later I used to pass this spot and I found the

Evidentiary Document No. 5371.

dead bodies left to rot there till subsequently, there were only the skeletons left at the place. I learnt that it wasaat the orders of the Japanese authorities that the dead were left unburied, as a warning to prisoners of war, and other labourers.

Towards the end of September or the beginning of October, 1943, six prisoners of war escaped and were recaptured. They were from the camp at 126 kilometres; and I was informed by the Japanese officers that after recapture, the prisoners were taken to Thanbyuzayat and were beheaded. Shortly after this incident, I obtained leave and was absent from the camp till February, 1944.

On return from leave, I was stationed at Abalon camp (85 kilometres from Thanbyuzayat). I found two British medical men (prisoners of war) doing good work, saving many lives of Burmese labourers. Yabai Butai with Major Yabia in command was in charge of Abalon camp. Prisoners of war, numbering about 20000, were at work between 100 and 131 kilometres from Thanbyuzayat. Major Yabai and his company were less brutal than Major Conno and his men; but, the Kempeiti had by then been stationed at labour camps, and several prisoners of war and others suffered death at the hands of the Kempeiti. At this time, the railway had been open for some time and Burmese labourers were employed on repairs to and maintenance of the railway line. Prisoners of war had to make the motor road. Work was lighter than in 1943; but food supply and living accommodation were as bad. Medical supplies were almost nil; and deaths from cholera, malaria and emaciation only slightly decreased.

Finding that I could not do anything effective to better the conditions of the labourers, I resigned after a little over two months.

In the few months I was at the labour camps, I saw so many floggings, beatings and deaths, that I became inured to the sight. Even so, there is one sight that left a strong impression on me. It was on my first three months service, in 1943, at a place between 126 and 131 kilometres. I saw about 400 dead bodies, prisoners of war, Burmese and Malays piled up and splashed with petrol and burnt.

(Signed) Maung Aye Ko.

The above statement was signed in my presence by Maung Aye Ko, lately a Camp Officer on Burma-Siam Railway Project, personally known to me.

Stamp of Advocate-General,
Burma.

(Signed) E. Maung
3rd. August, 1946.
Advocate-General,
Burma.

1579A

SYNOPSIS

E. P/W Camps in Burma not connected with the Burma/Siam Railway.

a) Prosecution document numbered 5275, the Affidavit of Major C. E. GREEN, is now introduced for identification, the marked excerpts therein being offered in evidence. This document states that at Aerodrome Camp, Victoria Point, in June, 1942, a P/W having escaped, a number of other P/W and officers were imprisoned until the man's recapture. When the man was found, the Japanese Senior officer said that there was an Order that anyone attempting to escape was to be shot and that this man therefore, had to be shot. The witness as the Camp Commandant made every attempt to prevent the execution, which was nevertheless carried out in front of the witness. There had been no trial.

b) Prosecution document numbered 5206B, the Affidavit of Chaplain F. H. BASHFORD, is tendered for identification, and the marked excerpts thereof introduced in evidence. This document states that in June 1942 eight P/W escaped from Tavoy aerodrome camp. On recapture they were executed, the witness being present. Letters of protest against the execution by the Senior British officer were of no avail.

c) Prosecution document numbered 5038B, the Affidavit of Lt. Col. G. E. RAMSEY, is now offered for identification, the marked excerpts thereof being produced in evidence. This document states that in May 1942, the witness was commanding a P/W camp at Mergui. The camp was overcrowded, many of the men had dysentery, and hospital facilities did not exist.

Three men were shot for allegedly trying to escape. The witness made representations to the Japanese Commander to no avail.

At Tavoy in September, 1942, P/W were employed on enlarging a military aerodrome. Three men accused of stealing stores were taken to the gaol and there tortured savagely by the Kempeitai.

d) Prosecution Document numbered 5274, the Affidavit of Wing Commander L. V. HUDSON, is tendered for identification and the excerpts marked therein produced in evidence. This document states that in March, 1945, at Rangoon Prison, two men who were seriously ill were refused medical aid by the Japanese Doctor, who said they were dying anyway. In fact the men did die within a week.

On numerous occasions the Doctor and his Orderly were asked for treatment to which the answer was, as before, that since the men were dying, to give drugs to them, would be a waste.

The Commandant of the prison inspected the pitiful bareness of the cell which served as a hospital and saw the condition of the sick without comment.

The witness was beaten up by the Doctor and his Medical Orderly for writing a complaint to the Commandant on the conditions in which the sick were living.

1579 A

SYNOPSIS

E. P/W Camps in Burma not connected with the Burma/Siam Railway.

a) Prosecution document numbered 5275, the Affidavit of Major C. E. GREEN, is now introduced for identification, the marked excerpts therein being offered in evidence. This document states that at Aerodrome Camp, Victoria Point, in June, 1942, a P/W having escaped, a number of other P/W and officers were imprisoned until the man's recapture. When the man was found, the Japanese Senior officer said that there was an Order that anyone attempting to escape was to be shot and that this man therefore, had to be shot. The witness as the Camp Commandant made every attempt to prevent the execution, which was nevertheless carried out in front of the witness. There had been no trial.

b) Prosecution document numbered 5206B, the Affidavit of Chaplain F. H. BASHFORD, is tendered for identification, and the marked excerpts thereof introduced in evidence. This document states that in June 1942 eight P/W escaped from Tavoy aerodrome camp. On recapture they were executed, the witness being present. Letters of protest against the execution by the Senior British officer were of no avail.

c) Prosecution document numbered 5038B, the Affidavit of Lt. Col. G. E. RAMSEY, is now offered for identification, the marked excerpts thereof being produced in evidence. This document states that in May 1942, the witness was commanding a P/W camp at Mergui. The camp was overcrowded, many of the men had dysentery, and hospital facilities did not exist.

Three men were shot for allegedly trying to escape. The witness made representations to the Japanese Commander to no avail.

At Tavoy in September, 1942, P/W were employed on enlarging a military aerodrome. Three men accused of stealing stores were taken to the gaol and there tortured savagely by the Kempeitai.

d) Prosecution Document numbered 5274, the Affidavit of Wing Commander L. V. HUDSON, is tendered for identification and the excerpts marked therein produced in evidence. This document states that in March, 1945, at Rangoon Prison, two men who were seriously ill were refused medical aid by the Japanese Doctor, who said they were dying anyway. In fact the men did die within a week.

On numerous occasions the Doctor and his Orderly were asked for treatment to which the answer was, as before, that since the men were dying, to give drugs to them, would be a waste.

The Commandant of the prison inspected the pitiful bareness of the cell which served as a hospital and saw the condition of the sick without comment.

The witness was beaten up by the Doctor and his Medical Orderly for writing a complaint to the Commandant on the conditions in which the sick were living.

1580 A p. 1 a

Evidentiary Document No. 5275. A

I, VX39006, Major John Kevin LLOYD of Army Headquarters make oath and say:

1. I am an officer of the Australian Military Forces.

2. Annexed hereto and marked "S" is a true copy of an affidavit sworn by Charles Edward GREEN on 5 March 1946 which I have in my custody in the course of my duties.

3. The original affidavit cannot be made available immediately as it is required for trials of minor war criminals.

SWORN before me at MELBOURNE)
this 27th day of May 1946)

(Signed) J. LLOYD, Major.

(Signed) R.D. CRAMPTON, Capt.
An officer of the
Australian Military Forces.

p. 1 C

Evidentiary Document No. 5275. 4

IN THE MATTER of War Crimes

and

IN THE MATTER of WX3435 Major C.E. GREEN of 2/4 Machine Gun Battalion A.I.F.

United Nations War Crimes Commiss. Reference .....

I, Charles Edward GREEN of Mount Street, Perth, in the State of Western Australia being duly sworn make oath and say,

1. I was WX 3435 Major Charles Edward GREEN of 2/4 Machine Gun Battalion, Australian Imperial Force.

2. I was second in charge of the 2/4 Machine Gun Battalion and on the death of Colonel M.J. ANNETEL in February 1942 I commanded the Bn. I remained in command of the Bn. at CHANGI Camp, Singapore, until 14 May 1942.

3. The Japanese then ordered a party for overseas work to be formed consisting of 3000 all ranks. I was appointed by Major-General CALLAGHAN to command No. 3 Battalion of this force which was known as "L" Force.

4. The Force embarked at Singapore on 14 May 1942 on two ships. 2000 all ranks under the command of Brigadier A.L. Varley were pt on the "TOYOHASHI MARU" and 1000 all ranks under the command of Lt.Col. G. RAMSAY were put on the "CELEBES MARU". On these two ships the troops were grossly overcrowded, holds which would ordinarily provde for 200 men being made to accommodate 600 men. The food on the ships was poor, consisting of a small rice ration supplemented by a small issue of tinned food made into stews. The water position was bad and the latrine facilities extremely bad. On 21 May 1942 the two ships arrived off VICTORIA POINT, Burma, and the Japanese ordered the disembarkation of 1000 men plus sick. No. 3 Battalion, its strength being then increased to 1000 men plus sick, was disembarked.

5. At Victoria Point we were divided into two camps, 400 men being quartered at the Point proper and 600 men at the aerodrome camp approximately 6 miles from the Point. The food conditions at this camp could be regarded as being reasonably good although in reality they were below necessary requirements as it was found later on that man began to exhibit signs of malnutrition. My main general complaint was that at the aerodrome we were made responsible for guarding ourselves and that a guard of Australian prisoners was maintained from the camp and were held responsible for any attempts to escape made by any prisoners of the camp. On about June 1942, NX10420 Private R.S. GOULDEN, a member of 3 Battalion quartered at the Aerodrome Camp attempted to escape. He was found to be missing and after a reasonable time the fact that he had

escaped was reported by me to the Japanese. Captain YASUDA was the Senior Japanese officer at Victoria Point and was quartered at the Wireless Station. Captain YASUDA was known to be of the Permanent Japanese Army and was a man of about 45 years of age. He was about 5 feet six inches in height and of heavy build. The first steps taken by the Japanese was a complete check to establish that the man was missing; all officers were then summoned to the Orderly Room and I was confined to my quarters for two days. The Quartermaster and the Orderly Officer of the day (Australian Prisoners) were also confined to their quarters. The whole of the Australian guard which was on duty at the time of the escape was sentenced to be imprisoned until such time as GOULDEN was recaptured. The guard were punished by close detention in respect of the escape. Approximately six days later it became known that GOULDEN had been recaptured by the Japanese. I immediately requested that I should be present at any interrogation of GOULDEN and was told that he would be brought to the camp for questioning. At this stage the guard which had been imprisoned was released. GOULDEN was brought to the Japanese camp Guard House and I was sent for by Capt. YASUDA. I pointed out to Capt. YASUDA that on the question of the trial GOULDEN should have representation and he replied that an order had been given that any man who attempted to escape would be shot and GOULDEN had attempted to escape and would therefore be shot. It is my opinion that GOULDEN was mentaly deranged as he attempted this escape without any adequate preparation whatever and without communicating his intentions to anyone else. It is understood that he, realising the impossibility of his actions, gave himself up to the Burmese Police who handed him over to the Japanese. During the interim period, i.e. while he was out, a complete statement covering the case was prepared by Lt. McCAULAY, my Legal Officer, pointing out that we objected to being made responsible for guarding our own prisoners and further that we objected to communal punishment being given in respect to offences committed by individuals and the fact that escapees were to be punished by shooting. I lodged two copies of this document with the Japanese, one for their own use and requested that one be forwarded to a representative of a Neutral power. During this period the Japanese Camp Commander, Sgt. ISHIKAWA and also a Japanese Officer in Command of the Area adjacent to the aerodrome were interviewed by me on various occasions and the whole question of GOULDEN's escape and the objections to the possibilities to his being shot were raised. I interviewed GOULDEN after his recapture and he was in a very distressed frame of mind. Capt. YASUDA would listen to no appeals whatever; he said that if GOULDEN was not shot discipline would not be maintained and that other men would also attept to escape. I was then ordered to return to my quarters. Shortly afterwards a Battalion parade was ordered by the Japanese and I was sent for. The Battalion paraded on the parade ground and GOULDEN was marched from the Japanese quarters to a position in front of the assembled parade. Capt. YASUDA, one other Japanese officer, name unknown, and three guards were present. Capt. YASUDA and the other officers arranged themselves with drawn swords on either side of Private GOULDEN and Capt. YASUDA then read a document to the assembled troops in Japanese. The Battalion was then ordered to stand fast and a party which included myself, Major STRINGER, Lt. BERNADU and Lt. WATSON were marched in company with GOULDEN and the

guards to a point approximately five hundred yards from the camp. At this spot a pole had been erected and GOULDEN was blidfolded, tied to the pole and shot in front of us. GOULDEN had no formal trial. I then got a doctor, Capt. HIGGINS, and a padre and the Doctor examined the body and pronounced life extinct and we were ordered to carry the body back through the assembled ranks of the Battalion. A truck was waiting at the gate and GOULDEN's body was taken to the Victoria Point Cemetery where a grave had already been prepared and was buried in my presence. Sgt. ISHIKAWA, the Camp Commandant and Private SHIRAISHI were also present. The following documents relative to the above were handed in as appendices to my general report on 3 Battalion which was submitted to HQ Western Command on 12 November 1945:-

Appendix No. 2 - Diary of 3 Battalion 'A' Force to 16 Oct 42.
Appendix No.11 - Court of Inquiry on the execution of NX10420 Private R.S. GOULDEN.
Appendix No.12 - Copy of letter submitted to Japanese on execution of NX10420 Private R.S. GOULDEN.

6. On 28 Sep 1942 the Australian troops under my command arrived at THANBYUZYAT which was the north starting end of the Burma-Thailand railway, we were the first Australian troops to arrive at THANBYUZYAT and we came under the command of the HQ No. 3 Branch Thailand War Prisoners. The executive staff of this HQ were:-

Lt.Col. NAGATOMO - Commanding Officer.
Lieut. NAITO - Second in charge.
Lieut. HIGUCHI - Medical Officer.
Lieut. KAGAMI - Economic Officer.

7. The war crimes set out hereunder came within my personal knowledge while we were within the command of Lt.Col. NAGATOMO:-

EXECUTION OF ESCAPEES.

NX69005 Pte. G.H. WHITFIELD, of 3rd Reserve MT AIF.

Whitfield escaped from KANDAW 4 Kilo Camp commanded by me on the 10th Nov 42. He surrendered himself to the Japanese at Thanbyuzyat on the 13th Dec. 42. At that time I believe that Lt.Col. NAGATOMO was temporarily absent and Lt. Naito was administering command. Whitfield was shot on the 14 Dec. 42 on the orders of Lt. Naito. To my knowledge this man was given no trial by the Japanese. The following personnel escaped from Thetkaw 14 Kilo Camp commanded by me on the 12 Feb. 43:-

NX12243 Capt. A. MULL, HQ A.A.S.C. AIF.
VX73827 Pte A.J. BELL, 2/6 Field park AIF.
vx57167 Pte DICKENSON, K.J. 2/15 Field Regt. AIF.

Dickenson was recaptured by the Japanese on approximately 28 Feb 43 and executed on the 2 Mar 43at Thanbyuzyat. To my knowledge this man was

interrogated but was not given any formal trial. Mull and Bell went on further together and it was reported to me that Mull was shot by the Burmese Police near Shwegon on 10 Mar. 43. Bell was wounded at the same time that Mull was killed and was brought back to Thanbyuzyat and was executed at 0730 hours on the 16 Mar. 43. To the best of my knowledge and belief he was interrogated but had no formal trial.

IMPROPER IMPRISONMENT.

At the beginning of October 1942 Litue. NAITO approached me and asked me to sign an undertaking that I would not escape. I refused. Lieut. NAITO then said that I would be in serious trouble if I did not sign the undertaking. He said that he advised me to sign it as otherwise I would be kept in solitary detention and might be shot. I maintained my attitude of refusing to sign and on 5 Oct 1942 I was placed under arrest and taken to THANBYUZYAT and placed in solitary confinement in a cell in the guard house. Lt. NAITO visited me daily and demanded that I should sign the undertaking but I still refused and asked to be allowed to interview Brigadier VARLEY. The cell in which I was confined was a small wooden one with an Asiatic type latrine on one corner. I was given three meals a day, each consisting of half a dixie of plain rice and half a mug of water. I was not permitted to leave the cell. I had no facilities for washing. On the sixth day of my detention Brigdier Varley was arrested and placed in the cell next to mine. We were able to converse together. I believe the sole reason for Brigadier Varley's detention was to give me an opportunity of interviewing him without the Japanese having to give a formal consent thereto. It was a face-saving device. On 12 Oct 42 Brigadier Varley and myself agreed that as I was acting under duress I could sign the undertaking, and I therefore informed the Japanese that I would do so. I was taken to Lt. Col. NAGATOMO at his HQ. He expressed regret at the action that had been taken but said the undertaking had to be signed and that myself and Brigadier Varley would have stayed in detention indefinitely had I maintained my attitude of refusing to sign. I signed the undertaking and we were released from confinement. Major HARZENBERG, the senior Dutch officer in Burma, had previously subject to similar tactics by the Japanese; that is to say he was kept in solitary confinement until he signed a non-escape undertaking.

FORCING OF SICK PRISONERS TO WORK.

In March 1943 a force of Australian Troops known as Black Force, Green Force and Ramsay Force came together at 75 Kilo-Camp Meiloe. Lt.Col. Ramsay was the Senior Australian officer and was Camp Commander. The Camp worked on a Brigade basis with the three above-mentioned forces. Conditions in this camp were extremely bad and the effects of the long period of inadequate diet began to show themselves; it was also in a very bad fever belt. It was at this stage that the Japanese refused to accept the medical classifications given by our own Medical Officers. Sickness had increased at an alarming rate and the number of men available for work was reduced daily. Pressure was applied by the Japanese but we refused to send men to work who were not considered fit by our own Medical Officers. The Japanese

then took the matter into their hands and when they considered insufficient men were paraded for work they ordered a special parade of all the sick in camp. These men were inspected by parties of Korean Guards who by personal observation picked out additional men to go to work on the line. This then became the daily procedure and hundreds of men were selected daily and sent to work who were obviously unfit. The amount of work was increased and men frequently started at 8 o'clock in the morning and worked through until 2 and 3 o'clock on the following morning. This continued to be the procedure for the next nine months, (i.e. until January 1944).

EXPOSURE OF PWs TO DANGER FROM BOMBING ETC.

In January 1944 I was transferred to TAMARKAN Camp, Thailand, with a force consisting of all the Australian Prisoners of War in Burma less about 700 left at 105 Kilo Camp for maintenance work. The Tamarkan Camp was situated near a large steel rail bridge which had been constructed by the Japanese over the river for military reasons. The bridge was a military objective. The prisoners were forced to work on the anti-aircraft defences for the bridge. While I was at the Tamarkan Camp there were about nine allied bombing raids directed against the bridge and some prisoners in the nearby prison camps were killed by the bombardment. I did not ever see any recognition marks exhibited near the PW Camps to indicate to bombers that PW Camps were in the locality.

GENERAL.

While at prisoner of war establishments within the command of Lt. Col. NAGATOMO, I personally observed the following contraventions of International Law:-

SUMMARY OF CONTRAVENTIONS OF INTERNATIONAL LAW.

(1) Forcing men to work who were physically unfit and who had been classified as such by our own qualified M.Os.

(2) Failing to supply adequate quarters and crowding men in insanitary camps with natives.

(3) Failing to supply anything like adequate medical requirements.

(4) Forcing prisoners to work in unhealthy jungle camps.

(5) Failing to supply rations up to the scale laid down.

(6) Appropriating prisoners' rations for their own use.

(7) Stealing Red Cross supplies for their own use.

(8) Holding prisoners' mail up for periods up to 6 months and sometimes destroying it.

(9) Removing all paper, pencils, etc., and prevention of facilities for mental relaxation and study.

(10) Failing to supply anything like adequate clothing.

(11) Trafficking in canteen supplies and making exorbitant profits at prisoners' expense.

(12) Placing POW Camps in close proximity to military objectives.

(13) Forcing prisoners to work on Japanese war works, A/A posts, etc.

(14) Failing to repatriate prisoners who at the end of 12 months were classed permanently unfit and who required special medical treatment.

(15) Forcing officers to do manual work under threat of armed force.

(16) Conducting Courts Martial on prisoners without allowing them any representation whatever.

(17) Summarily executing prisoners who had attempted to escape.

(18) Communal punishment inflicted on whole camp.

(19) Infliction of severe corporal punishment out of all proportion to so-called offence.

(20) Forcing officers to salute all Japanese personnel irrespective of rank.

(21) At various times making the prisoners themselves responsible for their own custody under threat of severe communal punishment.

8. I consider that the person who was prima facie responsible for the above-mentioned war crimes was Lieut.Colonel NAGATOMO. I can speak of this man only in general terms; the officers who would be able to give detailed and first-hand information concerning Nagatomo's administration are Lt.Col. C. ANDERSON VC MC, Lt. Col. T. HAMILTON Senior Medical Officer and Major CAMPBELL (who handled pay, canteen affairs etc). I consider that the aforesaid war crimes were the responsibility of Lt. Col. Nagatomo in that either he directly authorized them or alternatively they were the result of his failure to supervise the actions and policy of his subordinates. Personally I believe that his subordinates acted generally in accordance with his orders. Nagatomo was a man of about 50 years of age; he was some five feet four inches in height; average build; clean shaven; no particular marks; he spoke French fluently. According to rumour he left Thailand in about June 1944 being then in disfavour with the Japanese authorities on account of his improper dealing with funds, supplies,etc. He is said to have died in Japan of food poisoning.

9. I refer to the following subordinates of Lt. Col. Nagatomo:-

LIEUT. HOSHI.

A description of this Japanese officer and the appointments he held are described in an affidavit sworn by me at Perth, Western Australia, on 7 Feb. 1946 before WX37146 Major H.T. STABLES OF AALC Western Command A.M.F. Hoshi was not of a sadistical brutal nature personally, but failed in his duty in as much as he exercised no control over his subordinates and permitted them to carry out brutal treatment. He engaged in personally purchasing canteen requirements and re-selling them to prisoners at enormous profits. He did not exercise sufficient control over rations. He was responsible through his subordinates of sending hundreds of men who were considered medically unfit by our own medical officers, out to work daily.

ARAU (known as "the boy bastard")

This man was a Korean guard about 25 years of age; about 5 feet 6 inches in height and fairly well built. To my knowledge this man was identified at a parade of suspected war criminals at Bangkok. This man was conspicuous among the guards for consistently brutal and sadistic treatment of prisoners including officers. His conduct was marked by daily bashing of prisoners and humiliating treatment.

YANI AND KATSUMI.

These men were Korean Guards. Yani was a man of about 38 years of age. He was a big, raw-boned type of man with a large number of gold and silver teeth. He was about 5 ft. 8 inches in height. Katsumi was about 26 years of age, of slight build, with a peculiar shaped head, being large at the top and narrowing down to the chin. These two Koreans carried out the duties of "orderly soldier" within the camp. As such they were responsible for procedure within the camp and were also responsible for the numbers of prisoners sent out to work on the railway line daily. These were the men who, when the numbers of prisoners selected for work were low, personally paraded the sick and selected hundreds of sick men to go to work.

10. I swear to the truth of the contents of the following documents:-

General report of my Command and Administration of No. 3 Battalion "A" Force (subsequently known as Green Force) and all appendices attached to the report submitted by me to HQ Western Command AMF in November 1945.

Sworn by the said Charles Edward GREEN at Perth in the State of Western Australia on this 5th day of March 1946.) (Signed) C.E. GREEN, Major.

Before me;
(Signed) M.C.H. CANTOR.
A Commissioner of the Supreme Court of Western Australia for taking affidavits.

Evidentiary Document No. 5275. A

Exhibit "S"

This is the document marked Exhibit "S" referred to in the affidavit of VX39006, Maj. J.K. Lloyd sworn before me this twenty-seventh day of May 1946 as being produced and shown to him at the time of his swearing his said affidavit.

(Signed) R.D. CRAMPTON, Capt.
An officer of the
Australian Military Forces.

1581 A.1*

Evidentiary Document No. 5206B

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

NO. 1

THE UNITED STATES OF AMERICA, and ors.

- against -

ARAKI, SADAO, and ors.

I, FREDERICK HUGH BASHFORD, make oath and say as follows:

1. My Army number is NX 70685; rank, Chaplain/Captain; full name, Frederick Hugh Bashford, 2/4 CCS. A.I.F.; home address, 3 Wyargine Flats, The Esplanade, Balmoral, New South Wales.

2. On 2 June 1942 the undermentioned men of the 2/4 A.T. Regt. escaped from captivity at Tavoy aerodrome camp, in which I was confined at that time:-

VX45344 W/O II Quitterton M.W.	VX18444 L/Bdr. Emmett A.A.
VX31946 Sgt. Danerher C.E.	VX47903 Gnr. Wilson J.A.T.
VX31670 Bdr. Cumming T.S.	VX27292 Gnr. Reeve A.
VX7043 Bdr. Glover A.V.	VX46835 Gnr. Jones A.H.

The men were recaptured. Brigadier Varley (now deceased) was notified to be present at their execution at 5 p.m. on 6 June 1942. Brigadier Varley drafted a letter of protest to the Japanese camp commandant at Tavoy Aerodrome camp. This letter was delivered personally. This letter of protest was of no avail, and Brigadier Varley then decided to see the highest-ranking Japanese officer in the district to protest against the execution. He was taken to Major Itsui at Tavoy.

3. If any trial of these men was held they certainly were not represented by a member of the AIF or FEF. I went to the place of execution with Brigadier Varley and saw them executed.

(Signed) F.H. BASHFORD.

Sworn before me at Sydney on the
Fourth day of September 1946.

(Signed) A.J. MANSFIELD.
Judge of Supreme Court of Queensland.

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST.
NO. 1.

THE UNITED STATES OF AMERICA AND ORS.

- AGAINST -

ARAKI, SADAO, AND ORS.

I, GEORGE ERNEST RAMSAY of SYDNEY in the State of New South Wales, make oath and say as follows:-

1. I was NX34999, Lt. Col. George Ernest Ramsay, 2/30 Australian Infantry Battalion, when I became a P.O.W. at Singapore in February 1942. In April, 1942, I was transferred to 2/18 Battalion.

2. On reaching MERGUI on 24 May, 1942, it was obvious that no preparations had been made for our reception. The Japs evidently had been moving around looking for a camp site and finally had decided on the Mergui School.

3. The area was capable of holding about 600 to 800 with reasonable comfort but on arrival at MERGUI there were 500 United Kingdom troops from SUMATRA and I was told that I had to take command of the whole force - that was, there was to be a total of 1500 men in this school camp. A great number of the British troops had dysentery. Conditions for the first 10 days or more were very overcrowded; there was no proper sanitary accommodation; the waterlogged ground prevented the digging of more latrines. There were no hospital facilities. We had 17 deaths at Mergui - 12 British and 5 Australians.

4. Three men were shot at Mergui - Australians named Davies, Bell and Schubert. They allegedly tried to escape. I am satisfied that the first 2 did try; but the third man, Schubert, was only out trying to get some food. I made representations in each case to the Japanese commander, pointing out that it was contrary to the Conventions; he pointed out in his turn that he would place my representations before Major ITSUI, commander of the garrison for the whole area. I was assured that my representations were placed before the commander and I was informed that he (ITSUI) was quite adamant, and that the men were to be shot. They were shot. We were not present. They were taken away on a truck early one morning and we did not actually see them at any time. We were subsequently officially informed, verbally, that they had been shot. In the case of Schubert, I was assured that nothing would happen to him before I was seen again - that once more they were forwarding my representations to ITSUI, and then they told me that Schubert would not be shot until I had been notified. In his case, when he was first captured, he aggravated the offence by jumping out of the Jap guardroom window; had he not done that I might have been able to save him. In fact, the padre spoke to me one morning

and said he had passed a truck and Schubert was in it with his hands tied, and Schubert as the truck sped past had called out "Does the Colonel know they're going to shoot me?". I went up to the Jap commander's quarters and on the way there I heard a shot or shots. I reminded the commander of his promise that the man would not be shot without first notifying me, but he said that it could not have done any good, since ITSUI had ordered that Schubert had to be shot.

5. We got to Tavoy in late August or September, 1942. The camp consisted of mixed forces including 200 Dutch from the Netherlands East Indies. I was in Tavoy for about 4 months. Some men were caught whom the Japs alleged were stealing from the Jap stores. Two men were beaten - Minton and Gaut. Also Sgt. Goggin. They were taken away to Tavoy gaol. They reported to me on their return. There was a Jap sergeant in charge of the camp and he said he had no jurisdiction over the KEMPEI TAI. According to the story of the three men, they were tortured, and a Burmese assisted the Japs at the gaol. Minton was made to kneel with a pole tight in behind his knees and he was forced backwards, while a KEMPEI TAI Jap stood at one end of the pole and the Burmese on the other. They worked up and down at the ends of the pole, forcing it to move backwards, and roll in between his knees. A Jap officer stood in front of him and hit him back with a golf club each time he tried to lean forward to ease the pain. Gaut was punished in similar style, but in addition he had big weals across his back from a knotted rope - his back was hurt and when I last saw him he was not fully recovered from his back injury. I saw him about 2 years afterwards, the last time I saw him. I saw him immediately after the torture. Minton had red bruises behind his knees. Gaut's back was strained.

6. Men at Tavoy did aerodrome work. They were enlarging the drome It was a military drome.

Sworn before me at Sydney

on the tenth day of September, 1946. /s/ G. E. Ramsay.

/s/ R. L. Deasey J.P.

1583A

Evidentiary Document # 5274.

I, VX39006 Major John Kevin LLOYD of Army Headquarters make oath and say:

1. I am an officer of the Australian Military Forces.

2. Annexed hereto and marked "Q" is a true copy of an affidavit sworn by LIONEL VIVIAN HUDSON on 17 February 1946 which I have in my custody in the course of my duties.

3. The original affidavit cannot be made available immediately as it is required for trials of minor war criminals.

(Signed) J. LLOYD, Major.

SWORN before me at Melbourne this 27th day of May 1946

(Signed) R.D. CRAMPTON, Capt.
An officer of the Australian
Military Forces.

On this seventh day of February, one thousand nine hundred and forty-six, Lionel Vivian HUDSON, of 229 New South Head Road, Edgecliff in the State of New South Wales, Journalist, makes oath and says as follows:-

1. I was formerly No. 400448 Wing-Commander L.V. HUDSON, R.A.A.F., and was Senior Officer of the Air Force Compound in Rangoon Prison under the Japanese from January 1945 to May 1945.

2. During March 1945, Lieut. P.F. Almond, U.S.A.A.F. and Sgt. Jack KING, R.A.F., developed acute beri-beri, dysentery, and became very weak. It was obvious that they needed medical attention, but when the Japanese medical officer (Bullneck) and Japanese medical orderly, Pte YAMAMOTA (as he was known to us) were approached by me for vitamin "B" injections and strengthening food for them they (the said officer and Pte) refused this aid with the explanation that the two airmen were dying anyhow. During a period of about 3 weeks I made representations of this sort to the said Orderly on dozens of occasions as did the patients themselves and numerous others of our companions. There is no doubt that he knew what we were asking for but his attitude in reply never changed. He said in effect that as the men were dying there was no point in wasting medical supplies on them. During this period the said medical officer rarely came near us but on the several occasions on which he did I made the same requests of him but his replies were always to the same effect as those of the said Orderly.

3. Becoming satisfied that the above representations would be of no avail I wrote a letter to the Commandant of the Prison whose name I do not know but who was known to as "The big Tai". I have not a copy of this letter but from notes made of it at the time can say that it was to the following effect:

> "We have a number of officers and men here in a critical condition and request that at least two of them, King and Almond, be transferred to the British Army Compound where proper medical treatment is constantly available. We have neither knowledge nor facilities to care for the men."

This letter was written in English as I knew Interpreters were available. I gave it to the Sergeant of the Guard at Inspection Time who undertook to deliver it for me.

4. On 23 March 1945, the Commandant made one of his few visits to our compound and asked to see our hospital and the men who I had told him were seriously ill. I took him and showed him the cell which we had been using as a hospital; it was a bare concrete cell and contained no bedding or other furniture except a few bags we had stolen. He took a quick look at the cell including the two seriously ill patients. When he looked at the patients (who were truly in an awful condition) he turned away and walked out without making any comment. As the Commandant walked out of the Compound I repeated to him my previous request that the two Airmen be admitted to the British Army Hospital but he did not reply.

5. On 26 March 1945, the medical Pte above referred to, handed me a note in English from the medical officer also above referred to,

which said in effect that I (this deponent) was not in a position to say whether or not the men were seriously ill, and also it was not proper for me to write to the Commandant direct. This letter was destroyed soon afterwards. As I was reading the note the Japanese medical orderly hit me a number of times on the face and head with his open hand. A few minutes later the said medical officer appeared and punched me about half a dozen times in the face with his fist. We did not say anything.

6. We received no further assistance for the dying men and both Lieut. ALMOND and Sgt. YING were dead within a week from the 26 March 1945.

7. In addition to the medicalofficer and orderly above referred to there was a Japanese Medical Sergeant whom we rarely saw but whom I did on several occasions ask for medical assistance for the dying men, however, his attitude was the same as that of the others.

SWORN by the above-named, Lionel Vivian HUDSON, at Sydney on the Seventh day of February, One thousand nine hundred and forty-six.

(Signed) LIONEL HUDSON.

Before me,

(Signed L. SHEFFIELD (?)
A Justice of the Peace.

EXHIBIT "O".

This is the document marked Exhibit "O" referred to in the affidavit of VX39006 Maj. J.K. Lloyd sworn before me this 27th day of May 1946 as being produced and shown to him at the time of his swearing his said affidavit.

(Signed) R.D. CRAMTTON, Capt.
An officer of the
Australian Military Forces.

15837

Evidentiary Document # 5274.

I, VX39006 Major John Kevin LLOYD of Army Headquarters make oath and say:

1. I am an officer of the Australian Military Forces.

2. Annexed hereto and marked "Q" is a true copy of an affidavit sworn by LIONEL VIVIAN HUDSON on 17 February 1946 which I have in my custody in the course of my duties.

3. The original affidavit cannot be made available immediately as it is required for trials of minor war criminals.

(Signed) J. LLOYD, Major.

SWORN before me at Melbourne this 27th day of May 1946

(Signed) R.D. CRAMPTON, Capt.
An officer of the Australian
Military Forces.

On this seventh day of February, One thousand nine hundred and forty-six, Lionel Vivian HUDSON, of 229 New South Head Road, Edgecliff in the State of New South Wales, Journalist, makes oath and says as follows:-

1. I was formerly No. 400448 Wing-Commander L.V. HUDSON, R.A.A.F., and was Senior Officer of the Air Force Compound in Rangoon Prison under the Japanese from January 1945 to May 1945.

2. During March 1945, Lieut. P.F. Almond, U.S.A.A.F. and Sgt. Jack KING, R.A.F., developed acute beri-beri, dysentery, and became very weak. It was obvious that they needed medical attention, but when the Japanese medical officer (Bullneck) and Japanese medical orderly, Pte YAMAMOTA (as he was known to us) were approached by me for vitamin "B" injections and strengthening food for them they (the said officer and Pte) refused this aid with the explanation that the two airmen were dying anyhow. During a period of about 3 weeks I made representations of this sort to the said Orderly on dozens of occasions as did the patients themselves and numerous others of our companions. There is no doubt that he knew what we were asking for but his attitude in reply never changed. He said in effect that as the men were dying there was no point in wasting medical supplies on them. During this period the said medical officer rarely came near us but on the several occasions on which he did I made the same requests of him but his replies were always to the same effect as those of the said Orderly.

3. Becoming satisfied that the above representations would be of no avail I wrote a letter to the Commandant of the Prison whose name I do not know but who was known to as "The big Tai". I have not a copy of this letter but from notes made of it at the time can say that it was to the following effect:

> "We have a number of officers and men here in a critical condition and request that at least two of them, King and Almond, be transferred to the British Army Compound where proper medical treatment is constantly available. We have neither knowledge nor facilities to care for the men."

This letter was written in English as I knew Interpreters were available. I gave it to the Sergeant of the Guard at Inspection Time who undertook to deliver it for me.

4. On 23 March 1945, the Commandant made one of his few visits to our compound and asked to see our hospital and the men who I had told him were seriously ill. I took him and showed him the cell which we had been using as a hospital; it was a bare concrete cell and contained no bedding or other furniture except a few bags we had stolen. He took a quick look at the cell including the two seriously ill patients. When he looked at the patients (who were truly in an awful condition) he turned away and walked out without making any comment. As the Commandant walked out of the Compound I repeated to him my previous request that the two Airmen be admitted to the British Army Hospital but he did not reply.

5. On 26 March 1945, the medical Pte above referred to, handed me a note in English from the medical officer also above referred to,

which said in effect that I (this deponent) was not in a position to say whether or not the men were seriously ill, and also it was not proper for me to write to the Commandant direct. This letter was destroyed soon afterwards. As I was reading the note the Japanese medical orderly hit me a number of times on the face and head with his open hand. A few minutes later the said medical officer appeared and punched me about half a dozen times in the face with his fist. We did not say anything.

6. We received no further assistance for the dying men and both Lieut. ALMOND and Sgt. YING were dead within a week from the 26 March 1945.

7. In addition to the medicalofficer and orderly above referred to there was a Japanese Medical Sergeant whom we rarely saw but whom I did on several occasions ask for medical assistance for the dying men, however, his attitude was the same as that of the others.]

SWORN by the above-named, Lionel Vivian HUDSON, at Sydney on the Seventh day of February, One thousand nine hundred and forty-six.

(Signed) LIONEL HUDSON.

Before me,

(Signed L. SHEFFIELD (?)
A Justice of the Peace.

EXHIBIT "Q".

This is the document marked Exhibit "Q" referred to in the affidavit of VX39006 Maj. J.K. Lloyd sworn before me this 27th day of May 1946 as being produced and shown to him at the time of his swearing his said affidavit.

(Signed) R.D. CRAMTTON, Capt.
An officer of the
Australian Military Forces.

SYNOPSIS

F. MERGUI - KIRIHKAN ROAD.

Prosecution Document numbered 5125, the Affidavit of Major V. BENNETT, is now introduced for identification, the excerpts marked wherein are now offered in evidence. This document states that in April, 1945, the witness arrived at the Top Camp, which was to be used to accommodate prisoners building the road from Mergui to Kirikhan.

"...The Top Camp had been used for the accommodation of coolies who had left before we arrived. There were three very broken down huts, one without a roof. This was the season when it rained almost continuously and in view of the fact that the huts were situated in a ravine surrounded by high trees, we never had the chance to dry our kit and clothing.

The food consisted of rice and dry vegetables and was so short in quantity that after about 3 weeks most of the prisoners were suffering from beri-beri and other deficiency diseases. Added to the shortage of food, prisoners were subjected to excessive work, and I remember a period when work went on from about 0830 in the morning until 2 or 3 o'clock the following morning. When this was the case there was no opportunity for prisoners to have meals in camp, and buckets of rice and vegetable stew had to be sent out to the working site.

The sick-rate which had been about 30 to 40 men per day rose after about 3 weeks to 60 to 70 men per day, the most usual complaints being deficiency diseases and malaria. In view of the high sick-rate as aforesaid, I had to ask for some of the worst cases to be evacuated. This was always refused...."

Medical supplies were meagre. Although no deaths occurred among P/W at this camp, of the total of about 1,000 men who set out from Nakonpatom to build the road, about 250 died in four months owing to the lack of medical supplies, overwork, inadequate food and the disgraceful living conditions.

1585A

Evidentiary Document # 5125.

IN THE MATTER OF JAPANESE WAR CRIMES AND IN THE MATTER OF THE ILL-TREATMENT OF PRISONERS OF WAR DURING THE BUILDING OF THE MERGUI-KIRIKHAN ROAD BETWEEN APRIL AND AUGUST 1945.

A F F I D A V I T.

I, VINCENT BENNETT, Major, Royal Army Medical Corps, with permanent address at R.A.M.C. Officers' Mess, Millbank, London, S.W.1., make oath and say as follows:-

1. I was taken prisoner by the Japanese at SINGAPORE on the 15th February 1942 and after passing through various prisoner of war camps I commenced the journey from NAKON PATON on the 11th April 1945 for the purpose of proceed to a jungle camp which was being used for the accommodation of prisoners of wa engaged on the building of the MERGUI-KIRIKHAN Road. The party of prisoners which left NAKON PATON as aforesaid consisted of about six to seven hundred me and two officers, one of whom was Captain CAYLEY, R.A.M.C., and the other myse.

2. On the 13th April 1945 we arrived at the so-called Base Camp, als referred to as KIRIKHAN Camp, and from there set out on a march towards the jungle. This march took four days and on the 17th April I arrived at the so-called TOP Camp with about half the complement of prisoners who had originally set out from NAKON PATON. The other half stayed at a camp about 4 kilometres short of the TOP Camp under the command of the said Captain CAYLEY.

3. The TOP Camp had been used for the accommodation of coolies who h left before we arrived. There were three very broken down huts, one without a roof. This was the season when it rained almost continuously and in view of t fact that the huts were situated in a ravine surrounded by high trees, we neve had the chance to dry our kit and clothing.

4. The food consisted of rice and dry vegetables and was so short in quantity that after about 3 weeks most of the prisoners were suffering from be beri and other deficiency diseases. Added to the shortage of food, prisoners were subjected to excessive work, and I remember a period when work went on fr about 0830 in the morning until 2 or 3 o'clock the following morning. When th was the case there was no opportunity for prisoners to have meals in camp, and buckets of rice and vegetable stew had to be sent out to the working site.

5. The sick-rate which had been about 30 or 40 men per day rose afte about 3 weeks to 60 to 70 men per day, the most usual complaints being deficiency diseases and malaria. In view of the high sick-rate, as aforesaid, I had to ask for some of the worst cases to be evacuated. This was always refus At that time the Japanese officers in command were Lt. KONDA, Lt. SAITO and another Lieutenant whose name I do not know. These three officers inspected t sick parade every morning and usually agreed with my assessment of their abili to work or to be excused from work as the case may be. Apart from their refus to permit the evacuation of the worst cases I have no particular complaint against these Japanese officers, except that the officer whose name I do not know, and who spoke quite good English, insisted on sick prisoners (permission for whose evacuation I had at last obtained after unsuccessful attempts lastin about 3 to 4 weeks) carrying, apart from their own kit, two picks each when they were finally evacuated. This evacuation had to take place on foot over a distance of about 17 kilometres. Those prisoners who were unable to walk had to be carried by their comrades on improvised stretchers.

6. Medical supplies were practically non-existent. This was due to the fact that the Japanese medical officer in charge of NAKON PATON Hospital had re fused to provide me with any medical supplies when the party left NAKON PATON

as set out in paragraph 1 above. Serjeant-Major HIRUTA whom I now recognise as No. 281 on Plate 23 acted as go-between and messenger between the TOP Camp and NAKON PATON. In spite of the fact that he was frequently told to bring medical supplies with him when he returned from NAKON PATON he never brought such supplies and I suspected that he sold them on the way to coolies in order to obtain money for his own benefit.

7. In spite of the conditions described above, no deaths occurred among prisoners of war at this camp. Of a total of about 1,000 prisoners of war, however, who had set out from NAKON PATON for the purpose of building the MERGUI-KIRIKHAN Road, about 250 to the best of my knowledge died in the space of about 4 months owing to lack of medical supplies, overwork, inadequate food supplies and the deplorable living conditions.

SWORN by the said VINCENT BENNET)
at 6 Spring Gardens in the City)
of Westminster this 1st day of) (Signed) V. BENNETT.
March 1946.)

Before me,

(Signed) F. HONIG.

Captain Legal Staff.
Military Department,
Judge Advocate General's Office, London.

Examined with original affidavit at H.Q. ALFSEA this sixteenth day of April 1946 and certified a true copy.

(Signed) E.L. ERGLAECH.
Lt.Col., Legal Staff,
War Crimes Legal Section,
ALFSEA, Singapore.

SYNOPSIS

G. Civilians in Siam.

a) Prosecution document numbered 5156, the Affidavit of Miss M.J.M. MAGNISS, is offered for identification, and the marked excerpts therein now produced in evidence. This document states that the witness was with twenty-one other Europeans interned at Kampong Toh. On 13 December, 1941, eight Indian soldiers were pushed into the room where the internees were living. Shortly after a Japanese soldier threw a hand grenade into the room. The witness was unable to move as her hip was injured. Two Japanese soldiers entered the room, one firing an automatic gun, the other bayonetting people lying on the floor. The witness was lying underneath some people and was thus saved from further injury.

A number of people were killed and many others injured. The Japanese then made off in a lorry.

b) Prosecution Document numbered 5394, the Affirmation of KALU RAM is now introduced for identification and the excerpts marked therein produced in evidence. This document states that the witness was arrested by the Kempeitai at Ranaung. When Siamese policemen tried to procure the witness's release, they too were arrested.

Ram was taken to Chumporn:-

"..For the next ten days I was beaten with a big stick, while my hands and feet were tied, and told to speak the truth. I do not know what they wanted me to speak the truth about, as they asked me no questions. During this time I was given a small ball of rice and a stick of raw cucumber daily for food.

On the eleventh day, water was forced into my stomach, and when my stomach was full, the Japs jumped

on it and I became unconscious. I was brought round by two Jap soldiers who threw cold water over me.

For the next two days I was suspended from a beam by the wrists, with my toes barely touching the ground. There was a wire tied to my wrists and a clamp fastened to my waist. Electricity was passed through these wires and my arms and body were burned. The pain made me cry out continually, and there seemed to be hooks plucking at my whole body. After two days of almost continual current being passed through me, during which time I was only given small quantities of water to drink, I became unconscious.

Before this, the Japs accused me of being a British Spy, and of photographing aeroplanes, and sending messages to London.

As I cannot even write my name, I tried to point out that this charge was ridiculous. They did not stop the current.....

During this time I saw Muse Menon, who was arrested the day before me, being given the water torture by the same K.P's who tortured me.

The K.P's were still trying to make me confess that I was a British spy.

After I arrived at Kawachi from Chumporn, my wrists and legs were charred to the bone from the results of the electric tortures and just as they were healing, the K.P's used to stick burning cigarettes into the sores.

In the end they tied some thin fishing line on to my testicles, with such a knot that the blood was cut off from those organs. The other

end of the fishing line was tied to the wall. I was made to lie down, and the line was tightened. Then a rope was put around my neck and it was pulled tight to the opposite wall. I was in considerable pain. Then the M.P. loaded a rifle and threatened to shoot me if I did not tell them where the wireless set was hidden. I implored them to kill me, as I knew nothing and would only have to be subjected to more torture if I lived. I was then released and brought towards the gaol. I asked to be allowed to go to the W.C. and was led towards that place, through the bathroom. On the floor of the bathroom I saw the body of Musa. He was definitely dead, and his body was naked and covered with lime....

...the Japanese continued to beat me. I was there for about seven months. Once, a tall M.P. with a lot of gold teeth put a red-hot wire up the centre of my penis. I was beaten almost daily, and in the end could not even walk.

SUMMARY OF EXAMINATION
of
MAUREEN JOY MARGARET MAGNESS

Formerly a stenographer of PINYOK MINE, Yala, South Siam
now at
Vajiravudh College, BANGKOK, SIAM.

M.J.M. MaGNESS havine been duly sworn, states:-

I, Maureen JoynMargaret MAGNESS, am 23 years of age, by occupation a stenographer formerly employed by the Thailand Tin Mines Ltd., and living at the PINYOK MINE, Yala, SOUTH SIAM with my mother and father, and at present living at Vajiravudh College, BANGKOK, SIAM.

I present on oath the statement which I made on arrival at BANGKOK on 23 July, 1942. A copy of this report was sent to the head office of my firm in LONDON. I was an internee at the time, and as my parents were to my certain knowledge murdered by SIAMESE Police I had to gloss over this part of the incident. Apart from this I certify on oath that my report is correct and true in every detail. I see it marked Exhibit "A" and attached to this summary. I wish, however, now slightly to amplify various details. I have NO charge to make against either Nai PRING or Nai Pravine NANDIWONGSE. I am unable to describe the first four Japanese soldiers I saw on 10 Dec. 41. Nai ANA is now working in the Thai State Railway department in BANGKOK. He was very good to me and I have NO charge to make against him. The two Japanese officers that he accompanied against his wish I can describe. I think that one of them was a Captain, about 7 ft. tall, well made, wore glasses, slightly scholarly stoop. He had long straight black hair. He was good-looking. He spoke perfect Malay in which he conversed with my mother. His eyes were NOT pronouncedly slit, but were round. I think his name was something like ANDO. The second officer was about 5ft 10 ins. tall, more broadly built than the other but a fine physical specimen. He wore NO glasses, NO moustache and short black hair, a round healthy face, small eyes but NOT particularly slanting. He was a Major and seemed to be in charge. I did hear his name but I can NOT remember it. After we had been shut in Mr. Van der STRAATEN's house the cars which had brought them drove on Southward towards BETONG, and we never saw these two again. I am almost certain they left with the cars a and had NO concern in what followed. It was one of these two who took my passport. Of the Japanese soldiers who guarded us in Mr. Van der STRAATEN'S bungalow there were so many who were changed so frequently that I can NOT describe any of them now. The Senior Japanese officer who visited us on 11 Dec. 41 was ugly, short and fat, about 5 ft 4 ins tall, cleanshaven, without glasses, natural teeth, fat round face. I do NOT know his name. The interpreter was just an "ordinary Jap" to look at and spoke very poor English but in an English accent. The grenade was thrown into the room by

Japanese who came in the truck that brought the Indian PW, NOT the normal guards. The truck came from the direction of YALA. I do NOT know which Japanese did the shooting and bayonetting.

Among the Siamese who came into the bungalow to look after the bomb was thrown was "Dr" SANNAT. He was the one who took my watch. I did NOT recognise the others. After SANNAT had looted me he was the one who carried me away to the other bungalow and finally to the hut. I now wish to make quite clear how my mother and father and Mr. THOMAS were killed as far as I was able to observe. About eight Siamese Police whom I mention as finally coming into my hut were responsible. There can be NO doubt about this. There was NO one else about at the time. I heard them pass my hut in the direction of the bungalow where the incident took place. After exactly the time it would take to get from my hut to the bungalow I heard the first shot and the cry of pain. After the time it would take to cross the road from this bungalow to the other where my parents were I heard the second and third shots. It was immediately after that that I heard the same Siamese voices coming back. The party then came into my room, all carrying rifles. There can be NO doubt that one or more of them had committed the three murders and that the remainder were accessories. Even if there could be any doubt at that deserted time and place "DR" SANNAT was an eye-witness of the shooting at least of my parents, and described to me later exactly how my mother died, i.e. lying on the ground with her hands clasped as in prayer and pleading for her life and entreating them to look for and succour me. Also he told me that she was shot clean through the head. She, he said, was shot first, and afterwards my father. I do NOT consider such meticulous circumstantial detail could be a mere invention, and further the men, who had already passed my hut would NOT have come in unless they had been told by someone that I was there, and it could only have been her. I do NOT know where "DR" SANNAT is to be found now but I can describe him and recognise him easily. He was about 5 ft 5 ins. tall, slim, fairly well-developed, long black hair but a skin light for a Siamese, cleanshaven, no glasses, natural teeth. Speaks a little English, was a Convict in the penal settlement at the time. They should know where to find him now. Nai CHUN I can describe a little. He was very small, thin, neat, very dark hair, cleanshaven, no glasses, natural teeth, wearing a Police Uniform, speaks Malay well. I do NOT know where he is now. I have seen a sketch-plan marked Exhibit "B" and attached to this summary. I certify it to be a good approximation of the layout except that the bungalow marked (1) in the plan is where the incident took place. Nai Pasede PIEW whom I mention in 16 Dec. 41 admitted to me later that he was in the truck that brought the Japanese at the time of the explosion. He is tall (about 5ft 10 ins) thin, cleanshaven, no glasses, very big teeth in a very protruding mouth. He was senior warder of the penal settlement at TANICOM. I do NOT know where he is now.

(signed) M. J. Magness
(M. J. MAGNESS)

SWORN before me (signed) (C.A. de M.R. PIERCE) Lt. Col., an officer of the R Royal Irish Fusiliers this eighth day of January, 1946. Detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South-East-Asia.

(Authority:- ALFSEA War Crimes Instruction No. 1 Para. 7)

EXHIBIT "A"

A STATEMENT OF MISS MAUREEN J. M. MAGNESS OF HER EXPERIENCES IN THE "YALA INCIDENT" 17TH DECEMBER, 1941 - 3RD APRIL, 1942.

8th December, 1941: We heard a broadcast from Singapore about 7.30 am of the sudden Japanese attack on Kota Baru, north-east of the Malay Peninsula and of the invasion of Thailand at Singora and Pattani. We, the employees of Thailand Tin Mines were advised to get ready to leave. At approximately 2 p.m. we were told to leave. In one of the Company's lorries a party of 3 women and 4 men left for the Betong border while the rest remained behind to look after the place. Among those who left were Mrs. Jeavons, Messrs. Frances, Roschke and Larsen, Mr. and Mrs Magness and self. As we passed by Kampong Toh we picked up Mr. and Mrs. Van der Straaten and Mr. Kitts who were residents of the place and who wanted to get away too. We continued our journey and about half way through we were detained by two Thai officials, Nai Pring and Nai Pravine Nandwongse. They strongly advised us to return as there was fighting at the Beton border and were also on the point of commandeering our lorry. We spent some minutes hesitating as we did not know whether to believe them or not, however, we returned to Kampong Toh and stayed with Mr. Stratford, who was manager there. Very late in the evening Mr. Butler-Jones and Dr. Rozenberg turned up to get what information they could with the intention of returning immediately they had any news. They had brought with them all the private books and files of the Company. As they received no news they remained with us and that made 12 altogether, namely:-

Mr. Butler-Jones	Mr. Van der Straaten
Mr. Francis	Mrs. Van der Straaten
Mr. Roschke	Mrs. Jeavons
Mr. Stratford	Mr. Magness
Dr. Rozenberg	Mrs. Magness
Mr. Kitts	Miss Magness

Mr. Stratford's cook who was still with him prepared a very good dinner for us that night which we had with the help of a candle light. That same night we were put under Thai guard. They were just civilians armed with long swords or long knives. Our movements were restricted and all electrical and water supplies were cut off. And all night long lorries continually passed by with Thai evacuees from the Betong border. We spent a

night and a day here.

9th December, 1941: About 9.30 p.m. a batch of Thai police came along and took us back to Pinyok. We were put into a bus which had side-screens in order to prevent us from being seen. We arrived at Pinyok at about 1.30 a.m. and found that several people from surrounding mines had voluntarily come to live with the member of our Company who had stayed behind. In all we were 27 people and we were forced to live in two bungalows, 9 in one and 18 in the other.

10th December, 1941: Several Japanese military buses passed along the road below our bungalows and we were made to understand by a Thai Police officer that we were under Thai custody so we were advised to remain in doors and fasten all doors and windows. We were all taken to the Assistant Manager's bungalow early in the morning. As soon as we were indoors a Japanes plane came scouting over the place and at about 9.a.m. we were divided into two groups, some were in the kitchen, behind the house, preparing breakfast and the others were in the living room. All electricity and water supply were cut off. Then suddenly there was a knock on the door and a voice said "Hullo, Hullo!" Mr. Peters one of our party opened the door and we were immediately confronted by 4 Japanese soldiers. Three of them had fixed bayonets and the other held 2 pistols. With our hands held up we were ordered outside the bungalow and once outside we were searched. After the search a pistol shot was fired into the air and we were afterwards marched down to Tengading village still with hands raised. All along the way they threatened to shoot us. However, when we arrived at the village we were told to sit in the middle of the road with the village mob gazing at us. One of the Japanese soldiers was about to fasten our hands together with rope when one of his officers told him it was unnecessary.

About half an hour afterwards the rest of our party who were in the kitchen preparing breakfast and whom we thought had been overlooked arrived at the village in a bus. Among them were my parents. They had been arrested by two Japanese officers accompanied by Nai Ana a Thai Official of the Thai State Railways. They had been allowed to collect their belongings before leaving, but had found that their suit-cases had been burst open and looted and everything in confusion. After our passports had been taken away from us by a Japanese officer we were put into a bus similar to the other one and we set off under armed Japanese guard and a few buses with Japanese troops. We stopped for a while at Tanicom, the Convict Settlement when a few Thai officials came up with glasses of water. We then continued our journey until we arrived at Kempong Toh where we were told to get off and were put into the house of Mr. Van der Straaten. We were then told by one of the Japanese officers that we were to remain here for the duration of the war and if any of us attempted an escape the whole lot of us would be disposed of.

We were allowed to remain only in the sitting-room and for sleepin had mattresses laid on the floor. An oil lamp was all we had for the night, while 2 Japanese guards with fixed bayonets were stationed in the room. The Japanese soldiers were unable to supply us with any food and we also had no water. Fortunately for us Mr. Van der Straaten's cook and boy who were still living at the bungalow, cooked for us whatever they could get and Mr. Peters was allowed on two occasions to go to the nearest village under Japanese guard to buy us food. But every time he returned with hardly anything at all the shops had been looted or shut and when he tried to get some from the other Pinyok Mine bungalows he saw the Thai Police helping themselves to drinks and they refused to let him take away anything. The Japanese also made an appeal to the Penal Colony to supply us with rice, but they replied that they had only sufficient for their own needs.

There were 27 of us altogether. Those from Pinyok Mine were:-

Mr. Butler-Jones	Mr. De Boer
Mr. Donnelly	Mr. Peters
Mr. Francis	Mr. Chambers
Mr. Bailey	Mr. Olsson
Mr. Macfarlane	Mr. Larsen
Mr. Thomas	Mr. Magness
Mr. Roschke	Mrs. Magness
Mr. Lamb	Miss Magness
Dr. Rozenberg	Mrs. Jeavons

From the surrounding mines were:-

Mr. Stratford	Mr. Cragie
Mr. Kitts	Mr. Edmonds
Mr. Van der Straaten	Mr. Holt
Mrs. Van der Straaten	Mr. Moore
	Mr. Cummins

11th December, 1941: A senior Japanese officer accompanied by his staff and an interpreter visited us. He made a long speech in Japanese which was interpreted to us and concluded it by saying that all Britishers would be executed. One of our party, Mr. Holt, took fright and fainted. The Japanese officer then ordered the 5 neutrals who were with us to move into the annex and were not allowed to converse with the rest. They were namely:-

Dr. Rozenberg	(Polish)
Mr. Olsson	(Swedish)
Mr. Larsen	(Norwegian)
Mr. Lamb	(Danish)
Mr. Roschke	(Danish)

When they left we waited anxiously, for what seemed to be hours, expecting that we should be killed. But as nothing happened we

decided that the interpreter had made a mistake in his interpretation.

12th December, 1941: We had only one Japanese soldier on guard duty in the room. By this time they showed more consideration towards us as they realised that we had no intention of attempting an escape. One of the Japanese soldiers brought us some cigarettes and another played ping-pong with one of our men, Mr. Chambers.

13th December, 1941: Somewhere about noon the 5 neutrals were taken away and put in a similar bungalow almost opposite the one we were in. We did not see them again and according to information received they were last seen on the Betong road pushing a Japanese lorry. At about 6 p.m. we had our last ration of soup made from the bones of a goose we had had the day before and at about 7 o'clock we settled down for the night. Suddenly, about one hour later while we were talking our attention was arrested by quick heavy footsteps up the back stairs, and eight Indian soldiers who were captured by the Japanese were pushed into the room. We were unable to converse with them as none of them could speak English. Mr. CHAMBERS, who understood a little Hindustani tried to get some information from them, but all they said was "We British!". We then passed a few very uncomfortable minutes. None of us dared move but we waited and watched for what was to come next. Suddenly one of the Japanese Soldiers threw a hand-grenade which exploded somewhere in the middle of the room where the eight Indian soldiers were huddled together. As a result of the explosion the lamp went out, and some of the Indian soldiers were instantaneously killed or wounded. In the darkness it was difficult to distinguish who had been killed and who injured. Several of the internees then hastened towards more protected positions while some made for the windows and jumped from a height of 15-18 feet. I was about to do the same but I felt I could NOT move my left leg which gradually began to get numb, and with fright I cried "Oh my leg, my leg!" With great difficulty, however, I managed to drag myself to a more protected corner of the room and remained huddled among some of my fellow internees. A few minutes later two Japanese soldiers came up again. While one flashed a torch at us the other fired what seemed to be a light automatic gun at us. Almost immediately after this another Japanese soldier came up and stabbed the people lying on the floor with his bayonet. Fortunately for me I had one or two people on top of me, and that saved me from the bayonet. They then took flight in a lorry waiting for them outside. After they had gone I called out to my parents. My mother was severely wounded and was unable to move, while my father crawled to my aid. Those who were unhurt said they would go and get help as they felt that the Japanese soldiers did this because of the British advance. Two of them remained behind to help those that were wounded but found it very difficult as there was NO light. One of them I recognised to be MR. CHAMBERS. Then both of them left and I did not see them again. I found that I had become very

weak from haemorrhage from a bad wound in my left hip which left me unable to walk. Mr. BUTLER-JONES, who was beside me, had a bullet in his belly and was making the most dreadful noises. He passed away after a few minutes. Mrs. JEAVONS who was on the other side of me had been killed by the hand-grenade. Mr. THOMAS was also badly wounded and unable to move at all.

By this time I had become exhausted from loss of blood and the pain in my leg was very severe so I was about to dose off when footsteps arrested my attention. A batch of Thais carrying lanterns and torches came up, some were dressed in the Thai Police uniform while others were in ordinary civilian clothes but every one of them seemed to be well-armed with either a gun a sword or a knife. As soon as they came into the bungalow they kicked aside the corpses and commenced looting. One of them pulled my watch off my wrist. They left when they had completed their looting but one of them stayed behind. He came up to me and felt my pulse and when he found that I was still alive he tried to look for my wounds with the help of a torch. He finally decided it wasn't safe for me to remain in the bungalow for fear the Japanese soldiers might return, so he offered to help me out. Fortunately enough Mr. CRAIGE, who had escaped unhurt and had gone to get help returned at that moment. So with the help of the Thai I was carried out of the bungalow while my mother was carried by Mr. CRAIGE, Mr. BAILEY and my father followed slowly behind. As far as I know the only living person left behind in the bungalow was MR. THOMAS who was too badly wounded to be moved. We proceeded to the bungalow on the other side of the road almost opposite the bungalow where the incident occurred, and remained under the house while deciding our next move. Mr. BAILEY who wore a white shirt took it off in case he might be seen. Mr. CRAIGE left us for what reason I don't know and we did NOT see him again. After some time the Thai decided to remove us to his house. But as both my father and Mr. BAILEY were unable to help my mother along as they were both by this time very weak, the Thai decided to take me along first and then come back for the others. So after a very trying effort I got on his back and we had scarcely gone a few yards when we saw a group of men approaching us. He helped me down into a ditch by the roadside while he stood to wait till they passed. Fortunately they were Thai civilians. They were very sympathetic when they heard that I was badly wounded and offered to help protect me. As daylight was approaching and my rescuer could go no further we got into the first hut we came by which wasn't far from the bungalow where I left my father and mother. I begged him to fetch my parents, but he said it was too late as he had to go and get rid of his clothes as they were all covered with blood from my wounds. So all went except one who appeared to be very dangerous. Shortly after dawn I heard some men talking Thai pass my hut and going in the direction of the bungalows. I did NOT see them but a few minutes afterwards I heard a shot fired and also a loud cry of a man in pain. I remembered when that Mr. THOMAS

was still alive when we left him and recognised the cry as being his and NO doubt caused by the bullet that was fired at him. After an interval of about seven minutes I heard another two shots fired, and judging from the direction of the sound I knew it to be at my parents. Nevertheless there was nothing I could do so I just waited with fear. The Thai who was with me ran away with fright. I could NOT conceal myself as I couldn't move, and felt that my end was soon to come. Then I heard those Thai voices once again, coming from the direction of the bungalows, and becoming louder and louder until eventually they came into my hut. I was shocked to see that they were Thai Policemen. They questioned me in Thai, but I did NOT understand them. I just wept and pleaded for help. The one of them, who was rather small in stature and who was called Nai CHUN, came up and spoke to me in MALAY which language I knew fairly well and I lied to him that I was a Thai. He then said that he had formerly been a clerk in the Amphur's office at BETONG, and would do all he could to help me. Meanwhile one of them brought a stretcher and very carefully carried me and laid me on it. Part of the hut was pulled down to get my stretcher out. A party of six Thai civilians carried my stretcher while the Thai Policemen guarded all round and whielded me from the sun. They walked about half a mile before they reached their quarters. As soon as we arrived they took me into their hut, placed me on a bed which had two mattresses and immediately commenced attending to my wounds. Two policemen held me down and another washed my wounds with warm water and cotton swabs. I had four wounds all on the left leg. Soon after the dressing was finished I saw Mr. Macfarlane in the custody of a Thai Policeman pass the door of the hut where I was lying. A few minutes afterwards a Police Captain named Khun Somnuk arrived with a Thai dresser who went under the name of "Dr" SANNAT. He (the dresser) rewashed my wounds and drew out two pieces of shrapnel from the wound below the left hip. Whilst attending to my wounds he told me that it was he who had rescued me from the bungalow, Khun SOMNUK then arranged to have me removed to TANICOM, the penal colony. He spoke excellent English and assured me that every precaution would be taken for my safety.

I spent two days with the Police, during which time I was very carefully looked after. I had my meals twice a day which consisted of fried chicken and rice, and my drinking water was always boiled first. I had NO clothes except what I had on. The lower part of my frock was torn off as it was all smeared with blood and I was given an old blanket to cover myself with. During these two days I did NOT sleep a wink as the pain in my leg was too severe.

16th December, 1941: Somewhere about 3 p.m. I was removed from the Police hut. I was carried on a stretcher and covered with blankets from head to toe as there were many Japanese soldier

near by and they were afraid of my being seen. My stretcher was then put on a lorry and surrounded by several Thai civilians and about half a dozen Police. At about 5 p.m. we arrived at TANICOM and I was taken to the house of Nai Pasede PIEW. A woman who lived with him and whom I understood as his servant nursed me and was very kind to me. I also had regular visits from "DR" SANNAT who dressed my wounds twice a day, and also gave me two anti-tetanus injections. For 2½ months I was unable to walk and for one month I had to lie in the same position (on my right side). After 2½ months I was able to walk with the help of a walking-stick. My left hip was tilted very badly and I could NOT put my left heel on the ground. During my stay here, which was three months, I was frequently visited by the Amphur of the district and several Thai Police officials, two of whom took a report of my experiences. Major KEED, head of the Police at SETANG, YALA, visited me once.

18th March, 1942. Under Police guard I was taken down to SETANG, YALA, in a bus and was put in the care of a Police Captain. Both the Captain and his wife were very kind to me and gave me the very best attention. When I arrived here I was pleased to see Messrs. BAILEY, MACFARLANE, JUBE, EDMONDS and DAWSON, four of whom I knew.

30th March, 1942: The seven of us left SETANG for BANGKOK under Thai Police guard with Major KEED and his wife, the Governor of YALA and his wife, the Governor of PATTANI, a dresser to attend to the wounds of the wounded men. We had one of the 3rd. class carriages to ourselves with Police on guard at either end. We travelled by day and put up at rest houses during the night. On three occasions, however, Japanese soldiers tried to take us away, but Major KEED was very firm and produced a special Japanese passport and they left us alone. The journey was very tedious and took five days. At about 10.30 p.m. on April 3rd we arrived in BANGKOK. On arriving the Governor of YALA very kindly donated Ticals 30/- to be divided among the six men, while his wife made me a present of Ticals 10/-.

We were put into a military bus and brought to the internment camp. I had with me a small suitcase of clothes given me by two Thai officials. I was only able to walk with the help of a walking-stick.

4th April, 1942: I was taken to the CHULALONGKORN Memorial Hospital and was examined by Dr. SAMAK and had an X-Ray photo taken. I then returned to camp to await results. It happened to be an impacted fracture, and I was told to go to Hospital for further treatment.

I stayed in Hospital for seven weeks and had very good attention from the Doctor, Matron and Nurses. I was able to rid myself of the walking stick, though I still have a very pronounced limp, and have to go to hospital now and again for further treatment.

(Signed) Maureen J. MAGNESS

23rd. July, 1942.

P.1

13-88A

Evidentiary Document # 5394.

SUMMARY OF EXAMINATION

OF

KALU RAM, a milk merchant of RANAUNG, SIAM,
on March, 1946.

KALU RAM, having been duly affirmed, states:-

I, KALU RAM, am 56 years of age and a British Subject; I keep cows in RANAUNG, and sell the milk.

On 31st July I was selling milk in the bazaar in RANAUNG. The previous day I had seen an M.P. and a Jap soldier arrest MUSA OSMAN, an Indian of RANAUNG. The same two arrested me at 0700 hours on that morning. I was taken to M.P. Headquarters and my hands were tied behind my back. I saw MUSA there in the same state.

I was there for about one hour, during which the Siamese police tried to have me released. They were also locked up. The previous day there had been a riot in RANAUNG, and three Japs had been killed. I think that was why the Siamese were imprisoned. They were there when I left.

From there we were taken to PANKAN to wait for a boat, and after one hour, one came and took us to KAWAJI, where we remained for two days, after which we were taken to CHUMTORN by lorry. There, we got our first food since my capture.

For the next ten days I was beaten with a big stick, while my hands and feet were tied, and told to speak the truth. I do not know what they wanted me to speak the truth about, as they asked me no questions. During this time I was given a small ball of rice and a stick of raw cucumber daily for food.

On the eleventh day, water was forced into my stomach, and when my stomach was full, the Japs jumped on it and I became unconscious. I was brought round by two Jap soldiers who threw cold water over me.

For the next two days I was suspended from a beam by the wrists, with my toes barely touching the ground. There was a wire tied to my wrists and a clamp fastened to my waist. Electricity was passed through these wires and my arms and body were burned. The pain made me cry out continually, and there seemed to be hooks plucking at my whole body. After two days of almost continual current being passed through me, during which time I was only given small quantities of hot water to drink, I became unconscious.

Before this, the Japs accused me of being a British spy, and of photographing aeroplanes, and sending messages to LONDON.

As I cannot even write my name, I tried to point out that this charge was ridiculous. They did not stop the current.

I became conscious in the cell in the Kempei Barracks, and could not eat for eight days. During this time, the Japanese told me that PRITHI CHAND, ABDUL BAKAR KAKA, and DHAN ROY had told them that I was a British spy. I realised then that they had done so, as they had recently taken 764.- ticals from me for the I.I.L., and when I complained to the Siamese Police, they were arrested for extortion. They were bailed out by BAKSHEE SINGH, the local I.I.L. leader, and then they took their revenge on me by informing the Japs that I was a spy.

I later saw these three men in the custody of the Japanese at KAWAJI, whence I was taken from CHUMPORN. I was in KAWAJI for three months.

During this time, I saw MUSA MEMON, who was arrested the day before me, being given the water torture by the same M.P.'s who tortured me.

The MP.'s were still trying to make me confess that I was a British spy.

After I arrived at KAWACHI from CHUMPORN, my wrists and legs were charred to the bone from the results of the electric tortures, and just as they were healing, the M.P's used to stick burning cigarettes into the sores.

In the end they tied some thin fishing line on to my testicles, with such a knot that the blood was cut off from those organs. The other end of the fishing line was tied to the wall. I was made to lie down, and the line was tightened. Then a rope was put around my neck and it was pulled tight to the opposite wall. I was in considerable pain. Then the M.P. loaded a rifle and threatened to shoot me if I did not tell them where the wireless set was hidden. I implored them to kill me, as I knew nothing and would only be subjected to more torture if I lived. I was then released and brought towards the gaol. I asked to be allowed to go to the W.C. and was led towards the place, through the bathroom. On the floor of the bathroom I saw the body of MUSA. He was definitely dead, andhis body was naked and covered with lime. After I was released, the Chinese cook for the M.P. told me that he had burned the body with oil, the same night. When I came back, the M.P. struck both myself and the escort. He told me I should not have seen MUSA's body, and that if I ever spoke about it, he would cut me in small pieces.

After three months, I was sent along with DHAN ROY, PRTHMI CHAND, DEVI DAS, SOHAL DAS, TARA SINGH & PANJAN to CHUMPORN. There I met RAM NARAIN who was in gaol for stealig Japanese stores.

While I was there, the Japanese continued to beat me. I was there for about seven months. Once, a tall M.P. with a lot of gold teeth put a red-hot wire up the centre of my penis. I was beaten almost daily, and in the end could not even walk. DEVI DAS and SOHAL DAS were released after some time, and a month after them, I was released.

The two M.P's who gave the orders to torture me, and who came from time to time to question me, but did not actually torture me were: Capt. MORI, who was O/C Kempei; 2/Lt. NAKAGAWA TADASHI.

The Jap who tied my testicles with fishing line and who beat me was: St. NAKANO YATSUKA.

The Jap who applied the elctricity in CHUMPORN was: S.M. IWASA YOSHIMICHI.

All the above I recognise from photographs attached.

(Thumbprints)

Certified that the above are the right and left thumbprints of the witness.

(Signed)

Interpreter:

I certify that I duly translated the above summary to the witness in his own language, prior to his signature which appears above.

(Signed)

Sworn before me
this 29th day of March 1946.
Detailed to exaine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.

(Authority: ALFSEA War Crimes Instruction No. 1, para. 7)

Checked with original and certified to be a true copy thereof.

(Signed) ? , Lt. Col.